



STOREY COUNTY PLANNING COMMISSION

Meeting and Public Workshop

Thursday September 19, 2019 6:00 p.m. 26 South B Street, District Courtroom, Virginia City, Nevada

MEETING MINUTES

CHAIRMAN: Jim Hindle

VICE-CHAIRMAN: John Herrington

COMMISSIONERS:

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

1. **Call to Order:** The meeting was called to order by the Chairman at 6:03 P.M.
2. **Roll Call:** Jim Hindle, Summer Pellett, Larry Prater, John Herrington, Adrienne Baugh, Jim Collins, **Absent:** Kris Thompson.
Also Present: Senior Planner Kathy Canfield, County Manager Austin Osborne, Chief Deputy D.A. Keith Loomis.
3. **Pledge of Allegiance:** The Chairman led those present in the Pledge of Allegiance.
4. **Discussion/Possible Action:** Approval of Agenda for September 19, 2019.

Motion: Amend to combine items 8 and 9 in one item , and 11 through 14 in one item, and Approval of Agenda for September 19, 2019, **Action:** Amend and Approve, **Moved by** Commissioner Herrington, **Seconded by** Commissioner Prater, **Vote:** Motion carried by unanimous vote (**summary:** Yes=6).

No Public Comment.

5. **Discussion/Possible Action:** 2019-042 Road Abandonment request by applicants Storey County and Kelli R., John P., and Robert E. DuFresne. The applicants request to abandon a portion of unimproved Main Street right-of-way, located within Gold Hill. The right-of-way abandonment is approximately 25-feet in width and extends from the developed intersection at Main Street adjacent to the northern most point of APN 002-113-02 to the southern boundary of APN 002-111-08. The right-of-way abandonment is located adjacent to parcels owned by Storey County and the s, adjacent to 2377 Main Street, Gold Hill, Storey County, Nevada and borders Assessor's Parcel Numbers (APNs) 002-111-07, 002-111-08 and 002-113-02.

Senior Planner Canfield summarized the request for the abandonment:

The proposed abandonment is located adjacent to Assessor's Parcel Numbers (APNs) 002-111-07, 002-111-08 and 002-113-02. This area is an approximately 25-foot wide strip of land that historically appears to have been a roadway. The proposed abandonment will extend from the developed intersection at Main Street adjacent to northern most point of APN 002-113-02 to the southern boundary of APN 002-111-08. Although a roadway most likely existed at one point in time, it no longer functions as a roadway and is undeveloped. This roadway alignment appears on the Gold Hill map of approximately 1875 in the same configuration as exists today. This segment of roadway appears to always have been an offshoot of Main Street. A separate street name doesn't appear on any maps that could be found.

This abandonment is being proposed to facilitate a public works project related to the Gold Hill sewer system. An existing septic system is located on APN 002-113-02. This septic system is not functioning correctly and Storey County is required to fix the system to meet current environmental standards. Storey County is proposing to fix the system by removing the existing septic tank system and constructing a building to house the new sewer system. The construction of a building requires building setbacks from property lines and fencing for security reasons. The existing site (APN 002-113-02) is a long narrow parcel. Fitting a building onto this parcel while meeting setback requirements makes for a building envelope that doesn't fit with the needs for the facility.

The area to be abandoned is public right-of-way. Half of the roadway to be abandoned will be split between the county and the DuFresnes along the property lines which abut the roadway. The proposed new construction will place security fencing across the public right-of-way which then makes this area not accessible to the general public. The abandonment of the right-of-way will allow for this area of land, although still owned by a public entity and utilized for a public purpose, to limit public access due to security reasons.

When surveying occurred to determine the property boundary locations, it was noticed that access to APN 002-111-07 did not follow the existing roadway alignment but was crossing Storey County property. As part of this abandonment application, an access easement will be granted across Storey County property in the existing driveway alignment, to allow for the continued use of the driveway by the adjacent property owner. This access easement will not interfere with the proposed project.

All utility companies have been contacted and told us that the utilities align with the highway not the proposed abandonment. Staff did not receive any comment from surrounding property owners

Commissioner Herrington: Asked, as he has in past abandonment requests, how the county will benefit by giving away land to its citizens.

Senior Planner Canfield: The reason for the abandonment request in this case has to do with a public project in Gold Hill. This abandonment will assist in the County in replacing a failing septic system abutting the proposed abandonment, with a new sewer package plant. This also places a portion of the abandonment on the tax rolls.

Commissioner Prater: This will place property on the tax rolls that is not currently being assessed. Asked if the DuFresnes have been informed that their taxes may go up.

Senior Planner Canfield: Said that yes the applicants are aware and have had meetings with the Assessor.

Public Comment:

Tom Zachary, Storey resident: Asked if any of the surrounding properties will lose access to their property because of this abandonment.

Senior Planner Canfield: The only two properties which utilize the abandonment area for access belong to the DuFresnes and the County. This will not cutoff access to any surrounding properties.

John DuFresne , applicant: Says he's both against and for this project. One of the main reasons of this abandonment is to clean up the lot lines because they are convoluted. In the agreement it states an access easement be granted by the County. Stated that he would like this to be an "Irrevocable" easement.

Deputy D.A. Keith Loomis: The County probably would not have a problem with making the easement Irrevocable, but it needs to be discussed. This wasn't negotiated with the D.A.'s office. The proposed easement will go across County property and abandoned property. Suggested to continue with the process tonight and if no agreement is made by the county commission meeting, it can be continued at that time. All decisions made tonight are advisory to the Board.

Kelli DuFresne , applicant: Concerned with the wording Irrevocable not being included in the easement language in the staff report. Said they (DuFresnes) were told that the access easement would be Irrevocable when they signed the papers requesting the abandonment. Will not agree to the abandonment without it being Irrevocable.

Commissioner Prater: Said that he understands the DuFresnes concerns and without the easement being irrevocable, it may cloud the title to the property.

County Manager Austin Osborne: Language in the conditions of the abandonment states that the driveway alignment and associated easement may be modified based on agreement by both parties.

Senior Planner Canfield read Condition E. from the staff report:

Access and Easements. An access easement shall be dedicated across APN 002-113-02 following the existing driveway alignment for the benefit of APN 002-111-07. The dedication of this easement shall be shown on the Map. The driveway alignment and associated easement may be modified based on agreement by both parties.

Chairman Hindle: Clarified that the planning commission can move forward with the abandonment with the expectation that the easement will be there. It will be up to the s and the County to come to the final agreement as to the terms of the easement. At this point the commission is granting, or not, the abandonment with the easement in place. Final negotiations between the s and the County can still be made.

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 Larry Prater, hereby recommend approval of an abandonment of a portion of unimproved Main Street right-of-way, located within Gold Hill. The right-of-way abandonment is approximately 25-feet in width and extends from the developed intersection at Main Street adjacent to the northern most point of APN 002-113-02 to the southern boundary of APN 002-111-08. The right-of-way abandonment is located adjacent to parcels owned by Storey County and the s, adjacent to 2377 Main Street, Gold Hill, Storey County, Nevada and borders Assessor's Parcel Numbers (APNs) 002-111-07, 002-111-08 and 002-113-02.

Action: Approve, **Moved by** Commissioner Prater, **Seconded by** Commissioner Collins,

Senior Planner Canfield read the findings into the record.

- (1) This approval is to abandon a portion of unimproved Main Street right-of-way, located within Gold Hill. The right-of-way abandonment is approximately 25-feet in width and extends from the developed intersection at Main Street adjacent to the northern most point of APN 002-113-02 to the southern boundary of APN 002-111-08. The right-of-way abandonment is located adjacent to parcels owned by the Storey County and the s, adjacent to 2377 Main Street, Gold Hill, Storey County, Nevada and borders Assessor's Parcel Numbers (APNs) 002-111-07, 002-111-08 and 002-113-02.
- (2) The Abandonment complies with NRS 278.480 relating to Abandonment of a street or easement.
- (3) The Abandonment complies with all Federal, State, and County regulations pertaining to vacation or abandonment of streets or easements, including NRS 278.240.
- (4) The Abandonment will not impose substantial adverse impacts or safety hazards on the abutting properties or the surrounding vicinity.
- (5) The Abandonment will not cause the public to be materially injured by the proposed abandonment.
- (6) The conditions of approval for the requested Abandonment do not conflict with the minimum requirements in Storey County Code Chapters 17.12.090, General Provision – Access and Right-of-Ways, or any other Federal, State, or County regulations.

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

6. **Discussion/Possible Action:** 2019-029 Zone Map Amendment by applicant Storey County. The applicant requests to rezone two Commercial- Residential (CR) zoned parcels, and a portion of abandoned right-of-way between the two parcels, to Public (P) zoning. The existing parcels have been owned by Storey County since 1993/94 and are either vacant or are associated with the Gold Hill wastewater system. No modifications to the existing conditions are proposed with this zone map amendment application. The property is located at 2377 Main Street, Gold Hill, Storey County, Nevada, and has Assessor's Parcel Numbers 002-111-08 and 002-113-02.

Senior Planner Canfield: Summarized the request by applicant Storey County. The applicant requests to rezone two Commercial- Residential (CR) zoned parcels, and a portion of abandoned right-of-way between the two parcels, to Public (P) zoning. The existing parcels have been owned by Storey County since 1993/94 and are either vacant or are associated with the Gold Hill wastewater system. No modifications to the existing conditions are proposed with this zone map amendment application. The first Storey County zoning code and maps were adopted in 1999. The parcels of land

associated with this application, although owned by Storey County, were somehow overlooked as parcels which should have been zoned Public. The properties were designated as Commercial/Residential as were the majority of properties fronting Main Street (Hwy 342). Since acquisition of the property by Storey County in 1993/94, the property has always continuously had a use associated with the sewer system for the Gold Hill area. The use existed prior to the zoning ordinance and is now considered a legally established non-conforming use. The sewer system land use is allowed in Public zoning but is not a listed use in the Commercial/Residential zoning. This application will change the zoning to Public which allows for the sewer system land use.

There are other Public zoned lands in the vicinity, and the land use associated with the property has been a public service use before the Zoning Ordinance was adopted and was existing when the 2016 Master Plan was adopted. The land is used as part of the sewer system for the Gold Hill community, serving the surrounding parcels. Changing the zoning of the land associated with this application will not change the character of the neighborhood or the existing use on the subject properties. The proposed zoning allows for public facilities to support the surrounding community. An overall goal of the Master Plan is to direct and manage orderly, efficient and sustainable development. The Gold Hill community requires public facilities to support the existing and proposed development. The land use on the property is associated with the sewer system for the Gold Hill community. This use was constructed in 1993/94 and has continuously existed since that time. The proposed Public zoning will be consistent with the existing land use pattern and uses on the property will be facilities that support the public.

All noticing requirements were met for this project.

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 for a Zone Map Amendment (File 2019-029) to rezone two Commercial- Residential (CR) zoned parcels, and a portion of abandoned right-of-way between the two parcels, to Public (P) zoning. The existing parcels have been owned by Storey County since 1993/94 and are either vacant or are associated with the Gold Hill wastewater system. No modifications to the existing conditions are proposed with this zone map amendment application. The property is located at 2377 Main Street, Gold Hill, Storey County, Nevada, and has Assessor's Parcel Numbers 002-111-08 and 002-113-02, **Action:** Approve, **Moved by** Commissioner Pellett, **Seconded by** Commissioner Baugh,

Senior Planner Canfield read the findings into the record:

- (1) The proposed Zone Map Amendment complies with all Federal, Nevada State, and Storey County regulations;
- (2) The proposed Zone Map Amendment will not impose substantial adverse impacts or safety hazards on the abutting properties;
- (3) The conditions of approval of the Zone Map Amendment require compliance with the applicable codes;
- (4) The conditions of approval of the Zone Map Amendment do not conflict with the minimum requirements in Chapter 17.15 P Public Zone or Chapter 17.03.220 Zone map amendments and zone text amendments;
- (5) The uses allowed by the new zone do not appear to cause substantial adverse impacts to the uses allowed in abutting zones;
- (6) The proposed Zone Map Amendment is in substantial compliance with and supports the goals, objectives and recommendations of the 2016 Storey County Master Plan;
- (7) The proposed Zone Map Amendment will provide for land uses compatible with existing adjacent land uses and will not have detrimental impacts to other properties in the vicinity;

- (8) The proposed Zone Map Amendment will not cause uses that will negatively impact existing or planned public services or facilities and will not adversely impact the public health, safety and welfare;
- (9) The proposed Zone Map Amendment will not create any non-conforming conditions, such as non-conforming setbacks distances or minimum parcel area and width requirements.

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

Commissioner Prater: Asked County Manager Osborne if during the design phase of the sewage plant, if input from neighbors will be taken into account.

County Manager Osborne: There has been significant discussion on this matter. This is a historic septic system that is failing and must be replaced. There is literally excrement seeping out of the ground. The NDEP with the EPA has ordered the County to abate the situation. Abating it properly is to build the sewage package plant and not have it exposed openly but to put it into an enclosed building. This will be discussed in the next agenda item.

- 7. **Discussion/Possible Action:** Special Use Permit 2019-030 by applicant Storey County. The applicant is requesting to operate a sewage treatment facility. The facility will replace the existing septic system located on the parcel with a new indoor facility. The property is owned by Storey County and is located at 2377 Main Street, Gold Hill, Storey County, Nevada, Assessor's Parcel Number (APN) 002-111-08 and 002-113-02.

Senior Planner Canfield: Summarized the project request. The existing septic system has been in a state of failure for more than 10 years. The system serves approximately 27 sewer connections. The existing system consists of a 6,000 gallon tank and is discharged into the ground through a leach field system covering approximately 0.75 acres. The Nevada Division of Environmental Protection (NDEP) conducted an inspection of the Gold Hill facility and found effluent surfacing from the failed leach system. A notice of violation was issued to the County that identified penalties of up to \$25,000 per day for noncompliance. Until a permanent solution has been installed, Storey County has been pumping the septic tank and taking wastewater to the Virginia City facility and monitoring the site discharges.

The proposed project is to remove the existing septic system on the parcel and replace the entire system with a surface discharge package wastewater treatment plant. The plant will provide treatment of 10,000 – 12,000 gallons per day. An analysis was completed and accepted by NDEP which demonstrated that the discharge from this package treatment plant would infiltrate into the ground within 2,000 feet of the discharge locations and, even during significant flow events, the discharge will be substantially diluted with no adverse effect to the downstream Carson River.

The idea of another location for the sewer system was discussed, however, the alternatives studied were limited to this site. To utilize gravity for lines feeding the plant to the greatest extent possible, the system would need to be located at the lowest elevation possible. This site is located near the lowest point of Gold Hill in Storey County, on land owned by Storey County. Land that is located lower topographically than this site is privately owned and associated with mining activities. There is mapped FEMA floodplain further south which has regulations which would discourage the development of this critical infrastructure. In addition, when the property was acquired by Storey County in 1993/94, the public purpose for the sewer system use was identified as the reason for the acquisition.

The treatment plant will be contained within a building. The project will consist of the construction of an approximately 40-foot by 60-foot building with a surrounding driveway, parking for maintenance vehicles and fencing. Odor is expected to be minimal because of the proposed equipment and the equipment being located within the building. The building design will be constructed with passive air flow circulation (windows) but space will be reserved for mechanical odor abatement equipment, such as scrubbers, and will be installed if necessary.

This option was selected based on the other two options not being feasible because of site conditions and costs. County staff, Farr West Engineering and NDEP worked on developing the selected option to meet the environmental requirements while also being sensitive to costs. Funding was secured from the USDA loans and grant programs and from the State of Nevada State Revolving Fund. By utilizing these funding sources, the County is limited to fixing the existing environmental problem and cannot expand the treatment plant to serve more parcels. The plant itself is designed to allow for future growth, but that growth is not a part of this project.

The project has been presented and approved by the Comstock Historic District. Minor modifications to materials, roof design and lighting will be presented to District staff for review and approval as the design formalizes.

Kathy introduced Alex Stodmeister from Farr West Engineering to expand on the design of the plant.

Alex Stodmeister, Farr West Engineering: This design is a small package plant. For this size you can choose active or passive venting and scrubbing. The reason that scrubbing won't be required right now is because this facility will not be set up to handle solids. Most of the odors that come from a treatment plant come from solids. This facility will collect solids in an underground tank, which is then pumped into a truck and transported to a solids handling facility that is already built on Six Mile Canyon Road. Odor issues should be very low at this location because no solids are being processed. The effluent will be discharged to the creek below the plant. Before construction begins a discharge permit will be obtained from NDEP. Strict regulations must be adhered to in order to discharge effluent. Warning signs of effluent water discharge will be placed along the creek. Effluent will not have an odor except for a "wet dirt" smell. The plant simply extracts solids in a separate tank, treats the water and discharges it. The architectural design of the plant has been approved by the historic district and will match similar existing outbuildings close to the location of the plant.

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 2019-030 to replace the existing sewage septic system with a surface discharge package wastewater treatment plant facility. The facility includes an approximate 40-foot by 60-foot building and associated driveway, parking area and fencing. The property is owned by Storey County and is located at 2377 Main Street, Gold Hill, Storey County, Nevada, Assessor's Parcel Number (APN) 002-111-08 and 002-113-02. **Action:** Approve, **Moved by** Commissioner Prater, **Seconded by** Commissioner Pellett,

Senior Planner Canfield read the findings into the record:

- (1) This approval is for Special Use Permit 2019-030 to replace the existing sewage septic system with a surface discharge package wastewater treatment plant facility. The facility includes an approximate 40-foot by 60-foot building and associated driveway, parking area and fencing. The property is owned by Storey County and is located at 2377 Main Street, Gold Hill, Storey County, Nevada, Assessor's Parcel Number (APN) 002-111-08 and 002-113-02.
- (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 Gold Hill portion of the Comstock Area Plan area in which the subject property is located. A discussion supporting this finding is provided in Section 2.C 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 and Section 17.15 P - Public Zone.

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

No Public Comment.

- 8. Discussion/Possible Action:** Special Use Permit 2019-039 by applicant Reno-Tahoe R & D Business Park LLC. The applicant requests a special use permit to construct an approximately 5 to 170 megawatt utility-scale ground mounted solar photovoltaic power generating facility using solar panel array technology with associated equipment storage buildings, office and watchman's dwelling on APN 004-291-02, located in Section 1, Township 17 North, Range 22 East, MDBM. The property is located along the Storey County/Lyon County boundary northeast of Mark Twain Estates.

Senior Planner Canfield summarized the request by the applicant. This application is for a new solar field northeast of the Mark Twain area of Storey County. This project was previously approved by Storey County in February 2017 and expired in February 2019. No activity commenced and the applicant has submitted two new applications for re-approval of the Special Use Permit. The original permit combined APNs 004-181-02 and 004-291-02, however, this time the applicant desires a separate permit for each parcel. The rezoning application that was approved at the same time as the special use permit did not expire and the zoning has been changed to the light industrial zone. No modifications to the original proposal, with the exception of a permit for each parcel, are proposed with this application.

The applicant has identified several potential access points to the parcel. Potential access to the southern parcel (004-291-02) may be from Zuni Lane. The current Zuni Lane is located within Lyon County and adjacent to the Iron Mountain Ranch estate subdivision. The roadway ends at the Storey County line, at Shawnee Road. There is a public roadway easement identified along the east property line of Sections 1 and 24 in Storey County which would allow for Zuni Road to *extend* from Shawnee north to the southern subject parcel approximately 0.25 miles. This access would need to be constructed in accordance with Storey County standards. The Zuni Lane access may also require improvements to connect to Highway 50 in accordance with Lyon County requirements. An easement to APN 004-181-02 would be required across APN 004-291-02 if this is the route selected.

Another alternative is to access the property from Iron Mountain Boulevard which is aligned through the approximate center of the Iron Mountain Ranch estate subdivision. This would allow for potential access to both the southern and northern parcels. This would also potentially require improvements to roadways/easements, but all access would be from within Lyon County.

Noise and dust control are addressed in the conditions but are only anticipated to occur during construction.

Basalite contacted us and a staff report was sent out. They contacted staff again and stated they had no concerns.

Commissioner Pellett: Asked about the design of the solar field, specifically towers.

Rafi Abrishami, applicant: There are no towers, no hazards for birds and no detriment to the environment; just solar panels about a foot above the ground. This is dependent on the engineer's findings prior to execution of the project. Will make sure that the project doesn't interfere with the aesthetics of the area.

Public Comment:

Rob Winkel on behalf of Blockchains, local property owner: Asked the applicant if a power purchase agreement has been set up and how does the process work for transmitting the power.

Rafi Abrishami, applicant: Said that a major part of planning for this project was due to the anticipation of the Blackhawk substation (NV Energy). After having several discussion with NV Energy, realized that there plans have changed. It may take a few more years for NV Energy to start the Blackhawk substation project; however there are property owners in the Tahoe-Reno Industrial Center that are looking for additional power. These are potential clients, Blockchains too could be a potential client. Said he is excited about potential plans that Blockchains has for the area.

Tom Zachry, Storey resident: Stated concerns about access and public roads in the area, specifically old roads that are in Section 1 that may connect with Sutro Springs Road, a very old road which has existed since 1867. A development was approved by Storey County in 1996 that created 40 acre parcels some of which included Sutro Springs Road within the parcels. A new resident tried to block the road which intersected her property. After a long court battle that included myself, my neighbor, Storey County and the resident who blocked it, this road was designated to be public and could not be blocked, but must remain open to the public. Mr. Zachry said that he has concerns with the solar project closing roads that have been used by the public for many years.

Chief Deputy D.A. Keith Loomis: Sutro Springs road was deemed an RS2477 road. The legislature recently passed legislation (SB316) which makes it a crime to obstruct or misrepresent the status of roads. This is going to be used to prevent things like the Sutro Springs Road situation from happening.

Rafi Abrishami, applicant: Said that Staff at the County has shared a wealth of information and maps. There are recorded easements and access is a not an issue. Said that he remembered Tom Zachry from the meeting when this was originally approved a couple of years ago and said the Tom had favored of the project. Said that he will follow what the county advises.

Austin Osborne, County Manager: Said that the county is consulting with someone that has done RS2477 studies in Nye County and most of rural Nevada. This decision tonight for a special use permit for the solar project is based on land use. The matter of roads exists whether or not a special use permit is granted for the properties.

Motion: In accordance with the recommendation by staff with a correction to typos in Condition S. and Condition U., 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 2019-039 to construct an approximately 5 to 170 megawatt utility-scale ground mounted solar photovoltaic power generating facility using solar panel array technology with associated equipment storage buildings, office and watchman's dwelling on APN 004-291-02, located in Section 1, Township 17 North, Range 22 East, MDBM. The property is located along the Storey County/Lyon County boundary northeast of Mark Twain Estates. **Action:** Approve, **Moved by** Commissioner Pellett, **Seconded by** Commissioner Baugh,

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

- (1) This approval is for Special Use Permit 2019-039 to construct an approximately 5 to 170 megawatt utility-scale ground mounted solar photovoltaic power generating facility using solar panel array technology with associated equipment storage buildings, office and watchman's dwelling on APN 004-291-02, located in Section 1, Township 17 North, Range 22 East, MDBM. The property is located along the Storey County/Lyon County boundary northeast of Mark Twain Estates.
- (2) The Special Use Permit conforms to the 2016 Storey County Master Plan for the Transition from Resources to Industrial designated 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 requirements of Chapters 17.03.150 – Special Use Permit, 17.12 – General Provisions, and 17.34 - Light Industrial Zone.

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

9. **Discussion/Possible Action:** Special Use Permit 2019-040 by applicant Reno-Tahoe R & D Business Park LLC. The applicant requests a special use permit to construct an approximately 5 to 170 megawatt utility-scale ground mounted solar photovoltaic power generating facility using solar panel array technology with associated equipment storage buildings, office and watchman's dwelling on APN 004-181-02, located in Section 31, Township 18 North, Range 23 East, MDBM. The property is located along the Storey County/Lyon County boundary northeast of Mark Twain Estates.

This item was discussed in combination with Item 8.

Motion: In accordance with the recommendation by staff with a correction to typos in Condition S. and Condition U, 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 2019-040 to construct an approximately 5 to 170 megawatt utility-scale ground mounted solar photovoltaic power generating facility using solar panel array technology with associated equipment storage buildings, office and watchman's dwelling on APN 004-181-02, located in Section 31, Township 18 North, Range 23 East, MDBM. The property is located along the Storey County/Lyon County boundary northeast of Mark Twain Estates. **Action:** Approve, **Moved by** Commissioner Pellett, **Seconded by** Commissioner Prater,

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

- (1) This approval is for Special Use Permit 2019-040 to construct an approximately 5 to 170 megawatt utility-scale ground mounted solar photovoltaic power generating facility using solar panel array technology with associated equipment storage buildings, office and watchman's dwelling on APN 004-181-02, located in Section 31, Township 18 North, Range 23 East, MDBM. The property is located along the Storey County/Lyon County boundary northeast of Mark Twain Estates.
- (2) The Special Use Permit conforms to the 2016 Storey County Master Plan for the Transition from Resources to Industrial designated 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.
- (7) 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.
- (8) 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.
- (9) The Special Use Permit, with the recommended conditions of approval, complies with the requirements of Chapters 17.03.150 – Special Use Permit, 17.12 – General Provisions, and 17.34 Light Industrial Zone.

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

Note for Items 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.

- 10. 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.
- 11. 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.
- 12. 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.
- 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.

Senior Planner Canfield: Said that staff is still working on the changes, clarification and clean up to the code. Should be able to devote more time to the amendments now that these projects tonight are close to completion. As this amendment has been ongoing, more topics and issues have come up that probably need to be addressed. The plan is to finish up the drafts, get a hard copy to commissioners, and post the most current drafts online for review prior to action being taken.

The County is looking at allowing the growing of Hemp, not cannabis. This may allow us to add this use and still be a non-marijuana county.

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

Motion: Next planning commission meeting to be held on October 17, 2019 at 6:00 P.M. at the Storey County Courthouse, Virginia City, Nevada, **Action:** Approve, **Moved by** Commissioner Prater , **Seconded by** Commissioner Baugh, **Vote:** Motion carried by unanimous vote (**summary:** Yes=6).

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) – Senior Planner Canfield:** Storey County welcomed the United States Army Corp of Engineers today for a Flood Action Planning workshop. Staff welcomed the opportunity to interact with our federal and state partners to work on preparedness planning. Staff from Planning and the Building Departments also attended a elevation certificate class this week.

- 19. Board Comments (No Action) – Commissioner Baugh** mentioned the email Austin forwarded from UNR that was a request for planning commissioners to take a survey. At the end of the survey there was mention of training for planning commissioners. She asked if there was more information on the training. Kathy answered that staff can find out from a contact we have at UNR.

Commissioner Pellett: Asked if planning commissioners can attend the State APA conference to be held in October in Sparks.

County Manager Osborne: Said that planning commissioners are welcome to attend. It is in the budget.

20. Adjournment (No Action) - The meeting was adjourned at 7:48 pm.

Respectfully Submitted, By Lyndi Renaud