

**MINUTES OF THE
FERNLEY PLANNING COMMISSION MEETING
APRIL 10, 2024**

Vice-Chair Angela Lewis called the Fernley Planning Commission meeting to order at 5:00 pm.

1. INTRODUCTORY ITEMS

1.1. Pledge of Allegiance

1.2 Roll Call

Present: Chairwoman Jenni McCullar (Zoom), Vice-Chair Angela Lewis, Commissioner Humayoon Lodi, Commissioner Barry Williams, Commissioner Cody Wagner, Commissioner Jacob VanderHeiden, Commissioner Robert Flores, Alternate Commissioner Tessa Garvin, City Attorney Aaron Mouritsen, Deputy City Manager Lydia Altick, Planning Director Michele Rambo, Senior Planner Shay League (Zoom), City Engineer Derek Starkey, Administrative Specialist II Reba Skinner, Administrative Specialist I Sandy Harris.

1.3. Public Forum

None at this time

1.4. (For Possible Action) Approval of Agenda

Motion: I MOVE TO APPROVE THE AGENDA. **Action:** Approved. **Moved by:** Commissioner Barry Williams, **Seconded by:** Commissioner Humayoon Lodhi. **Vote:** Passed, **Summary:** Yes 7. **Yes:** Commissioner Williams, Chairwoman McCullar, Vice-Chair Lewis, Commissioner Wagner, Commissioner Lodhi, Commissioner VanderHeiden, Commissioner Flores.

1.5. (Possible Action) Approval of Minutes

Motion: I MOVE TO APPROVE THE MINUTES FROM LAST MONTHS MEETING. **Action:** Approved. **Moved by:** Commissioner Barry Williams, **Seconded by:** Commissioner Cody Wagner. **Vote:** Passed, **Summary:** Yes 7. **Yes:** Commissioner Williams, Chairwoman McCullar, Vice-Chair Lewis, Commissioner Wagner, Commissioner Lodhi, Commissioner VanderHeiden, Commissioner Flores.

2. STAFF REPORTS

2.1. Discussion and possible action to adopt joint Resolution 24-007 accepting the 2022 City of Fernley Water System Plan Update

Derek Starkey, City Engineer, presented the updated water system plan for adoption by joint resolution with the Planning Commission and City Council. In 2020, the city contracted with Shaw Engineering to complete an update to its water system plan. The last update occurred in 2008. The water system plan aids the city in water resource management and capital improvement planning for the city's water system as it continues to grow and service new

customers. The following were reviewed and summarize the assumptions and outcome of the update to the plan: existing and planned service areas, growth and water demand, water resources, water rates, groundwater/surface water treatment, existing conditions, and capital improvements. The existing system is currently in satisfactory condition with a majority of the system being less than 35 years old. However, there are still concerns about portions of the system.

Commissioner Cody Wagner asked if there is a capital project request that addresses the looping of the system in certain parts of the city. He would like to have the consultants revise table 5.1 to realistic numbers. Also, asked if there are plans to address the pressure issues.

Derek Starkey, City Engineer, stated that it is currently budgeted for design this year and carried over to the next fiscal year's budget. There are projects to address the existing issues.

Alternate Commissioner Tessa Garvin asked what the impact on everyone on a well would be.

Derek Starkey, City Engineer, stated that it is hard to determine at this time. The purposed work on the canal is going to have a big impact on wells in 10 to 20 years.

Motion: I MOVE TO ADOPT JOINT RESOLUTION 24-007 NUMBER ACCEPTING THE 2022 CITY OF FERNLEY WATER SYSTEM PLAN UPDATE WITH THE AMENDMENT TO 5.1 TABLE. **Action:** Approved. **Moved by:** Commissioner Barry Williams, **Seconded by:** Commissioner Humayoon Lodhi. **Vote:** Passed, **Summary:** Yes 7. **Yes:** Commissioner Williams, Chairwoman McCullar, Vice-Chair Lewis, Commissioner Wagner, Commissioner Lodhi, Commissioner VanderHeiden, Commissioner Flores.

3. GENERAL BUSINESS

3.1. Training - Presentation by the Planning Director on the difference between Zoning and Land Use and how they work together.

Michele Rambo, Planning Director, presented the basics of zoning and land use and how they work together. Zoning and Land Use, although sometimes assumed to be the same thing, are two distinct tools used by planners and are regulated by two separate documents. However, they do work closely together when planning the future growth and development of a city. It is important to understand the difference between Zoning and Land Use.

4. PUBLIC HEARINGS

4.1. (For Possible Action) Discussion and possible action on a conditional use permit application (CUP24002) submitted by Priority Engineering on behalf of VIA Real Estate to allow for outdoor storage and general retail on a site zoned General Commercial (C2) and located at approximately 1200 Fremont Street (APN: 021-271-03).

Shay League, Senior Planner, presented via Zoom. The applicant represents Tractor Supply, which wants to construct a store on this parcel. A conditional use permit for the use "Outdoor Storage" is required when materials, goods, vehicles, or equipment are to be kept or placed outside an enclosed structure for 72 hours or more. The use "General Retail" would normally only require review and approval by the administrator; however, it is included alongside the application for "Outdoor Storage" to prevent the applicant from needing to file two separate applications for the two separate uses. The Planning Commission unanimously adopted a

resolution to amend the comprehensive plan land use designation on this parcel from Multi-Family Residential to Commercial at the March 2024 Planning Commission meeting. Discussion and possible certification of the Planning Commission's resolution is set to go before the City Council.

Public input:

Barbara Twaddlel, a resident on Flint Street, stated she would prefer to have a block wall for privacy, sound issues from the traffic, and the homeless living in the ditch and was concerned about the truck traffic.

Motion: I MOVE TO APPROVE THE CONDITIONAL USE PERMIT ASSOCIATED WITH CUP24002, SUBJECT TO CONDITIONS OF APPROVAL 1 THROUGH 24 AS PRESENTED BY STAFF. I FURTHER MOVE TO ADOPT FINDINGS A THROUGH F, AND THE FACTS SUPPORTING THESE FINDINGS, AS SET FORTH IN THE STAFF REPORT. **Action:** Approved. **Moved by:** Commissioner Humayoon Lodhi, **Seconded by:** Commissioner Cody Wagner. **Vote:** Passed, **Summary:** Yes 7. **Yes:** Commissioner Williams, Chairwoman McCullar, Vice-Chair Lewis, Commissioner Wagner, Commissioner Lodhi, Commissioner VanderHeiden, Commissioner Flores.

4.2. (For Possible Action) Consideration, discussion, and possible action to recommend that the City Council approve Bill #347, an Ordinance amending Title 32, Chapter 3, Section 090 (Modifications and Appeals) of the Fernley Development Code to create a process to waive certain development standards in certain parts of town to aid in development and redevelopment efforts, and other matters related thereto.

Michele Rambo, Planning Director, presented this item. As currently written, the City of Fernley Development Code tends to discourage development or redevelopment in three focused areas of the city, including the downtown core. Many attempts to locate businesses in these areas have failed due to the over-burdensome nature of the codes related to parking, landscaping, and street improvements. There is currently no mechanism to provide relief for these requirements when it makes sense to do so. Therefore, the City of Fernley Planning Department and Engineering Department have worked together to create the proposed waiver process. To keep the use of waivers from being abused, stipulations have been included that restrict their use to certain specific areas of town for a limited type of development standards. As with the existing modification processes allowed for in the Development Code, waivers would be approved by the Planning Commission in most instances. Waivers could be combined with other applications; in which case the approval body of the development application would also approve the waiver. For example, a waiver combined with a Conditional Use Permit would be approved by the Planning Commission. If a waiver request is combined with a Tentative Subdivision Map, the waiver would ultimately be approved by the City Council. There is a provision that each waiver is considered on a case-by-case basis and approving one does not create a precedent for others. The burden of proof is on the applicant to prove that the waiver is warranted. The waiver is not for use, it is only for curb gutter sidewalk, landscaping and parking.

Commissioner Wagner expressed concern about this applying to only 3 areas of the city.

There was no public input.

Motion: I MOVE TO RECOMMEND THAT THE CITY COUNCIL APPROVE BILL #347, AN ORDINANCE AMENDING TITLE 32, CHAPTER 3, SECTION 090 (MODIFICATIONS AND APPEALS) OF THE FERNLEY DEVELOPMENT CODE AS PRESENTED BY STAFF AND SUBJECT TO THE FINDINGS OUTLINED IN THE STAFF REPORT WITH CONSIDERATION FOR FUTURE CIRCUMSTANCES LIKE THIS BE CONSIDERED FOR OTHER AREAS AS FERNLEY DEVELOPS. **Action:** Approved. **Moved by:** Commissioner Cody Wagner, **Seconded by:** Commissioner Barry Williams. **Vote:** Passed, **Summary:** Yes 7. **Yes:** Commissioner Williams, Chairwoman McCullar, Vice-Chair Lewis, Commissioner Wagner, Commissioner Lodhi, Commissioner VanderHeiden, Commissioner Flores.

4.3. (For Possible Action) Discussion and possible action regarding a proposed development code text amendment (CA24004) to Fernley Municipal Code §32.03.050(c) to extend the submission requirement for a temporary use permit from seven days prior to thirty days prior to the requested date of the start of the proposed temporary use.

Shay League, Senior Planner presented via Zoom. Staff requests an amendment to the municipal code that will change the required submission date of a temporary use permit application from seven to thirty days prior to the start of the requested temporary use. The Fernley Municipal Code requires a temporary use permit for special events and also requires the applicant to submit the application at least 7 days prior to all temporary uses. The City of Fernley Planning Department has been working to streamline the process to obtain a temporary use permit and hopes to set up the process and the Planning Department as a one-stop shop for all temporary use permit needs. The process as it currently exists is cumbersome; the Planning Department wants to cut down the amount of running around, additional fees, and chaos required to hold a special event in Fernley. To allow time for routing through all these separate departments and agencies, rather than require our citizens and community stakeholders to do it, we need more time than the 7 days we allot for the other types of temporary use permits that only the Planning Department processes.

There was no public input at this time.

Motion: I MOVE TO RECOMMEND CITY COUNCIL APPROVE THE MUNICIPAL CODE AMENDMENT ASSOCIATED WITH CA24004 AS PRESENTED BY STAFF. **Action:** Approved. **Moved by:** Commissioner Barry Williams, **Seconded by:** Commissioner Jake VanderHeiden. **Vote:** Passed, **Summary:** Yes 7. **Yes:** Commissioner Williams, Chairwoman McCullar, Vice-Chair Lewis, Commissioner Wagner, Commissioner Lodhi, Commissioner VanderHeiden, Commissioner Flores

5. CHAIR AND COMMISSION ITEMS

Commissioner Wagner thanked Derek Starkey for his years of service. He would like to see the presentation on the properties being considered for annexation into the City once it is finalized. Would like to have dangerous chemicals listed on applications in regard to the quantity and how stored.

6. PLANNING DIRECTOR ITEMS

Michele Rambo, Planning Director, informed the Commissioners that their emails have been set up. There is a new committee, Capital Improvements Advisory Committee. The Planning Commission has been appointed as that body.

7. ADDRESS REQUEST(S) FOR FUTURE AGENDA ITEMS

There were none.

8. PUBLIC FORUM

There is no public input at this time.

9. ADJOURNMENT

There being no further business to come before it, the Fernley Planning Commission meeting adjourned at 6:33 pm.

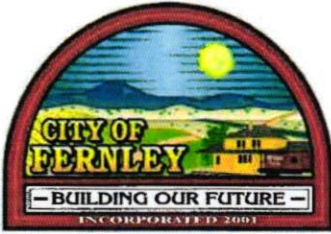
Approved by the Fernley Planning Commission on May 8, 2024, by a vote of:

AYES 7 NAYS: 0 ABSTENTIONS: 0 ABSENT: 0


Vice Chairwoman Angela Lewis


ATTEST:

* Fremont, Sandia + Flint
need Speed Control!



Planning Department

Michele Rambo, AICP
Planning Director

Shay League
Senior Planner

Lisa Warner
Assistant Planner

NOTICE OF PUBLIC HEARING

AGENDA ITEM: Discussion and possible action on a conditional use permit application (CUP24002) submitted by Priority Engineering on behalf of VIA Real Estate to allow for outdoor storage and general retail on a site zoned General Commercial (C2) and located at approximately 1200 Fremont Street (APN: 021-271-03).

Dear Neighbor:

Application materials for this project are on file with the City of Fernley Planning Department at City Hall; the address is listed at the bottom of this letter. They may be reviewed upon request Monday – Friday from 8 AM – 5 PM, except during federal and state holidays. A full staff report will also be posted for review in the agenda center of the City of Fernley's website no later than 9 AM on Friday, April 5, 2024. The scheduled public hearing before our Planning Commission is as follows:

Date: April 10, 2024
Time: The meeting commences at 5:00 PM
Location: Council Chambers, Fernley City Hall
595 Silver Lace Boulevard
Fernley, NV 89408

Interested parties may appear at the meeting to comment or may submit written comment to the City of Fernley Planning Department using the information at the bottom of this letter. If received prior to the day of the meeting, written comments will be forwarded to the Planning Commission for review. Those comments will also become part of public record but will not be read aloud during the meeting.

Comments: While we understand growth is necessary so
is infrastructure. This area is becoming, actually
is no longer safe to drive or walk. People are
using Fremont, Sandia, and Flint as a highway
not a 25mph zone. There are not safe bike or
pedestrian walkways + children are walking in
the lane to catch busses along with elderly +
disabled. The section at the signal is horrible
with the already increased traffic. Unsafe drivers +
sight lines. Adding in Semis makes it worse.

595 Silver Lace Boulevard
Fernley, Nevada 89408

www.cityoffernley.org

Phone: 775-784-9810
Email: planning@cityoffernley.org

We do not agree with this plan at All. Fix the infrastructure
11. -- and more!