



# Storey County Planning Commission Meeting Agenda

Thursday February 15, 2018 6:00 p.m.  
Storey County Courthouse, District Courtroom  
26 South "B" Street, Virginia City, Nevada

*Jim Hindle – Chairman  
Virgil Bucchianeri – Planning Commissioner  
Larry Prater – Planning Commissioner  
Summer Pellett – Planning Commissioner*

*John Herrington – Vice-Chairman  
Kris Thompson – Planning Commissioner  
Laura Kekule – Planning Commissioner*

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**All items include discussion and possible action to approve, modify, deny, or continue unless marked otherwise.**

1. **Call to Order at 6:00 p.m.**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Discussion/Possible Action:** Approval of Agenda for February 15, 2018.
5. **Discussion/Possible Action:** Approval of Minutes for November 16, 2017.
6. **Discussion/Possible Action:** Approval of Minutes for December 14, 2017.
7. **Discussion/No Possible Action:** Sign Ordinance revision update and discussion.
8. **Discussion/Possible Action:** Determination of next Planning Commission meeting.
9. **Discussion/Possible Action:** Approval of Claims.
10. **Correspondence** (no action)
11. **Public Comment** (no action)
12. **Staff** (no action)
13. **Board Comments** (no action)
14. **Adjournment**

**Notes:**

- There may be a quorum of Storey County Commissioners in attendance, but no action or discussion will be taken by the Commissioners.
- Public comment will be allowed after each item on the agenda (this comment should be limited to the item on the agenda). Public comment will also be allowed at the end of each meeting (this comment should be limited to matters not on the agenda).
- Items on the agenda may be taken out of order, the public body may combine two or more agenda items for consideration, and the public body may remove an item from the agenda or delay discussion relating to an item on the agenda at any time.
- Additional information pertaining to any item on this agenda may be requested from the Planning Department (775-847-1144).

**Certification of Posting**

I, Lyndi Renaud, on behalf of the Storey County Planning Commission, do hereby certify that I posted, or caused to be posted, a copy of this Agenda at the following locations on or before February 6, 2018: Virginia City Post Office; Storey County Courthouse; Virginia City Fire Station 71; Virginia City RV Park; Mark Twain Community Center; Rainbow Bend Clubhouse; Lockwood Community Center; Lockwood Fire Station; Virginia City Highlands Fire Station; and the Virginia City Highlands Online Message Board. By Lyndi Renaud, Secretary



## STOREY COUNTY PLANNING COMMISSION MEETING

Thursday November 16, 2017 6:00 p.m.  
Storey County Courthouse, District Courtroom  
26 South B Street, Virginia City, NV

### MEETING MINUTES

CHAIRMAN: Larry Prater

VICE-CHAIRMAN: Jim Hindle

COMMISSIONERS:

Virgil Bucchianeri, John Herrington, Kris Thompson, Laura Kekule, Summer Pellett

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1. **Call to Order:** The meeting was called to order by the Chairman at 6:00 P.M.
  2. **Roll Call:** Virgil Bucchianeri, Jim Hindle, John Herrington, Kris Thompson, Summer Pellett.  
**Absent:** Laura Kekule, Larry Prater.  
  
**Also Present:** Planning Director Austin Osborne, Planner Kathy Canfield, Deputy D.A. Keith Loomis, and County Commissioner Jack McGuffey and County Commissioner Lance Gilman.
  3. **Pledge of Allegiance:** The Chairman led those present in the Pledge of Allegiance.
  4. **Discussion/Possible Action:** Approval of Agenda for November 16, 2017.

**Planning Director Osborne** asked that agenda items 15 and 19 be heard after item 4.

**Motion:** Approve Agenda as amended with agenda items 15 and 19 to be heard after item 4, for November 16, 2017,  
**Action:** Approve, **Moved by** Commissioner Herrington, **Seconded by** Commissioner Thompson, **Vote:** Motion carried by unanimous vote (**summary:** Yes=5).

Planning Director Osborne asked the commission to please schedule the next planning commission meeting on December 14<sup>th</sup> instead of the regularly scheduled December 7<sup>th</sup> first Thursday of the month because there is a substantial number of items on tonight's agenda that will be continued. Stated that he will not be in town on December 7<sup>th</sup> and would like to hold the meeting the following week. The December 14 meeting will include action on the items that will be continued at tonight's meeting.

15. **Discussion/Possible Action:** Determination of next planning commission meeting.

**Motion:** Next planning commission meeting to be held Thursday December 14, 2017 at 6 p.m. at the Storey County Courthouse, District Courtroom, Virginia City, Nevada. **Action:** Approve, **Moved by** Commissioner Thompson, **Seconded by** Commissioner Pellett, **Vote:** Motion carried by unanimous vote (**summary:** Yes=5).

19. **Staff (No Action):**

**Planning Director Osborne:** Thanked former planning commissioner Pam Smith for her care, diligence and time served on the planning commission. Pam served 5 years as representative for the Highlands before she had to resign due to personal reasons. She is here tonight. Director Osborne presented Pam with a framed certificate of recognition and again stated his thanks from the county for serving.

**Pam Smith:** Thanked Director Osborne and the commission for the certificate. She appreciates the recognition, and stated that it means a lot.

**Planner Canfield:** Gave an update on the Insurance Auto Auctions file which had been continued to the December 7<sup>th</sup> planning commission meeting. Staff has come to the determination that this use is in compliance. The applicant has completed landscaping which satisfies the screening requirement in the code. They are now compliant and will withdraw their variance application.

5. **Discussion/No Possible Action:** Special Use Permit 2016-030 Annual Compliance Review, Sally Summers, Permit Holder. Special Use Permit allowing: (a) a single-family dwelling combined with a non-dwelling use (combined residence-barn) that will separately house humans, animals, and agricultural equipment; (b) the maintenance of up to 80 large domestic animals and various accessory structures for sheltering, feeding, watering, protecting, and servicing the animal; and (c) a temporary (up to one year) occupancy watchperson's travel trailer on property located at 199 Scales Road, American Flat, Storey County, Nevada (APNs 004.331.40; 004.331.08; and 004.331.22).

**Planning Director Osborne:** Stated that the permit holder Sally Summers is here tonight. The approval of her special use permit includes an annual compliance review. Staff visited the operation a few weeks ago and noted the following:

- There were around 29 animals onsite and all appeared fat and happy.
- Overall the site is looking pretty good. No violations were noted, however there is some manure management which Sally will address in one area, other than that the pens were fairly clean.
- The D.A.'s office earlier this year determined that Scales Road must remain open to the public. The applicant has complied with this request.
- There is a temporary watchman's trailer on the property which is occupied by a security person. Conditions of the special use permit say that the temporary trailer may only be on the property for 12 months. The permit holder would like to extend this another year because things haven't moved along as quickly as anticipated in building the permanent residence. It is evident that the property is becoming developed, and Staff does not have an issue with the extension.
- Staff will not ask for a 1 year extension for the temporary trailer at this time because this item is not agendized as an action item. We will ask for this at the next meeting.
- Fire District has been in contact with the permit holder. She has given them the requested emergency information and they are satisfied with the plan. Much of the standard emergency plans that the fire department requires do not apply at this operation.
- There is a signage requirement with this permit that states a sign with contact information be placed. This is not in place at this time, but the permit holder will cooperate and erect a sign with the appropriate information.

**Public Comment: Scott Jolcover, Comstock Mining:** Stated that Sally leases this land from Comstock Mining. We are extremely pleased with her tenancy, condition of the property, and her care of the animals.

**Sally Summers, Permit Holder:** Thanked the Storey County Sheriff's office for investigating the harassment that she has experienced. They've done a very good job.

6. **Discussion/Possible Action:** Division of Land into Large Parcels, File 2017-045. The applicant is requesting two existing large parcels over 40 acres will be divided and reconfigured to a total of five large parcels over 40 acres. The subject properties are located at McCarran (McCarran Ranch area of the River District), Storey County, Nevada, existing APNs 004-161-16 and 004-111-06.

**Commissioner Thompson** recused himself from agenda items 6, 7, and 8 due to conflict of interest. He is a party involved in each of these items.

**Planner Canfield:** Summarized the request.

- The two existing large parcels are located in the McCarran area of the 2016 Storey County Master Plan, Storey County, Nevada and are a combined 1,690 acres per the Storey County Assessor. Surrounding land uses to the two properties include the Truckee River and residential properties to the north, vacant Forestry land to the east, vacant Forestry land to the south and vacant Heavy Industrial land to the west.
- Although the properties are owned by the Tahoe Reno Industrial Center, LLC, these properties are not a part of the Industrial Center and are not subject to the Development Agreement between the Tahoe Reno Industrial Center and Storey County. The 2015 Storey County Zoning Ordinance applies to this property.
- Two existing large parcels over 40 acres will be divided and reconfigured to a total of five large parcels over 40 acres. A private access easement will be created for parcels that do not have access to existing access easements.
- Nevada Revised States (NRS) states a proposed Division must comply with NRS 278.471 through 278.4725 which requires planning commission and governing body approval.
- There are no evident conflicts between the proposed project and Storey County Title 17 Zoning or the 2016 Master Plan. The proposed boundary line adjustment is also consistent with the surrounding zoning and master plan designations.
- Any proposed development would need to be consistent with the zoning that is in the location of the development. The applicant has indicated to staff that an application to rezone the parcels to eliminate the dual zoning will be submitted.
- The Division of Land into Large Parcels is not expected to change the character of the neighborhood and is consistent with the Master Plan.

**No Public Comment**

**Motion:** In accordance with the recommendation by Staff, the Findings under section 3.A of the Staff Report, and in compliance with all Conditions of Approval, I, John Herrington, hereby recommend approval of the Tentative Map Division of Land into Large Parcels, File 2017-045. Two existing large parcels over 40 acres will be divided and reconfigured to a total of five large parcels over 40 acres. The subject properties are located at McCarran (McCarran Ranch area of the River District), Storey County, Nevada, existing APNs 004-161-16 and 004-111-06.

**Action:** Approve, **Moved by** Commissioner Herrington, **Seconded by** Commissioner Pellett,

**Planner Canfield read the findings of fact into the record:**

- (1) The applicant is requesting a Division of Land into Large Parcels, File 2017-045. Two existing large parcels over 40 acres will be divided and reconfigured to a total of five large parcels over 40 acres. The subject properties are located at McCarran (McCarran Ranch area of the River District), Storey County, Nevada, existing APNs 004-161-16 and 004-111-06.
- (2) The Division of Land into Large Parcels complies with NRS 278.471 through 278.4725 relating to the adjustment of two parcels to five parcels, all 40 acres or more in size.
- (3) The Division of Land into Large Parcels complies with all Federal, State, and County regulations pertaining to Parcel Maps and allowed land uses.
- (4) The Division of Land into Large Parcels will not impose substantial adverse impacts or safety hazards on the abutting properties or the surrounding vicinity.
- (5) The conditions of approval for the requested Division of Land into Large Parcels do not conflict with the minimum requirements in Storey County Code Chapters 17.24 Agricultural Zone and 17.32 Forestry Zone or any other Federal, State, or County regulations.

**Vote:** Motion carried by unanimous vote (**summary:** Yes=4).

7. **Discussion/Possible Action:** Special Use Permit 2017-044 request by the applicant Eco Compliance Corporation to construct and operate a medical waste thermal destruction plant and potential commercial power generation from waste. The subject property is located at 475 Pittsburgh Avenue, Tahoe-Reno Industrial Center, McCarran, Storey County, Nevada, Assessor's Parcel Number (APN) 005-051-54.

**Planner Canfield:** Summarized the request and introduced the applicant, Tony Dimple of McGinley and Associates. He is the project manager and Reza Tariverdi is the President of Eco Compliance Corp (ECO).

- The property is located within the Tahoe-Reno Industrial Center in McCarran, Storey County, Nevada. The site is zoned 1-2, Heavy Industrial and is an undeveloped parcel. Surrounding land uses include Union Pacific Railroad line and vacant land to the north, vacant land and USA Parkway to the east, Pittsburgh Paints and vacant land to the south, and vacant land, Tire Rack and a second Pittsburgh Paints location to the east.
- The applicant is proposing to construct and operate a medical waste thermal destruction plant. The proposal includes constructing a single building facility which includes the thermal destruction facility, an office area, employee parking area and two separate areas for truck trailer parking. With the construction of the proposed facility, ECO will offer full medical waste disposal services from collection, transportation and final disposal via thermal destruction and will employ approximately 36 full-time staff.
- The property is subject to the provisions of the 1999 Zoning Ordinance of Storey County. As stated in Section 17.37.040, “recycling facilities and operation involving use, recovery or residue of hazardous materials and/or wastes” are a use subject to a special use permit. The generation of excess power is considered an “electric or gas power generating plant” which is also subject to a special use permit.

**Tony Dimpel, Project Manager for ECO Compliance Corporation** presented his request with a PowerPoint presentation.

- Eco Compliance Corporation (ECO)
  - Currently a medical waste pickup, storage/transfer, transportation, and disposal company based in California.
  - Current operations throughout California.
    - Fully insured, permitted, and regulated by state and federal agencies.
  - Operations include the collection of properly sealed bags or bins of medical waste and transportation of waste to a third-party disposal facility.
  - Medical waste is collected from a variety of facilities including hospitals, doctor offices, dentists, veterinarian offices, and pharmacies.
  - ECO is proposing to build and operate a state-of-the-art medical waste thermal destruction facility in the Tahoe-Reno Industrial Center.
- What is Medical Waste?
  - Waste that potentially contains infectious agents that may be a threat to public health if not handled properly.
  - Do not represent an airborne threat.
  - Direct contact and a “portal of entry” is required for the medical waste to represent a threat to humans.
  - These types of wastes are stored in open, non-air tight containers at their point of generation (doctor and dentists offices, etc.).
  - Primarily composed of solid waste (little to no liquids).
  - Not regulated as a Resource and Conservation Act hazardous waste.
  - Disposal regulated by state and local agencies.
  - Nevada Division of Environmental Protection allow these wastes to be disposed of in a standard landfill without treatment.
  - Washoe and Clark County as well as many other states require thermal destruction or treatment prior to disposal.
  - Disposal requirements dictated by regulations at point of generation.
  - The Occupational and Health Administrations (OSHA) also has regulations regarding the collection and handling of medical waste.
  - Significant quantities of medical waste travel through our area everyday on their way to disposal facilities in other states.
- Medical Waste Processed at ECO Facility
  - Red-Bag Waste
    - Used medical gloves, paper towels, gauze and bandages.
    - “Small” human tissue (blood, teeth, cultures, removed warts/moles).
  - Sharps Containers
    - Containers with needles and syringes.
  - Trace Chemotherapy Waste
    - Used tubing, gloves, and other supplies used in the administration of chemotherapy medication.
    - Does not include the chemotherapy medication itself other than what trace amounts are on the aforementioned supplies or unused medication.
  - Pharmaceutical
    - Expired or tainted pharmaceuticals.
  - Pathology

- Human or animal tissue/fluids generated during surgery, medical procedures, or autopsies.
- ECO Facility
  - Located in the Reno-Tahoe Industrial Center.
  - Plant capacity up to 45 tons of medical waste per day.
  - Operate in compliance with all local, state, and federal regulations.
  - Approximately 36 full-time staff at full operational capacity.
  - 15 to 19 deliveries of medical waste per week.
    - 7 to 9, 53-foot semi-trailer trucks.
    - 8 to 10, 26-foot trucks.
    - Arrive during off-peak hours (between 8pm and 5am).
  - Medical waste will arrive in Gaylord boxes or plastic containers and are double or triple contained.
  - Containers transferred directly from the trucks to inside the building.
    - No medical waste is ever stored outside.
  - Medical waste is transferred to cars and then loaded into thermal destruction unit.
  - Gaylord boxes disposed of in thermal unit.
  - Plastic containers washed and reused.
- Thermal Destruction Unit
  - Utilizes gasification (not incineration) to thermally destroy the medical waste.
    - Gasification is the process of chemically converting a solid into a combustible gas under specific conditions (temperature and oxygen content).
      - High temperature achieved (2,000 degees F).
      - Any potential biohazard is removed at this point.
    - Medical waste is converted to combustible gas (80%) and ash (20%) that is in the form of a saturated paste.
    - The gas is combusted and used to make electricity.
      - Exhaust is routed to four pollutant control devices prior to discharge to atmosphere.
    - Ash paste is packaged in bags inside facility building and shipped offsite for sale as fertilizer.
    - Thermal Destruction process is self-sustaining (no need for natural gas combustion).
      - Heat content of medical waste is sufficient to maintain temperature needed for thermal destruction.
    - Natural gas burners are present for initial start-up and are on standby in case a disruption in the medical waste-feed occurs.
- Thermal Destruction Unit
  - Chamber 1: medical waste converted to gas and ash.
  - Chamber 2: gas generated in Chamber 1 is combusted.
  - Power package:
    - Heat from exhaust is used to create steam in the “heat recovery boiler” and the steam is then used to make electricity in a steam turbine.
    - Facility will be a net producer of power.
  - Four Air Pollution Control (APC) devices in series:
    - Lime and activated carbon reactor.
    - Baghouse
    - Wet scrubber
    - Wetted packed tower polisher.
  - APCs remove acid gases, dioxins, particulate matter, and metals.
    - Byproducts of thermal destruction process are partially present in the medical waste.
- Air Quality Permitting
  - Will obtain a Nevada Division of Environmental Protection air quality operating permit.
    - Strict limitations on odors and visible emissions.
    - Must demonstrate air emissions from facility will not impact surrounding public air quality above national standards set by the United States Environmental Protection Agency.
  - 40 CFR Part 60 – standards of performance for new stationary sources, subpart Ec, standards of performance for hospital/medical/infectious waste incinerators for which construction commenced after June 20, 1996.
    - Federally enforceable requirements which provide strict standards of performance and operation for facilities of this type.
- “Release” of Medical Waste
  - No foreseeable scenario where a release of medical waste could pose any type of significant threat to the public.

- Any release, within or outside of the facility, can be appropriately handled by ECO personnel.
  - ECO currently offers medical waste release response services.
- Cleaning up released medical waste is essentially the same as cleaning up normal garbage as long as the responders have the appropriate training and personnel protection equipment (gloves, face shield, protective garments) is used.
- Medical waste is primarily a solid product and therefore cannot “flow”.
- Variance Request – Building Setbacks
  - ECO is requesting a variance to the 50-foot building setback requirement due to the unique nature of the property.
    - Property is essentially undevelopable if 50-foot setbacks are required.

**Commissioner Herrington:** Asked if the heat is intense enough to melt needles.

**Tony Dimpel, Project Manager for ECO Compliance Corporation:** Yes.

**Commissioner Herrington:** Asked what ECO plans to do with the electricity that is generated.

**Reza Tariverdi, President of Eco Compliance Corp:** Answered that ECO would like to donate it to the county. The electricity will have to go through NV Energy’s grid system, but there are a lot of details that still need to be worked out.

**Vice-Chairman Hindle:** Said that since the electricity will be donated, it must not be a critical factor to the project.

**Reza Tariverdi, President of Eco Compliance Corp:** No, it’s not a part of the strategic business plan.

**Commissioner Herrington:** Asked if ECO will need to erect towers from their property to the distribution point of the grid.

**Reza Tariverdi, President of Eco Compliance Corp:** No.

**Paul Slocum, Owner of Montane Building Group:** Explained that meetings will be set up with NV Energy once the facility is approved. These questions can’t be answered until after those meetings have taken place.

**Vice-Chairman Hindle:** Asked if that has implications within the conditions.

**Planner Canfield:** Said if the poles are taller than 75 feet then they would need a special use permit, but staff tried to cover everything ECO needs in this permit.

**Paul Slocum, Owner of Montane Building Group:** Added that they see the electricity that is generated as a by-product of the facility. It will be held on site until things have been worked out with NV Energy. Those issues will be addressed at a later date.

**Jack McGuffey, Highland Resident:** Asked if there are any facilities like this in the U.S.

**Reza Tariverdi, President of Eco Compliance Corp:** Answered only outside of the U.S.

**Jack McGuffey, Highland Resident:** Asked if they already have customers lined up to purchase the solid waste.

**Reza Tariverdi, President of Eco Compliance Corp:** Explained it’s not solid waste, it’s ash. Fertilizer companies buy it.

**Jack McGuffey, Highland Resident:** Asked if testing methods are in place to ensure that ECO isn’t releasing contaminated material.

**Reza Tariverdi, President of Eco Compliance Corp:** Stated that NDEP (Nevada Department of Environmental Protection) requires continuous monitoring. There is nothing biohazardous in the ash or what comes out of the stacks. It’s all destroyed by the heat.

**Vice-Chairman Hindle:** Asked if there is ash stored on site and if it’s benign.

**Reza Tariverdi, President of Eco Compliance Corp:** Replied that the ash is totally benign and it’s only stored inside.

**Planning Director Osborne:** Said that Condition 5 could be amended to include the word ash.

**Commissioner Pellett:** Said that wouldn't be necessary since Condition 5 covers no outside storage.

**Planning Director Osborne:** Agreed. It could go either way.

**Vice-Chairman Hindle:** Asked if the truck traffic will be limited to second and third shifts.

**Reza Tariverdi, President of Eco Compliance Corp:** Confirmed deliveries are between 8pm to 5am.

**Motion:** In accordance with the recommendation by staff, the Findings of Fact under Section 3.A of this report, and other findings deemed appropriate by the Planning Commission, and in compliance with the conditions of approval, I, Summer Pellett, recommend approval of Special Use Permit 2017-044, a request by the applicant Eco Compliance Corporation to construct and operate a medical waste thermal destruction plant and potential commercial power generation from waste. The subject property is located at 475 Pittsburgh Avenue, Tahoe-Reno Industrial Center, McCarran, Storey County, Nevada, Assessor's Parcel Number (APN) 005-051-54. **Action:** Approve, **Moved by** Commissioner Pellett, **Seconded by** Commissioner Herrington.

**Planner Canfield** read the findings into the record:

- (1) This approval is for Special Use Permit 2017-044, a request by the applicant Eco Compliance Corporation to construct and operate a medical waste thermal destruction plant and potential commercial power generation from waste. The subject property is located at 475 Pittsburgh Avenue, Tahoe-Reno Industrial Center, McCarran, Storey County, Nevada, Assessor's Parcel Number (APN) 005-051-54.
- (2) The Special Use Permit conforms to the 2016 Storey County Master Plan for the McCarran planning area in which the subject property is located. A discussion supporting this finding for the Special Use Permit is provided in Section 2.E of this staff report and the contents thereof are cited in an approval of this Special Use Permit.
- (3) The subject property is located within an existing industrial neighborhood in the McCarran area of Storey County. The zoning is based on the 1999 Storey County Zoning Ordinance which identifies this property as I-2 Heavy Industrial. The proposed medical waste thermal destruction plant is defined as a "recycling facilities and operations involving use, recovery or residue of hazardous materials and/or wastes" and requires a Special Use Permit.
- (4) Granting of the Special Use Permit, with the conditions of approval listed in Section 4 of this report, will not under the circumstances of the particular case adversely affect to a material degree the health or safety of persons/property in the neighborhood of the subject property. The project is expected to meet the safety and health requirements for the subject area. The use will also be subject to building and fire plan review in order to ensure compliance with federal, state and other codes.
- (5) The Special Use Permit will not impose substantial adverse impacts or safety hazards on the abutting properties or the surrounding area, and it will comply with all federal, state and county regulations.
- (6) The conditions under the Special Use Permit do not conflict with the minimum requirements in the 1999 Storey County Zoning Ordinance Sections 17.37 I-2 Heavy Industrial and 17.62 Special Uses.
- (7) Granting of the Special Use Permit will not, under the circumstances of the particular case, adversely affect to a material degree the health or safety of persons working in the neighborhood or area of the subject property and will not be materially detrimental to the public welfare or materially injurious to property improvements in the neighborhood or area of the subject property.

**Vote:** Motion carried by unanimous vote (**summary:** Yes=4).

8. **Discussion/Possible Action:** Variance 2017-046 request by Eco Compliance Corp. The applicant requests a variance to the required 50-foot south yard setback allowing the south setback area to be reduced to 15 feet for a portion of the principal building being a mechanical room, and to 35 feet for the remainder of the principal building's south exterior wall. This variance does not apply to any other side of the subject building or property. The property is located within

the Tahoe Reno Industrial Center at 475 Pittsburgh Avenue, McCarran, Storey County, Nevada, Assessor's Parcel Number (APN) 005-051-54.

**Planner Canfield:** Summarized the request.

- The applicant is requesting a variance to the 50-foot south yard setback to allow for a 15-foot south setback from the property line. The south side yard setback is proposed to be 15 feet for a mechanical room, and 35 feet for the main building.
- The parcel is roughly the shape of a half circle, with the Union Pacific railroad lines forming an arc boundary to the west, north and east and Pittsburgh Avenue forming a straight line along the south boundary. The presence of the railroad line on three sides limits expansion opportunities with adjoining parcels. Adding a 50-foot setback from the property lines along the arc and the street frontage leaves a minimal building footprint area on the parcel.
- The existing development complies with the parcel size, loading area and building heights identified in Chapter 17.37 of the 1999 Storey County Code for I-2 zoning. The setbacks will be consistent with the 50-foot requirement with the exception of the south setback for which this variance is requested.
- The proposed variance to the south setback does not appear to conflict with any elements of the 2016 Master Plan.

**Commissioner Herrington:** Asked if a 15-foot setback poses any danger to the public.

**Planner Canfield:** Answered that the principal building would have a 35-foot setback. It's the mechanical building that would have the 15 foot setback.

**Vice-Chairman Hindle:** Asked if there is any precedent for this request.

**Planner Canfield:** Explained that if this had been identified as a commercial use on the property it would only be required to have a 10-foot setback.

**Commissioner Herrington:** Asked if the mechanical room has a turbine.

**Tony Dimpel, Project Manager:** Answered no, it houses the back-up generator. The turbine is in the main building.

**Motion:** In accordance with the recommendation by staff, the Findings of Fact under Section 3.A of this report, and other findings deemed appropriate by the Planning Commission, and in compliance with the conditions of approval, I, Summer Pellett, recommend approval of the applicant's request for a variance to the required 50-foot south yard setback allowing the south setback area to be reduced to 15 feet for a portion of the principal building being a mechanical room, and to 35 feet for the remainder of the principal building's south exterior wall. This variance does not apply to any other side of the subject building or property. The property is located within the Tahoe Reno Industrial Center at 475 Pittsburgh Avenue, McCarran, Storey County, Nevada, Assessor's Parcel Number (APN) 005-051-54.

**Action:** Approve, **Moved by** Commissioner Pellett, **Seconded by** Commissioner, Bucchianeri.

**Planner Canfield read the findings into the record:**

- (1) This approval is for the applicant's request for a variance to the required 50-foot south yard setback allowing the south setback area to be reduced to 15 feet for a portion of the principal building being a mechanical room, and to 35 feet for the remainder of the principal building's south exterior wall. This variance does not apply to any other side of the subject building or property. The property is located within the Tahoe Reno Industrial Center at 475 Pittsburgh Avenue, McCarran, Storey County, Nevada, Assessor's Parcel Number (APN) 005-051-54.
- (2) The subject property is located within the Tahoe Reno Industrial Center and is subject to the Development Agreement between Storey County and the Tahoe Reno Industrial Center. The 1999 Storey County Zoning Ordinance I-2 Heavy Industrial zoning applies to the property.
- (3) The property is currently vacant. A medical waste thermal destruction plant is proposed for the property (Special Use Permit File 2017-044).
- (4) That because of special circumstances applicable to the subject property, including shape, size, topography or location of surroundings, the strict application of the zoning ordinance would deprive

the subject property of privileges enjoyed by other properties in the vicinity or under identical zone classification.

- (5) That the granting of the Variance is necessary for the preservation and enjoyment of substantial property rights of the applicant.
- (6) That the granting of the Variance will not, under the circumstances of the particular case, adversely affect to a material degree the health or safety of persons residing or working in the area of the subject property and will not be materially detrimental to the public welfare or materially injurious to property or improvements in the area of the subject property.
- (7) The proposed Variance is in compliance with all Federal, Nevada State, and Storey County regulations.
- (8) The proposed Variance is in compliance with 1999 Storey County Code 17.60 Variances and 17.37 I-2 Heavy Industrial Zones when all Conditions of Approval are met.
- (9) The proposed Variance is in compliance with and supports the goals, objectives and policies of the 2016 Storey County Master Plan.

**Vote:** Motion carried by unanimous vote (**summary:** Yes=4).

9. **Discussion/Possible Action:** Ordinance No. 17-279 amending Storey County Code Title 16 Subdivisions to adopt new codes for land subdivisions, parcel maps, division of land into large parcels, surety requirements, land readjustments, boundary line adjustments, and reversions to acreage. Additional information including, but not limited to draft text may be obtained from the Planning Department at 775.847.1144 or [planning@storeycounty.org](mailto:planning@storeycounty.org).

**Planning Director Osborne:** Thanked the commission for receiving the continuing updates. There is still proof reading and clarification being done. This item is largely ready for action, but this ordinance is important enough to warrant a bit more time to go through it and make sure that it is absolutely right. We want to make sure that there is perfect alignment with the NRS and the Master Plan. Staff would like to continue this item to the December 14<sup>th</sup> meeting. Stated he is confident that it will be ready for action at that time. The adoption date will only be about 15 days later than originally anticipated.

**Commissioner Hindle:** Asked if a clean copy without the edits will be available.

**Planning Director Osborne:** Said that for approval, the final version must contain all edits. Once approved, through the codification process a clean copy will be completed. This is an amendment to the code, not a new document. A final draft should be completed within about a week and will be emailed to commission members and posted to the website.

**Discussion** regarding combining agenda items 9 through 13 to be continued to the next planning commission meeting. Deputy D.A. Loomis stated that in the "Notes" on the agenda, it says that two or more agenda items may be combined for consideration which is authorized by NRS.

**Decision was made to combine agenda items to be continued in the motion.**

**Motion:** I, Kris Thompson, move that agenda items 9,10,11,12, and 13 be combined and continued for consideration at the December 14, 2017 Planning Commission meeting to be held at the Storey County Courthouse in Virginia City, NV at 6 p.m., **Action:** Approve, **Moved by** Commissioner Thompson, **Seconded by** Commissioner Herrington.

**Vote:** Motion carried by unanimous vote (**summary:** Yes=5).

**No Public Comment**

**Planning Director Osborne:** These items will also be continued at the County Commission meeting to the appropriate date.

10. **Discussion/Possible Action:** Ordinance No. 17.280 amending Storey County Code Title 17 Zoning including chapters 17.03 Administrative Provisions, 17.10 Definitions, 17.12 General Provisions, 17.15 Public Zone, 17.24 Agriculture Zone, 17.28 Commercial Zone, 17.30 Commercial-Residential Zone, 17.32 Forestry Zone, 17.34 Light Industrial Zone, 17.35 Heavy Industrial Zone, 17.40 Estate Zone, 17.44 Special Planning Review Zone; and 17.84 Signs and Billboards. Additional information including, but not limited to, reports and the draft zone text may be obtained from the Planning Department at 775.847.1144 or [planning@storeycounty.org](mailto:planning@storeycounty.org).

11. **Discussion/Possible Action:** Ordinance No. 17.278 amending Storey County Code 17.56 Planned Unit Developments to revise the procedure for approval of planned unit developments. Additional information including, but not limited to, reports and the draft text may be obtained from the Planning Department at 775.847.1144 or [planning@storeycounty.org](mailto:planning@storeycounty.org).
12. **Discussion/Possible Action:** Proposed Resolution No. 17-474 to the Board of County Commissioners with recommendation by the Planning Commission adopting a design criteria and improvement manual setting forth certain development and design standards and guidelines for residential and non-residential planned unit developments, multi-family residential complexes, and other uses. Additional information including, but not limited to, reports and the draft resolution may be obtained from the Planning Department at 775.847.1144 or [planning@storeycounty.org](mailto:planning@storeycounty.org).
13. **Discussion/Possible Action:** Proposed Resolution No. 17-461 to the Board of County Commissioners with recommendation by the Planning Commission determining and consolidating all planning fees, including removing certain fees from code and placing them into resolution. Additional information including, but not limited to, reports and the draft resolution may be obtained from the Planning Department at 775.847.1144 or [planning@storeycounty.org](mailto:planning@storeycounty.org).
14. **Discussion/No Possible Action:** Review and open discussion about Storey County Code 2.12 Planning Commission including, but not limited to, the districts, duties, terms of office, organization, powers, and authorities of the Storey County Planning Commission.

**Planning Director Osborne:** Said that this review is just for information and discussion since there are a few new board members.

**Keith Loomis, Deputy DA:** Said he looked into “authority to create offices and enter into contracts” which is the last provision on the second page. There are no applicable state statutes that allow this planning commission to enter into contracts.

**Vice-Chairman Hindle:** Requested that a link to this information on the county website be provided to all commissioners.

16. **Discussion/Possible Action:** Approval of claims – None
17. **Correspondence (No Action)** - None
18. **Public Comment (No Action)** – None
20. **Board Comments (No Action)** –

**Commissioner Thompson:** There is a major event at the TRIC on Friday November 17<sup>th</sup> at 5 p.m. at the north end of USA Parkway. This will be the unveiling of a monument made by a burning man artist. It is a mix of technology and history.

21. **Adjournment (No Action)** - The meeting was adjourned at 7:28 P.M.

Respectfully Submitted,

By Lyndi Renaud



## STOREY COUNTY PLANNING COMMISSION MEETING

Thursday December 14, 2017 6:00 p.m.  
Storey County Courthouse, District Courtroom  
26 South B Street, Virginia City, NV

### MEETING MINUTES

CHAIRMAN: Larry Prater

VICE-CHAIRMAN: Jim Hindle

COMMISSIONERS:

Virgil Bucchianeri, John Herrington, Kris Thompson, Laura Kekule, Summer Pellett

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1. **Call to Order:** The meeting was called to order by the Chairman at 6:00 P.M.
2. **Roll Call:** Virgil Bucchianeri, Larry Prater, Laura Kekule, Kris Thompson, Jim Hindle, Summer Pellett, John Herrington.  
**Also Present:** Planning Director Austin Osborne, Planner Kathy Canfield, Deputy D.A. Keith Loomis, County Commissioner Jack McGuffey, and County Commissioner Marshall McBride.
3. **Pledge of Allegiance:** The Chairman led those present in the Pledge of Allegiance.
4. **Discussion/Possible Action:** Approval of Agenda for December 14, 2017.  
**Motion:** Approve agenda for December 14, 2017, **Action:** Approve, **Moved by** Commissioner Thompson, **Seconded by** Commissioner Kekule, **Vote:** Motion carried by unanimous vote (**summary:** Yes=7).
5. **Discussion/Possible Action:** Approval of Minutes for September 14, 2017.  
**Motion:** Approve Minutes for September 14, 2017, **Action:** Approve, **Moved by** Commissioner Hindle, **Seconded by** Commissioner Herrington, **Vote:** Motion carried by vote (**summary:** Yes=5). **Abstain**=Kris Thompson, Summer Pellett.
6. **Discussion/Possible Action:** Approval of Minutes for October 5, 2017.  
**Motion:** Approve Minutes for October 5, 2017, **Action:** Approve, **Moved by** Commissioner Kekule, **Seconded by** Commissioner Pellett, **Vote:** Motion carried by unanimous vote (**summary:** Yes=7).

7. **Discussion/Possible Action:** Approval of Minutes for November 2, 2017.

**Motion:** Approve Minutes for November 2, 2017, **Action:** Approve, **Moved by** Commissioner Thompson, **Seconded by** Commissioner Hindle, **Vote:** Motion carried by vote (**summary:** Yes=6), **Abstain**=John Herrington.

8. **Discussion/Possible Action:** Division of Large Parcels Map 2017-054 by Tahoe Reno Industrial Center. The applicant is requesting a Division of Land into Large Parcels, File 2017-054. One existing large parcel over 40 acres will be divided into a total of three large parcels over 40 acres. The project is a division of parcel 2016-24 as shown on Record of Survey Map No. 125044, and as described in Document Number 125418, within portions of Sec. 1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23, 27 & 28, T19N, R24E, M.D.M. The subject property is located along USA Parkway at the Storey/Lyon County line and extends northeast along the county boundary, having Assessor's Parcel Number 004-171-14, Storey County, Nevada.

**Commissioner Thompson** recused himself from agenda items 8 and 9 due to a conflict of interest as Project Manager for the TRIC. He sat in the audience during the hearing of these items.

**Planner Canfield:** Summarized the request.

- One existing large parcel over 40 acres will be divided and reconfigured to a total of three large parcels over 40 acres. All three resultant parcels will have frontage along the USA Parkway right-of-way.
- The existing parcel is approximately 6,399 acres and there is no development on the property.
- There are no evident conflicts between the proposed project and Storey County Title 17 Zoning or the 2016 Master Plan.
- Although the property is owned by the Tahoe Reno Industrial Center, LLC, the property is not a part of the Industrial Center and is not subject to the Development Agreement between the Tahoe Reno Industrial Center (TRIC) and Storey County. The 2015 Storey County Zoning Ordinance applies to this property.
- The subject property is zone Forestry. Surrounding land uses include vacant Heavy Industrial zoned property to the west, vacant Forestry zoned property to the north, vacant Lyon County land to the east and vacant Forestry zoned land and vacant Lyon County land to the south.
- The properties are currently vacant and any proposed use would be required to comply with the permissible uses as outlined in the zoning code. Any development would be required to meet the required setbacks and building heights. No development is proposed with the application and any proposed use in the Forestry zone will require a Special Use Permit to be obtained.

**Chairman Prater:** Asked if the northern parcel is that shape because of topography or public safety, and if Storey County is going to buy the land and if so, what do they intend to do with it.

**Planner Canfield:** Answered that the shape of the northern parcel is due to Topography, and that she believes it is the intent of Storey County to purchase the land for a communications tower.

**Deputy D.A. Keith Loomis:** Added that that Storey County and TRIC are working on an agreement right now.

**Vice-Chairman Hindle:** Asked that there is not a reason not to approve this request since Storey County doesn't have an ordinance for the division of large parcels and the request conforms to NRS, correct?

**Planner Canfield:** Correct.

**Motion:** In accordance with the recommendation by Staff, the Findings under section 3.A of the Staff Report, and in compliance with all Conditions of Approval, I, Jim Hindle, hereby recommend approval of the Tentative Map Division of Land into Large Parcels, File 2017-054. One existing large parcel over 40 acres will be divided into a total of three large parcels over 40 acres. The project is a division of parcel 2016-24 as shown on Record of Survey Map No. 125044, and as described in Document Number 125418, within portions of Sec. 1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23, 27 & 28, T19N, R24E, M.D.M. The subject property is located along USA Parkway at the Storey/Lyon County line and extends northeast along the county boundary, having Assessor's Parcel Number 004-171-14, Storey County, Nevada. **Action:** Approve, **Moved by** Commissioner Hindle, **Seconded by** Commissioner Pellett.

**Planner Canfield** read the findings into the record.

**Findings of Fact:**

The Storey County Planning Commission shall cite Findings in a recommended motion for approval, approval with conditions, or denial. The recommended approval, approval with conditions or denial of the requested Division of Land

into Large Parcels must be based on Findings. The Findings listed in the following subsections are the minimum to be cited. The Planning Commission may include additional Findings in their decision.

**A. Motion for Approval.** The following Findings of Fact are the minimum to be cited for a recommendation of approval or approval with conditions. The following Findings are evident with regard to the requested Division of Land into Large Parcels when the recommended conditions in Section 4 are applied. At a minimum, an approval or conditional approval must be based on the following Findings:

- (1) The applicant is requesting a Division of Land into Large Parcels, File 2017-054. One existing large parcel over 40 acres will be divided into a total of three large parcels over 40 acres. The project is a division of parcel 2016-24 as shown on Record of Survey Map No. 125044, and as described in Document Number 125418, within portions of Sec. 1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23, 27 & 28, T19N, R24E, M.D.M. The subject property is located along USA Parkway at the Storey/Lyon County line and extends northeast along the county boundary, having Assessor's Parcel Number 004-171-14, Storey County, Nevada.
- (2) The Division of Land into Large Parcels complies with NRS 278.471 through 278.4725 relating to the adjustment of one parcel to three parcels, all 40 acres or more in size.
- (3) The Division of Land into Large Parcels complies with all Federal, State, and County regulations pertaining to Parcel Maps and allowed land uses.
- (4) The Division of Land into Large Parcels will not impose substantial adverse impacts or safety hazards on the abutting properties or the surrounding vicinity.
- (5) The conditions of approval for the requested Division of Land into Large Parcels do not conflict with the minimum requirements in Storey County Code Chapter 17.32 Forestry Zone or any other Federal, State, or County regulations.

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

9. **Discussion/Possible Action:** Division of Large Parcels Map 2017-055 by Tahoe Reno Industrial Center. The applicant is requesting a Division of Land into Large Parcels, File 2017-055. One existing large parcel over 40 acres will be divided into a total of three large parcels over 40 acres. The subject property extends west from USA Parkway, having Assessor's Parcel Number 004-171-16, Storey County, Nevada. The project is a division of Parcel 2016-25 as shown on Record of Survey Map No. 125044, and as described in Document Number 125418, within portions of Sections 28, 31, 32, 33 & 34, T19N, R23E, M.D.M.

**Planner Canfield:** Summarized the request.

- One existing large parcel over 40 acres will be divided and reconfigured to a total of three large parcels over 40 acres. All three resultant parcels will have frontage along the USA Parkway right-of-way.
- The parcel on the north end is a potential location for a fire station.
- The existing parcel is approximately 1,653.69 acres and there is no development on the property.
- There are no evident conflicts between the proposed project and Storey County Title 17 Zoning or the 2016 Master Plan.
- Although the property is owned by the Tahoe Reno Industrial Center, LLC, the property is not a part of the Industrial Center and is not subject to the Development Agreement between the Tahoe Reno Industrial Center and Storey County. The 2015 Storey County Zoning Ordinance applies to this property.
- The properties are currently vacant and any proposed use would be required to comply with the permissible uses as outlined in the zoning code. Any development would be required to meet the required setbacks and building heights. No development is proposed with the application and any proposed use in the Forestry zone will require a Special Use Permit to be obtained.

**Vice-Chairman Hindle:** Asked if this will be divided into three parcels or two.

**Planner Canfield:** Answered three parcels as shown on page three of the staff report.

**Motion:** In accordance with the recommendation by Staff, the Findings under section 3.A of the Staff Report, and in compliance with all Conditions of Approval, I, Laura Kekule, hereby recommend approval of the Tentative Map Division

of Land into Large Parcels, File 2017-055. One existing large parcel over 40 acres will be divided into a total of three large parcels over 40 acres. The subject property extends west from USA Parkway, having Assessor's Parcel Number 004-171-16, Storey County, Nevada. The project is a division of Parcel 2016-25 as shown on Record of Survey Map No. 125044, and as described in Document Number 125418, within portions of Sections 28, 31, 32, 33 & 34, T19N, R23E, M.D.M., **Action:** Approve, **Moved by** Commissioner Kekule, **Seconded by** Commissioner Hindle.

**Planner Canfield** read the findings into the record.

**Findings of Fact:**

The Storey County Planning Commission shall cite Findings in a recommended motion for approval, approval with conditions, or denial. The recommended approval, approval with conditions or denial of the requested Division of Land into Large Parcels must be based on Findings. The Findings listed in the following subsections are the minimum to be cited. The Planning Commission may include additional Findings in their decision.

**A. Motion for Approval.** The following Findings of Fact are the minimum to be cited for a recommendation of approval or approval with conditions. The following Findings are evident with regard to the requested Division of Land into Large Parcels when the recommended conditions in Section 4 are applied. At a minimum, an approval or conditional approval must be based on the following Findings:

- (1) The applicant is requesting a Division of Land into Large Parcels, File 2017-055. One existing large parcel over 40 acres will be divided into a total of three large parcels over 40 acres. The subject property extends west from USA Parkway, having Assessor's Parcel Number 004-171-16, Storey County, Nevada. The project is a division of Parcel 2016-25 as shown on Record of Survey Map No. 125044, and as described in Document Number 125418, within portions of Sections 28, 31, 32, 33 & 34, T19N, R23E, M.D.M.
- (2) The Division of Land into Large Parcels complies with NRS 278.471 through 278.4725 relating to the adjustment of one parcel to three parcels, all 40 acres or more in size.
- (3) The Division of Land into Large Parcels complies with all Federal, State, and County regulations pertaining to Parcel Maps and allowed land uses.
- (4) The Division of Land into Large Parcels will not impose substantial adverse impacts or safety hazards on the abutting properties or the surrounding vicinity.
- (5) The conditions of approval for the requested Division of Land into Large Parcels do not conflict with the minimum requirements in Storey County Code Chapter 17.32 Forestry Zone or any other Federal, State, or County regulations.

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

**10. Discussion/No Possible Action:** Ordinance No. 18-279 amending Storey County Code Title 16 Subdivisions to adopt new codes for land subdivisions, parcel maps, division of land into large parcels, surety requirements, land readjustments, boundary line adjustments, and reversions to acreage/lot consolidations. Additional information including, but not limited to draft text may be obtained from the Planning Department at 775.847.1144 or [planning@storeycounty.org](mailto:planning@storeycounty.org).\*

**Planning Director Osborne:** Asked if a motion could be made to combine agenda items 10 through 17. Chairman Prater and the commission agreed to combine the agenda items.

**Motion:** Combine agenda items 10 through 17, **Action:** Approve, **Moved by** Commissioner Hindle, **Seconded by** Commissioner Thompson, **Vote:** Motion carried by unanimous vote (**summary:** Yes=7).

**11. Discussion/No Possible Action:** Ordinance No. 18-278 amending Storey County Code Title 17 Zoning, including Chapter 17.56 Planned Unit Developments to revise the procedure for approval and standards of planned unit developments. Additional information including, but not limited to draft text may be obtained from the Planning Department at 775.847.1144 or [planning@storeycounty.org](mailto:planning@storeycounty.org).\*

12. **Discussion/No Possible Action:** Ordinance No. 18-280 amending Storey County Code Title 17 Zoning including chapters 17.03 Administrative Provisions, 17.10 Definitions, 17.12 General Provisions, 17.15 Public Zone, 17.24 Agriculture Zone, 17.28 Commercial Zone, 17.30 Commercial-Residential Zone, 17.32 Forestry Zone, 17.34 Light Industrial Zone, 17.35 Heavy Industrial Zone, 17.40 Estate Zone, 17.44 Special Planning Review Zone; and 17.84 Signs and Billboards. Additional information including, but not limited to draft text may be obtained from the Planning Department at 775.847.1144 or [planning@storeycounty.org](mailto:planning@storeycounty.org).\*
13. **Discussion/No Possible Action:** Ordinance No. 18-281 amending Storey County Code Title 17 Zoning including Chapter 17.06 Nonconforming Uses pertaining to legally nonconforming uses and adding language pertaining to substandard development. Additional information including, but not limited to draft text may be obtained from the Planning Department at 775.847.1144 or [planning@storeycounty.org](mailto:planning@storeycounty.org).\*
14. **Discussion/No Possible Action:** Ordinance No. 18-276 amending Storey County Code Title 17 Zoning to provide for design criteria and improvement standards for certain types of development and a design review process with review by the planning director with appeal to the planning commission and board. Additional information including, but not limited to draft text may be obtained from the Planning Department at 775.847.1144 or [planning@storeycounty.org](mailto:planning@storeycounty.org).\*
15. **Discussion/No Possible Action:** Ordinance No. 18-282 amending Storey County Code Title 17 Zoning including Chapter 17.03 Administrative Provisions to revise the procedure for the expiration of development permits. Additional information including, but not limited to draft text may be obtained from the Planning Department at 775.847.1144 or [planning@storeycounty.org](mailto:planning@storeycounty.org).\*
16. **Discussion/No Possible Action:** Proposed Resolution No. 18-474 to the Board of County Commissioners with recommendation by the Planning Commission adopting a design criteria and improvement manual setting forth certain development and design standards and guidelines for residential and non-residential planned unit developments, multi-family residential complexes, and other uses. Additional information including, but not limited to draft text may be obtained from the Planning Department at 775.847.1144 or [planning@storeycounty.org](mailto:planning@storeycounty.org).\*
17. **Discussion/No Possible Action:** Proposed Resolution No. 18-461 to the Board of County Commissioners with recommendation by the Planning Commission determining and consolidating all planning fees, including removing certain fees from code and placing them into resolution. Additional information including, but not limited to draft text may be obtained from the Planning Department at 775.847.1144 or [planning@storeycounty.org](mailto:planning@storeycounty.org).\*

\* In addition to provisions of the NRS, any person may complete and return to the Board or Planning Commission a statement supporting or opposing the proposed amendments to the county code and zoning ordinance.

**Planning Director Osborne:** Stated that these items will potentially be heard at the January 2, 2018 Commissioner meeting.

**Chairman Prater:** Asked if there has been any significant changes to the drafts.

**Planning Director Osborne:** Said there is nothing too major, but all changes are highlighted for review.

**Commissioner Herrington:** Commented that he noticed more detail has been added to “proof of water”.

**Planning Director Osborne:** Explained that he has been researching how other counties have handled water issues and put that language into the code. Right now our code says that when you divide property that has water rights associated with a domestic well, the water rights by NRS are held by the Nevada Division of Water Resources. In 2009, that was changed to Storey County holding the rights. In theory it sounds good if Storey County holds those rights, but in reality it costs staff and resources, opens the county up to liability and reporting errors, and provides little to no benefit to the county or its residents by holding the water rights.

**Deputy D.A. Keith Loomis:** Said that a provision was added that would allow water rights to be held by the state engineer so that counties would not have to renew their rights annually. Water rights remain dedicated to the land that it was relinquished from so they will come back to the county even though it is in the hands of the state engineer.

**Chairman Prater:** Said that the state is just performing administrative aspects, they don’t actually own the water right.

**Deputy D.A. Keith Loomis:** Explained that they hold it for the benefit of the land that it was relinquished from.

**Chairman Prater:** Asked what if a land owner dedicated a big chunk of land that had water rights for open space purposes. Would the county have a credit that they could pass on for some other future county-related development?

**Deputy D.A. Keith Loomis:** Stated that if the land were going to be used for open space without a domestic well, the land owner can hold onto his water rights.

**Commissioner Thompson:** Said that the state water engineer's office has tightened up considerably since the drought years on water tracking, water allocation, drilling locations and movement of water rights. It's best to have the state hold the water rights, not the county. It is a lot of work.

**Planning Director Osborne:** The primary purpose of this ordinance is to make sure there is water during the application process and that the developer will own that water before building begins.

**Chairman Prater:** Commented that it became obvious during the recent drought years that there are more water rights than water.

**Vice-Chairman Hindle:** Asked if the red text in chapter 16.5 means the text is being eliminated or if it means it's being changed.

**Planning Director Osborne:** Explained that a red strike out means the text will be deleted. Red text without a strike out means it is new language.

18. **Discussion/Possible Action:** Determination of next planning commission meeting.

**Motion:** Next planning commission meeting to be held on January 4, 2018, at 6:00 P.M. at the Storey County Courthouse, District Courtroom, Virginia City, Nevada, **Action:** Approve, **Moved by** Commissioner Herrington, **Seconded by** Commissioner Thompson, **Vote:** Motion carried by unanimous vote (**summary:** Yes=7).

19. **Discussion/Possible Action:** Approval of claims – None

20. **Correspondence (No Action) - None**

21. **Public Comment (No Action) –** Jack McGuffey wished the board Merry Christmas. They did a good job this year.

22. **Staff (No Action):**

**Planning Director Osborne:**

- Planner Canfield has finished the draft update to the solid waste management plan. Proofreading is next.
- CWSD (Carson Water Subconservancy District): The chosen contractor will look at the drainages and detention basins in Mark Twain and will be doing a comprehensive flood plan.

**Chairman Prater:** Asked if CWSD is funding this project.

**Planning Director Osborne:** Explained that Storey County may have to fund a small portion of it. CWSD is updating the flood plain ordinances for the entire region and Storey is participating in that as well.

**Chairman Prater:** Asked if the Corp of Engineers will be involved.

**Planning Director Osborne:** Answered no, this is just ordinance updating.

**Chairman Prater:** Said that the Truckee River was just declared a navigable stream. That's why the Corp of Engineers has been involved with it.

23. **Board Comments (No Action) –**

**Chairman Prater:** Asked Kris Thompson if a story he read about TRIC getting a 60,000 acre deal is accurate.

**Commissioner Thompson:** Answered it is true but there are a few hurdles to get through before escrow closes.

**Vice-Chairman Hindle:** The sewer project is now working on Page Street. Ames Construction is moving fast.

**Chairman Prater:** Thanked the board and staff for their good work. A lot was accomplished this year.

24. **Adjournment (No Action)** - The meeting was adjourned at 6:56 P.M.

Respectfully Submitted, By Lyndi Renaud