



Storey County Planning Commission Meeting Agenda

Thursday March 19, 2020 at 6:00 p.m.
Storey County Courthouse, District Courtroom
26 South B Street, Virginia City, NV

Jim Hindle – Chairman
Jim Collins – Planning Commissioner
Larry Prater – Planning Commissioner

Summer Pellett- Vice Chairman
Kris Thompson – Planning Commissioner
Adrienne Baugh – Planning Commissioner
Bryan Staples - Commissioner

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/For Possible Action:** Approval of Agenda for March 19, 2020.
5. **Discussion/For Possible Action:** Approval of Minutes for February 13, 2020.
6. **Discussion/For Possible Action:** Compliance Review of Special Use Permit 2019-001 issued to Stacy and Aaron Grimes which allows a home enterprise approved by the BOCC on February 19, 2019. The home enterprise consists of beekeeping (with a maximum of 10 hives), greenhouse(s) to grow produce and an aqua farm structure for raising fish. No retail sales of product will occur at the site. Per Condition U. of the SUP, a compliance review is required. The property is approximately 2.70 acres in size and is located at 144 Elizabeth Lane, Mark Twain, Storey County, Nevada, Assessor's Parcel Number (APN) 003-314-23.
7. **Discussion/For Possible Action:** Special Use Permit 2020-012 by applicants Michelle Buckman and Jason Virden. This request is to operate a two-room rental bed and breakfast inn within an existing residence in the R1-Residential zone. The property owners will occupy the residence and parking for the inn will be provided onsite. The subject property is located at 120 N. Howard, Virginia City, Storey County, Nevada and having Assessor's Parcel Number 001-023-06.
8. **Discussion/For Possible Action:** Parcel Map 2020-013 is a request by applicants Rich, Doreen and Diane Bacus to create two parcels from one previously consolidated parcel. Originally, the land in question was two individual parcels of land. The two original parcels were consolidated into one legal lot of record in 2013. This Parcel map will divide the consolidated parcel into two individual parcels, returning the land to two parcels. The property is located at 140 South Q Street, Virginia City, Storey County, Nevada and having Assessor's Parcel Number 001-257-08.

Note for Items 9,10,11,12 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.

9. **Discussion/For Possible Action:** Bill 115/ Ord 20-304 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.

10. **Discussion/For Possible Action:** Bill 116/Ord 20-305 Text amendments to Storey County Code Title 17 Zoning adding, 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. Terms include Animal Boarding and Grooming, Beekeeping, Crisis Care Facility, Equestrian Establishments, Veterinary Services and Wild Animal Keeping.
11. **Discussion/For Possible Action:** Bill 117/Ord 20-306 Text amendments to Storey County Code Title 17 Zoning Chapter 17.12 General Provisions adding, modifying and clarifying provisions within the chapter including home enterprises, height of buildings and structures, accessory buildings and shipping containers, accessory dwellings, Comstock Historic District standards, setback encroachments, perimeter fencing, public utility uses, minimum lot area, off-street parking, open storage, general provisions for all zones including crisis care and wireless communications facilities, and property located within mapped FEMA floodplain.
12. **Discussion/For Possible Action:** Bill 118/Ord 20-307 Text amendments to Storey County Code Title 17 Zoning Districts CR Commercial-Residential; C Commercial; R1 Single-Family; R2 Multi-Family Residential; E Estate; F Forestry; A Agriculture; I1 Light Industrial and I2 Heavy Industrial; NR Natural Resources and SPR Special Planning Review zones. Additions, modifications, elimination and clarifications including the listed land uses, minimum floor area, setbacks, minimum parcel area, distance between buildings and home enterprises are proposed.
13. **Discussion/For Possible Action:** Determination of next Planning Commission meeting.
14. **Discussion/For Possible Action:** Approval of Claims.
15. **Correspondence** (no action)
16. **Public Comment** (no action)
17. **Staff** (no action)
18. **Board Comments** (no action)
19. **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 Lyndi Renaud, Planning Department (775-847-1144).
- Supporting material is available to the public and may be obtained at <http://www.storeycounty.org/agendacenter> or the Storey County Courthouse, Planning Department, 26 South B Street, Virginia City, Nevada.

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 March 10, 2020: Virginia City Post Office; Storey County Courthouse; Storey County Community Development; Virginia City Fire Station 71; Virginia City RV Park; Mark Twain Community Center; Rainbow Bend Clubhouse; Lockwood Community/Senior Center; Lockwood Fire Station; and the Virginia City Highlands Online Message Board. By Lyndi Renaud, Secretary



STOREY COUNTY PLANNING COMMISSION

Meeting and Public Workshop

Thursday February 13, 2020 6:00 p.m.
26 South B Street, District Courtroom,
Virginia City, Nevada

MEETING MINUTES

CHAIRMAN: Jim Hindle

VICE-CHAIRMAN: Summer Pellett

COMMISSIONERS:

Larry Prater, Kris Thompson, Jim Collins, Adrienne Baugh, Bryan Staples

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- 1. Call to Order:** The meeting was called to order by the Chairman at 6:03 P.M.
 - 2. Roll Call:** Jim Hindle, Adrienne Baugh, Bryan Staples, Larry Prater, Summer Pellett. **Absent:** Jim Collins, Kris Thompson.
Also Present: Senior Planner Kathy Canfield, County Manager Austin Osborne and District Attorney Anne Langer via conference call.
 - 3. Pledge of Allegiance:** The Chairman led those present in the Pledge of Allegiance.

Immediately following the pledge of allegiance Chairman Hindle presented former At Large planning commissioner John Herrington a framed Certificate of Recognition for 10 years of service on the planning commission. John was in attendance and accepted the certificate. He chose not to apply for re-appointment when his term expired on December 31, 2019. Chairman Hindle and the commission thanked John for his support and service.

D.A. Langer also thanked John for taking the time and effort to get involved in the community and appreciates his service on the commission.
 - 4. Discussion/Possible Action:** Approval of Agenda for February 13, 2020.

Motion: Amend to combine agenda items 7,8,9,10 and Approve agenda as amended for February 13, 2020, **Action:** Approve, **Moved by** Commissioner Pellett, **Seconded by** Commissioner Prater, **Vote:** Motion carried by unanimous vote (**summary:** Yes=5).

No Public Comment.
 - 5. Discussion/Possible Action:** Approval of Minutes for January 16, 2020.

Motion: Approval of Minutes for January 16, 2020, **Action:** Approve, **Moved by** Commissioner Prater, **Seconded by** Commissioner Staples, **Vote:** Motion carried by unanimous vote (**summary:** Yes=5).

No Public Comment.
 - 6. Discussion/For Possible Action:** Special Use Permit 2020-005 request by the applicant Brad and Brenda Shell to allow for a watchman's dwelling for a proposed 150 space Recreational Vehicle (RV) Park. The watchman's dwelling is a

requirement of Chapter 8.24 (Mobile Homes and Recreational Vehicles) of the Storey County Code. The subject property is located at 580 East Sydney Drive within the Tahoe Reno Industrial Center, McCarran area of Storey County, Nevada and having Assessor's Parcel Number 005-091-14.

Senior Planner Canfield summarized the request by the applicants for a watchman's dwelling for a proposed 150 space RV Park in TRI. This is subject to the 1999 zoning code and the Development Agreement. This is also subject to Storey County code chapter 8.24 which requires an RV Park to have a management office and a watchman's dwelling used exclusively for management. The RV Park is an allowed use with a Commercial zoning designation in the I2 zone. This parcel was authorized for Commercial uses and the special use permit is simply to allow for a watchman's dwelling. Any watchman's dwelling in the I2 zone is also required to have a special use permit. Staff has reviewed the application and finds that having an onsite manager in the RV Park is an appropriate accessory use and is recommending approval. Staff received one letter in opposition from the Storey County Sheriff (letter attached). Staff recognizes his concerns; however, the special use permit being requested is for the watchman's dwelling. The RV Park itself is an allowed use. In order to approve a building permit for the RV Park, the special use permit for the watchman's dwelling must be approved, so they are tied together. Staff believes that the code was written to require onsite management of these parks. The plans for the park have been submitted to the Building Department but have not yet been issued pending the approval of the special use permit. The applicant's son is in attendance and the applicant is also on Facetime if anyone has any questions.

Commissioner Prater asked for clarification from **Senior Planner Canfield** that staff is supporting this request. Canfield replied that yes staff is supportive and agrees that an onsite manager residing in a watchman's dwelling is an appropriate accessory use to the allowed RV Park use.

Prater also stated that he had a conversation with the applicant prior to the meeting. The applicant felt he was blindsided by the letter from the sheriff. The letter is dated today. The sheriff could have voiced his concerns earlier to the planning department or the applicant. The applicants would have been more than willing to meet with the sheriff to discuss his concerns and how they could be mitigated. Prater asked the applicant about potentially delaying action on this request in order for him to meet with the sheriff, but the applicant stated that he already has construction loans outstanding that are incurring interest and doesn't want to delay action tonight.

Vice Chairman Pellett said the sheriff's letter is better suited to support a code amendment. The special use permit (SUP) that is being considered tonight doesn't have anything to do with the current allowed use. The sheriff's letter doesn't address the SUP. The RV Park is an allowed use. Pellett also said that if the RV Park is an allowed use and a watchman's dwelling is required to operate the RV Park, then what would the justification be to deny the SUP? She asked if the watchman's dwelling requirement will be part of the code amendment and will be taken out as a requirement. Senior Planner Canfield stated that the requirement is not part of the zone text amendment. Staff wants to keep the requirement for a watchman's dwelling to operate an RV Park. The requirement is also a part of the 1999 zoning ordinance which is what the Development Agreement between the county and TRI follows.

Commissioner Baugh commented that having a watchman's dwelling (onsite manager) for the RV Park would lessen the possibility of crime the sheriff is concerned about.

Senior Planner Canfield: Said that the RV Park is a 29 day or less stay meaning that a tenant that may want to stay longer than that would have to move spaces. Transient use taxes apply to the RV Park use. This is similar to an extended stay hotel that requires a tenant to move rooms after 29 days.

Chairman Hindle asked if Sydney Drive is open for ingress and egress between the RV Park and Tesla. Senior Planner Canfield replied that the ROW ends, and a private drive owned by Tesla continues through to the Tesla. Canfield also said that there is a cul de sac there (on paper, not developed). There are some road improvements that need to be done there and the county is talking with the TRI Center and other property owners to figure out how to make this happen.

D.A. Langer clarified that what the planning commission is taking action is the special use permit for a watchman's dwelling. The watchman's dwelling is what is agendized.

Chairman Hindle commented that the 1999 code does not allow residential uses in the industrial park, but yet the code requires a watchman's dwelling for the RV Park.

Senior Planner Canfield stated that the 1999 code does allow for watchman's dwellings with a special use permit and there are a few already permitted in the industrial park. Canfield said she thinks they are mobile units but not sure about that. Chairman Hindle asked if a watchman's dwelling is a requirement for a hotel. Canfield said not for a hotel.

Commissioner Prater asked if TRI is okay with this use. Canfield stated the TRI approved this property for commercial use knowing what the project was. The project will be reviewed by the TRI architectural committee. Approval by that committee will need to be proven prior to a building permit being issued. Prater also stated that in his discussion with the applicant, the applicant and TRI anticipates that the majority of tenants using the RV Park will be high wage workers employed at TRI, typically short term workers.

Chairman Hindle said that it seems like a subversion of the intent of the code to not allow residential housing, but to allow tenants to move spaces when required. Also asked if the watchman's dwelling can be claimed as a residence that would allow someone with children to utilize the school system and other services.

Commissioner Pellet thinks the intent of making tenants move spaces is to keep the tenant from building porches or "setting up shop" or having a yard in one location. Moving spaces shows that the stay is temporary. Pellett believes that this use is probably needed in the industrial park.

D.A. Langer stated that the Fair Housing Act USC sections 3601-19 prohibits discrimination in the provision of housing to a number of protected classes. One of the protected classes is "familial status" which includes children under the age of 18 living with a parent or guardian. The issue in regards to children and schools would have to be worked out with the school district. Senior Planner Canfield added that there is a condition in the SUP that requires the dwelling to be occupied by management of the RV Park.

Chairman Hindle invited the applicant to come to the podium to answer questions.

Zach Shell, son of the applicant, and **Brad Shell** (via Facetime). Zach stated that they are not allowing porches or decks, and outside storage except for directly underneath the front of the trailer. Zach responded to an article cited by the sheriff in his letter (RV Travel 2/2019); the RV Park referenced was built within a city. Shell said that in doing his own research, found a study done by the University of Nevada in 2014 that of the 26 mobile home parks, which isn't an RV Park, 19 had low crime rates and the majority of the crime was related to the surrounding areas around the RV Park. Brad Shell stated that the clientele they are looking for to rent spaces are high end workers from the larger manufacturing companies like Tesla, Switch, Jet. These people are having a hard time finding temporary housing in Reno.

Chairman Hindle asked for public comment. There was none. Hindle stated that he is searching for a reason to vote no because he believes that this is moving in a direction counter to what the master plan established. The master plan states that there will be no residential housing in the industrial center. Hindle understands that this is not deemed to be "residential" by law, but it certainly seems to be a way to provide housing without conforming to the master plan of where the county actually wants housing. Legally this all conforms to county code but believes that this is establishing something that is counter to the county master plan.

Vice Chairman Pellett said that the county code requires the watchman's dwelling, instead of the RV Park being able to have a full time management staff working two 12 hour shifts.

Commissioner Prater believes that TRI has its own master plan and stands alone and evidently, they deemed this appropriate for their uses.

No Public 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 Summer Pellett, recommend approval of Special Use Permit 2020-005, a request to allow a watchman's dwelling for a proposed 150 space Recreational Vehicle (RV) Park. The watchman's dwelling is a requirement of Chapter 8.24 (Mobile Homes and Recreational Vehicles) of the Storey County Code. The subject property is located at 580 East Sydney Drive within the Tahoe Reno Industrial Center, McCarran, Storey County, Nevada and having Assessor's Parcel Number 005-091-14. **Action:** Approve, **Moved by** Vice Chairman Pellett, **Seconded by:** Commissioner Baugh,

Senior Planner Canfield read the findings into the record:

- (1) Special Use Permit 2020-005 is a request to allow for a watchman's dwelling for a proposed 150 space Recreational Vehicle (RV) Park. The watchman's dwelling is a requirement of Chapter 8.24 (Mobile Homes and Recreational Vehicles) of the Storey County Code. The subject property is located at 580 East Sydney Drive within the Tahoe Reno Industrial Center, McCarran, Storey County, Nevada and having Assessor's Parcel Number 005-091-14.

- (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.D of this staff report and the contents thereof are cited in an approval of this Special Use Permit. The Special Use Permit complies with the general purpose, goals, objectives, and standards of the county master plan, the zoning ordinance and any other plan, program, map or ordinance adopted, or under consideration pursuant to the official notice by the county.
- (3) The proposal location, size, height, operations, and other significant features will be compatible with and will not cause substantial negative impact on adjacent land uses, or will perform a function or provide a service that is essential to the surrounding land uses, community, and neighborhood.
- (4) The Special Use Permit will result in no substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions and policies of the county master plan, this title, and any other plans, program, map or ordinance adopted or under consideration pursuant to an official notice, by the county, or other governmental agency having jurisdiction to guide growth and development.
- (5) The proposed use in the proposed area will be adequately served by and will impose no undue burden on any of the improvements, facilities, utilities, or services provided by the county or other governmental agency having jurisdiction in the county.
- (6) The Special Use Permit, with the recommended conditions of approval, complies with the minimum requirements in the 1999 Storey County Zoning Ordinance Sections 17.37 I-2 Heavy Industrial and 17.62 Special Uses.

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

Note for Items 7,8,9,10 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.

7. **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.
8. **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.
9. **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.
10. **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.

Senior Planner Canfield said staff is working on the final clean up of the code amendments. Staff would like to move this forward in March as an "action" item. Based on comments we are making a few changes and making sure language is

consistent through out the different chapters. The final drafts will be posted to the website sometime next week. There will be a notice posted in the newspaper when “action” is agendized. Canfield asked the commissioners to please provide comments on the amendments.

A **discussion** between board members and staff continued regarding potentially amending code for RV Parks requiring a watchman’s dwelling, and the pros and cons of the requirement. Title 17 does not address this. This code is contained in Title 8.

Public Comment:

Steve Danskin, Mark Twain resident asked if single family housing (one family per lot) will remain in Mark Twain or will there be more than one family living on a lot in RVs in the backyard due to the zoning changes.

Senior Planner Canfield answered that there are no revisions to “density”. Mark Twain is zoned Estate which allows one single family residence per lot. Living in an RV on a property would not be allowed in addition to a residence. Accessory dwellings may be allowed but must be occupied by family of the property owner.

County Manager Austin Osborne clarified that a property owner can have a single family house and an accessory dwelling unit may be allowed on the same lot with a special use permit occupied by family members only. The zone text amendment proposes to allow these without a special use permit, but they will still be required to be occupied by family members.

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

Motion: Next planning commission meeting to be held on March 19, 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=5).

No Public Comment

12. Discussion/Possible Action: Approval of claims – None

13. Correspondence (No Action) – Letter from the Storey County Sheriff as discussed in item 6.

14. Public Comment (No Action) – None

15. Staff (No Action) – None

16. Board Comments (No Action) – Commissioner Prater and the commission welcomed Bryan Staples to the planning commission as the new At Large commissioner.

Chairman Hindle clarified his position on the SUP request. Hindle said he has no issue with the applicants but thinks this is something we need to be cognizant of because it seems to circumvent what the intent of the master plan was. There is no requirement for a watchman’s dwelling for a hotel, so maybe the code in chapter could be revised to include “and/or” as long as there is 24 supervision required.

Chairman Hindle also stated that he has been contacted by a few residents who were concerned with some surveying that has been completed in south Virginia City. Hindle said one of his neighbors talked to them and they said it (surveying) was for mining and for drilling. Hindle said that he did not think that drilling could be done on the south end near a residential area.

County Manager Osborne: Some of the surveying may be related to potential drilling to look at core samples. There may be some underground operations in that area. Osborne said he will talk to the property owners and see if a message can be put out to the community to let people know what’s going on. Inquiries can be directed to Planning or the County Manager’s office.

Adjournment (No Action) - The meeting was adjourned at 7:03 pm.

Respectfully Submitted, By Lyndi Renaud

**Storey County
Planning Department**
Storey County Courthouse
26 South B Street, PO Box 190, Virginia City, Nevada 89440
Phone 775-847-1144 – Fax 775-847-0949
planning@storeycounty.org



To: Storey County Planning Commission

From: Storey County Planning Department

Meeting Date: March 19, 2020 at 6:00 p.m.

Meeting Location: Storey County Courthouse, 26 South “B” Street, Virginia City, Nevada

Staff Contact: Kathy Canfield

File: Special Use Permit File 2020-012

Applicant: Michelle Buckman and Jason Virden

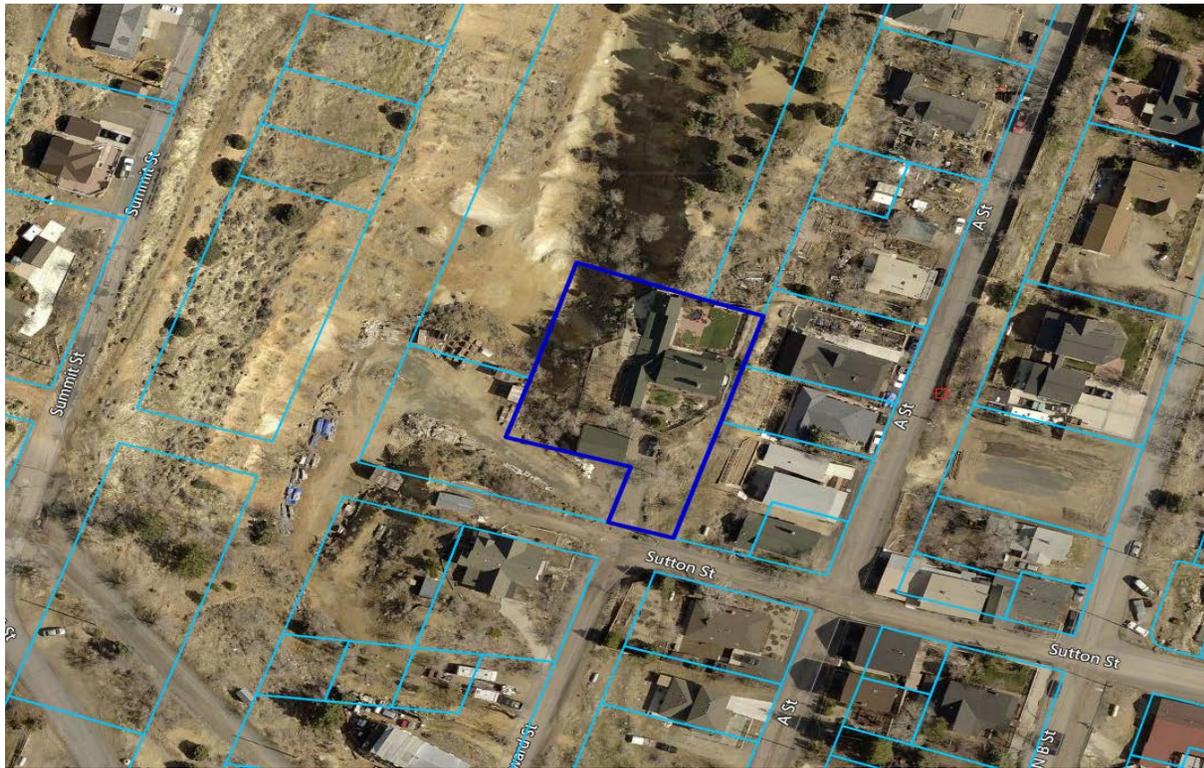
Property Owner: Michelle Buckman and Jason Virden

Property Location: 120 N. Howard Street, Virginia City, Storey County, Nevada, APN 001-023-06

Request: Special Use Permit 2020-012 is a request to operate a two-room bed and breakfast inn within an existing residence in the R1- Residential zone. The property owners will occupy the residence and two bedrooms, along with common rooms, will be available for guests. Parking for the inn will be provided onsite. The subject property is located at 120 N. Howard, Virginia City, Storey County, Nevada and having Assessor’s Parcel Number 001-023-06.

1. Background & Analysis

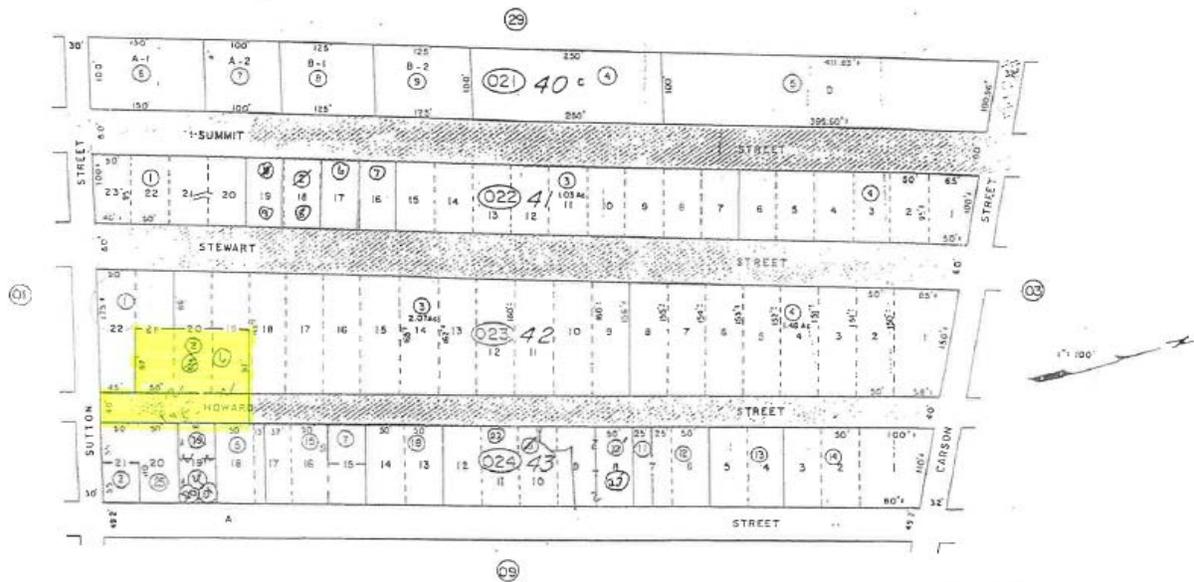
- A. Site Location.** The property is located at 120 N. Howard Street, which is located at the northwest corner of Sutton Street and the Howard Street alignment. The parcel is approximately a half acre in size and includes a portion of Howard Street which was abandoned in 1976. The parcel contains an existing residence along with a detached garage. Surrounding land uses include the Ophir Mine pit to the west and north and single family dwellings to the east and south.



Approximate location

Por. of NW⁴ of Sec.29
T17N,R21E,M.D&M

01-02



NEW/D045/RJME 32/TS
REV/D045/DOT 30/DA
6x1/016 MW/PJA
PARC/3104/NO/DL
001/D045/SEPT 79/CG

NOTE: This plot is for assessment use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated herein. Use of this plot for other than assessment purposes is forbidden unless approved by the Dept. of Taxation, Division of Assessment Standards.

Virginia City
STOREY COUNTY

Assessor's Parcel Map

Views looking from corner of Sutton and Howard Streets



- B. **Proposed Project.** The applicant is proposing to convert an existing residence to a bed and breakfast inn. Two bedrooms within the existing residence, accommodating a maximum of two people per bedroom, will be utilized for the inn. The residence will be occupied by the owner and the owner will operate the inn. The residence is located at the northwest corner of Howard Street and Sutton Street within a residential neighborhood. No modification to the exterior of the residence is proposed, with the possible exception of a sign.

The uses on the site require a total of four onsite parking spaces (two for the residential use and one space for each bedroom associated with the bed and breakfast inn). The property has four onsite spaces available to meet this requirement.

In addition to the existing residence, the parcel contains a detached garage, parking area and exterior landscaped spaces.

- C. **Special Use Permit.** This parcel is located within the R1 Residential zone within Virginia City. The R1 zone states “Bed and breakfast inns offering accommodations for up to 8 guests, subject to providing one off-street parking space for each sleeping room” as subject to a special use permit.

2. **Compatibility and Compliance**

- A. **Compatibility with surrounding uses and zones.**

The following table documents land uses, zoning classifications, and master plan designations for the land at and surrounding the proposed project.

	Land Use	Master Plan Designation	Zoning Designation
Applicant’s Land	residential	Single family residential	R1 Residential
Land to the North	Vacant, mine pit, residential	Single family residential	R1 Residential
Land to the East	residential	Single family residential	R1 Residential
Land to the South	residential	Single family residential	R1 Residential
Land to the West	Vacant, mine pit, residential	Single family residential	R1 Residential

- B. **Compliance with Zoning.** The proposed land use, bed and breakfast inn, is a special use for the zoning district. The parcel is zoned R1- Residential and the zoning district states “Bed and breakfast inns offering accommodations for up to 8 guests, subject to providing one off-street parking space for each sleeping room” can be permitted with a special use permit. The applicant has proposed to utilize two bedrooms within the residence for a total maximum accommodation of four people. The parcel has space to provide four parking spaces (two for the residence and one each for the bedrooms associated with the inn) onsite. The property owners will occupy the residence.
- C. **General use allowances and restrictions.** Storey County Code 17.03.150, Special Use Permit, identifies the administration for the Board and Planning Commission for allowing a special use permit. The approval, approval with conditions, or denial of the Special Use Permit must be based on findings of fact that the proposed use is appropriate or inappropriate in the location. The findings listed below are the minimum to be cited in an approval, with rationale for the findings included below each finding.

- (1) **Complies with the general purpose, goals, objectives, and standards of the county master plan, this title, and any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice by the county.**

The proposed use will be a bed and breakfast inn with two rooms available for overnight accommodations with a maximum occupancy of 4 persons. The owners of the property will also live within the residence. The bed and breakfast inn is listed as a special use for the zoning district.

- (2) **The proposal location, size, height, operations, and other significant features will be compatible with and will not cause substantial negative impact on adjacent land uses, or will perform a function or provide a service that is essential to the surrounding land uses, community, and neighborhood.**

The proposed bed and breakfast inn will be located within an existing residence. No exterior modifications are proposed to accommodate the bed and breakfast inn use. The residence will also be occupied by the property owner. The parcel is of an adequate size to accommodate onsite the two additional parking spaces associated with the inn.

The bed and breakfast inn is within three blocks walking distance to the downtown area of Virginia City.

- (3) **Will result in no substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions and policies of the county master plan, this title, and any other plans, program, map or ordinance adopted or under consideration pursuant to an official notice, by the county, or other governmental agency having jurisdiction to guide growth and development.**

The bed and breakfast inn will be located within an existing residence which will also be occupied by the property owner. No exterior modifications to the residence are proposed and adequate onsite parking exists for the additional two parking spaces required for the inn.

- (4) **The proposed use in the proposed area will be adequately served by and will impose no undue burden on any of the improvements, facilities, utilities, or services provided by the county or other governmental agency having jurisdiction in the county.**

The proposed use is not expected to require any additional governmental services or impact existing facilities.

- D. **2016 Storey County Master Plan.** This project is located within the Ophir Neighborhood Area Specific Plan area of Virginia City. The Plan states:

This area is expected to retain its single-family residential use pattern for the foreseeable future. However, case-by-case considerations have been given to applications for bed-and-breakfast inns when proposals are compatible with the residential and historic character of the area. Multi-family, commercial, and motel and hotel lodging uses have been proposed in this area over the past ten years, but were denied by the board and planning commission due to incompatibility with existing uses.

The proposed project is will be located within an existing single-family residence. The property owners will occupy the residence. Two bedrooms, along with common area within the residence, will serve as the bed and breakfast inn. The property is of an adequate size to accommodate the necessary parking onsite. The only visible sign of the bed and breakfast would be the presence of two additional cars parked onsite and the potential for a sign. The sign ordinance would allow for a sign of six square feet, which is the size any residential R1 zoning property is permitted.

3. Findings of Fact

- A. Motion for approval.** The following Findings of Fact are evident with regard to the requested special use permit when the recommended conditions of approval in Section 4, Recommended Conditions of Approval, are applied.
- (1) This approval is for Special Use Permit 2020-012 to operate a two-room bed and breakfast inn within an existing residence in the R1- Residential zone. The property owners will occupy the residence and two bedrooms, along with common rooms, will be available for guests. Parking for the inn will be provided onsite. The subject property is located at 120 N. Howard, Virginia City, Storey County, Nevada and having Assessor's Parcel Number 001-023-06.
 - (2) The proposed project complies with the general purpose, goals, objectives, and standards of the county master plan, this title, and any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice by the county.
 - (3) The proposal location, size, height, operations, and other significant features will be compatible with and will not cause substantial negative impact on adjacent land uses, or will perform a function or provide a service that is essential to the surrounding land uses, community, and neighborhood.
 - (4) The proposed project will result in no substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions and policies of the county master plan, this title, and any other plans, program, map or ordinance adopted or under consideration pursuant to an official notice, by the county, or other governmental agency having jurisdiction to guide growth and development.

- (5) The proposed use in the proposed area will be adequately served by and will impose no undue burden on any of the improvements, facilities, utilities, or services provided by the county or other governmental agency having jurisdiction in the county.
- (6) The Special Use Permit conforms to the 2016 Storey County Master Plan for the Ophir Neighborhood Area Specific Plan portion of Virginia City in which the subject property is located. A discussion supporting this finding is provided in Section 2.D of this staff report and the contents thereof are cited in an approval of this Special Use Permit.
- (7) The conditions under the Special Use Permit do not conflict with the minimum requirements in Storey County Code Sections 17.03.150 - Special Use Permit, 17.12 – General Provisions, and Section 17.16 R1 Residential.

B. **Motion for denial.** Should a motion be made to deny the Special Use Permit request, the following findings with explanation why should be included in that motion.

- (1) This denial is for Special Use Permit 2020-012 to operate a two-room bed and breakfast inn within an existing residence in the R1- Residential zone. The property owners will occupy the residence and two bedrooms, along with common rooms, will be available for guests. Parking for the inn will be provided onsite. The subject property is located at 120 N. Howard, Virginia City, Storey County, Nevada and having Assessor’s Parcel Number 001-023-06.
- (2) The conditions under the Special Use Permit conflict with the minimum requirements in Storey County Code Sections 17.03.150 - Special Use Permit, 17.12 – General Provisions, and Section 17.16 R1 Residential.
- (3) The conditions under the Special Use Permit do not adequately mitigate potential adverse impacts on surrounding uses or protect against potential safety hazards for surrounding use.

4. Recommended Conditions of Approval

A. **Special Use Permit.** This approval is for Special Use Permit 2020-012 Special Use Permit 2020-012 is a request to operate a two-room bed and breakfast inn within an existing residence in the R1- Residential zone. The property owners will occupy the residence and two bedrooms, along with common rooms, will be available for guests. Parking for the inn will be provided onsite. The subject property is located at 120 N. Howard, Virginia City, Storey County, Nevada and having Assessor’s Parcel Number 001-023-06.

B. **Requirements.** The Permit Holder/Licensee shall apply for any/all required permits and licenses, including building and fire permits, for the project within 24 months from the date of final approval of this Special Use Permit, and continuously maintain the validity of those permits/licenses, or this approval shall be null and void. This permit shall

remain valid as long as the Permit Holder remains in compliance with the terms of this permit and Storey County, Nevada State, and federal regulations.

- C. **Permit Contents.** This permit incorporates by reference the standards, objectives, conditions, terms and requirements of all plans and submitted separately from this permit. The requirements of all submitted plan, along with support material submitted with the application, become part of this Special Use Permit.
- D. **Separate Permits Required.** This Special Use Permit shall not be construed to be a permit for licensing, design or construction. A separate Storey County plan review, fire safety review, and building permit may be required.
- E. **Legal Responsibility.** Issuance of this permit does not convey property rights of any sort or any exclusive privilege; nor does it authorize any injury to persons or property, any invasion of other private rights, or any infringement of state or local laws or regulations.
- F. **Indemnity Defense and Hold Harmless.** The Permit Holder/Licensee agrees to defend, indemnify and hold harmless Storey County, its Officers, Employees and Representatives from any claims, causes of action, damages, fees, including attorney fees or suits arising out of the operation of a bed and breakfast inn attributable to the negligence or acts of the Permit Holder except for liability arising out of the sole negligence of Storey County, its officer, employees or representatives
- G. **Transfer of Rights.** This Special Use Permit shall inure to the Permit Holder and shall run with the land defined herein. Any and all transfers of Special Use Permit 2020-012 shall be advised in writing to the Storey County Planning Department at least 90 days prior to assignee taking over the operation of the facility. Any new Permit Holder/Licensee of the facility must sign and accept all conditions and requirements of SUP 2020-012 prior to any modifications or operations at the facility.
- H. **Liability Insurance.** The Permit Holder, as well as its assigns, heirs or successors, shall provide proof of insurance to Storey County and maintain a satisfactory liability insurance for all aspects of this operation under Special Use Permit 2020-012 for a minimum amount of \$1,000,000.00 (one million dollars).
- I. **Transient Lodging Tax.** The bed and breakfast inn shall be subject to the transient lodging tax requirements of Chapter 3.60 of the Storey County Code.
- J. **Onsite Management.** The bed and breakfast inn shall include onsite management living at the property.
- K. **Fire Access Plan.** The permit holder shall provide a fire access plan to the Storey County Fire Protection District for review and approval prior to commencement of the bed and breakfast use onsite.
- L. **Community Development Department.** The permit holder shall obtain a business license for the proposed bed and breakfast inn. As part of the business license review, the Community Development Department shall inspect the proposed structure for compliance with building code requirements for a bed and breakfast inn use.

5. Public Comment

As of March 10, 2020, Staff has not received any comments from the public.

6. Power of the Board & Planning Commission

At the conclusion of the hearing, the Planning Commission must take such action thereon as it deems warranted under the circumstances and announce and record its action by formal resolution, and such resolution must recite the findings of the Planning Commission upon which it bases its decision. The decision of the Planning Commission in the matter of granting the Special Use Permit is advisory only to the Board of County Commissioners and that governing body must consider the report and recommendation and must make such a decision thereon as it deems warranted.

7. Proposed Motions

This section contains two motions from which to choose. The motion for approval is recommended by staff in accordance with the Findings of Fact under Section 3.A of this report. Those findings should be made part of the approval motion. A motion for denial may be made and that motion should cite one or more of the findings shown in Section 3.B. Other findings of fact determined appropriate by the Planning Commission should be made part of either motion.

A. Recommended motion for approval

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 (*planning commissioner*), recommend approval of Special Use Permit 2020-012 to operate a two-room bed and breakfast inn within an existing residence in the R1- Residential zone. The property owners will occupy the residence and two bedrooms, along with common rooms, will be available for guests. Parking for the inn will be provided onsite. The subject property is located at 120 N. Howard, Virginia City, Storey County, Nevada and having Assessor's Parcel Number 001-023-06.

B. Alternative motion for denial

Against the recommendation by staff, but in accordance with the Findings of Fact under Section 3.B of this report, and other findings deemed appropriate by the Planning Commission, I (*planning commissioner*), recommend denial of Special Use Permit 2020-012 to operate a two-room bed and breakfast inn within an existing residence in the R1- Residential zone. The property owners will occupy the residence and two bedrooms, along with common rooms, will be available for guests. Parking for the inn will be provided onsite. The subject property is located at 120 N. Howard, Virginia City, Storey County, Nevada and having Assessor's Parcel Number 001-023-06.

**Appendix A
Detailed Project Description**

Detail Description/Justification of Project

Homeowners, Michelle Buckman and Jason Virden, propose opening a small scale, elegant, historic Bed & Breakfast. Our project is "The Howard Street Home" located at 120 N. Howard Street, Virginia City, NV 89440.

- **Providing a Special Use Permit for our proposal would assist Virginia City in meeting the need for upscale lodging for special events and general tourism.**

Virginia City is a highly desirable tourist attraction to both local and out-of-state visitors. Many of the special events run for two-days or more. Tourists want to stay in Virginia City, preferably at reasonably priced, historic buildings. When the current Bed & Breakfast business are full, tourists turn to other available lodging. Our aim is to meet the need for additional historic, upscale lodging during special events and through the seasons.

- **Providing a Special Use Permit for our proposal would offer an additional two rooms with a total occupancy of four people in a highly desirable location with quality amenities similar with nearby Bed & Breakfast businesses.**

The Howard Street Home is an original building from 1859. We offer two bedrooms, access to the parlor, a reading room, and a front room with a cozy pellet stove fireplace. There are three yards available for guests to enjoy. The front yard and side yard have the beautiful Virginia City 100-mile view at an elevation of 6400 ft. The back yard offers a view of the famous Ophir Mine. The Howard Street Home is a 3-minute walk down to "C" Street. We are near the merchants, restaurants, and museums that would entertain our guests and benefit the businesses on "C" Street.

"Spirits Rest Here" and we welcome you!

<p><u>Mama's Room:</u> Full size bed Private shower/tub Private entrance TV/DVD Internet service provided Daily maid services provided on request Full breakfast included and served at 9:00 am (earlier upon request) Parking provided in front of house \$125</p>	<p><u>The Cartwright Room:</u> Queen size bed Private shower/tub Private entrance TV/DVD Internet service provided Daily maid services provided on request Full breakfast included and served at 9:00 am (earlier upon request) Parking provided in front of house \$145</p>
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Detail Description/Justification of Project

Our rooms and common areas are clean, beautiful, and charming. Homeowner Michelle Buckman is a Certified Food Handler from the Nevada FHC (an ANSI accredited certificate issuer) and a former partner/owner of a restaurant in Long Beach, CA. Our amenities and prices are comparable to the other VC Bed & Breakfast businesses (The Cobb Mansion, The Buckner House, "B" Street Bed & Breakfast, and the Sun Mountain Bed & Breakfast) which are located within walking distance from our site.

- **Providing a Special Use Permit for our proposal would benefit our clients with specific and accurate information about the rich history of Virginia City.**

The homeowners (Michelle Buckman and Jason Virden) are involved with two Living Legends groups (Silent Riders; Fort Churchill Living History Legends). We frequently dress in period appropriate attire and tour the boardwalk with our groups sharing VC history while supporting the restaurants, merchants, and museums by interacting with tourists presenting information and suggestions for places to visit. We take numerous pictures with families and special event visitors. Both the Silent Riders and Fort Churchill Living History Legends provide lectures and information to our groups to make our re-enactments authentic. Information from local historians (Joe Curtis, Cal Dillon) have been particularly helpful and increased our knowledge. The following businesses have recognized our groups as beneficial and proudly display their support to our groups: Firehouse Grill, Brett's Kettle Corn, VC Hatmaker, Washoe Club, Comstock Bandito, Old Red Garter, Four Winds, Blue Buffalo, The Palace, Delta/Bonanza, CC's Closet, Old Corner Bar, Tommyknockers, Silver Dollar, Turquoise Kiva, Roasting House, Old Time Photos, VC Brewery, Cigar Bar, Canvas Café, VC RV Park. The homeowners (Michelle Buckman and Jason Virden) have knowledge and participation in historic groups which provide us with the unique ability to share accurate information and relay the significance of Virginia City with our guests.

- **Providing a Special Use Permit for our proposal would benefit the VCTC with financial resources through tax contributions and participation in informational groups.**

Our intention is to follow all rules, regulations, and obligations required from businesses in Virginia City. We seek to operate a legitimate business with all the necessary licenses. Additionally, we believe we would benefit the business community through the VCTC Merchants Group with our former experiences as business and restaurant owners in Long Beach, CA.

**Storey County
Planning Department**
Storey County Courthouse
26 South B Street, PO Box 190, Virginia City, Nevada 89440
Phone 775-847-1144 – Fax 775-847-0949
planning@storeycounty.org



To: Storey County Planning Commission

From: Storey County Planning Department

Meeting Date: March 19, 2020 at 6:00 p.m.

Meeting Location: Storey County Courthouse, 26 South “B” Street, Virginia City, Nevada

Staff Contact: Kathy Canfield

File: Parcel Map File 2020-013

Applicant: Richard, Doreen & Diane Bacus

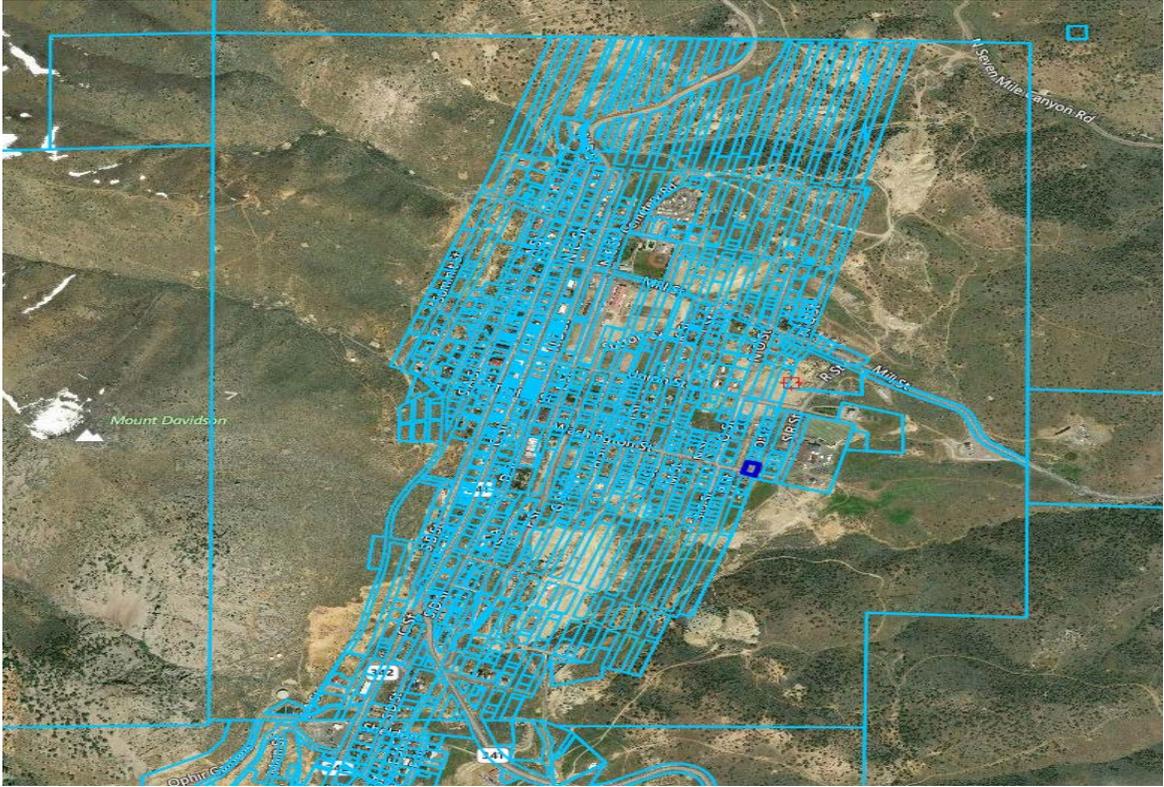
Property Owner: Richard, Doreen & Diane Bacus

Property Location: 140 South Q Street, Virginia City, Storey County, Nevada, APN 001-257-08

Request: Parcel Map 2020-013 is proposed to create two parcels from one previously consolidated parcel. Originally, the land in question was two individual parcels of land. The two original parcels were consolidated into one legal lot of record in 2013. This Parcel map will divide the consolidated parcel into two individual parcels, returning the land to two parcels. The property is located at 140 South Q Street, Virginia City, Storey County, Nevada and having Assessor’s Parcel Number 001-257-08.

1. Background & Analysis

- A. Site Location.** The property is located at 140 South Q Street, which is located north of Washington Street between P and Q Streets. The parcel is approximately 17,253 square feet in size and contains an existing residence and sheds. Surrounding land uses include a mixture of residences and vacant residentially zoned properties.



Vicinity Map



Location Map



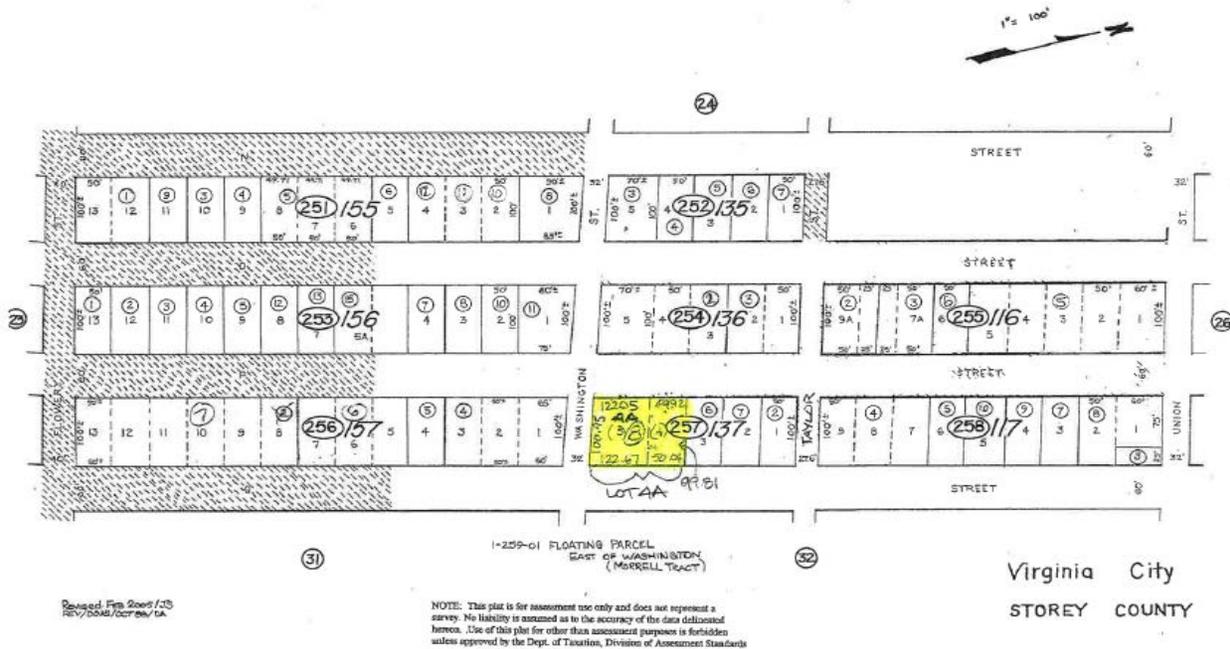
©20 HERE, © 2018 Pictometry
Approximate location



View looking northwest, corner of Washington and Q Streets

Por NE 4SE⁴, Sec 29
T17N, R21E, MDB&M.

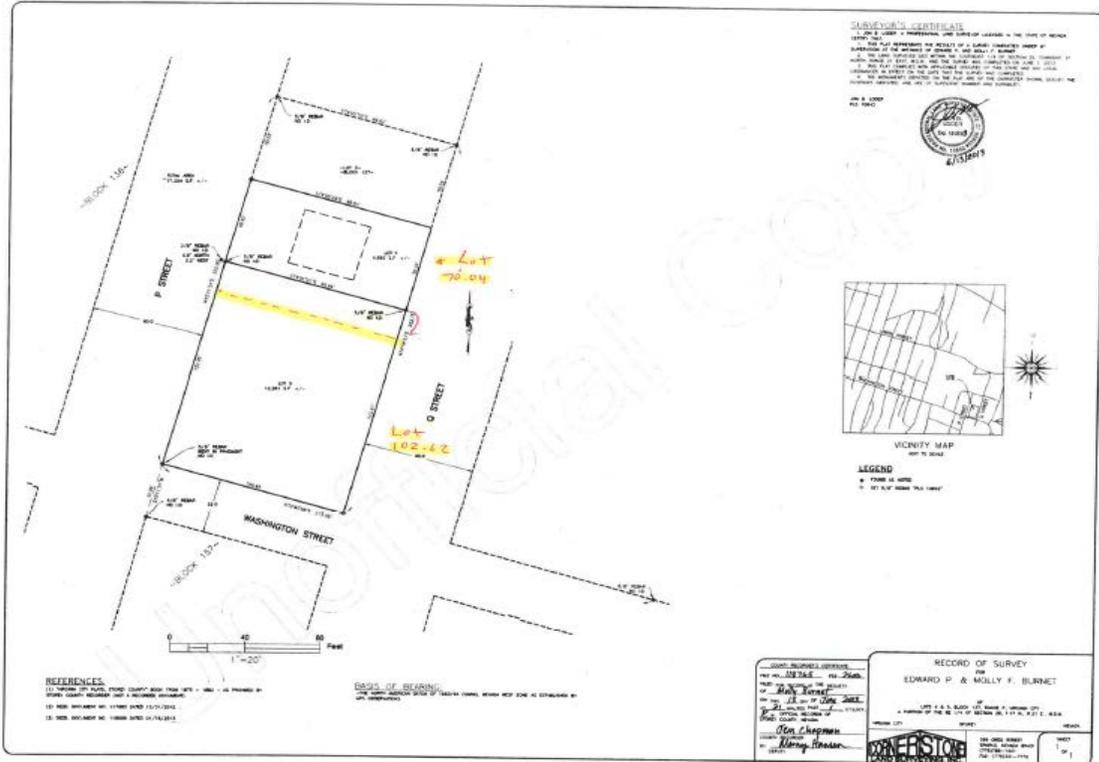
01-25



Assessor's Parcel Map

- B. Proposed Project.** The applicant is proposing a Parcel Map to divide an existing consolidated parcel and return the consolidated parcel to two individual lots. One parcel will be approximately 75-feet in width and the second parcel will be approximately 97-feet in width along the Q Street frontage.

The existing consolidated parcel contains a residence and sheds. The new property line will be placed to allow for the required 5-foot side yard setback to be met for the existing residence with the second parcel then vacant and available for a new residence to be constructed. The sheds will be relocated to either meet setback requirements or will be removed from the property. The applicant proposes to construct a new residence on the newly created vacant parcel. Both parcels will meet the minimum 5,000 square foot lot size, required setbacks and minimum parcel widths associated with the R1 Residential zoning district.



Proposed parcel division

- C. Parcel Map.** NRS 278.461 defines a “Parcel Map” as a division of land into four or less parcels. The proposed Parcel Map complies with NRS 278.461 through 278.469 regulating the division of land into four or less parcels.

Storey County Code (SCC) does not specifically require an Application for a Parcel Map. However, NRS does require a Parcel Map to go through the Application process.

NRS 278.464 Action on a Parcel Map by the Planning Commission to the governing body.

The Planning Commission shall:

In a county whose population is less than 700,000, within 60 days, after accepting a complete application for a Parcel Map, recommend approval, conditional approval or disapproval of the map in a written report. The Planning Commission shall submit the Parcel Map and the written report to the governing body.

The Applicant requests dividing one parcel of land into two parcels of land. Consequently, this request is within the perimeters of a Parcel Map per the NRS definition. Therefore, the Storey County Planning Department (the Planning Department) requested the Applicant submit an application for a Parcel Map.

(See Appendix 2: Nevada Revised Statutes 278.461 - 278.469)

2. Compatibility and Compliance

A. Compatibility with surrounding uses and zones.

The following table documents land uses, zoning classifications, and master plan designations for the land at and surrounding the proposed project.

	Land Use	Master Plan Designation	Zoning Designation
Applicant's Land	Residential	Single family residential	R1 - Residential
Land to the North	Residential	Single family residential	R1 - Residential
Land to the East	Residential and vacant	Single family residential	R1 - Residential
Land to the South	Residential	Single family residential	R1 - Residential
Land to the West	Residential	Single family residential	R1 - Residential

B. Compliance with Zoning. The property is located within the R1 – Residential zoning district. The consolidated 17,253 square foot parcel was originally two parcels. The R1 zoning district requires a minimum 5,000 square foot lot size. The proposed lot configurations will meet this requirement. The proposed parcel line will be placed so that the existing residence meets the required 5-foot side yard setback. The existing residence is an allowed use for the zoning district, and any development proposed on the newly created parcel will also need to demonstrate consistency with the zoning code requirements. Any accessory buildings will be brought into conformance with zoning code requirements.

C. 2016 Storey County Master Plan. This project is located within the Silver Star Neighborhood Area Specific Plan area of Virginia City. The Plan states: *Steady infill of new single-family residential construction has occurred in this area within the past 20 years. Continued residential infill is expected to persist in this area for the foreseeable future.* The proposed parcel will be R1- Residential zoned, meet the size requirement for the zoning district and is will be allowed a land use as permitted by the zoning district.

3. Findings of Fact

A. Motion for approval. The following Findings of Fact are evident with regard to the requested special use permit when the recommended conditions of approval in Section 4, Recommended Conditions of Approval, are applied.

- (1) This approval is for Parcel Map 2020-013 to create two parcels from one previously consolidated parcel. Originally, the land in question was two individual parcels of land. The two original parcels were consolidated into one legal lot of record in 2013. This Parcel map will divide the consolidated parcel into two individual parcels, returning the land to two parcels. The property is located at 140 South Q Street, Virginia City, Storey County, Nevada and having Assessor's Parcel Number 001-257-08.
- (2) The Parcel Map complies with NRS 278.461 through 278.469 relating to the division of land into four or less parcels.

- (3) The Parcel Map complies with all Federal, Nevada State, and County regulations pertaining to Parcel Maps and allowed land uses.
- (4) The Parcel Map will not impose substantial adverse impacts or safety hazards on the abutting properties or the surrounding vicinity.
- (5) The conditions under this Parcel Map do not conflict with the minimum requirements in Storey County Code Chapters 17.16 R1 Residential Zones or any other Federal, Nevada State, or County regulations.
- (6) The Parcel Map conforms to the 2016 Storey County Master Plan for the Silver Star Neighborhood Area Specific Plan area of Virginia City in which the subject property is located. A discussion supporting this finding for the special use permit is provided in Section 2.C of this staff report.

B. **Motion for denial.** Should a motion be made to deny the Special Use Permit request, the following findings with explanation why should be included in that motion.

- (1) This denial is for Parcel Map 2020-013 to create two parcels from one previously consolidated parcel. Originally, the land in question was two individual parcels of land. The two original parcels were consolidated into one legal lot of record in 2013. This Parcel map will divide the consolidated parcel into two individual parcels, returning the land to two parcels. The property is located at 140 South Q Street, Virginia City, Storey County, Nevada and having Assessor's Parcel Number 001-257-08.
- (2) Substantial evidence shows that the Parcel Map conflicts with the purpose, intent, and other specific requirement of Storey County Code Chapter 17.16 R1 Zoning or any other Federal, Nevada State, or County regulations.
- (3) The conditions under the Special Use Permit do not adequately mitigate potential adverse impacts on surrounding uses or protect against potential safety hazards for surrounding use.

4. Recommended Conditions of Approval

- A. **Parcel Map.** This approval is for Parcel Map 2020-013 to create two parcels from one previously consolidated parcel. Originally, the land in question was two individual parcels of land. The two original parcels were consolidated into one legal lot of record in 2013. This Parcel map will divide the consolidated parcel into two individual parcels, returning the land to two parcels. The property is located at 140 South Q Street, Virginia City, Storey County, Nevada and having Assessor's Parcel Number 001-257-08.
- B. **General requirements.** The Parcel Map must comply with Nevada Revised Statutes (NRS) 278.461 through 278.469 relating to the division of land into four or less parcels. The Parcel Map must comply with Federal, State, and County regulations pertaining to Parcel Maps and allowed land uses.

- C. **Access and Easements.** All existing streets, easements, and utility easements, whether public or private, must remain in effect and be delineated clearly on the Final Map. No existing easements will be affected by the approval of this Parcel Map.
- D. **Taxes Paid.** Prior to the recording of the proposed Parcel Map, the Applicant shall show valid evidence to the Planning Department that all property taxes on the land have been paid for the fiscal year.
- E. **Separate Water and Sewer Connections for Each Parcel.** The property owner is required to obtain a will-serve letter from Public Works and separate water and sewer connections for each parcel. Connections must be paid in-full prior to any building permits being issued.
- F. **Setbacks and Improvements.** The proposed parcels shall demonstrate conformance with zoning requirements including setbacks, land uses and accessory structures.
- G. **Minimum Parcel Area.** No parcel created by this Parcel Map will be less than 5,000 square feet in size or have less than 50-foot street frontage width as required by Storey County Code Section 17.16.050 Minimum Parcel Area and Width Requirements for the applicable R-1 Residential Zones.
- H. **Duties of the Parcel Map Preparer.** The preparer of the proposed Parcel Map shall meet all requirements pursuant to NRS 278.468 through 278.469.
- I. **Final Map.** The Final Parcel Map must meet the form and contents pursuant to NRS 278.466.
- J. **Null and Void.** The Final Parcel Map must be recorded with the Recorder within 12 months of the Board's approval. If the Final Parcel Map is not recorded by that time, this approval will become null and void.
- K. **Indemnify.** The Variance Holder agrees to hold Storey County, its officers, and representatives harmless from the costs and responsibilities associated with any damage or liability, and any/all other claims now existing or which may occur as a result of this Parcel Map.

5. Public Comment

As of March 10, 2020, Staff has not received any comments from the public.

6. Power of the Board & Planning Commission

At the conclusion of the hearing, the Planning Commission must take such action thereon as it deems warranted under the circumstances and announce and record its action by formal resolution, and such resolution must recite the findings of the Planning Commission upon which it bases its decision. The decision of the Planning Commission in the matter of granting the Special Use Permit is advisory only to the Board of County Commissioners and that governing

body must consider the report and recommendation and must make such a decision thereon as it deems warranted.

7. Proposed Motions

This section contains two motions from which to choose. The motion for approval is recommended by staff in accordance with the Findings of Fact under Section 3.A of this report. Those findings should be made part of the approval motion. A motion for denial may be made and that motion should cite one or more of the findings shown in Section 3.B. Other findings of fact determined appropriate by the Planning Commission should be made part of either motion.

A. Recommended motion for approval

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 (*planning commissioner*), recommend approval of Parcel Map 2020-013 to create two parcels from one previously consolidated parcel. Originally, the land in question was two individual parcels of land. The two original parcels were consolidated into one legal lot of record in 2013. This Parcel map will divide the consolidated parcel into two individual parcels, returning the land to two parcels. The property is located at 140 South Q Street, Virginia City, Storey County, Nevada and having Assessor's Parcel Number 001-257-08.

B. Alternative motion for denial

Against the recommendation by staff, but in accordance with the Findings of Fact under Section 3.B of this report, and other findings deemed appropriate by the Planning Commission, I (*planning commissioner*), recommend denial of Parcel Map 2020-013 to create two parcels from one previously consolidated parcel. Originally, the land in question was two individual parcels of land. The two original parcels were consolidated into one legal lot of record in 2013. This Parcel map will divide the consolidated parcel into two individual parcels, returning the land to two parcels. The property is located at 140 South Q Street, Virginia City, Storey County, Nevada and having Assessor's Parcel Number 001-257-08.