

**MINUTES OF THE
FERNLEY PLANNING COMMISSION MEETING
FEBRUARY 14, 2024**

1. INTRODUCTORY ITEMS

1.1. Pledge of Allegiance

1.2. Roll Call

Present: Chairwoman Jeni McCullar, Vice Chair Angela Lewis, Commissioner Barry Williams, Commissioner Cody Wagner, Commissioner Jacob VanderHeiden, Commissioner Robert Flores, City Attorney Aaron Mouritsen, Deputy City Manager Lydia Altick, City Clerk Kim Swanson, Deputy City Clerk Brenda Gosser, Administrative Specialist I Sandy Harris, Planning Director Michele Rambo, Senior Planner Shay League. **Absent:** Commissioner Humayoon Lodhi.

1.3. Public Forum

None at this time.

1.4. (For Possible Action) Approval of Agenda

Motion: I MOVE TO APPROVE TONIGHT'S AGENDA AS PRESENTED WITH ITEM 4.1 MOVED UP AFTER 3.1.

Action: Approved. **Moved by:** Commissioner Cody Wagner, **Seconded by:** Commissioner Barry Williams. **Vote:** Passed, **Summary:** Yes 6. **Yes:** Commissioner Williams, Chairwoman McCullar, Vice-Chair Lewis, Commissioner Wagner, Commissioner VanderHeiden, Commissioner Flores.

1.5. (Possible Action) Approval of Minutes

Motion: I MOVE TO APPROVE THE MINUTES FROM THE JANUARY 10, 2024, MEETING. **Action:** Approved.

Moved by: Commissioner Barry Williams, **Seconded by:** Vice-Chair Angela Lewis. **Vote:** Passed, **Summary:** Yes 6. **Yes:** Commissioner Williams, Chairwoman McCullar, Vice-Chair Lewis, Commissioner Wagner, Commissioner VanderHeiden, Commissioner Flores.

2. STAFF REPORTS

None at this time.

3. GENERAL BUSINESS

3.1. Administer Oath of Office to new Planning Commissioner Robert Flores.

City Clerk Kim Swanson administered the Oath of Office to Robert Flores.

3.2. Training presentation from the City Attorney regarding NRS Chapter 241 (Open Meeting Law).

Aaron Mouritsen, City Attorney, gave a presentation on NRS Chapter 241 (Open Meeting Law). He went over the legislative intent; defined what a public body is; meeting definition: gatherings of a public body; teleconference or video conference meetings; electronic serial communications; specific exemptions; legal briefings; decisions by Boards; AB 70 (2019) Delegation by Board; can there be alternates on the board; agendas and notice; state official website posting; notice of emergency meeting; closed personnel sessions - agenda and notice; public comment periods; minutes and recordings; AB 70 (2019) Attorney General Notification; and violations and consequences.

3.3. (For Possible Action) Discussion and possible action to approve Resolution 24-004, an amendment to Section 2-1 (Membership) of the Planning Commission Bylaws to allow the mayor to appoint an alternate member to the Planning Commission.

Michele Rambo, Planning Director, stated that the Mayor would like to appoint an alternate member to the Planning Commission in order to sit in on meetings when other members are absent or there is a vacant seat. This will aid in the overall efficiency of the Planning Commission, especially for more complex projects where a super-majority is required. Staff has prepared a small revision to the bylaws to allow for this option.

Motion: I MOVE TO ADOPT RESOLUTION 24-004 TO AMEND THE PLANNING COMMISSION BYLAWS AS PRESENTED BY STAFF AND REQUEST THAT THE CITY COUNCIL ADOPT THIS ITEM AS A JOINT

RESOLUTION. **Action:** Approved. **Moved by:** Commissioner Jake VanderHeiden, **Seconded by:** Commissioner Barry Williams. **Vote:** Passed, **Summary:** Yes 6. **Yes:** Commissioner Williams, Chairwoman McCullar, Vice-Chair Lewis, Commissioner Wagner, Commissioner VanderHeiden, Commissioner Flores.

4. PUBLIC HEARINGS

4.1. (For Possible Action) Discussion and possible action on Conditional Use Permit 23007 (CUP23007) submitted by Jim Guthrie to allow a tractor-trailer parking lot at 20 Speedway Road (APN 021-442-21). The property is approximately 4.2 acres in size and is located at the northeast corner of Speedway Road and US 95A.

Shay League, Senior Planner, presented that the applicant would like to construct a tractor-trailer parking lot within an existing industrial area located southeast of the Fernley 95A Speedway. Table 32.06.150-2 of the Development Code (otherwise known as the Use Table) indicates that such a use on an industrially zoned parcel requires the approval of a Conditional Use Permit. This parcel is located in the far South of Fernley, beyond even the scope of the South and Southwest future development plans. There is no plan to bring City Water and Sewer services to this parcel. Further, because the City of Fernley contains an area of around 130 square miles, it may never be cost-efficient for the city to provide municipal services for this parcel. Given that, staff recommends not requiring the parcel to hook up to City services, and further waiving the requirement for the applicant to construct a curb, gutter, and sidewalk. While it is true that requiring new developments to provide a proportional share of infrastructure improvements is slowly leading to improved infrastructure within the developed portions of Fernley, this parcel is so remote that requiring the applicant to construct the infrastructure would not benefit Fernley. Findings: (1) The proposed conditional use will be in compliance with the Comprehensive Plan; (2) The conditional use will be compatible with the existing or permitted uses of adjacent properties; (3) The potential impairment of natural resources and the total population which the available natural resources will support without unreasonable impairment. There are no known natural resources that will be impaired on the subject parcel; (4) The proposed use does not impact the need for affordable housing. The parking lot will not have any employees or generate the need for new housing; (5) This project is conditioned to provide security fencing, trash facilities, and portable toilets for those who park there. All parking areas are to be paved, and the applicant will mitigate wastewater runoff by constructing the appropriate storage and drainage facilities; (6) Public notice has been given as required in the NRS and City of Fernley Development Code. The public hearing to be held for this item on February 14, 2024, will fulfill the requirement for a public hearing to be held.

Commissioner Wagner inquired if there is any coordination with and/or requirements from NDOT, in regard to the entrance and exits.

Shay League, Senior Planner, stated that there has not been any coordination with NDOT because of the nature of it and the number of trips projected. It is a condition of approval that they submit a traffic report, it can be amended to include adding NDOT into that process.

Commissioner Robert Flores asked how many spaces would be available.

Mr. Jim Guthrie stated that it will have 50 - 70 parking spaces. It will be a secure lot with fencing and security cameras. It will be for semi's and trailers only.

There was no public input.

Motion: I MOVE TO CONDITIONALLY APPROVE CUP23007 AS PRESENTED BY STAFF BASED ON THE FINDINGS OUTLINED IN THE STAFF REPORT WITH THE ADDITION OF CONDITION #15 THAT ANY FINAL PLANS AND/OR TRAFFIC REPORTS BE SHARED WITH NDOT FOR THEIR COMMENTS. **Action:** Approved. **Moved by:** Commissioner Cody Wagner, **Seconded by:** Vice-Chair Angela Lewis. **Vote:** Passed, **Summary:** Yes 6. **Yes:** Commissioner Williams, Chairwoman McCullar, Vice-Chair Lewis, Commissioner Wagner, Commissioner VanderHeiden, Commissioner Flores.

5. CHAIR AND COMMISSION ITEMS

Commissioner Cody Wagner thanked the city staff for their effort to solicit public input in a number of different meetings.

6. PLANNING DIRECTOR ITEMS

Michele Rambo, Planning Director, reported that they are working on putting together a monthly statistics report for the planning department. Currently, there are 33 active projects going on in the planning department. The average processing time is 3 months for the various applications. The legislative, the master-plan zoning amendments, and plan development are averaging 4 to 4 1/2 months. The number of pre-application meetings is picking up. There were 3 pre-applications meetings in January and there have been 6 in February with several more already scheduled for March. The Victory Logistics Development Agreement is waiting for finalization and will be brought back for consideration.

7. ADDRESS REQUEST(S) FOR FUTURE AGENDA ITEMS

None at this time.

8. PUBLIC FORUM

Mayor Neal E. McIntyre thanked the Commission for passing the resolution for an alternate position.

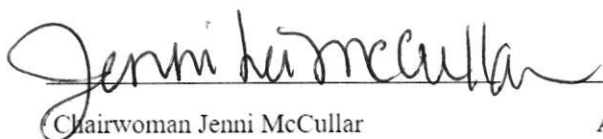
The next Fernley Planning Commission meeting will be March 13, 2024, at 5:00 pm.

9. ADJOURNMENT

There being no further business to come before it, the Fernley Planning Commission meeting adjourned at 5:53 pm.

Approved by the Fernley Planning Commission on March 13, 2024, by a vote of:

AYES 7 NAYS: 0 ABSTENTIONS: 0 ABSENT: 0

 
Chairwoman Jenni McCullar ATTEST: