



STOREY COUNTY PLANNING COMMISSION

Meeting and Public Workshop

Thursday January 16, 2020 6:00 p.m.
26 South B Street, District Courtroom,
Virginia City, Nevada

MEETING MINUTES

CHAIRMAN: Jim Hindle

VICE-CHAIRMAN:

COMMISSIONERS:

Larry Prater, Kris Thompson, Jim Collins, Adrienne Baugh, Summer Pellett

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1. **Call to Order:** The meeting was called to order by the Chairman at 6:02 P.M.
 2. **Roll Call:** Jim Hindle, and via teleconference due to bad travel weather, Summer Pellett, Larry Prater, Kris Thompson and Adrienne Baugh. **Absent:** Jim Collins.

Also Present: Senior Planner Kathy Canfield, Planning Assistant Lyndi Renaud, County Manager Austin Osborne and District Attorney Anne Langer.

3. **Pledge of Allegiance:** The Chairman led those present in the Pledge of Allegiance.

4. **Discussion/Possible Action:** Approval of Agenda for January 16, 2020.

Motion: Amend to combine items 8 through 11 to be heard as one agenda item, **Action:** Approve, **Moved by** Commissioner Baugh, **Seconded by** Commissioner Prater, **Vote:** Motion carried by unanimous vote (**summary:** Yes=5).

Motion: Approve agenda as amended for January 16, 2020, **Action:** Approve, **Moved by** Commissioner Prater, **Seconded by** Commissioner Pellett, **Vote:** Motion carried by unanimous vote (**summary:** Yes=5).

No Public Comment.

5. **Discussion/Possible Action:** Election of Chairman and Vice-Chairman for 2020.

Chairman Hindle said if there is anyone that would like to take over as Chairman, he would be happy to do that.

Commissioner Thompson nominated Jim Hindle for Chairman and **Commissioner Prater** nominated Summer Pellett for Chairman. **Commissioner Pellett** stated that she would prefer sitting as Vice-Chairman before a Chairman position and removed her name from the nomination for Chairman.

Motion: Approve Jim Hindle as Chairman of the Planning Commission for 2020, **Action:** Approve, **Moved by** Commissioner Thompson, **Seconded by** Commissioner Pellett, **Vote:** Motion carried by unanimous vote (**summary:** Yes=5).

No Public Comment.

Commissioner Prater then nominated Summer Pellett for Vice-Chairman and proposed a motion. No other nominations for Vice-Chairman were provided.

Motion: Approve Summer Pellett as Vice-Chairman of the Planning Commission for 2020, **Action:** Approve, **Moved by** Commissioner Prater, **Seconded by** Commissioner Baugh, **Vote:** Motion carried by unanimous vote (**summary:** Yes=5).

No Public Comment.

6. Discussion/Possible Action: Approval of Minutes for November 7, 2019.

Motion: Approval of Minutes for November 7, 2019, **Action:** Approve, **Moved by** Commissioner Prater, **Seconded by** Commissioner Thompson, **Vote:** Motion carried by unanimous vote (**summary:** Yes=5).

No Public Comment.

7. Discussion/Possible Action: Special Use Permit 2020-001 request by the applicant Eco Compliance Corporation to construct and operate a medical waste thermal destruction plant and potential commercial power generation from waste. This request is a re-issuance of Special Use Permit 2017-044, due to expiration, which was originally approved on December 5, 2017. No changes from the previous approval are proposed. 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.

Commissioner Thompson: Recused himself from voting on this item after disclosing that he works for TRI, and is the president of the TRI General Improvement District and provides services for Lance Gilman Commercial Real Estate. Thompson said he has interacted with the applicant in all those capacities during sales meetings, and contract negotiations for land sales and during the escrow.

D. A. Langer: For the record, one of the applicants here tonight is shaking his head in agreement, to what Commissioner Thompson has stated.

Planner Canfield: Summarized the request by the applicant Eco Compliance. This SUP is for a Medical Waste Thermal Destruction Plant. The application was heard and approved by the Planning Commission and the BOCC in December of 2017. The SUP expired while the applicant has been working with NDEP for the required permits from the State. During that time period the two year window for the SUP closed. The applicant resubmitted the same application as before and no changes are proposed. All conditions of the SUP that were approved in 2017 will remain with re-issuance of this SUP. Notices were sent to surrounding property owners and staff received no comments. Staff is recommending approval. The applicant is here to answer any questions. She added that last week the applicant received their State NDEP permit.

No Board Comment.

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 Larry Prater, recommend approval of Special Use Permit 2020-001, 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 Prater, **Seconded by** Commissioner Baugh,

Planner Canfield read the findings into the record:

- (1) This approval is for Special Use Permit 2020-001, 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.

Prior to the vote, a representative for the applicant asked County Manager Osborne to clarify condition L. Setbacks.

County Manager Osborne said that in 2017 the applicant received approval for a variance to the setback. In tonight’s SUP approval, the reduced setback will be allowed by issuing a “waiver” for a reduced setback. The Development Agreement allows this. The “waiver” for a reduced setback will be approved and issued through the Building Department.

No Public Comment.

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

Commissioner Thompson asked to be dismissed from the meeting due to a pending “will serve” agreement the GID is trying to complete this evening for the owner of an RV project in TRI.

Note for Items 8, 9, 10 and 11, additional information including, but not limited to, draft text may be obtained from the Planning Department at 775.847.1144 or planning@storeycounty.org, or viewed online at <http://storeycounty.org/517/Updates>. In addition to the provisions of the NRS, any person may complete and return to the Board a statement supporting or opposing the proposed amendments to the county code and/or zoning ordinance. These items may be heard and discussed together if determined appropriate by the planning commission.

- 8. Discussion Only/No Possible Action:** Text amendments to Storey County Code Title 17 Zoning regulating building setback, height, bulk, area, dimension, and density; parking requirements, egress, easements and right-of-ways; accessory structures and buildings; fences, hedges, and barriers; and other properly related matters in the following regulatory zones: CR Commercial-Residential; R1 Single-Family and R2 Multi-Family Residential; E Estate; F Forestry; A Agriculture; I1 Light Industrial and I2 Heavy Industrial; and SPR Special Planning Review zones.
- 9. Discussion Only/No Possible Action:** Text amendments to Storey County Code Title 17 Zoning regulating shipping containers and accessory non-dwelling uses in all regulatory zones; watch-persons’ accessory dwellings in the I1 Light Industrial, I2 Heavy Industrial, and IC Industrial Commercial zones; accessory dwelling units (“in-law quarters”) in the following regulatory zones: CR Commercial-Residential; R1 Single-Family and R2 Multi-Family Residential; E Estate; F Forestry; A Agriculture; and SPR Special Planning Review zones.
- 10. Discussion Only/No Possible Action:** Text amendments to Storey County Code Title 17 Zoning modifying, clarifying, elaborating upon, and consolidating land use and other terms and definitions in Chapter 17.10 Definitions and as those terms and definitions apply to and within all regulatory zones and all other provisions in the zoning ordinance.

No Public Comment.

- 11. Discussion Only/No Possible Action:** Text amendments to Storey County Code Title 17 Administrative Provisions to clarify and modify language, and align to NRS noticing requirements in sections 17.03.050, 17.03.060, 17.03.070 and 17.03.080.

Staff is working on finishing the update and putting together final drafts of the revisions. Staff would like to move this forward in February as an “action” item. Based on comments we are making a few changes. At this time staff has decided not to propose changing the labels of certain zones such as R1 and R2 to SFR and MFR. Also on hold is the Neighborhood Industrial chapter. Changing labels of zones created a “domino” effect in relation to other parts of the code and conflicted with the Master Plan designations. Staff will consider the proposal later. The Master Plan is scheduled to be updated in 2021. This may be discussed then.

No Public Comment.

- 12. Discussion Only:** Special Use Permit use category listing and related fees.

Planner Canfield: No action is required by the commission on this item and no fees are changing. This is to categorize land uses that require a special use permit and match them with the fee associated with the use. This item will be heard by the Board.

No Public Comment.

- 13. Discussion Only/No Possible Action.** Map amendments to the Official Storey County Zoning Map, changing zone districts R1 Single-Family Residential to SFR Single-Family Residential, R2 Multi-Family Residential to MFR Multi-Family Residential, I1 Light Industrial to IL Light Industrial, I2 Heavy Industrial to IH Heavy Industrial, and adding IN Neighborhood Industrial to the list of classified zones, affecting all listed zones in Storey County except those located within the annexed portions of the Tahoe-Reno Industrial Center, and other properly related matters.

Planner Canfield: Staff has decided not to propose any map amendments at this time. The amendments may be considered during the update of the Master Plan in 2021. This item will not be on the next agenda.

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

Motion: Next planning commission meeting to be held on February 13, 2020 at 6:00 P.M. at the Storey County Courthouse, Virginia City, Nevada, **Action:** Approve, **Moved by** Commissioner Prater , **Seconded by** Commissioner Pellett, **Vote:** Motion carried by unanimous vote (**summary:** Yes=4).

No Public Comment

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

- 16. Correspondence (No Action) – None**

- 17. Public Comment (No Action) – None**

- 18. Staff (No Action) –**

County Manager Austin Osborne: Said that the county has posted a Planner position. Kathy and Lyndi are doing a great job, and a new planner will give them some help.

Senior Planner Canfield: Staff has received three letters of interest for the At Large Planning Commissioner seat that is vacant due to John Herrington’s resignation, and will be conducting interviews next Friday.

- 19. Board Comments (No Action) –**

Chairman Hindle: Asked if John Herrington will be recognized in some way for his 10 years of service to the Planning Commission (resigned from the commission effective 12-31-19).

Planning Assistant Lyndi Renaud: Said staff has a framed Certificate of Recognition for John, but would like to present it at the next meeting when the weather may be better, and when there are more commissioners in attendance for the presentation.

Commissioner Prater: Said that is nice to have District Attorney Langer in attendance since Keith is out of town.

Commissioner Baugh: Said thank you for allowing commissioners to call in to the meeting due to poor weather and travel conditions.

Adjournment (No Action) - The meeting was adjourned at 6:35 pm.

Respectfully Submitted, By Lyndi Renaud