

**PAHRUMP REGIONAL PLANNING COMMISSION  
MINUTES OF THE NOVEMBER 14, 2012 MEETING**

The meeting was called to order at 6:00 pm in the Nye County Commissioners Chambers, Pahrump NV.

Members in Attendance: John Koenig                      Bob King  
   Joseph Goode                      Gregory Hafen II  
   Vicky Parker                      Jennifer McCall

Members Absent:                      Terry Hand

Planning Staff:                      Steve Osborne                      Beth Lee  
   Celeste Sandoval

District Attorney's Staff: Charlie Watkins

Building & Safety Staff: None

Public Works Staff:                      Tim Dahl

Other Attendees:

Acronyms Used:

ADT	=	Average Daily Traffic
ARC	=	Architectural Review Committee
BLM	=	Bureau of Land Management
BOCC/BOC	=	Board of County Commissioners
CAA	=	Charles Abbott Associates
CUP	=	Conditional Use Permit
DOR	=	Deed of Restrictions
CCO	=	Code Compliance Officer
CC&R	=	Covenants, Conditions & Restrictions
DRC	=	Development Review Committee
FEMA	=	Federal Emergency Management Agency
NBHPS	=	Nevada Bureau of Health Protection Services
NCC	=	Nye County Code
NCS D	=	Nye County School District
NDEP	=	Nevada Division of Environmental Protection
NDWR	=	Nevada Division of Water Resources
NDOT	=	Nevada Department of Transportation
NRS	=	Nevada Revised Statutes
PRPD	=	Pahrump Regional Planning District
PRPC/RPC	=	Pahrump Regional Planning Commission
PTB	=	Pahrump Town Board
PUD	=	Planned Unit Development
USFS	=	United States Forest Service
ROW	=	Right-of-Way
SFR	=	Single-Family Residential
SOB	=	Sexually Oriented Business
TIA	=	Traffic Impact Analysis
TPC	=	Transportation Planning Committee
UBC	=	Uniform Building Code

## **Call to Order**

The meeting was called to order at 6:00 pm.

### **1. Approval of Minutes:**

**a.** October 10, 2012

Commissioner Hafen motions to approve the minutes from October 10, 2012. Commissioner McCall seconds.

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

**Yes:** Bob King, Gregory Hafen II, Jennifer McCall, John Koenig, Joseph Goode, Vicky Parker.

**Absent:** Terry Hand.

### **2. Approval of / Modifications to the Agenda:** Approval of the Agenda after Considering Requests to Rearrange, Hold or Remove Items.

Commissioner Koenig request to move item 8 in front of 7.

Commissioner Hafen motions to approve as modified. Commissioner McCall seconds.

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

**Yes:** Bob King, Gregory Hafen II, Jennifer McCall, John Koenig, Joseph Goode, Vicky Parker.

**Absent:** Terry Hand.

### **3. Correspondence and Announcements**

Commissioner Koenig welcomes in the newest Commissioner Bob King. Commissioner Terry Hand is out ill.

### **4. Public Comment (first)** – This time is devoted to comments by the general public, pursuant to NRS 241.020(2)(c)(3). No action will be taken on matters raised under public comment until the matter itself has been included on an agenda as an action item. (Three-minute time limit per person and speakers are requested to limit comments to items not on the agenda.)

Public Comment was opened at 6:03 pm.

George Romero stated that he wasn't happy with the response on the previous study of Humahuaca Street, he doesn't feel that lot size is an acceptable answer as to why his request for a zone change to General Commercial wasn't approved.

Michele Bergen would like clarification on how the public comment section works.

Commissioner Koenig explains what the public comment section at the beginning of the meeting and the public comment specific to the agenda items are.

Public comment closed at 6:05 p.m.

**5. Commission Reports:**

**a. BOCC Liaison Report - BOCC Liaison “Butch” Borasky**

There was nothing to report.

**b. Pahrump Town Board Liaison Report - PTB Liaison Vicky Parker**

There was nothing to report.

**c. Capital Improvements Plan Advisory Committee - John Koenig**

Commissioner Koenig was unavailable for the meeting.

Mr. Osborne stated at the last meeting they met with NDOT and they gave a detailed estimate to build roundabouts at Blagg and Highway 372 and Pahrump Valley Blvd. and Hwy 372. NDOT will pay 50% of the total cost. The Blagg roundabout would be \$800,000, and Nye County would be responsible for \$400,000. The roundabout at Pahrump Valley Blvd. would be \$1.2 million and Nye County would be responsible for \$500,000. Total cost would be \$2 million and Nye County would pay \$1 million of that. The next meeting will be January 22 to discuss whether or not to recommend one or both of the projects.

**d. PRPD Master Plan Update Steering Committee – Gregory T. Hafen II**

There was nothing to report.

**6. Ex Parte Communications and Conflict of Interest Disclosure Statements**

There was none

**Conditional Use (CU) Permit Applications:**

- 7. CU-12-0017:** Conditional Use Permit (CUP) application to allow a Commercial Kennel in the Rural Homestead (RH-4.5) Zoning District, per NCC 17.04.215.E, located at 3250 W. Blosser Ranch Road, further known as Bell Vista Unit 2, Lot 53. Robert Schmidt – Property Owner/Applicant. AP# 28-233-08.

Beth Lee reviews the staff report and primary use of the property. Staff recommends approval based on special conditions of approval listed in staff report.

Commissioner Koenig refers to the applicant.

Robert Schmidt, applicant, withdraws application for a commercial kennel and apply for a residential kennel. He doesn't believe he falls under a commercial kennel, he has 8 dogs that are show dogs and are mostly located at training facilities.

Commissioner Koenig refers to staff.

Ms. Lee states part of the code compliance investigation with this violation resulting in a meeting with the applicant, Charlie Watkins from the DA's office and Code Compliance staff. The result of the meeting was that Mr. Watkins determined this does fall under the Nye County Code purview of a residential kennel.

Ms. Lee refers to Mr. Watkins for more information.

Mr. Watkins stated that without his files he can't answer any of the questions, it has been quite a few months since the meeting.

Commissioner Parker asks staff if complaints have been made against the applicant.

Ms. Lee stated that there had been one complaint against the applicant which was submitted to Code Compliance and it was determined it was a commercial kennel.

Mr. Schmidt stated that the complaint was from an employee he hired to do some renovating inside the kennel. The gentleman was terminated and he was the one that filed the complaint. His dogs don't bark very much and aren't all at his home.

Commissioner King asks how many dogs he has.

Mr. Schmidt stated he has 8 and has documentation on the dogs that are on the property.

Commissioner Hafen stated he is reviewing the difference between a commercial and residential kennel and under his zoning he is allowed to have a residential kennel. The difference is the limit of 10 dogs. How many puppies do you normally have in a litter.

Mr. Schmidt stated he hasn't had a litter in 2 years, but normally there are between 5-7. He does planned breeding.

Commissioner Hafen asks if he plans on still breeding.

Mr. Schmidt stated that he doesn't plan on breeding the dogs anymore. He plan is to take 1 – 2 dogs to the Westminster.

Commissioner Hafen stated that part of the remodeling includes a whelping room, is that current or part of the remodeling that he is adding.

Mr. Schmidt stated that is part of the remodeling.

Commissioner Hafen asks if the point of the whelping room is to help in the breeding process.

Mr. Schmidt stated that was the original plan but he has changed those plans.

Commissioner Hafen stated if he doesn't plan on having more than 10 dogs on the property he doesn't qualify under the commercial kennel.

Mr. Watkins stated that is correct.

Commissioner Koenig reviewed the definition of a commercial kennel permit. He still doesn't understand that the DA's office had decided this was to be a commercial kennel.

Mr. Watkins stated that if he made that determination he couldn't tell you why without his files.

Mr. Schmidt stated that at the meeting they laid out the future plans for the kennel at that time.

Commissioner King asked how many dogs he had at the time of the meeting and has he had any more than 10.

Mr. Schmidt stated he had 8 dogs and hasn't had any more.

Commissioner Hafen asked Mr. Schmidt if that included the litters.

Mr. Schmidt stated that if he has anymore that he would have them with the trainers and they wouldn't be on the property.

Commissioner Koenig asks staff if Mr. Schmidt wants to pull the permit do they continue with the hearing or pull the item.

Mr. Osborne stated that if the RPC believes that this is a residential kennel than no future action needs to be taken, because it is a permitted use.

Commissioner Hafen stated that Mr. Schmidt needs to then go to animal control to get a residential kennel permit.

Mr. Watkins stated that we need to find out the status of the Code Compliance violation case, without knowing what the extent of the case it complicates things.

Commissioner Koenig stated that they will continue.

Commissioner Hafen asks if Mr. Schmidt pulls his application that he can't file again for another year?

Mr. Osborne stated that if the application for a CUP is denied or withdrawn there is a time limit but he isn't sure what it is.

Commissioner Parker asks if he could continue this and in the meantime get a residential permit from animal control.

Commissioner Hafen stated that he needs to resolve the code compliance violation first.

Commissioner Parker stated that the code compliance violation can't be resolved unless he gets a CUP and we won't give him the CUP without resolving his code compliance.

Commissioner Koenig stated we are going to continue with the public comment.

Commissioner Koenig opens public comment at 6:58 pm

Leah Watkins at one point was listed on the code compliance violation. It resulted because Nye County stated they didn't have to have a permit for the existing 6 car garage. They added insulation, heating and cooling system for the dogs. Nye County says they need permits for the kennel, but then tells them they don't need permits for the building because it was existing before 1996. They are not a commercial kennel.

Phyllis Hogadone, stated she is against the kennel. If one of the large dogs get loose it can kill the chickens and little dogs down the street. She has been past the property and their horses don't have any shade or shelter if they treat their horses like that how will they treat their dogs. If one of their dogs gets loose and comes on her property it is dead.

Ricardo Gonzalez lives with the applicants. They have the animals contained and will not leave the property. They are a residential kennel they don't exceed more than 10 dogs.

Henry Pfiester, lives half a block from the applicant. He is a trainer with PV obedience club. He has had the dogs in his obedience classes and they are very good dogs. He has no objection to the kennel. The dogs have never been out roaming the area. He never exceeds the 10 dogs.

James Hogadone, lives in the neighborhood. The dogs do bark in the evening and he can't leave his doors or windows open because of that. He has never seen the dogs out but there is always the possibility. What is going to stop them from changing their minds and why would they put in the facility to have puppies if they didn't plan on using the facility.

Public Comment closed at 7:07 pm.

Commissioner Koenig refers to the applicant.

Mr. Schmidt stated that his 5 acres is fully fenced and the areas he has the dogs is contained with a secure fence and a ¼ acre he put grass in for training the dogs. The dogs only weigh 74 lbs.

Commissioner Koenig refers to the commissioners.

Commissioner Hafen asks staff what the time limit is to withdraw.

Mr. Osborne stated if they approve his withdrawal without prejudice there is no time limit. If it is denied there is a 6 month time limit.

Commissioner Hafen asks the applicant if he still wants to withdraw without prejudice.

Mr. Schmidt stated yes.

Commissioner King recommends to table until next month so that they can get a report from code compliance as to why they want it as a commercial kennel. If there is more to the violation then they need to review it.

Commissioner Hafen stated to Mr. Schmidt that if he withdraws without prejudice and Code Compliance finds that you do have to get a CUP then he will have to go through the process again and pay the application fees again.

Commissioner Hafen asks Mr. Schmidt again if he still wants to withdraw without prejudice.

Mr. Schmidt stated yes.

Commissioner Hafen motions to withdraw without prejudice CU-12-0017. Commissioner McCall seconds.

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

**Yes:** Bob King, Gregory Hafen II, Jennifer McCall, John Koenig, Joseph Goode, Vicky Parker.

**Absent:** Terry Hand.

8. **CU-12-0018:** Conditional Use Permit (CUP) application to allow a Commercial Kennel in the Rural Homestead (RH-4.5) Zoning District, per NCC 17.04.215.E, located at 2441 W. Mae Road, further described as the Southwest ¼ of the Southwest ¼ of the Northeast ¼ of Section 7, Township 19 South, Range 53 East. Peter W. and Carmen K. Day – Property Owners/Applicants. AP# 27-241-22.

Mr. Osborne reviewed the staff report, RH-4.5 zone allows a Commercial Kennel with a CUP. There are 5 letters in opposition, they don't want a large scale Commercial Kennel in the area, and that isn't what is proposed. The applicant isn't proposing having employees, no hours of operation and will not open to the public and won't be selling dogs. It is more of a residential kennel, but they don't quite meet that definition of residential kennel with 6-10 dogs strictly for pets. The applicant falls into the residential kennel. They have 12 dogs as pets but do shows and competitions from time to time. Staff recommends approval but subject to the special conditions in the staff report.

Commissioner Koenig asks Mr. Watkins to pay attention as they move on because there will be questions directed to him.

Commissioner Hafen asks if they breed dogs.

Mr. Osborne stated they stated occasionally they do, but not on a regular basis. In the last year they had two puppies and they don't intentionally breed.

Commissioner Koenig stated that the definition of a Commercial Kennel says kept for commercial purposes.

Commissioner Koenig refers to the applicant.

Carmen Day, applicant, stated she and her husband are retired and they keep their dog numbers at 12 not 10. They breed occasionally. They have had a litter in March, previous to that was in 2007 and 2002 or 2003. They don't keep the dogs outside 24-7 they have them in the house.

Commissioner Hafen asks if the litter was for profit or for personal enjoyment.

Ms. Day stated they did sell them but can't really say it was a profit.

Commissioner McCall asked if she talked with Public Works and if you understand our request for easements and future road improvements.

Ms. Day stated no one mentioned anything about road improvement.

Commissioner McCall stated that it was part of the external comments and asked if that isn't something that Public Works is requesting.

Mr. Dahl stated that it was sent to the Planning Department and Mr. Osborne was to make the determination if he wanted them in the Special Conditions of Approval and it doesn't look like they are included.

Commissioner McCall asked if the applicant has read and understood the proposed special conditions.

Ms. Day doesn't know what she means.

Commissioner McCall stated it is provided to them by staff.

Ms. Day stated if it is attached to the flyer they gave her.

Ms. Osborne stated it was attached to the agenda and mailed to her.

Ms. Day stated she guesses she understood it. There wasn't anything she didn't understand or didn't agree with. The house is located at the end of the road and there isn't anyone past her.

Commissioner Parker asks what type of dogs she has.

Ms. Day stated they are Salukis they run between 35 and 60 lbs. They also have a couple small dogs and one Scottish Deer Hound.

Commissioner Parker asks if they plan on keeping them indoors at night.

Ms. Day stated yes.

Commissioner McCall stated that one of the letters of opposition stated they don't want a kennel within 300ft. And when she looks at the map they are more like 850 ft from the subject property.

Ms. Day stated they haven't bought the house yet but they have met one of the neighbors and they hadn't said anything that she knows of.

Public comment opened at 6:17 pm.

Kathy Wedgeworth lives on Creb Court. Her house is one of the houses that would be driven past to get to the subject property. They are a small community of 6 residences, mostly of seniors and she is against the kennel. The neighborhood is quiet and they want it to keep it that way. There are a lot of predators in the area and the property has no fence. The road is dirt and they maintain it themselves. They drive it at 5 mph in order to maintain it. She believes a dog kennel would drop the property values.

Bobbie Jarvis lives at 2241 Mae Road, has lived there for 20 years and is against the kennel. She has talked to Mr. Fanning at the Road Department and he told her they won't maintain the road. The residents are the ones that maintain the road. They want to keep it like it is and with a kennel coming in there will be more traffic then they can handle. The noise won't affect her because it is 20 acres away. It is the road, traffic and dust that will be a problem.

Ed Jarvis states he is against the kennel due to the traffic it will create and the dust it will create.

Rudy Bella, lives at 2190 W. Mae Rd., states he is the neighborhood watch. With this commercial kennel going in he doesn't know who to stop and he will stop anyone that drives the road. If they aren't a resident he has the right to tell them to get out.

Public Comment closed at 6:27 pm, and refers to applicant.

Public Comment reopened at 6:28 pm.

John Antilla, lives directly due North of the subject property. He asks what a Conditional Use Permit is.

Mr. Osborne states a CUP is an application to allow a Commercial Kennel in the area that isn't allowed. It requires a public hearing process like this now.

Mr. Antilla asks who he calls if there is a number he can call if the dogs are barking at 5 am.

Mr. Osborne stated he should call Animal Control and if it was a condition of approval then the Planning department would enforce the conditions.

Mr. Antilla asked who to call if it is a noise issue or an issue with the smell.

Commissioner Koenig stated it is all for animal control. We wouldn't be here if they had 10 dogs because 10 is allowed, however they have 12 so we are here to issue a CUP.

Public comment closed at 6:31 pm.

Commissioner Koenig refers to the applicant.

Ms. Day responds to comments stating she was unaware that she has so many neighbors against her. So it is up to the board if they want to issue the permit or not and she won't protest the answer.

Commissioner Parker asked if this isn't going to be commercial in the sense you are selling dogs but just happen to have 2 extra dogs, will she have extra traffic on a daily or occasional basis coming to the house to purchase dogs you don't have for sale.

Ms. Day stated she can't guarantee that she won't have company, she can't guarantee she won't have anyone come and look at the dogs if she has a litter. But she doesn't expect extra traffic daily.

Commissioner Koenig asks if she considers herself a commercial kennel.

Ms. Day states no.

Commissioner King asks staff that for a commercial kennel they can have any number of dogs. Ms. Day states she has 12 and could have a litter of puppies. There is nothing that will keep her from having 100 dogs. There is a gap between residential and commercial kennels where there should be a super residential kennel where you would allow a certain amount or number of any animals. For someone that does fall into the category of a full commercial kennel he wonders why there isn't anything in between.

Mr. Osborne agrees and thinks that there should be something to fill that part in the middle.

Commissioner King asks if we could approve her for only 12 dogs.

Commissioner Parker stated that that can be done, they had granted a larger amount and when she exceeded the number allowed she had her CUP withdrawn. The RPC can set limits as a special condition.

Commissioner Koenig states to the DA's office that the property qualifies for a residential kennel allowing 6 – 10 dogs to keep for personal pleasure, not for breeding purposes. It is his understanding because the permit is for a Commercial Kennel, we don't have to grant a permit for a Residential Kennel because it is allowed. Would they have to grant a waiver to allow 12 dogs and would if have to come back to the RPC.

Mr. Watkins states yes it has been done like that in the past, but would have to come back to the RPC because the item wasn't set up for a Residential Kennel with a waiver.

Commissioner Koenig stated that she doesn't need a waiver and an application for a residential kennel because she already qualifies.

Mr. Watkins stated yes he is correct she would just need a waiver application and he suggests waiving any fees for that.

Commissioner Goode asks the applicant that they are still trying buying the property, and that they don't own it right now.

Ms. Day stated yes they don't own the property but it hasn't closed yet.

Commissioner Goode asks if the animals are there now, and if they aren't there when she does move will they put up fencing.

Ms. Day stated no the animals aren't there yet, and they do plan on putting up a fence.

Commissioner Hafen asks Ms. Day if she is agreeable to limit the animals, dogs and cats to 12.

Ms. Day stated she can't guarantee that.

Commissioner Hafen stated that if they approve it at twelve you wouldn't be satisfied with that.

Ms. Day stated no, if she has dogs returned to her or if they have puppies she might keep one or add another dog. This is normal for her and she can't guarantee if they stay at 12. This is why she went with a commercial kennel and not the residential.

Commissioner Hafen asks if there is a number she would be satisfied with. No one in the audience would be happy with 100 dogs.

Ms. Day couldn't say, she believes 20 would be too many. If she has a litter of 10 puppies it will put her numbers over 20.

Commissioner Parker asks Mr. Watkins if there is a way to limit her to 14-15 dogs plus a litter of puppies that she can keep until a certain age, and how would we word it.

Mr. Watkins stated yes there is a way to do that through the waiver process. He would have to look at all the conditions of approval to determine how it could be worded.

Commissioner Koenig states what Commissioner Parker is wanting is to motion to make it a commercial kennel and a condition

Commissioner Parker states that she could have no more than 15 dogs and how do we handle an occasional litter of puppies if she isn't breeding on a regular basis. If she has 12 dogs now and then has 5 puppies she would be over the limit. Is there a way to limit the adult dogs.

Mr. Watkins states and require the removal of any litters within a reasonable period.

Commissioner Parker stated correct, that way the number of adult dogs doesn't grow. If she were to make a motion to that affect how would she word it.

Commissioner Koenig asks if the key would be the number of adult dogs.

Mr. Watkins states they would put a limit on adult dogs and then it would grow into any litters that were produced by those adult dogs. It could say any litters of these adult dogs that have been limited will be disposed of within 12 weeks of birthing or something along those lines.

Ms. Day states she didn't realize there would be this much discussion and didn't think this would be a problem. If you can just vote on the commercial kennel and if you don't want it she can go from there. If the neighbors are against it it might be the best to say no.

Commissioner King asks where the dogs are now.

Ms. Day stated in Maryland.

Commissioner Parker asks if she would be agreeable to 14 adult dogs and no older than 3 months.

Ms. Day stated no.

Commissioner McCall asks Mr. Day at what age does she normally get rid of her entire litter, is it by the time they are 6 months old.

Ms. Day stated she normally keeps some, but it is normally 6-8 weeks.

Commissioner McCall asks if we put an age limit, with no dogs over 4 -6 months.

Ms. Day stated she just came here for the commercial kennel license with no restrictions even if it is for personal use.

Commissioner Koenig asks for a motion.

Commissioner Koenig states it failed for a lack of motion.

9. **CU-12-0019**: Conditional Use Permit (CUP) application to allow Body Art in the General Commercial (GC) Zoning District, per NCC 17.04.320.E., located at 1190 E. Nevada Highway 372, located at the northwest corner of Nevada Highway 372 and East Street, further known as Raycraft Subdivision, Block L. Eugene and Emarine M. Mayea Trust – Property Owner. Living Art Tattoo & Body Piercing – Applicant. Brian Jones – Agent. AP# 35-306-01.

Ms. Lee reviews staff report. The GC zoning district does allow Body Art with a CUP, there has been one letter of opposition. Staff recommends approval based on findings in the staff report.

Commissioner Koenig refers to the applicant.

Brian Jones, applicant states that he has been a professional artist for over 18 years. He has never had a health score less than 100. He was on the instructional video for the state of Tennessee.

Commissioner McCall asks the applicant if he has read and accepts the conditions.

Mr. Jones states yes.

Public comment opened and closed at 7:13 pm with no comments.

Commissioner Parker motions to approve CU-12-00019 application to allow Body Art in the GC zoning district based on staff findings. Commissioner McCall seconds.

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

**Yes:** Bob King, Gregory Hafen II, Jennifer McCall, John Koenig, Joseph Goode, Vicky Parker.

**Absent:** Terry Hand.

#### **Request for Extension of Time:**

10. **ET-12-0001:** Extension of Time application to extend the expiration date of Conditional Use Permit CU-09-0010 for an additional five (5) years to allow the development of an animal rescue (Pegasus Haven Ranch) on property zoned Rural Estates (RE-2), located at 6300 S. Jane Avenue, further described as a portion of Township 21 South, Range 54 East, Section 17. Lorena Walter – Property Owner/Applicant. AP# 45-181-01.

Commissioner Koenig refers to staff.

Mr. Osborne reviews staff report, the previous CUP was for three years and approved in 2009. Staff recommends approval with all original conditions from 2009 with an extension for 3 years.

Commissioner Koenig refers to the applicant.

Lorena Walter, applicant, is fine with the three years extension. She now has someone to help her with her business plan and help request for funding grants.

Commissioner McCall asks if the applicant has read and understood the proposed special conditions.

Ms. Walter stated yes.

Commissioner King asks if she has started any construction on the property.

Ms. Walter stated no, she still needs to get the funding.

Commissioner Hafen asks if she has horses on the property.

Ms. Walter stated she does have three but they are hers.

Commissioner Hafen asks if they are rescue horses or for personal use.

Ms. Walter stated they are her horses.

Commissioner Hafen stated in the original conditions it stated she was within 400 ft of water and sewer lines.

Commissioner Hafen asks Ms. Walter if she is within the 400 ft.

Ms. Walter stated that a few years ago she was told she wouldn't have to abandon because the lines would go up and the water line would go back down to her house.

Commissioner Hafen stated that the only lines he is aware of in that vicinity are force mains and you don't want to tap into those.

Public comment opened and closed at 7:19 pm with no comments.

Commissioner Hafen motions to approve ET-12-0001 to extend the expiration date of the CUP CU-09-0010 for an additional 5 years to allow the development of an animal rescue. Also striking condition #14 that would require them to hook up to the nearest utility company since there are not water or sewer lines within 400 ft.

Commissioner Koenig asks Commissioner Hafen if it is for 5 years and not three as recommended.

Commissioner Hafen stated yes.

Commissioner Parker seconds.

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

**Yes:** Bob King, Gregory Hafen II, Jennifer McCall, John Koenig, Joseph Goode, Vicky Parker.

**Absent:** Terry Hand.

### **Master Plan (MP) Amendment and Zone Change (ZC) Applications:**

11. a. **MP-12-0008:** (Minor) Master Plan Amendment application to change approximately 14.63 acres (total) on two individual parcels from the General Commercial Land Use Designation to the Community Facilities Land Use

Designation, for properties known as Calvada Valley Unit 6, Parcels 1 and 2, located at 701 & 751 S. East Street. Town of Pahrump & Pahrump Library District – Property Owners. Nye County Zoning Administrator – Applicant. AP#’s 38-271-18 & 38-271-19.

- b. **ZC-12-0010:** (Non-Conforming) Zone Change application to change approximately 14.63 acres (total) on two individual parcels from the General Commercial (GC) Zoning District to the Community Facilities (CF) Zoning District, for properties known as Calvada Valley Unit 6, Parcels 1 and 2, located at 701 & 751 S. East Street. Town of Pahrump & Pahrump Library District – Property Owners. Nye County Zoning Administrator – Applicant. AP#’s 38-271-18 & 38-271-19.

Commissioner Koenig refers to staff.

Ms. Lee reviews the staff report, the subject property was developed before Master Planning or Zoning. Staff feels that they should be zoned according to their uses and recommends approval.

Public Comment opened and closed at 7:23 pm with no comment.

Commissioner Parker motions to approve MP-12-0008 to change 14.63 acres from GC to CF and ZC-12-0010 to change 14.63 acres GC to CF. Commissioner McCall seconds.

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

**Yes:** Bob King, Gregory Hafen II, Jennifer McCall, John Koenig, Joseph Goode, Vicky Parker.

**Absent:** Terry Hand.

12. **Discussion and Direction Concerning Items for Future Meetings/Workshops; Set Date, Location and Time of Future Pahrump Regional Planning Commission Meetings.**

Commissioner Koenig directs staff to look into the difference between a Residential Kennel and Commercial Kennels. When people move into town and have 12 dogs we need further direction either from staff or the DA.

Ms. Lee stated we could also revisit the hobby breeder that was denied previously.

The next meeting will be December 12, 2012 at 6 pm.

13. **Public Comment (second)** – This time is devoted to comments by the general public, pursuant to NRS 241.020(2)(c)(3). No action will be taken on matters raised under public comment until the matter itself has been included on an agenda as an action item. (Three-minute time limit per person and speakers are requested to limit comments to items not on the agenda.)

Public comment was opened at 7:29 pm.

George Romero asked what the Commission plans to do with his finding on his property zoned GC. He was not happy with the explanation of why his parcel isn't zoned GC. Parking isn't an issue, neither is lot size. Staff had recommended approval and the previous commission didn't go that way. He still would like more answers on the issue.

Commissioner Hafen asks Mr. Watkins if he can make a comment on that.

Mr. Watkins stated that he can but there can be no action taken on the item.

**14. Adjournment.**

Commissioner Hafen motions to adjourn. Commissioner McCall seconds.

Meeting adjourned at 7:31 pm.

Approved Date:

Attest:



Terry Hand, Chairman  
Pahrump Regional Planning Commission



Gregory T. Hafen II, Secretary/Clerk  
Pahrump Regional Planning Commission

John  
Koehn