

The Lander County Planning Commission met in regular session in the Commission Chambers of the Lander County Courthouse in Battle Mountain, Nevada, on October 12, 2011 at 3:00 p.m.

PRESENT: LOUIS LANI, VICE CHAIR – via Teleconference
JOY BRANDT, BOARD MEMBER – via Teleconference
KIMBERLIE DAVIS, BOARD MEMBER
MONTE PRICE, BOARD MEMBER
DAVID MASON, COMMISSIONER
ANGIE ELQUIST, DISTRICT ATTORNEY
GINA LITTLE, COMMUNITY SERVICES OFFICER (Non-Voting Liaison)
DONALD NEGRO, ROAD & BRIDGE FOREMAN/NORTH
DONNA J. BOHALL, EXECUTIVE SECRETARY

ABSENT: JOHN WILLIAMS, JR., CHAIR

The meeting was called to order by Vice Chair Louis Lani.

Mr. Lani led the Pledge of Allegiance.

Let the record reflect the presence of a quorum of four Commission members.

APPROVAL OF AGENDA NOTICE

Ms. Davis moved to approve the Agenda Notice, as posted. Seconded by Mr. Price, the motion was voted and carried unanimously.

APPROVAL & ACCEPTANCE OF MINUTES

Regular Meeting of September 14, 2011

Mr. Price moved to approve the minutes of the Regular Meeting of September 14, 2011, as presented. Seconded by Ms. Brandt, the motion was voted and carried unanimously.

PUBLIC COMMENT

There was no one present for public comment.

- 1) **Discussion for possible action regarding Lander County Code 15.24.030; amending the age restriction of any mobile home or manufactured home permanently installed in Lander County and other matters properly related thereto:** Let the record reflect

the presence of Lander County Building Official Joe Lindsey for this item. Mr. Lindsey updated the Board regarding this matter, as follows:

“About four years ago the Planning Commission and Commission adopted an ordinance putting a five year age restriction on manufactured/mobile homes coming into Lander County from outside the County. The reason behind that - developers in the Carson/Reno area were attempting to unload trailer parks full of old, used mobile homes and find rural communities to put them in. The Planning Commission and Commission at the time felt that was unreasonable – we had plenty of old mobile homes here. Since then, most of the trailer parks in the cities have been cleared out. I don’t think we have to worry about being inundated by these older units.

A lot of members of the public would like to purchase homes in Winnemucca, Reno, Carson City, Idaho that are 10-12 years old (supposedly really nice homes) and bring them in because they’re affordable. I’ve had enough public contact that I felt I should put this on the agenda to get the Board’s input on relaxing the age requirement back up to fifteen years. That would be my recommendation.”

There was general discussion regarding the pros and cons of relaxing the age restriction for mobile homes coming into Lander County to fifteen years. Commissioner Mason presented testimony in favor of maintaining the five year age restriction on single wide mobile homes and implementing a fifteen year age restriction on double wide mobile homes. Mr. Lindsey explained that the County can’t legally distinguish between a single-wide or a double-wide when it comes to affordable housing; and noted for the record that Lander County’s residential zoning requires a minimum square footage on a foundation. Ms. Davis moved to have presented to the Planning Commission an amended ordinance relaxing the age restriction to fifteen years. Seconded by Ms. Brandt, the motion was voted and carried unanimously.

2) **Discussion for possible action regarding the following Special Use Permit request:**

Applicant: Peggy M. Loup/Lane J. Grow
Location: 6650 State Route 306, Crescent Valley
APN: 007-267-01
Type: To allow a paint imaging business with existing five (5) RV spaces for employees.

Let the record reflect that this item was deferred to a future planning commission meeting due to the fact that the applicants were not present to discuss this issue with the Board.

3) **Discussion for possible action regarding the following Home Occupation Permit request:**

Applicant: Scott Bullock
Location: 340 Elquist Drive, Battle Mountain
APN: 002-396-05
Type: Heating, air conditioning and refrigeration.

Let the record reflect the presence of Mr. Scott Bullock for this item. The Board reviewed and discussed the home occupation permit application for Mr. Bullock, as submitted. Mr. Bullock presented testimony regarding his plans to operate a mobile heating, air conditioning and refrigeration business from his home base at 340 Elquist Drive in Battle Mountain. Mr. Price moved to approve the home occupation permit for Scott Bullock, 340 Elquist Drive, Battle Mountain, APN 002-396-05, for a heating and air conditioning business. Seconded by Ms. Davis, the motion was voted and carried unanimously.

- 4) **Discussion for possible action regarding the current procedure of "Boundary Line Adjustment" and other matters properly related thereto:** Community Services Officer Gina Little provided the following update to the Board:

"This was brought up a few months ago with a parcel map in relation to the boundary line adjustment procedure. The information I provided in the packet is the information I received from Bob Morley, the County surveyor. He said he was granted this permission back in 1994 and has been doing it that way since. He indicates that if the Planning Commission would like to change that procedure, he's more than willing to do that. When this was addressed a few months ago, the first thing I did was call Deborah Teske and she said this was the format she was familiar with as far as having the County Surveyor do the whole procedure. We collect the application and fee; he does the procedure."

Ms. Davis noted the following for the record:

"We changed that. It was actually in a meeting that we specifically discussed lot line adjustments – erasing lot lines, moving lot lines. We wanted a parcel map to address those adjustments, to deal with easements, surrounding properties and the like. I don't know what meeting it was, but we did and it's been operating protocol since."

Ms. Little offered to do more research on this issue and present it to the Board at a future Planning Commission meeting. Ms. Davis moved to defer this issue to a future Planning Commission meeting. Seconded by Mr. Price, the motion was voted and carried unanimously.

- 5) **Discussion for possible action regarding the Planning Commission meeting for November and other matters properly related thereto:** Community Services Officer Gina Little informed the Board that the Commission Chambers would be unavailable for

the November 9, 2011 Planning Commission meeting. Ms. Davis moved to change the November Planning Commission meeting to Tuesday, November 8, 2011 at 3:00 p.m. Seconded by Mr. Price, the motion was voted and carried unanimously.

- 6) **Discussion for possible action regarding clarification on Lander County Code 17.08.100, water rights dedication and other matters properly related thereto:** Community Services Officer Gina Little requested clarification from the Board concerning the intent of Lander County Code 17.08.100, water rights dedication. The Board reviewed and discussed Lander County Code 17.08.100, as submitted. Ms. Davis provided the following clarification to Ms. Little:

“It was written so that when you bring a parcel map in for a newly created parcel, you have to come in with water right dedications – 2 acre feet for a newly created parcel. You automatically get one domestic well for an existing parcel. If you’re going to create any new parcels off of a municipal water system, you have to come in with deeded water rights/appropriations – 2 acre feet per parcel, which is the equivalent of 1,800 gallons per day. We later clarified exemptions to that – certain things don’t require water rights. There are certain instances where there’s no need for water. Residential use/agricultural zoning has a need for water. That should have been clarified by ordinance what those exemptions were. Humboldt County has this for five acres and up. I’d like to discuss further doing something similar.”

Ms. Little presented testimony in favor of mirroring Humboldt County’s water rights dedication ordinance. There was general discussion of why the water rights dedication ordinance was created in the first place; and general consensus in favor of revisiting the ordinance for possible modification. Ms. Davis moved to agenda at a future meeting within the next two months to discuss and possibly amend the current water rights ordinance. Seconded by Ms. Brandt, the motion was voted and carried unanimously.

- 7) **Discussion for possible action regarding correspondence/staff/board issues for potential upcoming agenda items:** Let the record reflect that there was no correspondence, staff or board issues presented at this time.

PUBLIC COMMENT

There was no one present for public comment.

ADJOURNMENT

There being no further business before the Board at this time, Mr. Price moved to adjourn the meeting of October 12, 2011. Seconded by Ms. Davis, the motion was voted and carried unanimously.


CHAIR OF THE LANDER COUNTY
PLANNING COMMISSION

ATTEST: 
EXECUTIVE SECRETARY