

REGIONAL PLANNING COMMISSION MINUTES

The Humboldt County Regional Planning Commission (RPC) meeting was held Thursday, June 8, 2017 at 5:30 p.m. in the Meeting Room of the Humboldt County Courthouse located at 50 West Fifth Street, Winnemucca, Nevada.

COMMISSIONERS PRESENT

Mike White
Brad Bauman
Jean Kinney
Ken Hladek

Vickie Rock
Jennifer Legarza
Lewis Trout

COMMISSIONERS ABSENT

STAFF PRESENT

Betty Lawrence

LEGAL COUNSEL

Gabrielle Carr

PUBLIC PRESENT

Alan Means	Ralph Albright	Casey Graham	Marlene Brissenden
Dave Mendiola	Brad (not legible)	Don Arnold	Karen Arnold
JD Sullivan	Madison Jensen	J. Patrick Gray	William Gwalthy (sp?)
Nalin	Bob Schweigert	Philip Prause	Perry Fontaine
David Heiduck	Linda Bullen	Julie McKinnon	Nicolas Spriet
Thomas Bidegary	Terry Boyle	Wes DeVries	Meghan Jackson (?)
Silvia Solis	Cesar Mora	Ketan (sp?) Bhakta	Lal Singe
Nalin Bhakta	Ginger Bidegary (not signed in, in audience)		

I. OPENING

A. Chair Rock called the meeting to order and led members and guests in the Pledge Of Allegiance.

B. Roll call was taken; there was a quorum present

C. Public Commentary

Chair Rock called for public comment. There was no public comment.

D. Review, Correction and Approval of Minutes of May 11, 2017

Chair Rock asked if there were any corrections to the May 11, 2017 minutes. Mrs. Lawrence said Mr. Trout contacted her with some clerical corrections, which are reflected in the official minutes for the Chair's signature. Mrs. Kinney made a motion to approve the minutes as amended. Mr. Trout seconded the motion, which passed unanimously with Mr. White abstaining from the vote.

E. Requests for Postponement of Agenda Items

Chair Rock asked if there were any requests for postponement of agenda items. Mrs. Lawrence stated that Item C (HW-14-21E) could be pulled from the agenda as the applicant had contacted the Planning Department and his business license was signed off.

II. PUBLIC HEARING - Discussion & Possible Action

- A. **UH-17-03** A conditional use permit application submitted by David Pichard, Officer, GP Joule USA, Inc. to allow development of a 101 MW Photo voltaic solar project utilizing 1 section of land (629.380 acres ±). The subject property is located southwest of the I-80 Mote Exit; assessor's parcel #07-0471-09.

Linda Bullen, Perry Fontaine, Philip Prause and David Heiduck representing GP Joule approached the commission to give a power point presentation on the Battle Mountain Solar Project. Mrs. Kinney asked why this area, why 35 years and what calls a halt at 35 years. Mr. Fontaine explained northern Nevada has become interesting to a number of technology companies. They hope to sell the power to NV Energy or a number of commercial firms, which could include tech companies. This area has an excellent solar resource with good access. Thirty-five years is based on what they anticipate the life of their outtake contracts. These vary considerably in the market. They could operate with a new agreement or elect to come back and do a re-power of the facility if there is a significant improvement in the panels.

Mr. Trout referred to comments from Ben Garrett, County Road Superintendent regarding roadways. He suggested that GP Joule might want to discuss the differences between the temporary roadway and a permanent roadway with Mr. Garrett. Mr. Trout questioned the comment in the application that they would be operating 24 hours a day. The tracking on the panels track the sun, there will be a period of time that you will not be tracking the sun. Mr. Trout asked if there were plans for security. Mr. Prause explained there would be a monitoring system with cameras and lights linked to motion sensors. There is typically a routine where security personnel will check to make sure everything is all right. For security and operations maintenance there is direct link between the monitoring systems and a standby service. Mr. Trout referred to Staff's recommendation that if a lighting plan were submitted night sky lighting would be required. Mr. Fontaine indicated they will have a lighting plan and this is taken into consideration as part of that plan. Mr. Trout asked about the condition that any stage or phase of the operation commence within 12 months of approval of the conditional use permit. Does the fact that they are in the process of pursuing environment constitute compliance with this requirement. Mrs. Lawrence indicated this would be considered compliance with the condition.

Mr. Hladek asked about the status of NDEP assessments. Mr. Fontaine said that the surveys are complete and will be documented in the Environmental Assessment. Mrs. Bullen indicated that the project is on private land with the roadway access on Federal property. The BLM has required an evaluation of all the environmental impacts on the entire site. NDEP will be involved in some of the more minor permits down the road. Mr. Hladek asked if the output would be expandable. Mr. Fontaine said they are proposing 101MW and is what the interconnect application is based on. Mr. Hladek asked about work on site. Mr. Fontaine explained the setup process for the panels. There will be 2-man crew to install the panels. There will be several invertors. Mr. Fontaine explained how the panels are combined to work with the invertors and the switchyard. Mr. Hladek asked what the plans are if the project was not viable. Mr. Fontaine

explained there would be a de-commission plan, which would be submitted to the County and the BLM.

Chief Deputy District Attorney Carr asked Staff if proper notice was provided, Mrs. Lawrence said yes, it was. Is the application and use consistent with the Master Plan? Mrs. Lawrence stated that yes it is consistent with the Master Plan. Are there be any adverse effect on adjacent property on Staff's analysis of the conditional use permit? Mrs. Lawrence stated there are not. Chief Deputy District Attorney Carr asked if the applicant has had an opportunity to review the conditions being recommended by Staff. Mr. Fontaine said they have and they appear to be reasonable and standard.

Mr. Hladek asked what type of lease or purchase agreement GP Joule has with NV Energy for the location on this property of the substation. Mr. Fontaine said he believes it is NV Energy's intent to own that portion of land.

Mr. Trout referred to the checkerboard ownership on the map provided. The BLM has a policy to support solar development. If GP Joule wanted to expand, it would appear that a combination of BLM or another right-of-way on another private parcel configuration could be arranged. Mr. Prause indicated they have spoken with adjacent private parcel owners.

Chair Rock asked about the location of the solar panels in relation to the freeway. Will there be a fixed installation or an articulating panel that tracks the sun? How will they be set on the property and would there be glare? Mr. Fontaine explained the panels have a non-reflective material surface and designed to absorb as much energy from the sun as they can.

Mr. Trout commented that GP Joule has followed each step of the application process, exercised extreme due diligence. This is an excellent example of the kind of corporate stewardship that we want to encourage in our community. He wants to express the appreciation of the RPC for the efforts they have put forward to keep the community informed about the project. Mrs. Lawrence agreed with Mr. Trout's comments.

Chair Rock asked if there were any comments from the public. Seeing none, she brought the item back to the commission for a vote. Chief Deputy District Attorney Carr explained that the approval must meet the criteria set forth 17.68.090 and the conditions are consistent with in Chapter 17.68.090. Mr. Trout made a motion that the Planning commission finds that proposed projects meets the conditions set forth in Humboldt County Code Chapter 17.68.090 and that pursuant to that finding they approve the conditional use permit as recommended by Staff, by resolution. Mrs. Kinney seconded the motion, which passed unanimously.

- B. UH-17-06** A conditional use permit application submitted by Mark Sullivan with NV Energy to allow construction and operation of a 120 kV substation to serve as the interconnection point for the Battle Mountain Solar Project. The proposed substation will utilize a 2.5 portion of the subject property located off of the I-80 Mote Exit; assessor's parcel #07-0471-09.

Matt Gingrich with NV Energy approached the commission. He spoke of the positives of the Battle Mountain Solar Project. The substation is a critical component that will provide interconnection for GP Joule's project. The location is adjacent to one of their (NV Energy) existing transmission lines. This eliminates the need for GP Joule to run a transmission line to a point of connection. Mr. Gingrich requested a twenty-four month timeline to start any stage or phase of the operation (condition #3). He explained that NV Energy would own the 2.5-acre portion of this section.

Mr. Trout asked about lighting on the site. Mr. Gingrich said there will be lights which will only be on if there are employees at the site, at night for any repairs. The lights do not typically stay on when someone is not there. Mr. Trout asked if there should be a condition for a lighting plan (Humboldt County Code Chapter 17.70.020 (J)). Mr. Trout also said there should be a condition for an emergency and fire plan, as there is in the GP Joule conditions. Chief Deputy District Attorney asked Staff if this application is considered a renewable energy generation project also. Mrs. Lawrence said no, this does not. Chief Deputy District Attorney indicated this does not fall under the same code provisions that pertain specifically to renewable energy projects. Adding those requirements to this project would not be consistent with the code. There was discussion that this conditional use permit does not fall under the same conditions as the renewable energy project conditional use permit. Mr. Gingrich explained the National Electric Safety Code (NESC) governs them, which is pretty inclusive of these type of requirements. The substation is designed with the contingencies in mind. The property is graded and the fence extends way out beyond the substation. There are standards in place for the lighting also. Mr. Trout continued to pursue the need for additional conditions. Chief Deputy District Attorney Carr said that her understanding, from what information Mr. Gingrich has provided, is they are already obligated to comply with NESC. This is covered under condition #1, which states that applicant will comply all local, federal and state requirements. Chapter 17.70 is specific to a particular project. If the commission wanted to address their concern they could add to condition #1 "any fire and safety requirements". Mr. Trout argued his case to specifically address fire and emergency, referring again to the previous application's conditions. Chair Rock pointed out that the particular wording from the previous application does not apply. Mr. Trout said he understands, they can add a condition that a fire and emergency protection plan will be submitted prior to any building permits being signed off by the Planning Department. Mrs. Kinney asked what 17.70 specifically applies to. Chief Deputy District Attorney Carr said this chapter applies specifically to renewable energy generation projects. If the applicant agrees to such a condition, the commission would need to come up with wording that the applicant would agree to. Mr. Gingrich said they would meet any codes required by the County for fire protection and lighting control. Mr. Trout said that since NV Energy would be doing it anyway in connection with NESC what he is saying is to take the fire and emergency plan under that particular permit and share it with the County Fire Department to make sure they do not have an issue. Mrs. Lawrence pointed out for clarification the Humboldt County Fire Department does not service this area. It would be Valmy or possibly Battle Mountain. Chair Rock asked if Mr. Trout were to make a motion, would he want to modify the conditions in that motion. Mr. Trout pointed out condition #1 and 9 from the GP Joule conditions. He is suggesting that there at least be a call out similar to condition #9 incorporated into the conditions for this application that basically says a fire and emergency

protection plan will be submitted prior to any building permit being signed off by the Planning Department. Mr. Bauman said he understands the concerns but it seems redundant if there is already a national code or standard in place. Chief Deputy District Attorney Carr stated that from a legal perspective they are dealing with zoning requirements and zoning regulations. When you start to get into things like environmental impact, fire and electrical you are beyond the scope of their jurisdiction. She referred to the ordinance for Conditional Use Permits (17.68) and what conditions can be placed on the permit. There was further discussion on what is within the commission's authority and what is not.

Mr. Hladek asked about security and access to the sight by someone other than a NV Energy employee, such as someone from the solar project. Mr. Gingrich stated that they do not allow any non-trained individuals within the substation. NV Energy would need access across the solar project property and that would be dealt with in the parcel map process. The area will be enclosed by a locked fence with security cameras that monitor the substation.

Chair Rock asked for public comment. Donald Arnold came forward and asked about the material of the panels. Chair Rock suggested he address his question to a GP Joule representative. Chair Rock brought the item back to the commission. Mr. Trout asked counsel if the general requirement addresses the fire life safety issues Chief Deputy District Attorney Carr said the general requirement is covered. Chief Deputy District Attorney Carr asked Staff if notice was provided to property owners. Mrs. Lawrence indicated that yes it was. Chief Deputy District Attorney Carr asked if this use is consistent with the County Master Plan. Mrs. Lawrence indicated that yes, it is. Chief Deputy District Attorney Carr asked if there are any adverse effects on adjacent property based on proposed use. Mrs. Lawrence indicated no, there are not. Mr. Trout asked who was notified. Mrs. Lawrence said that all property owners within 300 feet of this property were notified.

Chair Rock asked for a motion. Mrs. Kinney made a motion to approve amending condition 3 to twenty-four months in conformance with Humboldt County Code Chapter 17.68.090, per Staff recommendation. Mr. White seconded the motion, which passed unanimously.

- D. **UH-17-04** A conditional use permit application submitted by Trent Weatherwax to allow a 20'x25' building to be used as a guest house/home office. The subject property is located at 4790 Brayton Road; assessor's parcel #10-0484-53.

Meghan Jackson approached the commission and explained the reason for the application. Ms. Jackson stated there would be no commercial use of the building. They will employ a licensed contractor to build the structure. Mr. White asked about setbacks. The site plan reflects the proposed structure will meet the required setbacks. Chair Rock asked for public comment. Donald Arnold approached the commission and asked if this use was for family only. Ms. Jackson said there would be no kitchen facilities, not rented and at most two people with one vehicle. Chief Deputy District Attorney Carr asked Staff if proper notice was given and if the use is consistent with the Master Plan. Mrs. Lawrence indicated that yes, proper notice was given and the use is consistent with the Master Plan. She then asked if there was any adverse effect on the adjacent property. Mrs. Lawrence stated there was not. Mr. Trout made a motion to approve the application pursuant to the findings of Humboldt County Code

Chapter 17.68.090 as recommended by Staff. Mrs. Legarza seconded the motion, which passed unanimously.

- E. UW-17-05** A special use permit application submitted by Madison Jensen to allow her to provide private swimming lessons utilizing an existing lap pool on this property. Subject property is located at 4137 Foothill Drive; assessor's parcel #16-0459-19.

Mr. Trout disclosed that he has an ongoing business relationship with Mr. Gray. He does not believe that the business relationship he has with Mr. Gray prevents him from evaluating the proposal of the lessee on the property and intends to participate in the discussion and the vote on this particular item.

Madison Jensen and Pat Gray approached the commission. Mr. Gray is the property owner and father of the applicant. Ms. Jensen explained her application request. Mr. Trout commented on the positive impact this type of business will have for the neighborhood. Chair Rock asked for public comment. Seeing none, she brought the item back to the commission. Mr. Trout made a motion to approve the application based upon the analysis and findings of Staff including the terms and conditions recommended by Staff. Mrs. Kinney seconded the motion, which passed unanimously.

Chair Rock indicated the next two items would be read and discussed together but voted on separately. Chair Rock read both items and asked if the commission had any comments or questions of Staff. Hearing none Chair Rock called for public comment. Seeing none, she brought the items back to the commission. Mr. Hladek asked about the comment in the Staff Report (MP-17-01 item A under Analysis and Findings regarding this amendment and subsequent zone change fitting into the County's plan to reduce density in this area. Mrs. Lawrence explained this falls in line with the recently adopted Source Water Protection Plan, which discourages development, which would create more density in this area.

- F. MP-17-01** A master plan amendment request submitted by Frank Gabica to change the HDR (High Density Residential) to AG (Agriculture) designation on property located between West Thomas Canyon Road and the Southern Pacific Railroad R-O-W, assessor's parcel #13-0362-01.

Mr. White made a motion to recommend approval to the Humboldt County Commissioners as recommended by Staff. Mr. Trout seconded the motion, which passed unanimously.

- G. RH-17-03** A zone change request submitted by Frank Gabica to change the RR-13 PD (Rural Ranchette 13,000 square foot minimum lot size with a planned development overlay) zoning designation to AG-5 (General Agriculture 5-acre minimum lot size) on property located between West Thomas Canyon Road and the Southern Pacific Railroad R-O-W; assessor's parcel #13-0362-01.

Mr. Bauman made a motion to recommend approval to the Humboldt County Commissioners as recommended by Staff. Mrs. Kinney seconded the motion, which passed unanimously.

At this time the commission took an approximate 5+ minute break (7:12:09 to 7:17:23)

- H. **AH-17-01** An abandonment request submitted by Robert and Astrid Schweigert to abandon an approximate 2,608 foot portion of Browning Drive; an approximate 1,934 foot portion of Remington Drive; assessor's parcel #'s 06-0133-06,07; 06-0137-01; 06-0138-03,04; 06-0134-06,08.

Bob Schweigert approached the commission. Mrs. Lawrence referred to comments from Ben Garrett, County Road Superintendent regarding existing easements or future easements for utilities. Mr. Schweigert explained that they farm these pieces of land and have a pivot that goes over one of the road easements. They plan to expand the pivot to include the other road easements. Mr. Schweigert said he has looked and cannot find any maps that reflect any type of easements. He will check with NV Energy and AT&T. Mr. Schweigert said he does not have a problem the requirement of a Reversion to Acreage placed on the abandonment request. The Reversion to Acreage is required for APN: 06-0138-03 and 04. Mrs. Lawrence explained what a reversion to acreage and an abandonment does. Mr. Schweigert indicated there are existing utilities on Godchaux, Dimick and Weatherby. He has no plans to develop the properties. Chair Rock asked for public comment. Hearing none, she bought this item back to the commission. Mrs. Kinney made a motion to recommend approval of the abandonment request per Staff Recommendation finding that the application is in conformance with NRS 278.480 to the County Commission. Mr. White seconded the motion, which passed unanimously.

Amendment to UW-12-13 and UW-12-14 A request from Alan Means as Manager of New Vision Development to amend the Special Use Permits allowing a temporary housing facility and a RV Park (known as New Frontier RV Park). The amendment request is to remove the temporary status of the housing facility and make the units a permanent Use as part of the RV Park. Subject property is located at 4300 Rim Rock Road; assessor's parcel #16-0361-16.

Mrs. Lawrence explained that the request is not only asking to make the units permanent but also expanding the footprint of the RV Park. She read into record a comment from Steve West, City Manager/Engineer (document in file) and indicated that she also spoke with Mr. West regarding the reduction in the units and the fact that the area will be paved and landscaped. She also read into record comments received from Karandeep Nagra general manager of Holiday Inn Express and Suites (document in file) opposing the amendment to the Special Use Permit.

Mr. Means approached the commission. He presented a power point, which reflected an updated 20-25 year Master Plan for this area. Mr. Means referred to the new site plan for the RV Park reflecting the placement of the units to become permanent. New Vision Development is proposing to sell and remove 72 of the 130 man camp units. The remaining 58 trailers will be used as duplex instead of triplex units. This reflects a reduction of 70% of the man camp units originally on this site. Mr. Means told expansion of the RV Park would happen in a couple of phases. The first phase will be the 58 units they intend to retain. Each unit (2 rooms) will have two parking spaces. The access roadways and parking lot will be paved. There will be landscaping around each unit. They anticipate Phase 1

being complete within the next 12-18 months. Phase 2 will include 14 additional drive through RV spaces and 15 new park model units. Mr. Trout asked if the request is to rent the units on a daily, weekly or monthly basis. Mr. Means said they still see the primary market as business uses with multiple days, weekly, monthly rentals. Chair Rock asked if the units would be used like the existing park models in the RV Park. Mr. Means indicated that this is correct. Mr. Hladek asked about adding street lighting to the area. Mr. Means said there is no intention to add street lighting as it is not something that would be desirable in a RV park. Mr. Trout asked Staff about a comment in the analysis, Item 4C, regarding ingress and egress to the property. He pointed out that access to Longhorn Drive is directly off Great Basin Avenue. Mr. Trout asked what the economic life of the units. Mr. Means said it depends on the maintenance. Mr. Trout indicated that typically it is about 20 years. Mr. Trout then asked what happens to the property at the end of the assumed 20-year lifespan of the units. Mr. Means stated if the business model has been successful, the units would be replaced.

Chair Rock asked for public comment. She explained that these are land use issues not competition. Terry Boyle approached the commission. He referred to a letter he wrote to this commission opposing the extension of the temporary use permit. He opposed making this permanent without some stipulations. He does not understand what falls under the Regional Planning Commission and what falls under the building department or other entities. Mr. Boyle asked if the commission looks at parking, paving, etc. Chair Rock explained the commission looks at the ordinances and if the use complies. She explained a hotel, for example, would have different requirements than a RV park. Mr. Trout gave examples of what are building department functions and what the commission and Staff looks at when reviewing a use permit or other applications. Mr. Boyle said he feels the building department, as a new use, should look at, this request. There should be a review of parking, ADA in particular, paved parking lots, curbs and gutters, landscaping. Chair Rock pointed out the conditions set forth on this request. She read item one, which states that applicant shall obtain all necessary permits and licenses and provide such to the planning department or a statement indicating no permit or license is required. There was discussion on what department administers what requirements for development. Mr. Boyle referred to the comments from Mr. Nagra regarding this being competition for the hotel businesses. This development should be held to the same standards as a hotel. Chair Rock explained what the Regional Planning Commission looks at when reviewing applications: Master Plan, land use, ordinances, NRS as to land use planning. They do not look at competition with other businesses. Chair Rock and Mrs. Lawrence explained to Mr. Boyle that a use permit is approved or denied by the Regional Planning Commission. It does not go on to the County Commission or City Council. Mrs. Lawrence explained there are no requirements/standards for parking in a RV park. Mr. Boyle said this project is somewhere between a RV park and hotel, it is a hybrid and unique. There was discussion on the differences between a RV park with park models/temporary uses and a hotel/motel. Deputy District Attorney Carr explained the appeal process. This process is for anyone who believes a determination by this commission was not in accordance with the land use and zoning regulations.

Tom Bidegary approached the commission. Mr. Bidegary referred to an advertisement for the RV Park. He indicated that the advertising appears to be for motel/hotel units. Mr. Bidegary stated that because this was a temporary use

originally Mr. West waived all fees (sewer, water and all other fees). He kept referring to this use as a motel/hotel and asked why there were no paved streets, storm drains, foundations, sidewalks. He feels all fees should now be paid with the conversion to a permanent use. Chair Rock again explained that the authority of the RPC is land use. Mr. Trout called for a point of order to bring the discussion back to the specifics of this request. He pointed out that Mr. Bidegary's point is very similar to Mr. Boyle's point that this is a hybrid entity. Chief Deputy District Attorney Carr reminded the board that this is an opportunity to be heard. If there is evidentiary information that can be gleaned from the information provided you could use that in your determination objectively.

Mr. Means pointed out that no RV Park on Winnemucca Boulevard has paved roadways. New Frontier RV Park has paved roadways. The intention is to pave the roadways and landscape the new portion of the RV Park. He pointed out that this park is no different from RV parks across the Country with the same types of units. Mr. Hladek asked if someone were to submit an application for the same type of use would the commission demand that the applicant add motel to the use. What would the responsibility be of the commission? Chief Deputy District Attorney Carr explained their responsibility would be to determine if the use was consistent with the zoning requirements. Mr. Bauman asked Staff at what level of review was it determined that the modular housing fits into being a RV park. Mrs. Lawrence said the application was submitted as a RV park. There is no ordinance in place that regulates RV parks. Mr. Means explained the definition of a recreational vehicle (RV) is less than 400 square feet per Nevada Revised Statutes (NRS). If the unit is larger than 400 square feet it is considered a mobile home. These units are less than 400 square feet and comply with the definition.

Mr. Trout asked Mr. Means if under the existing use permit he is allowed to pave the roads, to convert the triplex units to duplex units. Mr. Trout asked if this is allowed under the existing permit why is he asking to amend the permit. Mr. Means explained they are asking to add the units to the RV Park so they do not have to continue to return to the RPC for extensions of the use permit. Mr. Trout said there is no difference if they leave the use as temporary or if they approve the units a permanent. Mr. Means indicated they are making concessions by reducing the number of units by 70% and making improvements to the property. There was discussion regarding the original approved temporary use of the units.

Mr. Trout asked about the advertisement for the RV Park and Mr. Bidegary's comments regarding the advertisement. Casey Graham, operations manager of New Frontier RV Park, approached the commission. She explained they have a marketing firm, they write verbiage. What they have written is you can come to a RV park, because that is where you want to be. Sometimes you do not have a RV or no longer use a RV but do not want to change the RV lifestyle. The marketing department described the RV Park and park models as homey. There is no marketing, right now, for the units being requested to become a permanent part of the RV Park. Ms. Graham pointed out that the RV Park across the street has a park model unit and a teepee that they rent. They are not asking for anything that any other RV Park would be asking for. Mr. Trout asked about the description by Mr. Bidegary and Mr. Boyle of the 68 units being motel rooms. Ms. Graham said that motels and hotels offer amenities and services that they do not offer. They are a RV Park and are not trying to compete with the hotels/motels in Winnemucca. It is common for a RV Park to have rentals. There are 114 RV spaces and there will be 116 2-unit structures when the expansion is complete.

Mr. Trout asked if the argument put forward by Mr. Bidegary and Mr. Boyle that this is half RV Park and half motel and motel standards should apply to the property. Ms. Graham indicated that she does not believe so. Chief Deputy District Attorney Carr pointed out that the commission has already approved the use of the buildings a number of times. Today they are asking change the use from temporary to permanent. The use of the buildings has already been addressed and found consistent with the land use. Mr. Trout said the temporary permit allows what is being proposed. They would retain oversight if the use were left temporary. No request has been denied to extend the use. Chief Deputy District Attorney Carr pointed out that retaining the temporary status of the use could impact the applicant's ability to economically develop the property. Unless there is a finding under the ordinances or applicable law that says going permanent violates the zoning requirements and there is evidence to support such a finding she is okay with this. She does not want the commission to cross into the applicant's ability to develop and use the property for specific purposes. The commission is here to determine if the permanent use complies with the zoning requirements and is it a consistent land use with the Master Plan. Mr. Trout pointed out the commission's discretionary authority that the commission has the ability to look at the length of a permit. His comment and the point made by Mr. Means is that he can proceed with everything he proposes under the existing temporary permit. Mr. Means indicated that Mr. Trout is correct in saying he could proceed but he did not say he would proceed. If the permit remains temporary, he is not sure that they would develop the property as proposed. Mr. Hladek called for the question. Chief Deputy District Attorney Carr asked the Chair to make sure there was no additional public comment before calling for a vote. Mr. Means read the advertisement for the RV Park that refers to park models. He pointed out that the ad does not say they rent hotel or motel rooms, it says they rent park models, which are trailers. Mr. Bidegary approached the commission. Chair Rock indicated any comments would be limited to 3 minutes. Mr. Bidegary referred to the advertisement and asked why they are advertising daily, weekly and monthly rents with different rates different times of the year. He also referred to pictures showing the park model units not the RV spaces. He said this is advertising for motel rooms. Ms. Graham explained the website for New Frontier RV Park has multiple pages. The pages Mr. Bidegary is referring to is for the park models. The website also has advertising for the RV spaces with daily, monthly and weekly rates, which vary based on the season. Chair Rock asked for any additional comments from the public. Seeing none, she brought this item back to the board.

Mr. Trout made a motion to forward the amendment to the City Council with no recommendation. Chair Rock and Mrs. Kinney pointed out that this is not a recommendation. Mr. Trout withdrew the motion. Mr. Trout made a motion to disapprove the permanent application for the housing facility and not remove the temporary status of the housing facility as part of the RV Park expansion under Staff Reports UW-12-13 and UW-12-14. There was no second; the motion fails. Mrs. Kinney made a motion to approve Staff Report amendment to UW-12-13 and UW-12-14 per staff recommendation to change the designation and to amend the special use permit to remove the temporary status of the housing facility and make the units a permanent part of the RV Park extension. Mr. Hladek seconded the motion. Mr. Trout asked for a roll call vote: Mr. Trout – naye; Mr. White – aye; Mr. Bauman – aye; Chair Rock – aye; Mrs. Kinney – aye; Mr. Hladek – aye; Mrs. Legarza – aye. Motion passes six to one.

- J. **RW-17-02** A rezone application submitted by Alan Means as Manager of East Horizon Holdings, LLC to change the R-1-6/R-1-9 (Single Family Residential 6,000/9,000 square foot minimum lot size to R-3 (approximately 15.1 acres Multi-Family Residential) and R-1-9 (approximately 2.2 acres Single Family Residential 9,000 square foot minimum lot size) designation on property located east of Great Basin Avenue; assessor's parcel #16-0365-04.

Mrs. Lawrence provided the commission with copies of the conceptual Master Plan for development of this property. Alan Means, Manager of East Horizon Holdings, LLC approached the commission and explained the reason for the zone change request. Mr. Means said the nature of the activities at the recreation complex across Great Basin Avenue is more compatible with rental housing than single-family residences. Chair Rock asked if the plan was for two or single story units. Mr. Means said this is a 20 year master plan so cannot say at this time. Mr. Trout referred to Steve West's comments regarding buffers on the south and east sides of the property. The R-1-9 zoning will buffer the south. Mr. Means referred the commission to the conceptual plans for this parcel. There will be landscaping and backyards that will act as buffers all around. He further told the commission that the number of units proposed would be less density than if the development were all single-family units. There was discussion on the benefits of this type of development being close to the location of the Boys and Girls Club, within the recreation complex. Chief Deputy District Attorney Carr asked Staff if adjacent property owners had been properly notice. Mrs. Lawrence indicated they were. Chief Deputy District Attorney Carr asked about the comment in the Staff Report that the zoned change is not in conformance with the Master Plan. Mrs. Lawrence explained that as proposed the development would conform to the Master Plan density. Seeing no public, Mr. Trout made a motion to recommend approval to the City Council the zone change request as recommended by Staff and in accordance with the criteria for approval of the Municipal Code of the City of Winnemucca. Mrs. Kinney seconded the motion, which passed unanimously.

III. **COMMISSION/STAFF/LEGALCOMMENTS/COMMITTEE REPORTS/TRAINING OPPORTUNITIES** – Discussion and possible action

Request from the Humboldt County Commission for input or recommendation from the Regional Planning Commission regarding an amendment to Humboldt County Code which would prohibit Recreational Marijuana Establishments as defined by NRS Chapter 453D within the unincorporated areas of Humboldt County.

Mr. Trout made a motion to recommend to the County Commission that they proceed with the amendments to the Humboldt County Code prohibiting Recreational Marijuana Establishments as defined by NRS Chapter 453D within the unincorporated areas of Humboldt County. Mrs. Kinney seconded the motion. Mr. Hladek and Mr. Trout both voiced disappointment that no one from the County Commission attended to speak on this amendment. Mr. Trout asked for a roll call on this vote: Mr. Trout – aye; Mr. White – aye; Mr. Bauman – aye; Chair Rock – aye; Mrs. Kinney – aye; Mr. Hladek – aye; Mrs. Legarza – aye. The motion passed unanimously.

IV. PUBLIC COMMENTARY

Mrs. Lawrence thanked Vickie Rock for serving on the Planning Commission stating she appreciated all of her hard work. She said Mrs. Rock had done a good job chairing the RPC for the last 2 years.

V. ADJOURN to July 13, 2017 at 5:30 p.m.


Chair

UNOFFICIAL