

Sean Desruisseaux Sue Gill Jan Hodges Angela Lewis Will MacDonald Gayle Picha	FERNLEY PLANNING COMMISSION Fernley City Hall 595 Silver Lace Blvd. • Fernley, NV 89408 Phone: (775) 784-9900
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Fernley Planning Commission Agenda

January 11, 2017

The Chairman reserves the right to hear agenda items out of order, combine two or more agenda items for consideration, or remove an item from the agenda or delay discussion relating to an item on the agenda at any time. All items are action items unless otherwise noted.

Time Certain: Time certain designates a definite time for the start time of that item. The time certain item may **NOT** begin earlier than the designated time certain. It may begin later than the designated time, but not earlier.

5:00 p.m. OPEN MEETING – PLEDGE OF ALLEGIANCE

Chairman’s statement: “To avoid meeting disruptions, please place cell phones and beepers in the silent mode or turn them off during the meeting. Thank you for your understanding.”

1. ROLL CALL

2. PUBLIC INPUT.

Public comment is limited to five (5) minutes per person. Items not agendized for this meeting cannot be acted upon other than to place them on future agendas. Public input is prohibited regarding comments, which are not relevant to, or within the authority of, the public body, or if the content of the comments is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational or amounting to personal attacks or interfering, with the rights of other speakers

3. APPROVAL OF THE AGENDA

4. (POSSIBLE ACTION) APPROVAL OF MINUTES

Documents:

[20161214 FPC DRAFT MINUTES.PDF](#)

5. PRESENTATION, DISCUSSION AND POSSIBLE ACTION:

5.1. DISCUSSION AND POSSILBE ACTION TO ELECT CITY OF FERNLEY PLANNING COMMISSION OFFICERS FOR 2017.

5.2. DISCUSSION AND POSSIBLE ACTION REGARDING THE CITY OF FERNLEY PLANNING COMMISSION BY-LAWS.

Documents:

BY-LAWS 1-13-2016.PDF

6. CHAIR AND COMMISSION ITEMS:

(Summary or Activity Reports on planning issues, activities or organizations in which individual members may be involved. This item is to provide general information to the commission and public. No discussion shall take place and no action will be taken.)

7. PLANNING DIRECTOR ITEMS:

(Activity Summary or updates on projects that have been previously reviewed by the Planning Commission. This item is to provide general information to the commission and public. No discussion shall take place and no action will be taken.)

8. ADDRESS REQUEST(S) FOR FUTURE AGENDA ITEMS.

9. PUBLIC INPUT.

Items not agendaized for this meeting cannot be acted upon other than to place them on future agendas.

ADJOURNMENT.

This notice and agenda is being posted before 9:00 a.m., 01/06/2017 in accordance with NRS 241.020 at the following locations: www.cityoffernley.org, <https://notice.nv.gov/>, Senior Citizen's Center 1170 W. Newlands Drive, Fernley City Hall 595 Silver Lace Blvd, Lyon County Human Services 460 W Main St., Ste. 110, North Lyon County Fire Dept, 195 E Main Street, Fernley, NV. To obtain supporting material for this agenda please contact the City Clerk, Kim Swanson, inside City Hall or call 784-9830. **Notice to persons with disabilities:** Members of the public who are disabled and require special assistance or accommodations at the meeting are requested to notify the Fernley City Hall, at least 24 hours in advance, at 784-9900.

**Minutes of the
Fernley Planning Commission Meeting
December 14, 2016**

The Fernley Planning Commission held a public meeting on December 14, 2016, beginning at 5:00 pm at Fernley City Hall, 595 Silver Lace Blvd., Fernley, NV.

1. ROLL CALL **Present:** Chairman William Shattuck, Commissioner Sue Gill, Commissioner Gayle Picha, Commissioner Jan Hodges, Sean Desruisseaux. **Absent:** Commissioner Will MacDonald. **Not Voting:** Deputy City Attorney Brent Kolvet, Senior Planner Tim Thompson, Assistant Planner Melinda Bauer, Deputy City Clerk Julie Torres.

2. PUBLIC INPUT. There was none.

3. APPROVAL OF THE AGENDA. **Motion:** Move to approve the agenda as submitted, **Action:** Approve, **Moved by** Commissioner Sue Gill, **Seconded by** Commissioner Gayle Picha. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5). **Yes:** Chairman William Shattuck, Commissioner Gayle Picha, Commissioner Jan Hodges, Commissioner Sue Gill, Sean Desruisseaux.

4. (POSSIBLE ACTION) APPROVAL OF MINUTES for the November 9, 2016 Fernley Planning Commission. **Motion:** Move to approve the minutes as submitted, **Action:** Approve, **Moved by** Commissioner Gayle Picha, **Seconded by** Commissioner Sue Gill. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5). **Yes:** Chairman William Shattuck, Commissioner Gayle Picha, Commissioner Jan Hodges, Commissioner Sue Gill, Sean Desruisseaux.

5. PRESENTATION, DISCUSSION AND POSSIBLE ACTION:

5.1. **TSM 2016-002 – A request for a Tentative Subdivision Map (Clover Ranch) from James A. Cutler to allow for a 28-lot single family residential subdivision on a site consisting of 5 parcels totaling 19.3 acres in size in the RR-1/2 zoning district, generally located north of Farm District Rd, south of the Donner Trails Subdivision, east of Winnie Lane and west of Browne Lane, Fernley, NV. (APN(s) 021-331-19, 20, 22, 29 &38) (Continued from November 9, 2016).** Presented by Senior Planner Tim Thompson. The applicant, Jim Cutler, was present at the meeting. This item was continued from the November 2016 meeting. Mr. Thompson commented on the open space requirement for this development. This subdivision is zoned correctly, it does not require curb and sidewalk but it does require paved roads and underground City utilities. A reversion to acreage or a merger and re-subdivide would be required to complete the reduction in lot size. There is recorded legal access to the property via a public access easement. The easement runs between the subdivision and Farm District Road. The City has not accepted this easement or taken responsibility for maintenance. Until such time the City accepts these roads into its inventory, it is the developer and adjacent property owner's responsibility to maintain the roads. The typical process for City right of way is the roads would be offered for dedication by the developer to the City after completion and a formal acceptance will be conducted. Prior to the approval and recordation of final map, a dedication would be necessary for Clover Lane. The applicant intended to develop Clover Lane during construction of this subdivision. This developer does not own the Clover Lane property so this may be difficult. No permits for construction will be approved until the road is improved and paved. Emergency secondary access, is also required for the subdivision, a side road letting out to Browne Lane. If it is for full access to the subdivision it will also need to be improved and paved according to City standards and offered for dedication. Staff is recommending approval of the application based on the conditions provided and

asks the Commission forward a recommendation to City Council for approval. Commissioner Picha asked about the neighbor's reaction to the proposed subdivision. Mr. Thompson stated they were aware of the process. Commissioner Picha is concerned about the dedication of the roads. Mr. Thompson reiterated the dedication is not complete and must be complete prior to building permits being issued. Commissioner Desruisseaux commented about the amount of traffic on Farm District Road as these subdivisions are being built out. What is the City's approach to outlets onto Highway 50? Mr. Thompson provided comments on the City Master Plan. Farm District Roads and Hwy 50 are both NDOT highways. NDOT has no plans to reduce speed on either roadway. NDOT did not provide any comments on this project. Commissioner Shattuck asked about the retention basin and if it would be dedicated to the City. Applicant Jim Cutler provided comments on the planned retention basin area and that it would be dedicated at some point. The City is looking into a way to maintain accepted retention basins in the future. Senior Planner Thompson stated the City had received no further comments from the public regarding this project. **PUBLIC INPUT:** There was none.

Motion: Move to forward a recommendation for TSM 2016-002 – A request for a Tentative Subdivision Map (Clover Ranch) from James A. Cutler to allow for a 28-lot single family residential subdivision on a site consisting of 5 parcels totaling 19.3 acres in size in the RR-1/2 zoning district, generally located north of Farm District Rd, south of the Donner Trails Subdivision, east of Winnie Lane and west of Browne Lane, Fernley, NV. (APN(s) 021-331-19, 20, 22, 29 & 38 to City Council, subject to conditions of approval, **Action:** Approve, **Moved by** Commissioner Sean Desruisseaux, **Seconded by** Commissioner Jan Hodges. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5). **Yes:** Chairman William Shattuck, Commissioner Gayle Picha, Commissioner Jan Hodges, Commissioner Sue Gill, Sean Desruisseaux.

6. CHAIR AND COMMISSION ITEMS: Commissioner Hodges provided information about the Wreaths Across America program with the Northern Nevada Veteran's Cemetery. The wreaths will be laid upon the graves of our veterans this Saturday, November 17th, 2016 at 9:00 am.

Chairman Shattuck announced this would be his last meeting as his term was over and he would not be seeking reappointment. He also thanked the staff for their efforts.

7. PLANNING DIRECTOR ITEMS: Senior Planner Thompson announced vacancies on the Planning Commission. Fran McKay is now on City Council. He thanked Commissioner Shattuck for his service. His absence leaves a 2nd vacancy on the Commission. Commissioner Picha will also be leaving the board which creates a 3rd vacancy. Mr. Thompson thanked her for her service. The January meeting will include officer elections and by-law review. Mr. Thompson has a few recommended changes for the by-laws.

8. ADDRESS REQUEST(S) FOR FUTURE AGENDA ITEMS. Commissioner Desruisseaux asked about connectors on Farm District and Hwy 50. Mr. Thompson offered to meet with the Commissioner to discuss the Master Plan and welcomed the Commission to vote to add a discussion item to a future Planning Commission agenda. He stated that the connector issues will eventually resolve themselves through the development process. Mr. Thompson reminded the Commissioners of the role of the Commission and he does not feel this topic is appropriate for Planning Commission.

9. PUBLIC INPUT. There was none.

ADJOURNMENT. There being no further business to come before it, the Fernley Planning Commission meeting adjourned at 5:40 pm.

Approved by the Fernley Planning Commission on January 11, 2017, by a vote of:

AYES: _____ NAYS: _____ ABSTENTIONS: _____ ABSENT: _____

Chairman

ATTEST: Deputy City Clerk Julie Torres

DRAFT

**CITY OF FERNLEY
PLANNING COMMISSION
BY-LAWS**

Adopted 11/14/2001
Revised 01/13/2016

Article I – The Commission

Section 1. Name of Commission: the name of the commission shall be the Fernley Planning Commission (Hereinafter the Commission).

Section 2. Office of the Commission: The office of the Commission shall be the City of Fernley Planning Department, 595 Silver Lace Boulevard, Fernley, NV 89408.

Article II – Membership

Section 1. The mayor shall appoint, subject to advice and consent by the City Council, the seven members of the Commission. The members shall be residents of the City of Fernley. The mayor, city attorney and city engineer or designee shall be ex-officio members of the Commission.

Section 2. Legal Counsel: The City Attorney's Office shall be the legal counsel for the Commission.

Section 3. Compensation: The Council may provide by resolution for compensation, expenses and subsistence allowances to the Commission members, subject to the limitation of NRS 278.040.

Section 4. Terms of Office: The term of each appointed member shall be four (4) years, or until his/her successor takes office. Members presently serving on the Commission may serve the balance of the term for which they were appointed. Terms of the Commission shall be staggered pursuant to NRS 268.120(2).

Section 5. Removal from the Commission: Members may be removed from office, after a public hearing, by a majority of the City Council for just cause. Removal may be recommended to the City Council by a majority vote of the whole commission for two (2) consecutive unexcused absences and three (3) unexcused absences within a calendar year or for otherwise failing to meet the requirements of office.

Section 6. Vacancies: Vacancies occurring other than through the expiration of terms by the Mayor as provided by NRS 268.120(3).

Article III – Officers and Responsibilities

Section 1. Officers of the Commission: The officers of the Commission shall be a Chairman, Vice-Chairman and Secretary.

A. Chairman:

1. Presides over all meetings of the Commission.
2. Calls special meetings of the Commission in accordance with the By-Laws.
3. Signs certain documents and maps of the Commission such as resolutions, the land use map and official letters from the Commission.

4. Insures that all actions of the Commission are properly taken.
5. Preserves order and decorum, prevents attacks on personalities or the impugning of the members' motives and confines member debate to the question under discussion.

B. Vice Chairman:

1. Presides at any regular or special meeting of the Commission in the absence of the Chairman; and in the event of the resignation or death of the chairman, will perform such duties as are imposed on the Chairman until such time as the Commission shall elect a new Chairman.

C. Secretary:

1. The recording secretary is responsible for keeping an accurate record of all proceedings and may not be a member of the Commission. In addition, the Secretary is responsible to prepare and file with the City Council an annual report at the end of each calendar year.

Section 2. Election of Officers:

- A. The Chairman and vice-Chairman shall be elected from among the members of the Commission by a simple majority vote at the first regular meeting of the Commission at the beginning of each calendar year.
- B. They shall hold office for one (1) year or until their successor(s) are elected and qualified.
- C. Any office may be re-elected but may not serve more than two (2) consecutive terms in a single office.
- D. Following the election, the gavel shall pass to the officers at the existing meeting of the Commission.

Article IV – Meetings

Section 1. Meetings:

- A. Unless otherwise specified, regular meetings shall be held in the Council Chambers on the second Wednesday of the month.
- B. Special meetings may be called by the Chairman when deemed necessary. Members of the Commission shall be notified at least three (3) days prior to the special meeting. Special meetings shall be noticed and agenzized pursuant to the Open Meeting Law.
- C. Executive meetings may be called by the Chairman when deemed necessary. Members of the Commission must be notified at least three (3) days prior to the executive meeting. Such executive meeting shall consider only internal and confidential matters. Neither discussion nor decision shall be made on applications pending before the Commission.
- D. In the event that there is no business to conduct, a notice shall be mailed to the Commission and posted as required by the Open Meeting Law.

E. Noticing and posting of the agenda shall follow the open meeting law as set forth by NRS.

Section 2. Quorum: A quorum shall consist of four (4) members of the membership of the Commission and shall be empowered to conduct Commission business. However, NRS 278.210 requires that five (5) members of the Commission be present to vote on any adoption, amendment, extension or addition to the master plan.

Section 3. Public Rights

A. Manner of Addressing the Commission: - Time Limit: Each person addressing the Commission shall step forward to the microphone, shall give his/her name and address in an audible tone of voice for the record and shall limit his/her address to five (5) minutes, unless further time is granted by the Chairman. No person, other than the members of the Commission and the person having the floor, shall be permitted to enter into any discussion, either directly or through the members of the Commission. No questions shall be asked of the Commission members, except through the presiding officer. Except during the public comment period, speakers shall limit their presentation to statements and exhibits relevant to the agenda item under discussion and shall avoid undue repetition of points previously presented to the Commission.

B. Disruptive Behavior: Any person who willfully disrupts a meeting to the extent that its orderly conduct is made impractical may be requested to leave the meeting.

C. Presentation of Protests: Interested persons or their authorized representatives may address the Commission for the presentation of protest, petitions or communications relating to any matter over which the Commission has control when the item is under consideration by the Commission.

D. Written Communication: Written information and materials provided by the project proponent, including graphics, photographs and records of verbal statements, that pertain to Commission meetings, may be submitted to the Commission staff. All such information and materials shall be received a minimum of three (3) working days in advance of the meeting for distribution to all Commission members.

Section 4. Case Number: All materials related to a matter pending before the Commission shall be identified by a specific case number. Materials bearing said number shall constitute the public record of the Commission on the matter.

Section 5. Action Items: In Accordance with the provisions of the Open Meeting Law, action items appearing on the agenda of the Planning Commission with be (*) designated.

Section 6. Voting: When any vote is called, each member of the Commission shall respond by saying "aye (yes)" or "nay (no)", or abstain, unless a member requests a roll call vote.

Section 7. Tie vote: Any tie vote shall constitute a technical denial of the motion and may be reconsidered by a motion offered by any member who voted on the matter.

Section 8. Conflicts of Interest: A member of the Commission shall not approve, disapprove, vote or otherwise act upon any matter regarding which he has accepted a gift, loan or other financial interest as defined in Article V which would reasonably be effected by his

commitment is his private capacity to the interest of others, or in which he has pecuniary interest, without disclosing the nature and extent of the gift, loan, commitment or interest at the time the matter is considered. A member of the Commission shall consider refraining from approving, disapproving, voting or otherwise acting upon any matter regarding which a member of this immediate family or a relative has accepted a gift, loan or other financial interest as defined in Article V without disclosing the full nature and extent of the gift, loan, commitment or interest at the time the matter is considered. A member of the Commission shall consider refraining from approving, disapproving, voting or otherwise acting upon any matter regarding which a member of this immediate family or a relative has accepted a gift, loan or other financial interest as defined in Article V without disclosing the full nature and extent of the gift, loan, commitment or interest at the time the matter is considered. Any member of the Commission who feels that he has a conflict may request legal advice on how to handle the conflict from the City Attorney's Office, preferably in advance of the meeting.

Section 9. Abstentions: A member who decides to abstain whether because of a conflict of interest or otherwise, must state the reasons for doing so on the record at the time the matter is considered.

Section 10. Rules of Order: All rules of order not herein provided for shall be determined in accordance with Robert's Rules of Order (newly revised).

Article V – Gifts, Loans and Other Financial Interests

Section 1. Gifts or Loans: A gift or loan shall include any gift, loan, service, favor, employment, engagement, emolument or economic opportunity such as sale of goods or services.

Section 2. Financial Interests: Financial interests, which may be direct or indirect, include but are not limited to, owning stock in a corporation, having contract with the City, selling any land, material, supplies or services to the City, or associating with a contractor who supplies the City, which would tend improperly to influence a reasonable person in such a position to depart from the faithful and impartial discharge of public duties.

Article VI – Site Visitations; Neighborhood Meetings

Section 1. Site Visitations: NRS 278.190 (3) permits the Planning Commission to conduct site visitations in the performance of their functions.

Section 2. Neighborhood Meetings: Applicant may hold neighborhood meetings to solicit neighborhood input, provide information to the neighborhood, and attempt to resolve disputes prior to the presentation of their applications. Should the Commissioners wish to attend they shall ensure that the requirements of the Open Meeting Laws are met. The commissioners must also disclose their attendance at the meeting.

Section 3. Procedure: Notice procedures and formal requirements for site visitations by the Commission and neighborhood meetings shall follow those required for a special meeting of the Planning Commission.

Article VII – Amendments of By-Laws

Section 1. Amendments of By-Laws: The Planning Commission By-Laws may be amended by the Commission as deemed necessary by a majority vote of the Commission members.

Article VIII – Commissioner Attendance at City Council Meetings

Section 1. Members of the Planning Commission may attend the City Council meetings provided that all requirements of the open meeting law prescribed by NRS Chapter 241 are met.

Section 2. A member of the Planning Commission shall not comment or express the Opinion of the Planning Commission on Planning Items being considered by the City Council.