

**JOINT MEETING OF THE PAHRUMP REGIONAL PLANNING COMMISSION AND
CAPITAL IMPROVEMENTS ADVISORY COMMITTEE
MINUTES OF THE MAY 9, 2018 MEETING**

Members in Attendance: Gregory T. Hafen II
Beth Lee
Leah-Ann DeAnda
Robert Adams
Derek Fowler
Gary Bennett

Members Absent:

Planning Staff: Steve Osborne
Joe Ehrheart
Celeste Sandoval

District Attorney's Staff: Ronni Boskovich

Public Works Staff: Cody McKee

Other Attendees: Commissioner Koenig

Acronyms Used:

AP	=	Assessor Parcel Number
BOCC	=	Board of County Commissioners
CIP	=	Capital Improvement Plan
CUP	=	Conditional Use Permit
DA	=	Development Agreement
DDA	=	Deputy District Attorney
MH	=	Manufactured Home
MHP	=	Manufactured Home Park
NCC	=	Nye County Code
NRS	=	Nevada Revised Statutes
PRPD	=	Pahrump Regional Planning District
PUC	=	Public Utilities Commission
PW	=	Public Works
RE	=	Rural Estates Residential
RH	=	Rural Homestead Residential
ROW	=	Right of Way
RPC	=	Regional Planning Commission
SFR	=	Single-Family Residential
VR	=	Village Residential

1. Pledge of Allegiance/Call to Order

Meeting called to order at 6:00 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 6:01 pm with no comments.

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

a. PRPC Meeting – April 25, 2018

Commissioner Lee stated she provided staff with minor typographical errors.

Celeste Sandoval stated she received some minor typographical errors from the DA's office and stated the agenda states March 14th and it should be the April 25th meeting minutes.

Commissioner Hafen stated for the record that it is the April 25th minutes.

Commissioner Lee motioned to approve the April 25th minutes including changes submitted to staff. Seconded by Commissioner Bennett.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).

Yes: Beth Lee, Derek Fowler, Gary Bennett, Gregory T. Hafen II, Leah-Ann DeAnda, Robert Adams.

4. **For possible action - Approval of / Modifications to the Agenda:** Approval of the Agenda after Considering Requests to Rearrange, Hold or Remove Items.
None.

5. **Correspondence and Announcement**

Commissioner Hafen stated DWR has a website that pertains to Order 1293 and you can search your APN or address to locate whether or not water rights have been relinquished for your parcel.

6. **Commission/Committee/Director Reports:**

a. BOCC Liaison Report - BOCC Liaison – John Koenig

None.

b. Director's Report

Steve Osborne stated for the Month of April there was 146 total applications received at the Planning counter. Building permits 51 SFR permits, 26 Manufactured Homes Permits and a total of 169 building permits issued for the month.

Code Enforcement there were 20 new complaints received. Total active complaints are still being updated in the system so there is no number to provide.

For items that have been heard at previous RPC meetings Bill 2018-08 Suburban Estates to remove the 40-acre minimum requirement is set for a public hearing for May 15, BOCC and Bill 2018-09 Building Separation is also set for BOCC May 15th. ZC and MP amendment for Spring Mountain Raceway are scheduled for action by BOCC May 15th and Bill 2018-07 Manufactured Homes bill is set for Public hearing June 5th BOCC.

7. **Ex Parte Communications and Conflict of Interest Disclosure Statements**

Commissioner Hafen will recuse himself from items # 9, 10 and 11. His family currently is entered into contracts with Motivational Systems for signs and sign leases with Mtn. Falls.

Commissioner Bennett stated the company he works for contracts with William Lyons and he will not be abstaining it will not cloud his judgement at all and has nothing to gain.

Commissioner Fowler stated his insulation business is under contract with Lyon Homes for the ovation project and will be recusing himself from items # 9, 10 and 11.

SITTING AS THE CAPITAL IMPROVEMENTS ADVISORY COMMITTEE

8. **For Possible Action** – Discussion and possible direction regarding the update of the 2006-2015 Pahrump Regional Planning District Capital Improvement Plan (CIP).

Darrell Lacy, Natural Resources Director stated at a past meeting it was recommended they try and outsource the update of the CIP plan. After discussion with the County Manager and Brett it was determined he could do it in house and will be significantly cheaper for the county.

Public comment opened and closed at 6:10 pm with no comments.

Commissioner Lee motioned to have staff finish updating and complete the CIP plan. Seconded by Commissioner Fowler.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).

Yes: Beth Lee, Derek Fowler, Gary Bennett, Gregory T. Hafen II, Leah-Ann DeAnda, Robert Adams.

Commissioner Hafen and Commissioner Fowler left the room and turned the meeting over to Commissioner Adams.

9. **For possible action – CU-2018-000047:** Public Hearing, discussion and deliberation on a Conditional Use Permit application to allow an Off-Premise Sign (for Ovation at Mountain Falls), located at 951 E. Betty Avenue, further described as Block 38, Lot 13, Calvada Valley Unit 11, Township 20 South, Range 53 East, Section 10, 1.20 acres, Assessor Parcel Number 038-023-01, zoned Light Industrial (LI). Hitoshi & Akiko Suzuki - Property Owner. Motivational Systems, Inc. - Applicant. Carlos M. Ramos – Agent for Motivational Systems, Inc. **(This item is Final Action by the Pahrump Regional Planning Commission unless appealed to the Board of County Commissioners, or otherwise announced.) (SO)**

Mr. Osborne stated staff reviewed the request and have found several requirements that haven't been met. Off premise signs to be located in GC or HI zoning districts this property is LI, the sign is less than 750 feet from other off-premise signs. It is also less than 200 feet from the intersection of Hwy 160 and Betty Ave and less than 500 feet of residential zoning and design requirements have also not been met per NCC.

Carlos Ramos, applicant stated he wasn't completely aware of the codes stated today. He was unaware that it had to be GC or HI. They can move the signs or keep them where they are once they have decided on the matter.

Commissioner Adams stated the signs are 128 sq. ft. and asked if the message could get across with a smaller sign?

Mr. Ramos stated absolutely. If they decided on conditions, like moving the signs they could do that.

Commissioner Koenig asked if the company also did the previous Mt. Falls signs?

Mr. Ramos stated that was prior to him working for the company.

Commissioner Koenig stated the company knew they needed to come get a CUP for the signs and didn't just put the signs up before.

Commissioner Bennett stated it is his recommendation that if there is anything in place it should come down and they should start over and make sure they are doing everything they way it is supposed to be done.

Public comment opened and closed at 6:19 pm with no comments.

Commissioner Bennett motioned to deny CU-2018-000047 based on staff's recommendations and that they come back and obtain proper authorization. Seconded by Commissioner DeAnda.

Commissioner Adams asked Commissioner Bennett to amend his motion to state based on the recommendations by staff.

Commissioner Bennett amended his motion.

Vote: Motion passed (**summary:** Yes = 4, No = 0, Abstain = 2).

Yes: Beth Lee, Gary Bennett, Leah-Ann DeAnda, Robert Adams.

Abstain: Derek Fowler, Gregory T. Hafen II.

10. **For possible action – CU-2018-000048:** Public Hearing, discussion and deliberation on a Conditional Use Permit application to allow an Off-Premise Sign (for Ovation at Mountain Falls), located at 1630 S. Nevada Highway 160, further described as Block 16, Lot 127, Calvada Valley Unit 6, Township 20 South, Range 53 East, Section 23, 0.252 acres (10,977 square feet), Assessor Parcel Number 038-901-22, zoned Multifamily Residential (MF). Lin Foon Group, LLC - Property Owner. Motivational Systems, Inc. - Applicant. Carlos M. Ramos – Agent for Motivational Systems, Inc. **(This item is Final Action by the Pahrump Regional Planning Commission unless appealed to the Board of County Commissioners, or otherwise announced.) (SO)**

Mr. Osborne reviewed his staff report and stated the property doesn't have the proper zoning, less than 750 from another off-premise sign and within 500 feet of a residential zoning district and based on findings staff's recommendation is for denial.

Mr. Ramos stated he wished this would have been addressed before getting to this point so the issues could have been corrected.

Commissioner Lee asked if #9, 10 and 11 are all denied what is the requirement to have the signs taken down.

Mr. Osborne stated if an appeal isn't filed they have 15 days to remove them.

Public comment opened and closed at 6:24 pm with no comments.

Commissioner Lee motioned to deny based on staff's recommendations and their findings as outlined in their staff report. Seconded by Commissioner DeAnda.

Vote: Motion passed (**summary:** Yes = 4, No = 0, Abstain = 2).

Yes: Beth Lee, Gary Bennett, Leah-Ann DeAnda, Robert Adams.

Abstain: Derek Fowler, Gregory T. Hafen II.

11. **For possible action – CU-2018-000049:** Public Hearing, discussion and deliberation on a Conditional Use Permit application to allow an Off-Premise Sign (for Ovation at Mountain Falls), located at 5740 S. Homestead Road, further described as File Number 443217, Parcel 4, Township 21 South, Range 53 East, Section 12, 2.67 acres, Assessor Parcel Number 044-531-21, zoned General Commercial (GC). Lewis Family Living Trust, Weaver Family Trust, et. al. - Property Owner. Motivational Systems, Inc. - Applicant. Carlos M. Ramos – Agent for

Motivational Systems, Inc. **(This item is Final Action by the Pahrump Regional Planning Commission unless appealed to the Board of County Commissioners, or otherwise announced.) (SO)**

Mr. Osborne stated this application also doesn't meet NCC for an off-premise sign and recommendation is denial.

Public comment opened at 6:27 pm.

Debra Strickland stated this sign does meet the GC requirement. She asked if the sign is too close to residential property.

Mr. Osborne stated yes.

Mrs. Strickland stated he should have gotten approval prior to putting the sign up, and asked if the 500-foot rule was the only requirement that wasn't met.

Mr. Osborne stated it isn't 100 feet of highway 160 or highway 372, it is within 500 feet of a residential zone and the design standards such as projection and number of columns.

Public comment closed at 6:28 pm.

Commissioner DeAnda motioned to deny CU -2018-000048 based on staff's findings. Seconded by Commissioner Bennett.

Vote: Motion passed (**summary:** Yes = 4, No = 0, Abstain = 2).

Yes: Beth Lee, Gary Bennett, Leah-Ann DeAnda, Robert Adams.

Abstain: Derek Fowler, Gregory T. Hafen II.

Mr. Osborne stated the motion needs to be clarified it was stated 48 and not 49.

Ronni Boskovich asked to redo the motion for item #11 so the record is clear.

Commissioner DeAnda motioned to deny CU-2018-000049 based on staff's findings. Seconded by Commissioner Bennett.

Vote: Motion passed (**summary:** Yes = 4, No = 0, Abstain = 2).

Yes: Beth Lee, Gary Bennett, Leah-Ann DeAnda, Robert Adams.

Abstain: Derek Fowler, Gregory T. Hafen II.

Commissioner Hafen and Bennett re-entered the meeting.

12. **a. For possible action – WV-2017-000063:** Public hearing, discussion and deliberation on a Waiver application for Certified Water Rights in the amount of 3 acre-feet for each additional parcel created be relinquished to the Nevada State Engineer's Office, Division of Water: NCC (16.28.170 H1b) for the property located at 5531 S Oakridge Ave. It is an existing developed 2.50-acre lot in the Rural Homestead Residential (RH-4.5) Zoning District, further described as Hoolihan Ranch Lot 2 Block 21s, AP# 044-541-11. Marilyn Boatman Trust & John & Lorrain Boatman Owners/Applicant. **(This item is Final Action by the Pahrump Regional Planning Commission unless appealed to the Board of County Commissioners, or otherwise announced.) (JE)**

- b. For possible action – WV-2017-000064:** Public hearing, discussion and deliberation on a Waiver application of Parcel Size Requirements NCC (16.28.170.I.2: Parcel Size Requirement) and minimum setbacks for an accessory structure for the property located at 5531 S Oakridge

Ave. It is an existing developed 2.50-acre lot in the Rural Homestead Residential (RH-4.5) Zoning District, further described as Hoolihan Ranch Lot 2 Block 21s, AP# 044-541-11. Marilyn Boatman Trust & John & Lorrain Boatman Owners/Applicant. **(This item is Final Action by the Pahrump Regional Planning Commission unless appealed to the Board of County Commissioners, or otherwise announced.) (JE)**

Joe Ehrheart reviewed his staff report. Staff recommends approval of both waivers and ask that condition #1 be stricken and changed per the order 1293. If there is a well that needs to be rehabilitated or replaced it is exempt from the order.

Commissioner Hafen stated the recommendation is to strike condition of approval #1 and notify the applicant 1293 is on the books.

Mr. Ehrheart stated correct.

Dave Richards, agent for the applicant.

Commissioner Lee stated the letter of justification on the setback waivers referenced parcel 1 and parcel 2. If you have the parcel map they would like to see it on the projector.

Commissioner Hafen asked if any structures be in the portion that is being requested for the ROW dedication.

Mr. Richards stated yes, these have been there and he understands if they build a road they will have to be removed. They are asking that they don't have to be removed until the time the county decides to build the road.

Commissioner Hafen asked PW if they were amenable to at the time the road is built.

Cody McKee stated standard practice to remove them prior to acceptance of the offer of dedication. In the future it could be a different owner and there could be more obstacles to remove.

Mr. Richards stated they can reject the offer of dedication and leave it open until you need it and take the offer at that time. That has been standard practice on parcel maps in the past.

Commissioner Lee stated the Parcel Map is not what they are looking at tonight and there is a way to work something into a condition of approval that is amenable to all parties.

Commissioner Lee asked for clarification that the offer of dedication is for 30 feet along Heritage Road.

Mr. Richards stated yes.

Commissioner Hafen stated to add that to the conditions of approval to clarify Heritage is what is being offered.

Public comment opened and closed at 6:40 pm with no comments.

Commissioner Adams motioned to approve WV-2017-000063 and WV-2017-000064 based on findings as stated in the staff report. Removing special condition #1 and adding upon dedication of the easement any improvements in the easement will be removed by the property owner.

Commissioner Hafen asked for clarification that it is Heritage.

Commissioner Adams stated yes.

Seconded by Commissioner Bennett.

Commissioner Hafen asked for clarification on the motion that Commissioner Adams is asking that the trees, greenhouse, fence and any other obstructions in the 30-foot easement that is being dedicated on Heritage.

Commissioner Adams stated upon dedication.

Commissioner Fowler asked for clarification if that is what they discussed with Commissioner Lee.

Commissioner Hafen stated the motion states it would have to come down immediately upon filing the parcel map. Commissioner Lee is suggesting a time frame where it can be done at a later date.

Commissioner Adams stated it wouldn't be until Public Works wanted to do something with the easement. He asked if the way he phrased the motion would be the dedication to be immediate.

Commissioner Hafen stated that is the way he understood it.

Commissioner Adams withdrew his motion.

Commissioner Bennett withdrew his second.

Commissioner Fowler asked Ms. Boskovich for the correct verbiage to use.

Ms. Boskovich asked for a 5-minute recess.

Commissioner Hafen asked if PW is planning on doing anything with the road anytime soon.

Mr. McKee stated no.

Meeting went into recess at 6:44 pm.

Meeting reconvened at 6:49 pm.

Ms. Boskovich stated the improvements can remain in the easement until such time that the County accepts the dedication. At which point the improvements will need to be removed.

Commissioner Hafen asked Mr. Richards if that is amenable.

Mr. Richards stated yes.

Commissioner Adams motioned to approve WV-2017-000063 and WV-2017-000064 based on staff's findings and subject to the conditions of approval, removing condition of approval #1, and amending condition #4 that the improvements including a green house, fence and shrubbery do not need to be removed until PW accepts the easement.

Mr. Boskovich stated the dedication.

Commissioner Adams stated accepts the dedication.

Seconded by Commissioner Bennett.

Commissioner Lee asked for clarification that the motion struck condition #1.

Commissioner Hafen stated yes.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).

Yes: Beth Lee, Derek Fowler, Gary Bennett, Gregory T. Hafen II, Leah-Ann DeAnda, Robert Adams.

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

Next meeting is June 13th at 6 pm.

Commissioner Hafen would like the following brought back an updated Capital Improvements Plan, revised sign ordinance, the Masterplan and asked staff to look into when an update needs to be drafted.

Commissioner Fowler will not be at the June Meeting.

Public Comment:

14. **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 6:53 pm.

Bill Dolan asked if the requirement to notice the surrounding property owners changed from 2 weeks to 10 days.

Ms. Sandoval stated the notification has always been 10 days.


Mr. Dolan stated this is postmarked the 27th, it falls a business day short.

Ms. Sandoval stated it is just 10 days' notice, and 10 days from today's date was Sunday the 29th of April so it was postmarked early.

Public comment closed at 6:54 pm.

15. **Adjournment.**

Meeting adjourned at 6:54 pm


Gregory T. Hafen, II, Chairman
Pahrump Regional Planning Commission


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