



STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

TUESDAY, MARCH 3RD, 2015 10:00 A.M.

DISTRICT COURTROOM
26 SOUTH B STREET, VIRGINIA CITY, NEVADA

AGENDA

MARSHALL MCBRIDE
CHAIRMAN

ANNE LANGER
DISTRICT ATTORNEY

LANCE GILMAN
VICE-CHAIRMAN

JACK MCGUFFEY
COMMISSIONER

VANESSA STEPHENS
CLERK-TREASURER

Members of the Board of County Commissioners also serve as the Board of Fire Commissioners for the Storey County Fire Protection District, Storey County Brothel License Board, Storey County Water and Sewer System Board and the Storey County Liquor and Gaming Board and during this meeting may convene as any of those boards as indicated on this or a separately posted agenda.

All items include discussion and possible action to approve, modify, deny, or continue unless marked otherwise.

1. CALL TO ORDER AT 10:00 A.M.
2. PLEDGE OF ALLEGIANCE
3. DISCUSSION/POSSIBLE ACTION: Approval of Agenda for March 3, 2015
4. DISCUSSION/POSSIBLE ACTION: Approval of Minutes for January 20, 2015
5. DISCUSSION/POSSIBLE ACTION: Approval of Minutes for February 3, 2015

CONSENT AGENDA

(All matters listed under the consent agenda are considered routine, and may be acted upon by the Board of County Commissioners with one action, and without an extensive hearing. Any member of the Board or any citizen may request that an item be taken from the consent agenda, discussed, and acted upon separately during this meeting. The Commission Chair reserves the right to limit the time allotted for each individual to speak.)

6. For possible action approval of Payroll Checks date 02/13/15 \$413,723.01. Accounts payable checks date 02/20/15 for \$865,321.32 and \$6,010.56.

7. For possible action approval of Storey County Fire Protection District agreement with Carson City Fire Department, Central Lyon County Fire Protection District, East Fork Fire Protection District and Tahoe Douglas Fire Protection District for reciprocal ambulance subscription coverage.
8. For possible action approval of the Safety Manual as prepared by the Storey County Safety Committee.
9. For possible action approval of Business License First Readings -
 - a. PELLETT CONSTRUCTION - Contractor / 616 East Glendale ~ Sparks
 - b. S.W.O.R.D. DESIGN - General / 420 USA Parkway TRI
 - c. ELECTRIC TECH CONSTRUCTION, INC. - Contractor / 1910 Mark Court ~ Concord, CA

END OF CONSENT AGENDA

10. **DISCUSSION (No Action):** Presentation and discussion by Nevada Department of Transportation Officials and Comstock Mining, LLC regarding physical conditions, structural integrity, and other conditions of State Route 342 adjacent to the Lucerne Pit in southern Gold Hill, Storey County, Nevada.
11. **DISCUSSION ONLY (No Action - No Public Comment):** Committee/Staff Reports including
12. **BOARD COMMENT (No Action - No Public Comment)**
13. **DISCUSSION ONLY (No Action - No Public Comment):** Discussion and direction to staff regarding legislation or legislative issues proposed by legislators or by other entities permitted by the Nevada State Legislature to submit bill draft requests, or such legislative issues as may be deemed by the Chairman or the Board to be of critical significance to Storey County.
14. **DISCUSSION/POSSIBLE ACTION:** Approval of Storey County Fire Protection District agreement with the Nevada Division of Forestry for participation for the Wildland Fire Protection Program (WFPP).
15. **DISCUSSION/POSSIBLE ACTION:** Approve the second reading of Ordinance 14-261, an ordinance amending Storey County Code chapter 5.16 Prostitution to change the name to Brothels, amending the procedure for revoking a license, and changing requirements on work cards, and providing for other properly related matters.
16. **DISCUSSION/POSSIBLE ACTION:** Approve the Resolution 15-418 setting the fees for brothel licensing, license applications, and penalties.
17. **DISCUSSION/POSSIBLE ACTION:** Approve Site License Agreement between Storey County and High Speed Networks for internet access equipment atop the Hillside water tanks.
18. **DISCUSSION/POSSIBLE ACTION:** Approve first reading of Ordinance 15-263 adding section 3.50.200 to the Storey County Code providing for a pilot project for granting partial abatements

of permitting fees to participants in a qualified project in an Economic Diversification District and providing for other properly related matters.

19. **DISCUSSION/POSSIBLE ACTION:** Approve a cooperative agreement with the State of Nevada Department of Taxation specifying the dates and procedure for distribution to Storey County of the Economic Diversification District No. 1 revenues pledged pursuant to Ordinance No. 14-260 and a Reimbursement Agreement with Tesla.

COMMUNITY DEVELOPMENT AND PLANNING

20. **DISCUSSION/POSSIBLE ACTION:** Approve first reading of ordinance 15-264 an application No. 2014-020 (Continued from 12/02/14) by the Tahoe-Reno Industrial Center, LLC to amend the text of Storey County Code Title 17 (Zoning Ordinance) by adding Chapter 17.39 I-C Industrial-Commercial Zone. The intent of the proposed I-C Zone is to provide for certain mixed-use industrial and commercial uses where found appropriate by the board with recommendation by the planning commission. Additional information including, but not limited to, reports and the draft zone text may be obtained from the Planning Department at 775.847.1144 or planning@storeycounty.org.
21. **DISCUSSION/POSSIBLE ACTION:** Application No. 2014-021 (Continued from 12/02/14 meeting) by the Tahoe-Reno Industrial Center, LLC., and Storey County on behalf of The Nature Conservancy, LLC and the Union Pacific Railroad Company to amend the Official Storey County Zoning Map. The amendments will apply regulatory zones to approximately 600 acres of land located in McCarran, Nevada (river District near the Tahoe-Reno Industrial Center) which was in July of 2014 transferred from Washoe County to Storey County by mean of boundary line adjustment. Additional information including, but not limited to, reports and maps may be obtained from the Planning Department at 775.847.1144 or planning@storeycounty.org.
22. **FOR POSSIBLE ACTION, LICENSING BOARD SECOND READINGS:**
- a. EAGLE SOLUTIONS - Contractor / 1350 Geiger Grade ~ Reno (landscaping)
 - b. BEAR MOBILE SERVICE & REPAIR, LLC - General / 1525 Sharon Way ~ Reno (mobile equip repair)
 - c. WILD HORSE GALLERY - General / 145 South C Street (retail store) VC
 - d. REEL CONSTRUCTION - Contractor / 72 East Freeport ~ Sparks (Contractor)
 - e. LERO ENTEPRISES, INC. - Contractor / 1043 H Street ~ Sparks (Contractor)
 - f. SPENCER MEDIA PARTNERS, LLC - Home Business / 2187 Main Street ~ Gold Hill (Consultant)
 - g. DIAMOND CONCRETE CUTTING, LLC - Contractor / 80 Corporate Park Dr ~ Henderson (Contractor)
 - h. ASCENSION POWER ENGINEERING, LLC - Professional / 55 North C Street (elect eng.) VC
 - i. MDB TRUCKING, LLC.. - Transportation / 905 East Mustang (trucking co.) MCC
 - j. IONIX, LLC - General / 222 East Sydney (metal fabrication) TRI
 - k. RICH DOSS, INC. - General / 201 Wild Horse Canyon Drive (transportation) MCC

23. PUBLIC COMMENT (No Action)

24. ADJOURNMENT

NOTICE:

- Anyone interested may request personal notice of the meetings.
- Agenda items must be received in writing by 12:00 noon on the Monday of the week preceding the regular meeting. For information call (775) 847-0969.
- Items may not necessarily be heard in the order that they appear.
- Public Comment will be allowed at the end of each meeting (this comment should be limited to matters not on the agenda). Public Comment will also be allowed during each item upon which action will be taken on the agenda (this comment should be limited to the item on the agenda). Time limits on Public Comment will be at the discretion of the Chairman of the Board. Please limit your comments to three minutes.
- Storey County recognizes the needs and civil rights of all persons regardless of race, color, religion, gender, disability, family status, or nation origin.

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 Commissioners' Office in writing at PO Box 176, Virginia City, Nevada 89440.

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CERTIFICATION OF POSTING

I, Vanessa Stephens, Clerk to the Board of Commissioners, do hereby certify that I posted, or caused to be posted, a copy of this agenda at the following locations on or before February 26, 2015; Virginia City Post Office, Storey County Courthouse, Virginia City Fire Department, Virginia City Highlands Fire Department and Lockwood Fire Department.

By Vanessa Stephens
Vanessa Stephens Clerk-Treasurer



Storey County Board of County Commissioners Agenda Action Report

Meeting date: March 3, 2015

Estimate of time required: 5 min.

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☐

1. **Title:** Approval of minutes for January 20, 2015
2. **Recommended motion:** Approve minutes as submitted.
3. **Prepared by:** Vanessa Stephens

Department: Clerk & Treasurer

Telephone: 775 847-0969

4. **Staff summary:** Minutes are attached.

5. **Supporting materials:** Attached.

6. **Fiscal impact:** N/A

Funds Available:

Fund:

_____ Comptroller

7. **Legal review required:** N/A

_____ District Attorney

8. **Reviewed by:**

VS Department Head

Department Name: Clerk & Treasurer

_____ County Manager

Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No.



STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

TUESDAY, JANUARY 20, 2015 10:00 A.M.

DISTRICT COURTROOM
26 SOUTH B STREET, VIRGINIA CITY, NEVADA

MINUTES

MARSHALL MCBRIDE
CHAIRMAN

ANNE LANGER
DISTRICT ATTORNEY

LANCE GILMAN
VICE-CHAIRMAN

JACK MCGUFFEY
COMMISSIONER

VANESSA STEPHENS
CLERK-TREASURER

Roll Call: Chairman McBride, Vice-Chairman Gilman, Commissioner McGuffey, District Attorney Anne Langer, County Manager Pat Whitten, Clerk-Treasurer Vanessa Stephens, Sheriff Gerald Antinoro, Administrative Officer/Planner Austin Osborne, Comptroller Hugh Gallagher, and Community Services Director Cherie Nevin

1. CALL TO ORDER AT 10:00 A.M.

The meeting was called to order by the Chair at 10:00 AM

2. PLEDGE OF ALLEGIANCE

The Chair led those present in the Pledge of Allegiance

3. DISCUSSION/POSSIBLE ACTION: Approval of Agenda for January 20, 2015

County Manager Pat Whitten requested that items 12, 16, & 18 be heard prior to the Consent Agenda, and that items 10 & 15 be continued. Item 7 is corrected to reflect the application is for a Liquor License not Gaming License.

Motion: Approve Agenda for January 20, 2015 with changes **Action:** Approve **Moved by:** Vice Chair Gilman **Seconded by:** Commissioner McGuffey **Vote:** Motion carried by unanimous vote **(Summary: Yes=3)**

12. DISCUSSION/POSSIBLE ACTION: Consideration of appointment of Dr. James C McLennan to serve as County Health Officer per NRS 439.310

Community Services Director Cherie Nevin introduced Dr. James C. McLennan to be considered for appointment as County Health Officer as required by NRS. Dr. McLennan reviewed his experience in the medical field.

County Manager Pat Whitten explained that, among other requirements, the County Health Board is responsible for setting the immunization schedule for schools as required by NRS.

Motion: Approve appointment of Dr. James C. McLennan to serve as County Health Officer per NRS 439.310, **Action:** Approve **Moved by:** Vice Chair Gilman **Seconded by:** Commissioner McGuffey **Vote:** Approved by unanimous vote (**Summary:** Yes=3)

16. **DISCUSSION/POSSIBLE ACTION:** For possible action approval of Payroll Checks date 01/02/2015 for \$427,484.18. Accounts payable checks date 01/09/2015 for \$315,685.05 and \$6,637.62.

Mr. Whitten said staff recommends approval of payroll checks dated 1/02/2015 and accounts payable checks dated 01/09/2015, with the exception of the check payable to Bucket of Blood, Inc.

Motion: Approve payroll checks dated 1/02/2015 for \$427,484.18, **Action:** Approve **Moved by:** Vice Chair Gilman **Seconded by:** Commissioner McGuffey **Vote:** Approved by unanimous vote (**Summary:** Yes=3)

Motion: Approve accounts payable checks for \$315,685.05 and \$6,637. **Action:** Approve **Moved by:** Vice Chair Gilman **Seconded by:** Commissioner McGuffey **Vote:** Approved by unanimous vote (**Summary:** yes=2) Chair McBride abstained from this vote.

COMMUNITY DEVELOPMENT AND PLANNING

18. **DISCUSSION/POSSIBLE ACTION:** In accordance with Condition No. 2.2 of Special Use Permit No. 2000-222-A-5 (SUP) held by Comstock Mining, LLC, the SUP holder (Comstock Mining) submitted to the Board of County Commissioners a major modification to its mine operating plan so that the Board may validate that the modification conforms to the conditions of the existing SUP. The major modification will allow Comstock Mining's ore haul trucks to cross over a portion of State Route 342 between the Lucerne Pit and the 'east resource area', an area immediately east of the Lucerne Pit, in southern Gold Hill, Storey County, Nevada. The subject area and plans are included in Enclosures A-C.

Senior Planner Austin Osborne explained that Comstock Mining is submitting a major modification of its mine operation plan for validation by the Board, allowing CMI's ore haul trucks to cross a portion of State Route 342. Mr. Osborne read and reviewed conditions that must be met by Comstock Mining. These conditions include conforming to the operating plan for haul truck crossing, and to the requirements of NDOT. A truck-off approach of a total of 150 feet must be developed and maintained. Mud, dirt, and rocks must be removed from the road with minimal disruption to traffic. A vehicle turnout lane must be developed. Haul trucks will yield to north and southbound traffic at all times, as directed by flaggers.

A review of the proposed modification was presented by Ken Joy, Construction Manager for CMI. Mr. Joy said the intent is to keep 342 open with a by-pass which will be paved and will contain a pull-out.

Rick Martin, air quality person for CMI, gave an up-date on air sampling that is consistently being performed with air quality/weather devices deployed in the area. Readings have been obtained for

more than 60 days. All readings have been in the lower-good category. There has been no impact to the surrounding communities and reports will be available each month.

Motion: In accordance with Condition No. 2.2 of Special Use Permit No. 2000-222-A-5, I, Lance Gilman, validate that the operating plan major modification, in which ore haul trucks will cross over a portion of State Route 342 between the Lucerne Pit and the "east resources area", an area immediately east of the Lucerne Pit, in southern Gold Hill, as described in the submitted plans, conforms to the conditions of the existing SUP, and accordingly, I authorize county staff to accept the operating plan major modification and to proceed otherwise in accordance with the applicable federal, state, and county regulations, **Action:** Approve **Moved by:** Vice Chair Gilman **Seconded by:** Commissioner McGuffey **Vote:** Approved by unanimous vote (**Summary:** Yes=3)

CONSENT AGENDA

4. For possible action approval of December 2014 Treasurer Report
5. For possible action approval of Justice Court Quarterly Report
6. For possible action approval of First Reading of William Hill Race & Sports Book, Business/Gaming License application
7. For possible action approval of First Reading of Virginia City Brewery & Taphouse, Business/Liquor License application
8. For possible action approval of Business License First Readings -
 - a. AHERN RENTALS, INC. - General / 1777 Peru Drive (equipment rental) TRI
 - b. NORTECH, GEOTECHNICAL/CIVIL CONSULTANTS, LTD., -- 300 Western Rd #3 ~ Reno (eng.)
 - c. DAN'S WELDING & MACHINE, LLC - 1320 East Glendale ~ Sparks (welding contractor)
 - d. IONIX, LLC - General / 222 East Sydney (metal fabrication) TRI
 - e. RICH DOSS, INC. - General / 201 Wild Horse Canyon Drive (transportation) MCC
 - f. HIGHLAND FLOORS, INC. - 4050 S. McCarran ~ Reno (flooring contractor)
 - g. LIGHTNING PROTECTION SYSTEMS, LLC - 90 Cutler Dr. ~ N. Salt Lake City, UT (lightning prot.)
 - h. CUSTOM LAWN & LANDSCAPE MAINT. INC., -- 5125 Tenaya Creek Ln ~ Reno (landscaper)
 - i. CLAYTON COATINGS, INC. - 8742 East Via de Commercio ~ Scottsdale, AZ (contractor)
 - j. DULGAR CONSTRUCTION, LLC - 6301 Bonita Ct ~ Sparks (carpentry contractor)

END OF CONSENT AGENDA

Motion: Approve Consent Agenda, **Action:** Approve **Moved by:** Vice Chair Gilman **Seconded by:** Commissioner McGuffey **Vote:** Motion carried by unanimous vote (**summary:** Yes=3)

9. DISCUSSION ONLY (No Action - No Public Comment): Committee/Staff Reports

County Manager Pat Whitten:

- Thank you to Richard Elloyan and Paul Cohen from the State of Nevada, Environmental Health Group, for partnering with the County assisting with the required processes affecting food services and restaurants at Tahoe Reno Industrial Center. An on-site office will be located at TRI which should enable effective resolution to food service issues.
- A BDR request was given to Senator Settemeyer regarding giving false testimony to local governments. Mr. Whitten has since been advised that this is covered by NRS 241.0353.
- Bill drafts in large numbers are coming out and are being monitored.
- Government Sandoval announced another new business coming to Storey County at his address to the State.

Paul Kvam, Utility Analyst:

- Reported on the status of bringing natural gas to the Comstock area. At this time, Southwest Gas is not interested in bringing gas to the area. Mr. Kvam will continue to explore alternatives.

Community Services Director Cherie Nevin:

- Health Center Open House will be held at the Community Center on January 21st, 4 to 7 PM.
- The Senior Center has received and installed the new kitchen equipment. Counter-tops will complete the project. The old refrigerator is being donated to the Mark Twain Community Center.

Fire Chief Gary Hames:

- The new ambulances should arrive mid to late February. The engines are expected in late May, early June.
- Preparation is continuing for the up-coming Nevada State Firefighters Conference to be held in Virginia City on June 23, 24 and 25.

Public Works Director Mike Nevin:

- The wastewater plant project is nearing final completion, which should be the first week of March.
Contingency funds from the USDA grant will be utilized to extend the project up to R Street.
- The 5-Mile Reservoir project is 99% complete. The reservoir has been filled almost to capacity. This amounts to approximately 8 million gallons of raw water storage.
- The liner has been installed at the Divide Reservoir project, rip-rap is being installed and should take one week to complete. Filling can begin at completion.
- The 6-Mile Canyon drainage improvement project is in the design phase and should go out to bid this summer.
- Significant improvements have been made at the McCarren Facility providing temporary space for the tenants.

Administrative Officer/Senior Planner Austin Osborne:

- Mr. Osborne and Dessie Redmond are working with BLM on a resource management plan as a cooperating agency from Storey County. Dessie has attended a meeting providing comment and Mr. Osborne will attend a future meeting providing further comment. All matters that could potentially affect Storey County are being reviewed.

- Master Plan Workshops will be held February 5, 2015 at the Tourism Center and February 19, 2015 in Lockwood.
- Mr. Osborne has been working with food truck companies to set up remote sites at TRI. These are sites not well served by existing restaurants. There are currently three food truck services – all have been cooperative in establishing locations.
- The County is currently in open enrollment period for insurance and is going through the bidding process. A benefits committee of employees is being asked what is needed and wanted in services, and also what type of experiences have occurred over the last year. Staff is working on the plan structure with the insurance broker.

Sheriff Gerald Antinoro:

- In response to a recent article in a local paper regarding the New Year's Eve firearms discharge, the United States Constitution and the State of Nevada allow possession of a firearm. Nevada Law allows carrying a firearm in public. The New Year's Eve incident would be a violation of law to be in possession of a firearm, if you had a blood/alcohol content of .10 or greater. There is no evidence indicating this occurred. It would also be a violation of Nevada Law, if a firearm was willfully and maliciously discharged into an occupied structure. There is no reason to believe this incident was a willful and malicious discharge. It was an accident. There was not a crime committed, if so it would have been handled.
- For persons concerned with firearms, there are a significant number of bills before the Legislature dealing with firearms in the State. It is recommended that opinions and concerns be addressed to representatives for consideration in the Legislature.

11. BOARD COMMENT (No Action – No Public Comment)

Vice Chair Lance Gilman:

- Mr. Gilman discussed and reviewed negotiations and meetings held with a new company, Switch, coming to Storey County. Switch also uses the name SuperNet. Switch is on the leading edge of the highest technology in the world today. This company is currently located in Las Vegas. The CEO, Rob Roy, indicates they will be trenching from Las Vegas to Storey County, locating a significant amount of fiber in the ground. Connections will be made to Los Angeles and San Francisco.
- Switch builds high-tech, incredibly safe buildings. This company stores data, information, and secrets representing approximately 1,000 of the largest corporations in the world. Each of the individual companies using Switch, brings one to 25 people to oversee their company's data. Storey County will virtually be the host to these 1,000 corporations. Mr. Roy would say that Storey County will become the new Silicon Valley of the western United States.
- TRI is hosting another three additional major data companies.
- Switch has begun grading and is building immediately.

Chair called for a recess at 11:18 a.m.; meeting reconvened at 11:30 a.m.

Commissioner McGuffey excused from the rest of the meeting.

13. DISCUSSION/POSSIBLE ACTION: Approval of the Continuation of Residential Construction Tax for Storey County Schools.

Patty Lam, Business and Office Manager for Storey County School District, explained the Residential Construction Tax funds will help with road re-paving and replacement of overhead lighting projects.

County Manager Pat Whitten said this tax is assessed as part of the building permit process and has been in existence for a long time.

Motion: Approve Continuation of Residential Construction Tax for Storey County Schools **Action:** Approve **Moved by:** Vice Chair Gilman **Seconded by:** Chair McBride **Vote:** Motion carried by unanimous vote (**Summary:** Yes=2)

14. **DISCUSSION/POSSIBLE ACTION:** National Radon Action Month Proclamation

Cherie Nevin stated January is National Radon Action Awareness Month. The University of Nevada Reno Cooperative Extension program encourages communities to comprehend the dangers of radon by issuing a proclamation and providing materials.

Susan and Jamie, representatives from UNR extension, gave a presentation regarding the radon program. Radon is the leading cause of lung cancer among non-smokers. Radon can accumulate in homes. A 3-day test can determine if a house has a radon problem. 19 houses have tested in Storey County, with 7 testing positive for radon.

A program will be presented at the Carson City Senior Center on January 27, 2015 at 6 PM. Free radon test kits will be available at that time. Test kits are also available at the UNR Cooperative Extension office, by calling 888 RADON10 or on the UNR Cooperative Extension website. EPA recommends testing every 2 years. Kits are free until February 28th.

There are several types of radon mitigation that can be done to a home. The mitigation system varies with the type of foundation. Cost varies with the square footage of the house.

Cherie Nevin read the Proclamation.

Motion: To proclaim January 2015 as National Radon Action Month in Storey County, **Action:** Approve **Moved by:** Vice Chair Gilman **Seconded by:** Chair McBride **Vote:** Motion carried by unanimous vote (**Summary:** Yes=2)

17. **DISCUSSION/POSSIBLE ACTION:** Approval of Auditors Recommendations pertaining to Storey County Audit Report for the period ended June 30, 2014.

Comptroller Hugh Gallagher reviewed the nine recommendations on the Audit Report for the period ending June 30, 2014. Monitoring of expenses to prevent exceeding budgeted amounts is recommended.

Mr. Gallagher presented explanations for expense accounts that exceed budgeted amounts. Each and every case is explainable and will be to the Department of Taxation. Mr. Gallagher said with regard to cash receipts, incidents occurred with revenue being receipted to incorrect accounts. Meetings have been held with department heads to insure revenues and expenses are in the correct account.

One of the recommendations in the audit is that expenditures over \$10,000 be approved by the County Manager and Comptroller. Currently every capital expenditure over \$1,500 requires the signature of both County Manager and Comptroller. Mr. Gallagher continued with a review of the recommendations and corresponding explanations.

Vice Chair Gilman said the focus on the auditor's recommendation is appreciated. It appears progress has been made on recommendations from last year. Would it be beneficial to respond to the auditors regarding the areas of recommendation that the County is not in a position to produce. Mr. Gilman would like feedback from the auditors.

County Manager Pat Whitten said there are some items that will re-occur.

Chair McBride stated that most of the items found in the audit were clerical which are easily corrected or adjusted.

Nicole Barde, Storey County Resident: Ms. Barde said the County is getting bigger and more complex. Should the County look at a different structure for finances and is an internal audit function necessary?

Vice Chair Gilman said "line item budgeting" was looked at a year ago. The staff and departments are learning and going through the transition, with one year of results now being seen. Procedures have been amended.

Ms. Barde questioned the handling of cash receipts.

Mr. Gallagher said internal audit functions regarding cash and cash handling procedures are adequate and would have been addressed in the audit if there was a problem. The recording procedure is what is being looked at. One incidence, even if corrected, is noted in the audit.

Mr. Whitten discussed the functions of the Comptroller's Office.

Kay Dean, Virginia Highlands Resident: Ms. Dean stated there are many "on-going" issues. Ms. Dean asked about the auditor's recommendations regarding revenue recorded in expenditure accounts.

Mr. Gallagher stated if there is an expense item and reimbursement is received for that item, the expense account can be reduced by the amount of that item or that amount can be put into a revenue account. It is the auditor's opinion that income should be in in-kind items and expense items should be expense items.

Motion: To approve Auditors Recommendations pertaining to Storey County Audit Report for the period ended June 30, 2014, **Action:** Approve **Moved by:** Vice Chair Gilman **Seconded by:** Chair McBride **Vote:** Motion carried by unanimous vote (**Summary:** Yes=2)

19. FOR POSSIBLE ACTION, LICENSING BOARD SECOND READINGS:

- a. ROSENDIN ELECTRIC, INC. - Contractor / 880 Mabury Road ~ San Jose, CA (electrical contractor)

- b. PANDA RESTAURANT GROUP - General / 745 Sparks Blvd ~ Sparks (caterer)
- c. PEED EQUIPMENT CO - Contractor / 1480 Nandina Avenue ~ Perris, CA (heavy equipment)
- d. SCHUFF STEEL COMPANY - Contractor / 1841 West Buchanan ~ Phoenix, AZ (steel erector)
- e. QUALITY CONTROL SYSTEMS, INC. - Contractor / 61 Continental Drive ~ Reno (hvac contractor)
- f. SURFACE PREP & MAINTENANCE - Contractor / 240 Linden Street ~ Reno (asphalt contractor)
- g. STERLING CRANE, LLC - Contractor / 2211 5th Street ~ Elko (heavy lift services)
- h. ANNING-JOHNSON CO - Contractor / 13250 Temple Avenue ~ City of Industry, CA (metal deck install)
- i. SUNVELOPE SOLAR, INC. - Contractor / 96 Glen Carran Cir ~ Sparks (solar contractor)
- j. SAFWAY SERVICES, LLC - Contractor / PO Box 1991 ~ Milwaukee, WI (scaffolding equip)
- k. ANSBERRY SIGNCRAFT - General / 10865 Osage Road ~ Reno (signage manufacturer)
- l. HARRIS INDUSTRIAL GASES - General / 236 East Sydney (welding equip supply) TRI

County Manager Pat Whitten said Community Development is recommending continuance of Item l. Harris Industrial Gases.

Motion: Continue Item l. Harris Industrial Gases **Action:** Approve **Moved by:** Vice Chair Gilman **Seconded by:** Chair McBride **Vote:** Motion carried by unanimous vote **(Summary:** Yes=2)

County Manager Pat Whitten reviewed the 11 businesses, Items a. through k., recommended for approval by Community Development. Seven of these businesses are directly related to the Tahoe-Reno Industrial Center, and most-likely related to the Tesla project.

Motion: Approve Items a. through k. **Action:** Approve **Moved by:** Vice Chair Gilman **Seconded by:** Chair McBride **Vote:** Motion carried by unanimous vote **(Summary:** Yes=2)

20. PUBLIC COMMENT (No Action)

Nicole Barde, Storey County Resident: Is there a plan or a vision for what is being built and property being acquired by the County and the VCTC?

Chair McBride responded the VCTC, promoting tourism, has to look to relocate as they are not being allowed to use the property that has been used the last 50 years to put on special events. Every issue is not discussed at a Commission meeting. These are tourism issues to be discussed with property and business owners, and event stakeholders. The purchase of the bank building was opportunistic and there several department heads who would like to relocate to that building.

Mr. McBride explained some of the purchases have been part of plans that have been in existence for years. As time goes on, some things will change. The County is in the business of preservation and restoration, protecting the Comstock Historic District.

County Manager Pat Whitten said the County has a long history of acquiring derelict buildings.

Kim Fegert, Gold Hill Historical Society: The Gold Hill Historical Society is hosting the Railroad Passenger Car Alliance with 100 participants, on January 22nd. This event will take the group through

the Nevada State Railroad Museum, the Lucerne Pit, the Crown Point Mill, and lunch at the Gold Hill Hotel and in town for the remaining time.

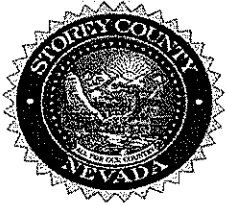
This is the last event that the Gold Hill Historical Society will be conducting. Mr. Fegert is looking forward to working with everyone in the future on whatever is accomplished.

ADJOURNMENT

The Chair adjourned the meeting at 12:47 PM

Respectfully submitted,

By Vanessa Stephens
Vanessa Stephens, Clerk-Treasurer



Storey County Board of County Commissioners Agenda Action Report

Meeting date: March 3, 2015

Estimate of time required: 5 min.

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☐

1. **Title:** Approval of minutes for February 3, 2015
2. **Recommended motion:** Approve minutes as submitted.
3. **Prepared by:** Vanessa Stephens

Department: Clerk & Treasurer

Telephone: 775 847-0969

4. **Staff summary:** Minutes are attached.

5. **Supporting materials:** Attached.

6. **Fiscal impact:** N/A

Funds Available: _____

Fund: _____

_____ Comptroller

7. **Legal review required:** N/A

_____ District Attorney

8. **Reviewed by:**

VS Department Head

Department Name: Clerk & Treasurer

_____ County Manager

Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No. _____



STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

TUESDAY, FEBRUARY 3RD, 2015 10:00 A.M.

DISTRICT COURTROOM
26 SOUTH B STREET, VIRGINIA CITY, NEVADA

MINUTES

MARSHALL MCBRIDE
CHAIRMAN

ANNE LANGER
DISTRICT ATTORNEY

LANCE GILMAN
VICE-CHAIRMAN

JACK MCGUFFEY
COMMISSIONER

VANESSA STEPHENS
CLERK-TREASURER

Roll Call: Chairman McBride, Commissioner McGuffey, County Manager Pat Whitten, District Attorney Anne Langer, Clerk & Treasurer Vanessa Stephens, Sheriff Gerald Antinoro, Administrative Officer/Senior Planner Austin Osborne, Community Services Director Cherie Nevin, Tourism Director Deny Dotson and Special Council Bob Morris.

Absent: Vice-Chairman Gilman

1. CALL TO ORDER AT 10:00 A.M.

The meeting was called to order by the Chair at 10:00 AM

2. PLEDGE OF ALLEGIANCE

The Chair led those present in the Pledge of Allegiance

3. DISCUSSION/POSSIBLE ACTION: Approval of Agenda for February 3, 2015

County Manager Pat Whitten requested continuance of items 4, 15, 16, and 18.

Motion: Approve Agenda with continuation of items 4, 15, 16 and 18, **Action:** Approve **Moved by** Commissioner McGuffey **Seconded by** Chairman McBride **Vote:** Motion carried by unanimous vote (**summary:** Yes=2)

4. DISCUSSION/POSSIBLE ACTION: Approval of Minutes for January 5, 2015 - **Continued to** February 17, 2015

CONSENT AGENDA

5. For possible action approval of Payroll Checks date 01/15/15 \$110,536.56 and \$50,338.51, date 01/16/15 \$321,152.81. Accounts payable checks date 01/23/15 for \$1,616,350.36 and \$6,169.28.
6. Restated 2014 Storey County Audit Report
7. For possible action approval of Business License First Readings -
 - a. **LOW-TEMP INSULATIONS, INC.** - Contractor / 22631 N. 18th Avenue ~ Phoenix (insulated panels)
 - b. **CC COMMUNICATIONS** - Contractor / PO Box 1390 ~ Fallon (telecommunications)
 - c. **BI-STATE ELECTRIC CO** - Contractor / 1617 Freeport Blvd. ~ Sparks (electrical contractor)
 - d. **NEVADA FOOD TRUCKS, LLC** - General / 5526 Marin Circle ~ Sun Valley (food catering)
 - e. **BATTERY SYSTEMS, INC.** - General / 3410 Peru Drive (battery distribution) **TRI**
 - f. **STORMO INVESTMENTS, LLC** - General / 14885 La Briana Avenue ~ Reno
 - g. **SHAMBAUGH & SON, LP** - Contractor / 7614 Opportunity Drive ~ Ft. Wayne, IN (fire sprinkler cont.)
 - h. **NEVADA STAINED GLASS-FIRE HORSE STUDIOS** - Home Business / 132 N. C St (art) VC
 - i. **TECTONICS DESIGN GROUP** - Contractor / 10451 Double R Blvd ~ Reno (architects)
 - j. **INTEGRITY PEST MANAGEMENT** - Contractor / 4240 Reno Highway ~ Fallon (pest control)

END OF CONSENT AGENDA

Motion: Approve Consent Agenda, **Action:** Approve **Moved by** Commissioner McGuffey
Seconded by Chairman McBride **Vote:** Motion carried by unanimous vote (**summary:** Yes=2)

8. **DISCUSSION ONLY (No Action - No Public Comment):** Committee/Staff Reports including Quarterly Financial Updates for fiscal year 2014/2015

Chair McBride stated the Quarterly Financial Updates for fiscal year 2014/2015 would not be heard today.

Tourism Director Deny Dotson:

- The Virginia City Tourism 2015 Event Calendar is available. The calendar contains contact information for parades and events.
- An agreement has been reached to work on Gold Hill Depot to make it available for events. The Depot should be available by June 1st.
- Discussions will be held in the future to review potential ideas and uses for the Black & Hall building.

Community Services Director Cherie Nevin:

- Free radon test kits are available at the library through February 28th.
- The Health Center is up and running. The Community Health Nurse is there on Wednesdays. The Open House was well attended.
- Planning is underway for free dump days in to be held in Virginia City during May, and weekends at the Lockwood landfill.

Senior Center, April Enloe:

- The Senior Center is working on a Valentine's Day fundraiser. Homemade candy is being made and will be sold for \$15 a box. Call the Senior Center at 847-0957 to place an order. Proceeds have been used to set up an emergency fund for seniors.
- New menus at the Senior Center include fresh produce. The new kitchen is great and functioning beautifully. Thank you to the Silver Barons Motorcycle Club for helping with moving in the new appliances.

Administrative Director/Senior Planner Austin Osborne:

- The County is in the middle of its benefits enrollment program for employee's health insurance. The County is conducting an online survey of employees regarding the current plan and what they would like to see changed. The information from the surveys will be presented to the insurance carriers during negotiations.
- The next Master Plan workshop is Thursday, February 5th, at the Tourism Center. The public is welcome at this less formal setting. Housing and transportation will be discussed as well as potential zoning updates.
- A current draft of the Master Plan is available on the County's website. August, maybe September, is the target date for completion of the draft.
- As part of the Master Plan and per NRS, we are looking at establishing utility corridors throughout the County. These are areas in the County where NV Energy could install high voltage utility transmission lines and not require a Special Use Permit.
- Three proposals have been submitted for the Courthouse parking lot and the options are being reviewed.

Commissioner McGuffey asked if the issue of Painted Rock being re-zoned was going to be addressed.

Mr. Osborne explained the Planning Commission and the Board had previously approved a subdivision in Painted Rock. The developer never acted on the project and the approval expired. The current Master Plan does designate that area for potential development. The issue of development will be addressed in the new Master Plan process making the area potentially the housing center that would serve TRI Center. This area would be mixed-use development with components of residential, commercial and industrial uses.

Mr. Osborne described the recent New Planned Unit Development Zone as any type of large-scale, subdivision which requires light industrial and commercial components, not just housing.

Mr. Osborne said it is important with the Master Plan to understand what the current plan, as well as people in the County along with the Board, do not want - which would be to allow housing to occur in any place in the County without being tied to objectives and goals in the industrial park. Specific impacts to the region as well as the County need to be included. The housing will need to pay for itself and be fiscally responsible for the County. The current moratorium is in place to stop any residential development until the Master Plan is complete.

Mr. Osborne has been attending meetings in adjacent communities. There have been comments from these neighboring areas that Tesla will cause un-due impacts to the Counties. Mr. Osborne said the County's message to these organizations is the County is open to understanding impacts and wants

to be responsible in the region. The County is working with many of its regional partners and many are working with us. Some of these areas are failing to assess existing housing inventory. It is important that the region's needs are being assessed appropriately.

A draft of the Master Plan is on the website. The draft addresses the Painted Rock community including the challenges.

Community Chest, Pam Abercrombie:

- Community Chest is presenting A Night to Imagine on April 10th. Suzy Boccus will be performing.
- Community Chest has also launched a "family centered strength-based home visiting" program for the over-burdened, focusing on pre-natal and families of newborns.
- Progress is being made on the 5 year plan for library. Once in place, the library will be eligible for grants.
- Thanks to the Commissioners, staff and public for attending the Open house for the Health Services Hub. It was a great success.

Sheriff Gerald Antinoro:

- An agreement between the Dept. of Agriculture and the horse advocacy groups is close to being reached. This agreement will provide more responsiveness to horse incidents. It is the hope that issues will be minimized with the use of birth control and diversionary feeding. Issues requiring immediate attention will be handled by the Sheriff's Office. The agreement specifically applies to the horses of the Virginia Range.
- The Sheriff's Office has published its first newsletter - available on the County website. Contact the Sheriff's Office to join the newsletter mailing list. The newsletter will be prepared monthly.

County Manager Pat Whitten:

- Agrees with Mr. Osborne's statements regarding housing and impact on the region due to the "Tesla affect". Mr. Whitten discussed the increase in employment due to businesses coming into the area, not just to TRI.
- The County is looking into different designs for the parking lot.
- A recent jail inspection passed with flying colors. This inspection assesses everything including training and conditions. There is need for better documentation of training and an updated ventilation system.
- Senate Bill 1 negotiations continue.
- Stop by the County's location at TRI. Space has been given to Tesla and the new company, Switch, while their plants are being built.
- The County's new website is up and running and is much easier to navigate. The intent is to upload as many public documents as available. At the current time, access may be better through Chrome rather than Explorer.

9. BOARD COMMENT (No Action - No Public Comment)

Commissioner McGuffey:

- The Comstock Classics Car Club has been invited by Hot August Nights to participate in their event. The Hot August Nights group would like to send 300-600 cars to be in the Virginia City event held one week before Hot August Nights.

- Commissioner McGuffey will attend a NACO conference in Washington DC at the end of the month. Mr. McGuffey should be able to meet with the heads of the Department of Agriculture regarding wild horse issues and will pass along any questions residents have.

Chairman McBride:

- In response to concerns expressed by other counties, surrounding counties have benefitted for years from the payroll of Storey County residents and have nothing to complain about.

10. DISCUSSION ONLY (No Action - No Public Comment): Discussion and direction to staff regarding legislation or legislative issues proposed by legislators or by other entities permitted by the Nevada State Legislature to submit bill draft requests, or such legislative issues as may be deemed by the Chairman or the Board to be of critical significance to Storey County.

Pat Whitten explained this is language used by Washoe County and it has been recommended by the County's lobbyist. This provides the opportunity to discuss bills if we know in advance of specific bills that we will be asking for a firm vote of the board. During this Legislative session, focus will be on items such as NACO's bill to increase home rule from a functional standpoint only.

Mr. Whitten continued that at this time there are no bills to bring to the Board's attention. Deadline for BDR's has passed.

Commissioner McGuffey said the Legislature is in the preliminary stage at this point.

11. DISCUSSION/POSSIBLE ACTION: Approve the second reading of Ordinance 14-261, an ordinance amending Storey County Code chapter 5.16 Prostitution to change the name to Brothels, amending the procedure for revoking a license, and changing requirements on work cards, and providing for other properly related matters.

Bob Morris requested this item, along with item 13, be continued. Mr. Morris reported that progress is being made and a comprehensive re-write of the Ordinance has been received. There are a couple of issues to be resolved.

Painted Rock Resident, Les Cater: Mr. Cater thinks the brothels are fine and doesn't see why anyone wants to mess with it.

Motion: Continue to March 3, 2015 at 10:00am in the District Courtroom, **Action:** Approve **Moved by** Commissioner McGuffey **Seconded by** Chairman McBride **Vote:** Motion carried by unanimous vote (**summary:** Yes=2)

12. DISCUSSION/POSSIBLE ACTION: Approve the Resolution 15-418 setting the fees for applications for a brothel license, the licensing of brothels, and setting penalty fees.

Motion: Continue to March 3, 2015 at 10:00am in the District Courtroom, **Action:** Approve **Moved by** Commissioner McGuffey **Seconded by** Chairman McBride **Vote:** Motion carried by unanimous vote (**summary:** Yes=2)

13. DISCUSSION/POSSIBLE ACTION: Approval of Second Reading of William Hill Race & Sports Book, Business/Gaming License application

Sheriff Antinoro said the applicant has passed all back-ground investigation. There are no concerns and the Sheriff recommends approval of the license.

Storey County Resident, Mark Joseph Phillips: Requested that the record reflect the physical address, or addresses, for this license.

Sheriff Antinoro said the applicant will have a kiosk located in the Delta Saloon.

Chair McBride explained that applicant is a sports book operator and in smaller locations a kiosk the size of a slot-machine is used.

County Manager Whitten indicated the address for the Delta Saloon is 18 So. C Street, Virginia City.

Motion: Approve second reading of William Hill Race & Sports Book, Business/Gaming License application, **Action:** Approve **Moved by** Commissioner McGuffey **Seconded by** Chairman McBride
Vote: Motion carried by unanimous vote (**summary:** Yes=2)

14. DISCUSSION/POSSIBLE ACTION: Appointment of Board of Equalization member

County Manager Pat Whitten stated due to a term ending, there is a vacancy on the County Board of Equalization. It is recommended to appoint Bill Lewis, a Certified Residential Appraiser and resident of Virginia City Highlands.

Storey County Resident, Mark Joseph Phillips: Mr. Phillips said there is no resume in the packet and asked who is being replaced on the Board.

Pat Whitten said Doug Walling is being replaced.

Motion: Approve appointment of Bill Lewis to the Storey County Board of Equalization for a term of 4 years, **Action:** Approve **Moved by** Commissioner McGuffey **Seconded by** Chairman McBride
Vote: Motion carried by unanimous vote (**summary:** Yes=2)

COMMUNITY DEVELOPMENT AND PLANNING

15. DISCUSSION/POSSIBLE ACTION: Application No. 2014-020 (Continued from 12/02/14) by the Tahoe-Reno Industrial Center, LLC to amend the text of Storey County Code Title 17 (Zoning Ordinance) by adding Chapter 17.39 I-C Industrial-Commercial Zone. The intent of the proposed I-C Zone is to provide for certain mixed-use industrial and commercial uses where found appropriate by the board with recommendation by the planning commission. Additional information including, but not limited to, reports and the draft zone text may be obtained from the Planning Department at 775.847.1144 or planning@storeycounty.org. **Continued to March 3, 2015**

16. DISCUSSION/POSSIBLE ACTION: Application No. 2014-021 (Continued from 12/02/14 meeting) by the Tahoe-Reno Industrial Center, LLC., and Storey County on behalf of The Nature

Conservancy, LLC and the Union Pacific Railroad Company to amend the Official Storey County Zoning Map. The amendments will apply regulatory zones to approximately 600 acres of land located in McCarran, Nevada (river District near the Tahoe-Reno Industrial Center) which was in July of 2014 transferred from Washoe County to Storey County by mean of boundary line adjustment. The subject area is described approximately as portions of Section 31 and 32, Township 20 North, Range 22 East; Section 6, Township 19 North, Range 22 East; Section 36, Township 20 North, Range 21 East; Sections 2 and 11, Township 19 North, Range 21 East; and Section 1, Township 19 North, Range 21 East, all in the Mount Diablo Baseline and Meridian (MDB&M). The specific zones and subject properties will be as follows: (a) F Forestry zoning will be applied to land located as Assessor's Parcel Numbers (APN) 004.161.98, 004.161.99, 004.162.01, and 004.162.02; (b) N-R Natural-Resources zoning will be applied to land located at APNs 004.161.85, 004.161.86, 004.161.88, and 004.161.96; (c) I-C Industrial-Commercial zoning will be applied to land located at APNs 005.121.01, 005.121.02, 005.121.03, 005.121.04, and 005.121.05; and (d) P Public will be applied to land located at 004.161.87, 004.161.89, 004.161.90, 004.161.91, 004.161.92, 004.161.93, 004.161.94, 004.161.95, and 004.161.97, all within the approximate subject area described above. The purpose of the zone map amendment is to apply zoning to newly acquired land in Storey County that is consistent with surrounding uses and the Storey County Master Plan. Prior to their transfer into Storey County, the properties were zoned in Washoe County as Agriculture, Medium Density Rural, Industrial, and Public Infrastructure. Additional information including, but not limited to, reports and maps may be obtained from the Planning Department at 775.847.1144 or planning@storeycounty.org. **Continued to March 3, 2015**

- 17. DISCUSSION/POSSIBLE ACTION:** Variance 2014-023. By Karen James for a reduced rear-yard setback of five feet from the required 20 feet rear-yard setback for the placement of a proposed attached garage for a property located at 355 East Mill Street, Virginia City, Storey County, Nevada (APN: 001-266-04).

Senior Planner Austin Osborne presented the item. Resident Karen James has requested a variance in order to build a garage, attached to the house, on her property at 355 East Mill Street. Staff has reviewed the site to determine if there is any impact to neighbors. On this property, the house is set with the back of the house to the side yard which has a required eight foot setback. To meet the purpose of the code, staff is recommending an eight foot set-back - applicant is requesting a five foot setback. One public comment was received. The Planning Commission has vetted this item. A propane tank on the property will be moved or protected in some way from any potential impact from a vehicle. How this is handled will be determined by the Planning Department.

Commissioner McGuffey asked if this request would affect the neighbor who complained. Mr. Osborne said the new garage most likely will not be seen from that neighbor's house. Notices were sent to neighbors within the prescribed 300' distance.

Pat Whitten asked why the recommendation was expanded from five to eight feet. Mr. Osborne answered that staff has to take a position and the eight feet meets more the purpose of the code. The Fire Department is okay with five feet. There does not appear to be any safety or substantial impacts on neighboring property by going less than eight feet.

Chair McBride does not see a problem with a five foot setback.

Mr. Osborne read the Findings:

6.1.1 That because of special circumstances applicable to the subject property, including shape, size, topography or location of surroundings, the strict application of the zoning ordinance would deprive the subject property of privileges enjoyed by other properties in the vicinity or under identical zone classification; and

6.1.2 That the granting of the Variance is necessary for the preservation and enjoyment of substantial property rights of the applicant; and

6.1.3 That the granting of the Variance will not, under the circumstances of the particular case, adversely affect to a material degree the health or safety of persons residing or working in the neighborhood of the subject property and will not be materially detrimental to the public welfare or materially injurious to property or improvements in the neighborhood of the subject property; and

6.1.4 The proposed Variance is in compliance with all Federal, Nevada State, and Storey County regulations; and

6.1.5 The proposed Variance is in compliance with Storey County Code 17.03.140 Variances; and

17.16 Residential when all Conditions of Approval are met; and

6.1.6 The proposed Variance is in compliance with and supports the goals, objectives and recommendations of the Storey County Master Plan.

Motion: In accordance with the recommendation by Staff, the Findings under Section 6.1 of the Staff Report and in compliance with all Conditions of Approval but not in conformance with the recommendation by the Planning Commission, I, Jack McGuffey, move to approve with conditions Variance Number 2014-023 for a reduced rear yard setback for up to five feet from the required 20 feet rear yard setback for the placement of a proposed attached garage for a property located at 355 East Mill Street, Virginia City, Storey County, Nevada (APN: 001-266-04) against the recommendation of the Planning Commission, **Action:** Approve **Moved by Commissioner McGuffey Seconded by Chairman McBride Vote:** Motion carried by unanimous vote (**summary:** Yes=2)

18. **DISCUSSION/POSSIBLE ACTION:** Special Use Permit (SUP) 2014-032. By Corrie Zam-Northan on behalf of the Bucket of Blood Saloon for the installation of a painted mural on the face of an existing south retaining wall and on the face of an existing west retaining wall for a location at 8 North C Street, Virginia City, Storey County, Nevada (APN: 001-084-01). **Continued to February 17, 2015**

19. **DISCUSSION/POSSIBLE ACTION:** Variance 2014-034. By David and Linda Lindsey for a reduced rear-yard setback of 10 feet from the required 20 feet rear-yard setback for the placement of a proposed attached garage as part of a proposed single-family residence for a property located at 260 North O Street, Virginia City, Storey County, Nevada (APNs: 001-206-18 & 001-206-15).

Senior Planner Austin Osborne said applicant is requesting a variance for a reduced rear-yard setback of 10 feet from the required 20 feet rear-yard setback for the building of a garage to be attached to the back of a proposed residence. Based on the location of the property backing up to a mine tailing, the chances of someone building adjacent to the property are slim. There is no safety or substantial impacts to surrounding property in the area. Staff is recommending approval.

Mr. Osborne read the Findings:

6.1.1 That because of special circumstances applicable to the subject property, including shape, size, topography or location of surroundings, the strict application of the zoning ordinance would deprive the subject property of privileges enjoyed by other properties in the vicinity or under identical zone classification; and

6.1.2 That the granting of the Variance is necessary for the preservation and enjoyment of substantial property rights of the applicant; and

6.1.3 That the granting of the Variance will not, under the circumstances of the particular case, adversely affect to a material degree the health or safety of persons residing or working in the neighborhood of the subject property and will not be materially detrimental to the public welfare or materially injurious to property or improvements in the neighborhood of the subject property; and

6.1.4 The proposed Variance is in compliance with all Federal, Nevada State, and Storey County regulations; and

6.1.5 The proposed Variance is in compliance with Storey County Code 17.03.140 Variances; and

17.16 Residential when all Conditions of Approval are met; and

6.1.6 The proposed Variance is in compliance with and supports the goals, objectives and recommendations of the Storey County Master Plan.

Motion: In accordance with the recommendation by the Planning Commission and Staff, the Findings under Section 6.1 of the Staff Report and in compliance with all Conditions of Approval, I, Jack McGuffey, move to approve with conditions Variance Number 2014-034 for a reduced rear yard setback for up to 10 feet from the required 20 feet rear yard setback for the placement of a proposed attached garage as part of a proposed residence for a property located at 260 North O Street, Virginia City, Nevada (APNs: 001-206-18 & 001-206-15), **Action:** Approve **Moved by** Commissioner McGuffey **Seconded by** Chairman McBride **Vote:** Motion carried by unanimous vote (**summary:** Yes=2)

20. FOR POSSIBLE ACTION, LICENSING BOARD SECOND READINGS:

- a. **AHERN RENTALS, INC. - General / 1777 Peru Drive (equipment rental)** **TRI**
- b. **NORTECH, GEOTECHNICAL/CIVIL CONSULTANTS, LTD., -- 300 Western Rd #3 ~ Reno (eng.)**
- c. **DAN'S WELDING & MACHINE, LLC - 1320 East Glendale ~ Sparks (welding contractor)**
- d. **IONIX, LLC - General / 222 East Sydney (metal fabrication)** **TRI**
- e. **RICH DOSS, INC. - General / 201 Wild Horse Canyon Drive (transportation)** **MCC**

- f. **HIGHLAND FLOORS, INC.** - 4050 S. McCarran ~ Reno (flooring contractor)
- g. **LIGHTNING PROTECTION SYSTEMS, LLC** - 90 Cutler Dr. ~ N. Salt Lake City, UT (lightning prot.)
- h. **CUSTOM LAWN & LANDSCAPE MAINT. INC.,** -- 5125 Tenaya Creek Ln ~ Reno (landscaper)
- i. **CLAYTON COATINGS, INC.** - 8742 East Via de Commercio ~ Scottsdale, AZ (contractor)
- j. **DULGAR CONSTRUCTION, LLC** - 6301 Bonita Ct ~ Sparks (carpentry contractor)
- k. **HARRIS INDUSTRIAL GASES - General / 236 East Sydney (welding equip supply)TRI**

Mr. Osborne stated the Business License Division is recommending continuance of items D, E and K

Motion: Continue items D, E and K, **Action:** Approve **Moved by** Commissioner McGuffey
Seconded by Chairman McBride **Vote:** Motion carried by unanimous vote (**summary:** Yes=2)

Senior Planner Austin Osborne said the Business License Division is recommending approval of items A, B, C, F, G, H, I, and J.

Motion: Approve A, B, C, F, G, H, I and J, **Action:** Approve **Moved by** Commissioner McGuffey
Seconded by Chairman McBride **Vote:** Motion carried by unanimous vote (**summary:** Yes=2)

21. PUBLIC COMMENT (No Action)

Virginia Highlands Resident, Kay Dean: At the January 5th Commission meeting, Ms. Dean gave a presentation on behalf of resident Dave Thomas regarding the accounting report. There were four questions. Responses to two of the questions have not been received. Ms. Dean is again requesting information on the breakdown of the June 30, 2014 Park Fund, Special Revenue Fund Balance between Virginia City, Lockwood, Mark Twain and the Highlands.

Storey County Resident, Mark Joseph Phillips: Mr. Phillips found that statutes in Nevada require the County Commissioners, by ordinance, to establish a list of certified appraisers to be used in cases of property purchases by the County, with few exemptions. Mr. Phillips submitted a document from the County Clerk stating that an ordinance referring to a list of appraisers could not be located. Mr. Phillips asked that this document be attached to the minutes.

Mr. Phillips questioned the Virginia City and Gold Hill Fund in the Department of Taxation report.

Mr. Phillips resents that a brewery is being built on C Street. This week the Planning Commission will discuss a micro-brewery ordinance. Mr. Phillips said that putting the brewery in before the ordinance is bothersome. Mr. Phillips also questioned that the Planning Commission meeting is being held on private property.

Mr. Phillips asked about the discount to seniors for sewer bills that he has requested in the past.

Painted Rock Resident, Les Cater: Mr. Cater presented receipt on the history of Nevada to Pat Whitten. This had been mentioned at a previous meeting.

Mr. Cater said he has never had a problem with the brothels.

22. ADJOURNMENT

The meeting was adjourned by the call of the Chair at 11:30am

Respectfully submitted,

By Vanessa Stephens
Vanessa Stephens, Clerk-Treasurer



Storey County Board of County Commissioners Agenda Action Report

Meeting date: March 3, 2015

Estimate of time required: 0 min

Agenda: Consent ☒ Regular agenda ☐ Public hearing required ☐

1. For possible action approval of Payroll Checks date 02/13/15 \$413,723.01. Accounts payable checks date 02/20/15 for \$865,321.32 and \$6,010.56.
2. **Recommended motion:** Approval of claims as submitted.
3. **Prepared by:** Hugh Gallagher

Department: Comptroller

Telephone: 775 847-1006

4. **Staff summary:** Please find attached the claims

5. **Supporting materials:** Attached

6. **Fiscal impact:**

Funds Available: NA

Fund: NA

__NA__ Comptroller

7. **Legal review required:**

__NA__ District Attorney

8. **Reviewed by:**

VS Department Head

Department Name: Comptroller

____ County Manager

Other agency review: _____

9. **Board action:**

☐ Approved

☐ Approved with Modifications

☐ Denied

☐ Continued

Agenda Item No.

Payroll Type: Regular Check Date: 02/13/15 Period-end Date: 02/08/15
Payroll Groups: 1 2 3 4 5 6 7 8

Check/ DD #	Emp #/ Ded #	Payee	Amount
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Total User Transfer for EFTPS:			46,487.91
Total Deductor Checks:			104,645.69
Total Employee Checks:			1,012.42
Total Employee Direct Deposit:			224,400.90
Total Employee Deds Xferd on Dir Dep File:			6,767.50
Total User Transfer to Deductor:			30,408.59
Total Disbursed:			413,723.01

Approved by the Storey County Board of Commissioners: _____

CHAIRMAN	COMMISSIONER	COMMISSIONER
COMPTROLLER		
TREASURER		

Report No: PB1315
Run Date : 02/18/15
CHECK
NUMBER

STOREY COUNTY
CHECK REGISTER 2/20/15

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VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
81472 CHARTER COMMUNICATIONS	CONTRACT SUPPORT MARCH		2/20/15	71981	202.00	202.00
81473 CITY OF CARSON CITY	500 SAM CLEMENS MTCC		2/20/15	72004	122.45	122.45
81474 COLLECTION SERVICE OF NEW	RECEPTION DOUGLAS/LYON		2/20/15	72023	502.75	502.75
81475 COLLINS CONSTRUCTION	GARNISHMENT DISBURSE		2/20/15	72087	2.20	
81476 COMSTOCK GOLD MILL LLC	GARNISHMENT DISBURSE		2/20/15	72087	49.93	
81477 COSTCO HSBC BUS SOLUTIONS	GARNISHMENT DISBURSE		2/20/15	72087	208.33	
81478 CRESTA, OCTAVIO A	GARNISHMENT DISBURSE		2/20/15	72087	253.67	514.13
81479 DAIOHS USA INC	SMAC SHED ROOF-FINAL		2/20/15	72025	4,000.00	4,000.00
81480 ELLIOTT AUTO SUPPLY INC	1ST INSTALLMENT		2/20/15	72019	3,150.00	3,150.00
	CONCESSION SUPPLIES		2/20/15	72026	243.88	243.88
	JAN 29-FEB 11, 2015		2/20/15	72007	16.00	16.00
	CH COOLER RENTAL		2/20/15	71987	51.90	51.90
	FR T-71 BATTERY CORE		2/20/15	72027	72.00	
	SP51626-BATTERY		2/20/15	71983	118.91	
	SO51626-CORE CR		2/20/15	71983	15.00-	
	SO51626-CERAMIC PAD		2/20/15	71983	35.03	
	SO56309- WHEEL NUT		2/20/15	71983	6.60-	
	FR T-71 BATTERY		2/20/15	71983	268.08	
	PW63957-BATTERY		2/20/15	71983	118.91	
	PW63957-FAN CLUTCH		2/20/15	71983	114.33	
	COM53278-BRAKES		2/20/15	71983	142.56	
	STOCK CREDIT		2/20/15	71983	233.74-	
	BATTERY CORE CREDIT		2/20/15	71983	144.00-	
	SO51626-KIT		2/20/15	71983	42.09	
	SO58905-BALLJNT.ARM ASY		2/20/15	71983	279.78	792.35
DNB INC	GARNISHMENT DISBURSE		2/20/15	72084	271.52	271.52
FARMER BROS CO	COFFEE- LCKWD CENTER		2/20/15	72005	51.68	51.68
FARR WEST ENGINEERING	SMILE RES-FINAL WALK		2/20/15	71985	139.00	
	ENGINEERING FEES		2/20/15	71965	48,190.10	48,329.10
FERRELIGAS LP	CH PROPANE		2/20/15	71986	1,253.38	
	100 TOLL RD \$749.38		2/20/15	71986	187.35	
	100 TOLL RD \$749.38		2/20/15	71986	562.03	
	CH PROPANE		2/20/15	71986	472.43	
	WATER PLANT		2/20/15	71986	855.36	
	CH PROPANE		2/20/15	71986	451.29	
	ST 74 PROPANE		2/20/15	72038	228.82	
	ST 71/171 PROPANE		2/20/15	72038	475.92	
	ST 72 RES PROPANE		2/20/15	72038	133.92	
	WTR PLANT		2/20/15	71986	853.92	
	ST 172 PROPANE		2/20/15	72038	211.68	
	500 SAM CLEMENS MTCC		2/20/15	71957	152.76	
	BUILDING DEPT 110 E TOLL		2/20/15	71960	359.86	6,198.72

81485 FIRST ADVANTAGE OCCUPATIO

STOREY COUNTY
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CHECK NUMBER	VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
81486	FLYERS ENERGY LLC	POWERS DRUG TEST		2/20/15	71969	105.22	105.22
81487	GFOA	LW-DISL & REG		2/20/15	71988	788.92	788.92
81488	GRAINGER	GFOA RENEWAL		2/20/15	72090	160.00	160.00
81489	GRAN, NANCY J	FR42552-PUMP		2/20/15	71989	161.10	161.10
81490	GRANSBERRY, TOM	GARNISHMENT DISBURSE		2/20/15	72083	321.77	321.77
81491	HARBIN, KURT B	36.5 HOURS		2/20/15	72061	1,642.50	1,642.50
81492	HENRY SCHEIN	OVERPAYMENT OF TAXES		2/20/15	72078	14.00	14.00
		EMS SUPPLIES		2/20/15	72040	596.12	
		EMS SUPPLIES		2/20/15	72040	7.96	
		EMS SUPPLIES		2/20/15	72040	777.89	1,381.97
81493	HIGH DESERT MICROIMAGING	IMG-FILM RED/UNR 121181-		2/20/15	72020	386.05	386.05
81494	HOME DEPOT CREDIT SERVICE	1705 PERU-MATERIALS		2/20/15	71990	780.47	
		1705 PERU-MATERIALS		2/20/15	71990	42.31	
		1705 PERU MATERIALS		2/20/15	71990	149.18	
		DUST MASKS		2/20/15	71990	30.37	1,002.33
81495	HOT SPOT BROADBAND INC	STATION 72 INTERNET		2/20/15	72070	82.50	82.50
81496	HUBACH, JENNY DIANE	CONFLICT ATT		2/20/15	72080	480.00	480.00
81497	IRON MOUNTAIN INFO MGT IN	NT147 FILM STRG FEB 2015		2/20/15	72022	234.22	234.22
81498	IT1 SOURCE LLC	BROTHER TONER		2/20/15	72069	96.65	96.65
81499	JAY BETZ MD CONSULTING CP	HEP B VACCINE 1/16		2/20/15	71976	120.00	120.00
81500	JBP LLC	FR42552 COUP GASK		2/20/15	72054	87.16	87.16
81501	L N CURTIS & SONS	HYDRANT CAPS		2/20/15	72041	160.00	
		HOSE RINGS		2/20/15	72041	219.40	379.40
81502	LIQUID BLUE EVENTS LLC	FEBRUARY 2015 RETAINER		2/20/15	72008	2,185.00	2,185.00
81503	LIQUID BLUE EVENTS LLC	SQ DISPUTE FROM NOV RETUR		2/20/15	72009	262.57	262.57
81504	MERRY, JOHN	WEBSITE MAINTENANCE		2/20/15	72010	380.00	380.00
81505	METRO OFFICE SOLUTIONS IN	WO 8868741 1		2/20/15	72031	50.04	
		OFFICE SUPPLIES		2/20/15	71991	21.98	
		OFFICE SUPPLIES		2/20/15	71961	127.59	
		OFFICE SUPPLIES		2/20/15	72044	53.05	
				2/20/15	71993	6.49	
		CALC INK, LABELMAKER TAPE		2/20/15	71993	73.61	332.76
81506	MICHAEL HOHL MOTOR CO	2G1WD5E38F1112596		2/20/15	72052	108,096.10	108,096.10
81507	NIGAN, TAMARA	000298		2/20/15	72033	34.96	

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CHECK NUMBER	VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
81508	MORSE, CLIFFORD	COURIER SERVICE		2/20/15	72037	300.00	300.00
81509	MORRIS, ROBERT T			2/20/15	72055	2,700.00	2,700.00
81510	MOUNHOUSE HARDWARE			2/20/15	72042	98.58	125.03
81511	NATIONAL JUDICIAL COLLEGE	OPERATING SUPPLIES KEY COPIES TRI		2/20/15	71962	26.45	595.00
81512	NEV ADMIN BLDG & GROUNDS	2037962		2/20/15	72036	595.00	7,245.74
81513	NEV DEPT PUBLIC SAFETY	JAN WATER PURCHASE		2/20/15	71997	7,245.74	840.00
81514	NEV EMPLOYMENT SECURITY	FINGERPRINTS		2/20/15	72073	840.00	
81515	NEV RURAL WATER ASSOC	11/29/14 - 12/27/14		2/20/15	71984	357.90	1,975.40
81516	NEVADA BLUE LTD (RNO)	10/04/14-10/11/14		2/20/15	71984	222.66	1,500.00
81517	NEVADA FIRE CHIEFS ASSN	5/17/14- 12/13/14		2/20/15	71984	529.51	50.00
81518	NEVADA JUDGES OF LIMITED	10/11/14-10/25/14		2/20/15	71984	446.39	200.00
81519	NEVADA RURAL COUNTY RSVP	12/20/14 - 12/27/14		2/20/15	71984	418.94	250.00
81520	NEVADA SHERIFF & CHIEFS A	IRVING POWERS		2/20/15	72066	300.00	5,014.08
81521	NORTON CONSULTING LLC	LARRY EVANS		2/20/15	72066	1,200.00	250.00
81522	OCCUPATIONAL HEALTH CENTE	MONTHLY PORTAL FEE		2/20/15	71963	50.00	583.38
81523	OFFICE DEPOT INC	DEPT ANNUAL DUES		2/20/15	72045	200.00	158.50
		FOR 2015		2/20/15	72050	250.00	80.90
		DECEMBER 2014 CDBG		2/20/15	71956	5,014.08	222.26
		KEENER DUES		2/20/15	72072	250.00	37.20
		EQUIPMENT-TRAFFIC TRAILER		2/20/15	71959	583.38	6.92
		JAHN PHYSICAL		2/20/15	72046	158.50	139.99
		DATA STORAGE		2/20/15	72021	80.90	51.14
		OFFICE SUPPLIES MISC		2/20/15	72021	222.26	314.05
		WASTEBAKET		2/20/15	72021	37.20	189.54
		OFFICE		2/20/15	72081	6.92	586.00
		USB X8		2/20/15	72081	139.99	3,551.88
81524	OFFSITE DATA DEFOT, LLC	CLERK OFFICE		2/20/15	71967	314.05	22.00
81525	OREGON AUTO FINANCE	GARNISHMENT DISBURSE		2/20/15	72086	189.54	5.69
81526	OUTFRONT MEDIA LLC	02/09/15-03/08/15		2/20/15	72011	586.00	
81527	PENNSYLVANIA GLOBE	667 STREET LIGHTING		2/20/15	71994	3,551.88	
81528	PETRINI, ANGELO D	JAN 29-FEB 11, 2015		2/20/15	72012	22.00	
81529	PIERETTI-RENAUD, LYNDI			2/20/15	72065	5.69	
81530	PITNEY BOWES GLOBAL (LEA)			2/20/15	72065	5.69	

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CHECK NUMBER	VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
81531	POSTON, PATTY	FEB 15		2/20/15	72075	1,190.97	1,190.97
81532	PROFESSIONAL FINANCE CO I	LED HALO LIGHT BULBS		2/20/15	72088	105.00	105.00
81533	PROTECTION DEVICES INC	GARNISHMENT DISBURSE		2/20/15	72082	266.70	266.70
81534	PUBLIC EMPLY RETIREMENT	QTRLY PANIC BUTTONS 1/13-4/12		2/20/15	72058 71992	62.50 12.50	75.00
81535	Q&D CONSTRUCTION INC	AFRICA, T		2/20/15	71968	2,548.02	2,620.67
81536	QUILL CORPORATION	AVANSINO		2/20/15	71968	72.55	414,865.00
81537	RAD STRATEGIES INC	APPLICATION THRU 1/26/15		2/20/15	71966	414,865.00	32.49
		W2 FORMS		2/20/15	72059	32.49	
81538	REDMOND, DESSIE	12-3-14, 1-20-15		2/20/15	72002	28.23	811.15
81539	RENO PAINT MART			2/20/15	72013	782.92	99.63
81540	RENO SPARKS CONVENTION &	FEB 5		2/20/15	72060	99.63	
81541	ROADPOST USA INC	1705 PERU-DRY FOG LATEX		2/20/15	71995	475.55	
81542	ROCKY MOUNTAIN AMBULANCE	1705 PERU-RESPIRATOR		2/20/15	71995	132.94	
81543	RUPPCO INC	1705 PERU-DRY FOG LATEX		2/20/15	71995	285.33	893.82
81544	SBC GLOBAL SERVICES IN LD	3RD & 4TH QTR CO-OP		2/20/15	72014	5,000.00	5,000.00
81545	SBC GLOBAL SERVICES INC	RU218255 651478609		2/20/15	71971	52.05	52.05
		R-74 LUGNUT COVER		2/20/15	72039	25.05	25.05
		EMS SUPPLIES		2/20/15	72047	215.10	215.10
		VC TOURISM		2/20/15	72015	4.91	4.91
81546	SIERRA FREIGHTLINER STERL	847-7500 VCTC		2/20/15	71970	85.01	
81547	SLICK INDUSTRIES LLC DBA	252-6412-COMMUNICATIONS		2/20/15	71970	6,161.47	6,307.38
		847-0962 JOP		2/20/15	71970	60.90	
81548	SPALLONE, DOMINIC J III	WT74 REPAIRS		2/20/15	72048	2,839.59	2,839.59
		EVENT CALENDAR STICKERS		2/20/15	72016	300.00	
		SEAL MAGNETS DEAN'S TRUCK		2/20/15	71964	36.00	336.00
81549	SPB UTILITY SERVICES INC	CLEANING SUPPLIES		2/20/15	72049	209.59	
81550	SPELTZ, JASON	CLEANING		2/20/15	72079	262.00	
		CLEANING		2/20/15	72079	90.00	671.99
		CLEANING		2/20/15	72079	110.40	
81551	ST CO SENIOR CENTER(VC)	JANUARY SUPPORT		2/20/15	71996	1,809.50	1,809.50
		FUEL		2/20/15	72051	100.00	100.00
81552	STAFFORD, MARK	COUNTERTOP MATERIAL- CDBG		2/20/15	72089	3,660.38	
		COUNTERTOP INSTALL- CDBG		2/20/15	72089	1,900.00	5,560.38

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CHECK
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1,823.30

381.84

20.00

899.00

865,321.32

AMOUNT

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50.00

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CHECKS TOTAL

865,321.32

TRANS#

72067

72085

72017

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72071

71982

71998

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2/20/15

2/20/15

2/20/15

INVOICE DESCRIPTION

2015 CBOE

GARNISHMENT DISBURSE

JAN 29-FEB 11, 2015

JAIL

MAINTENANCE BILLING

1705 PERU -W/S

1705 PERU -IRR

DEITIRCK

BARRY FOX

ITEMS FOR EVENT SPONSORS

FATHER/DAUGHTER LIQ LIC

POSTAGE FOR NOTARY RENEWA

JAN 29-FEB 11, 2015

BC UNIFORMS

INMATE FOOD

LOBBYIST SERVICES

MEALS- LCKWD JAN 2015

1705 PERU-ELECTRICAL

TOTAL COLIFORM

10X10 INTERNET PIPE

STEPHEN R KOPOLOW PC

SUN PEAK ENTERPRISES

THERMATEMP

THYSENKRUP ELEVATOR

TRI GENERAL IMPROVEMENT

UNIFORMITY OF NEVADA LLC

VCTC

VIRGINIA CITY TOURS INC

VIRGINIA CITY VENTURES

VIRGINIA HIGHLANDS VFD

WA STATE DEPT OF CORRECT

WALKER & ASSOCIATES

WASHOE COUNTY SENIOR SERV

WEDCO INC

WESTERN ENVIRONMENTAL LAB

WESTNET NEVADA LLC

ACKNOWLEDGEMENT OF REVIEW AND AUTHORIZATION

CHECKS TOTAL

865,321.32

CHECK DATE 2/20/15

Mr. J. H. Gallagher 2/18/15
COMPTROLLER
Mr. J. H. Gallagher 2/18/15
TREASURER - Deputy

CHAIRMAN

COMMISSIONER

COMMISSIONER

PC
NUMBER VENDOR FUND-DEPT INVOICE # FUND-DEPT COMMERCIAL CARD

42 WELLS ONE

PAYMENT

DESCRIPTION	DATE	TRANS#	AMOUNT
APPROVAL #001626	2/20/15	392	18.97
CASA BLANCA RESORT	2/20/15	398	120.76
DD BOURBON STEAK AND	2/20/15	395	90.04
DD HILTON SANTA CLAR	2/20/15	395	640.25
DD HYATT REGENCY	2/20/15	395	41.80
DD ROASTING HOUSE	2/20/15	395	14.48
ENTERPRISE RENTACAR	2/20/15	398	246.91
FAIN SIERRA GIFTS	2/20/15	393	50.00
GILMAN GOLDEN GATE	2/20/15	393	88.20
ICC HAYMORE	2/20/15	400	69.00
INV #...1093043	2/20/15	392	76.43
JASON-LOWES 2/3/15	2/20/15	399	52.32
JASONW-CALPLY 2/3/15	2/20/15	399	44.75
JASONW-LOWES 2/5/15	2/20/15	399	611.28
OFFICE DEPOT BUCC S	2/20/15	400	127.86
PG AMSTERDAM PRNT	2/20/15	396	937.20
PG REDS OLD FASHIONE	2/20/15	396	30.00
PG SPORTMANS WAREHOU	2/20/15	396	659.98
PG TICKETPRINTING.CO	2/20/15	396	309.93
PG ULINE SHIP SUPPLI	2/20/15	396	72.11
REDMOND PAPER GOODS	2/20/15	401	27.67
SCDA TM MAINTENANCE	2/20/15	401	7.98
SMITHS HAYMORE	2/20/15	403	902.50
TRENT-CARSON TIRE &	2/20/15	400	10.00
TRENT-LAWSON 1/20	2/20/15	399	231.00
TRENT-TIRES PLUS 2/3	2/20/15	399	11.99-
US POSTAL SERV	2/20/15	399	39.99
WHITTEN RED ROBIN	2/20/15	394	60.00
138011663	2/20/15	393	37.47
138864913	2/20/15	402	70.00
68295	2/20/15	402	39.67
788834039	2/20/15	402	294.00
WEBSITE SSL CERTIFICAT	2/20/15	402	.00

6,010.56

Card Total

6,010.56

ACKNOWLEDGEMENT OF REVIEW AND AUTHORIZATION DATE

Comptroller for the Gallagher 2/18/15
COMPTROLLER

TREASURER

CHAIRMAN

COMMISSIONER



Storey County Board of County Commissioners Agenda Action Report

Meeting date: March 3, 2015

Estimate of time required: 0-5 Minutes

Agenda: Consent ☒ Regular agenda ☐ Public hearing required ☐

1. **Title:** Storey County Fire Protection District agreement with Carson City Fire Department, Central Lyon County Fire Protection District, East Fork Fire Protection District and Tahoe Douglas Fire Protection District for reciprocal ambulance subscription coverage.
2. **Recommended motion:** None required if approved as part of the Consent Agenda. If a request is granted to hear separately, then: *I move to approve the Storey County Fire Protection District agreement with Carson City Fire Department, Central Lyon County Fire Protection District, East Fork Fire Protection District and Tahoe Douglas Fire Protection District for reciprocal ambulance subscription coverage.*
3. **Prepared by:** Gary Hames

Department: Fire District **Telephone:** (775) 847-0954
4. **Staff summary:** We currently have agreements with all of these other districts/departments for reciprocal ambulance subscription coverage. This agreement is intended to simplify and consolidate all other agreements into a singular master document. It also assures that all agreements are standardized throughout the quad county area of the region.
5. **Supporting materials:** Interlocal Agreement between the Storey County Fire Protection District and Carson City Fire Department, Central Lyon County Fire Protection District, East Fork Fire Protection District and Tahoe Douglas Fire Protection District.

6. **Fiscal impact:**

Funds Available: No

Fund: N/A

2/2 Comptroller

7. **Legal review required:**

LL
____ District Attorney

8. **Reviewed by:**

GDH Department Head

Department Name: Fire District

B *and* _____ County Manager

Other agency review: _____

9. **Board action:**

☐ Approved

☐ Approved with Modifications

INTERLOCAL AGREEMENT

This Interlocal Agreement is made by and between Carson City, Central Lyon County Fire Protection District, East Fork Fire Protection District, North Lyon County Fire Protection District, Storey County Fire Protection District, and Tahoe Douglas Fire Protection District (hereinafter collectively referred to as the "PARTIES" and individually referred to as a "PARTY").

RECITALS

WHEREAS, the Parties are public agencies under NRS 277.100 and NRS 277.180(1) which provide that any one or more public agencies may contract with any one or more other public agencies to perform any governmental service, activity or undertaking which any of the contracting agencies is authorized by law to perform; and

WHEREAS, each Party is authorized by the laws of this state to perform or undertake the function of responding to and acting upon emergency medical incidents; and

WHEREAS, on occasion, residents of one Party's jurisdiction have a need for emergency medical care and transportation services (hereinafter referred to as ambulance services) in the geographic area under another Party's jurisdiction; and

WHEREAS, the Parties desire to enter into a written agreement with one another whereby enrollees to one Party's ambulance membership program would receive the same benefits for ambulance services provided by another Party's membership program; and

WHEREAS, the provision of the additional benefits to enrollees contemplated by this Agreement will make the membership programs more attractive to residents; and

WHEREAS, the membership programs provide additional revenues to fund the provision of ambulance services to inhabitants of the Parties' respective jurisdictions; and

WHEREAS, the provision of ambulance services promotes and protects the health and welfare of the inhabitants of each Party's jurisdiction;

AGREEMENT

NOW, THEREFORE, the governing bodies of the Parties agree as follows:

1. The term of this Agreement commences on September 1, 2014, and shall remain in effect until terminated by cancellation of the ambulance membership program in any Party's jurisdiction or until terminated by any Party upon thirty (30) days prior written notice to each of the other Parties.
2. If one Party provides ambulance services to an enrollee of another Party's membership program, the providing Party will bill for its services pursuant to the terms and conditions of the enrollee's member agreement.
3. The Party providing ambulance services will not seek reimbursement directly from any other Party for services provided in transporting a patient who is a member of that Party's membership program.
4. If one Party responds to the jurisdiction of another Party for a mutual or automatic aid response and the responding Party provides billable services for a patient, the following will apply:
 - a. The Party providing ambulance services will have the right to bill the patient, or the patient's insurance, for any services provided, except that any patient who is enrolled in any Party's ambulance membership program will be handled in accordance with Section 2 of this Agreement.
 - b. The jurisdiction that receives the ambulance services on behalf of a patient will not bill the patient, the patient's insurance, or the Party providing ambulance services.
 - c. The party providing ambulance services will not seek reimbursement directly from any other Party for services provided in transporting a patient from that Party's jurisdiction.
5. No Party will provide accounting or legal services to any other Party as they relate to debits incurred as a result of this Agreement.
6. All active billing accounts commenced prior to the effective date of this Agreement are not covered by this Agreement.
7. This Agreement is not intended to affect the legal liability of any Party to the Agreement by imposing any standard of care other than the standard of care imposed by law. Personnel of the respective Parties to this Agreement shall not be deemed to be an agent or employee of the other Party. It is understood and agreed that no Party

to this Agreement, nor its officers or employees, is responsible for any damage or liability occurring by reason of anything that the other Party to this agreement does or fails to do, or its respective officers or employees do or fail to do, under or in connection with any work, authority, or jurisdiction delegated to it under this Agreement.

8. It is understood and agreed that each Party to this Agreement shall fully indemnify, defend, and hold harmless the other Party from any damage or liability occurring by reason of anything done or omitted to be done by each Party or its respective officers or employees, under or in connection with any work, authority, or jurisdiction delegated to another Party under this Agreement. Said indemnity shall include, but is not limited to, all reasonable costs and attorneys' fees incurred in defense of any and all claims covered by this provision.
9. This Agreement governs only how ambulance services are paid for and does not require any Party to provide any greater level of service or provide service in any greater geographical area than it otherwise provides in the absence of this Agreement.
10. Any notice given by one Party to another Party must be sent by first class mail to the following addresses and is deemed effective upon placement in the United States mail:

Carson City Fire Department
777 South Stewart Street
Carson City, NV 89701

Central Lyon County Fire Protection District
231 Corral Drive
Dayton, NV 89403

East Fork Fire Protection District
P.O. Box 218
Minden, NV 89423

North Lyon County Fire Protection District
195 E. Main Street
Fernley, NV 89408

Storey County Fire Protection District
P.O. Box 603
Virginia City, NV 89440

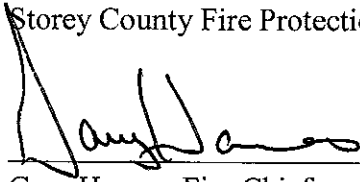
Tahoe Douglas Fire Protection District
P.O. Box 919
Zephyr Cove, NV 89448

11. This Agreement constitutes the entire Agreement between the Parties; this Agreement shall be enforced and constructed according to the laws of the State of Nevada; any modifications of this Agreement must be made in writing signed by the Parties; portions of this Agreement which are held invalid are severable from the rest of the Agreement; this Agreement may be recorded in the office of the County Recorder; the preamble and the recitals are hereby made a part of this Agreement; and this

Agreement may be executed in any number of counterparts, each of which is deemed an original but together which constitutes but one and the same Agreement.

In Witness Whereof, the Parties hereto have caused this Agreement to be executed as of the date indicated in the Agreement.

Storey County Fire Protection District



Gary Hames, Fire Chief

3-3-15

Date

Marshall McBride
Storey County Commission Chairman

Date

Attest:

Vanessa Stephens
Storey County Clerk

Date

Approved as to legal form:

Anne Langer, District Attorney

Date



Storey County Board of County Commissioners Agenda Action Report

Meeting date: March 3, 2015

Estimate of time required: 0-5 minutes

Agenda: Consent ☒ Regular agenda ☐ Public hearing required ☐

1. **Title:** For possible action approval of the Safety Manual as prepared by the Storey County Safety Committee.

2. **Recommended motion:** Approve as presented as part of the Consent Agenda.

3. **Prepared by:** Safety Committee Chairman Shannon Gardner

Department: Safety Committee

Telephone: 775 847-0966

4. **Staff summary:** This manual has been prepared by the Storey County Safety Committee in an effort to reduce on the job incidents. A written safety program is required by the State of Nevada.

5. **Supporting materials:** Safety Manual

6. **Fiscal impact:** NA

Funds Available:

Fund:

_____ Comptroller

7. **Legal review required:** NA

_____ District Attorney

8. **Reviewed by:**

VS Department Head

Department Name: Safety Committee

_____ County Manager

Other agency review: _____

9. **Board action:**

☐ Approved

☐ Approved with Modifications

☐ Denied

☐ Continued

Agenda Item No.

Storey County Safety Committee



SAFETY MANUAL

Adopted _____

TABLE OF CONTENTS

1. SAFETY PROGRAM POLICY STATEMENT
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9. HAZARD IDENTIFICATION AND CONTROL
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11. ADDENDUM "A", OFFICERS
12. FORMS
 - a. Safety Inspection Checklist
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 - c. Injury Investigation Form
 - d. Near Miss Form
 - e. Safety Training Form
 - f. Employee Safety Communications Form

1. SAFETY PROGRAM POLICY STATEMENT

In an effort to reduce the incidents of on-the-job injuries, the 1993 legislature changed the law to require every employer doing business in the State of Nevada to establish and carry out the requirements of a written safety program.

Employers who do not establish and carry out the requirements of a written safety program will be cited by the Occupational Safety and Health Enforcement Section of the Division of Industrial Relations of the Nevada Department of Business and Industry.

The Honorable Board of County Commissioners have endorsed and mandated a committee comprised of all department heads, or a designated representative, to comprise the Storey County Safety Committee. It is the duty and responsibility of this committee to receive workplace safety concerns, research validity and cause appropriate changes as required to mitigate said safety concern. The Board of County Commissioners shall appoint a Chair Person and Vice Chair Person. Upon appointment the committee leadership positions shall be seated for a term of two (2) years from date of appointment. Each 2 year appointment of the Chair Person and Vice Chair Person shall be documented in Addendum "A" of this manual. Annually every department head shall submit a list to the Chair Person indicating the department's designated representative and alternate. This group shall be named the Storey County Safety Committee.

The following is a written safety program developed by the Safety Committee of Storey County and adopted by the Storey County Commissioners.

PLEASE READ IT CAREFULLY AND COMPLY WITH ITS CONTENTS.

Recognizing our obligation to provide the safest possible working conditions for our employees, this safety program is written. All employees are expected to follow the provisions set forth in this program as a condition of continued employment. Changes and additions may be added in the future, dependent upon the changes/additions required by local, state and federal regulations.

Commission Chairman

Date

2. SAFETY RESPONSIBILITIES

The Workplace Safety Program at Storey County is designed to increase the efforts of everyone toward our goal of having an injury and illness free workplace. All managers, supervisors and employees are expected to familiarize themselves with the requirements of our Safety Program and make contributions to ensure the success of the program.

While all members of management and all employees are ultimately responsible for safety and health in the workplace, the Storey County Safety Committee Chairman is responsible for coordination of all safety issues for the County and shall hold the position as Safety Director.

Some of the responsibilities of the SAFETY DIRECTOR include:

- Drafting policy for approval of the County Commission, establishing all standing or short term sub committees, assigning responsibility to individuals for specific task responsibilities and accountability to reply back to individuals who may have safety concerns.
- Reviewing and evaluating results of safety plan, training programs and individuals initial employment training regiment. However, the Human Resources Director plays the key role to deliver safety training to new employees.
- Providing active leadership by participation, example, and a demonstrated interest in the health and safety of all Storey County personnel.
- Maintaining up-to-date information on local, state and federal standards, laws and best management practices.
- Maintaining all required safety posters. A list of the required posters for each building, where to post them and when to update them. This information will be provided by Storey County Human Resources Director.
- Planning, organizing, and coordinating safety and health training. There should be an initial meeting to identify, list and facilitate all required training sessions. After that the Safety Committee will establish short term and long term reoccurring training sessions. This may be done as a sub committee assignment.
- Ensuring that policies for the medical treatment of injured employees are followed; this includes first aid equipment, designated trained first aid providers, and procedures to provide additional medical treatment. This information shall be clearly identified as part of evacuation plans for each facility.
- Coordination of training to department head level positions on the proper process to follow when a workers compensation injury occurs. This should include an overview of the appropriate forms, how to complete them and who receives them when completed.
- Provide assistance in complying with local, state and federal regulations.
- Assist as needed in injury and "near miss" investigations.
- Assist as needed in conducting inspections.
- Keep up-to-date with regulations.
- Investigate employee reports of hazardous conditions and recommend corrective action.
- Ensure that incidents which resulted in injuries are corrected after an injury occurs.

The Safety Director may, and should; use committee's and technical experts to carry out the above requirements. It is not the intention of this plan to mandate that the Safety Director personally carry out each of these duties. It is however up to the Safety Director to ensure that tasks are being accomplished in a given time frame and within specific criteria in order to address safety concerns and/or issues.

MANAGEMENT/SUPERVISORS

- Management is responsible for ensuring that all safety policies and procedures are followed by everyone under his/her jurisdiction.
- Management/Supervisors or their qualified appointed representative are responsible to attend all monthly scheduled Safety Committee meetings.
- Management shall make every effort possible to allow personnel to attend training sessions while on duty.
- Management shall ensure that all newly hired personnel go through an identified training session as allowed for in this manual upon their initial hire. It is also their responsibility to train subordinate staff on any and all specialized equipment in which they may be operating.
- Management/supervisors shall work closely with Human Resources and this safety committee to ensure that training documents are up to date in personnel files.
- Investigating accidents that may occur and identifying the corrective action necessary to prevent a similar accident from occurring.
- Completion of **"Notice of Injury or Occupational Disease"** form in the event of accident. All departments shall have exposure report forms, C-1 and C-3 forms provided to them. The Safety Director shall assure that all supervisory and management staff is trained on this process.
- Enforce safety program.
- Enforce rules set forth in this program.
- Encourage employee input to report hazardous conditions and correct these problems.
- Conduct routine inspections of the facility, in adherence to forms provided within this document, to assess hazardous conditions.
- Conduct training sessions in safety issues in accordance with local, state and federal requirements, and as our experience indicates needs.
- Investigate all injuries and "near miss" accidents.

EMPLOYEES

All employees are expected to take a direct interest in workplace safety. Some of the responsibilities all employees have include the following:

- Keeping informed about safety and health regulations affecting the workplace.
- Making sure they are able to complete each task to which he/she is assigned in a safe manner.
- Making sure that machines and equipment are maintained in a safe operating condition and to report all such items that may be unsafe to their supervisor.

- Making sure fellow employees follow all safety and health regulations and work practices, including using required personal protective equipment.
- Reporting to management, without delay, any unsafe or unhealthful conditions which they cannot correct themselves. Forms shall be made available to all departments and the Safety Committee shall ensure that all staff knows how to complete them and who to turn them into upon completion.
- Assisting fellow employees in completing a **"Notice of Injury or Occupational Disease"** form in the event of accident. All departments shall have exposure report forms, C-1 and C-3 forms provided to them. The safety committee shall ensure that all staff is trained on this process.
- Comply with this safety program.
- Report hazardous conditions to management.
- Attend training sessions held by the county.
- Immediately report injuries and accidents which do not result in injuries ("near misses") to management.

3. SAFETY TRAINING

As part of our Safety Program, the county will provide several different types of safety training for all our employees:

- A general safety orientation for all new employees shall be provided by Human Resources upon hire. This training shall be documented in each employees personnel file.
- Specific training on how to safely perform their assigned job. This shall be provided by the specific department head and/or supervisor, documentation of training shall be completed and forwarded to Human Resources.
- Special training when they work with hazardous materials or complex types of machinery or other equipment. This shall be provided by the specific department head and/or supervisor, documentation of training shall be completed and forwarded to Human Resources.
- Special training in areas where there have been recurring injuries. OSHA reportable injuries shall be tracked by Human Resources as reported to him/her through submitted C-1 and C-3 forms.
- Training on how to use any personal protective equipment provided (e.g. respirators, hearing protection, etc.) This shall be provided by the specific department head and/or supervisor, documentation of training shall be completed and forwarded to Human Resources.

These requirements are based upon the assumption that when employees know how to do their jobs properly, and know the hazards of the job, they will work safely.

Safety education and training for employees should commence at the time of employment prior to staff actually beginning an assigned task, supervisors must ensure that employees are provided the following instruction during New Employee Orientation:

- An explanation of the Counties Safety Manual.
- Familiarization with the SAFETY RULES of the county and enforcement policies.
- The requirement for immediate reporting of all injuries and completing a **NOTICE OF INJURY OCCUPATIONAL DISEASE** form.
- The necessity and manner for reporting all unsafe conditions to Management (**SAFETY ACTION REQUEST FORMS** are included).
- A clear statement that no employee should attempt to do a job or work with equipment that appears to be unsafe.

- A listing of the names and addresses of all medical providers under contract to treat employees injured on the job.

After a person is assigned to a job, the responsibility for safety training passes to the immediate supervisor in Management. The supervisor **must** discuss and document the following with each employee:

- The safety rules of the department in which the employee will work.
- The correct job procedure for the employee to follow in any particular job; it also should be emphasized that doing the job incorrectly may hurt people or damage equipment or supplies.
- How to use any personal protective equipment required.
- All information pertinent to the area regarding hazardous materials.

The initial training is to be documented on the EMPLOYEE SAFETY ORIENTATION FORM and signed by the employee and returned to Human Resources to be retained in his/her personnel file.

It is most desirable to follow this initial instruction with a complete review within 30 days after assignment to the job. This will assure that the new employee fully understands the information given at the time of employment and at the time of assignment to the job. When this additional training is completed it is important that another Employee Safety Orientation Form is completed and maintained in their personnel file.

Supervisor will also provide additional training whenever the employee's job changes, new hazardous materials are introduced, new machines/tools are used, new safety protection equipment is needed, or there are incidents of recurring injuries, and re-train any employees that do not seem to understand proper safety procedures. The **SAFETY TRAINING DOCUMENTATION** form **must** be used to document any of these types of training.

Whenever personnel are used from a temporary employment service, management must provide them specialized training for the jobs they will be performing **before** they actually begin work or as soon as possible thereafter. This training also needs to be recorded with a **SAFETY TRAINING DOCUMENTATION** form.

Effective safety training will result in the following benefits to our County:

- Reduction in injuries
- Reduction in damage to property and supplies
- Reduction in retraining time

- Reduction in liability
- Increase in asking for help when it is needed
- Increase in production
- Increase in morale
- Decrease in absenteeism
- Healthier employees

The safety coordinator is responsible to see to it that training is done. Training will be done routinely and may include the following topics:

- Emergency Action Plan
- Safe Lifting
- Hazard Communication
- Hazard Recognition, Evaluation and Control
- First Aid/CPR
- Heat Stress
- Hand Safety
- Video Display Terminal Work Station Design
- Housekeeping
- Fire Extinguisher Usage
- Eye Protection
- Holiday Safety

4. SAFETY RULES AND DISCIPLINE

Best Business Practices dictates that we have “a method for ensuring that employees comply with safe rules and work practices.” Safe rules are a basic part of our Workplace Safety Program and are also part of our disciplinary procedures. However, the point of having safety rules is not to discipline, but rather to ensure a safe working environment. All employees need to know and follow these Safety Rules and all management personnel **must enforce** them.

The task of the Safety Committee is to change unsafe behavior by:

- Recognizing (rewarding) safe performance.

It is important that supervisors and management recognize correct job performance and compliment employees for it. Putting a citation in writing and making it a part of an employee's personnel record is but one means of recognizing safety excellence.

- Correcting (changing behavior through discipline if necessary) unsafe behavior

Unsafe job procedures will not be tolerated. Any member of management observing unsafe job behavior is expected to bring it to the attention of the employee's supervisor. Supervisors (Management) are expected to take steps immediately to correct the behavior.

The following safety rules are representative:

1. Employees must immediately report to supervisor/management all accidents, injuries, unsafe and/or unhealthful conditions in the workplace, any near miss incidents, including defective tools or other equipment.
2. Established safe job procedures must be followed by all employees as defined by supervisors/managers. Changes in regular job procedures require the approval of management.
3. Employees who are unsure on how to operate a machine or perform any assigned task that they are required to do, must ask their supervisor before proceeding. The supervisor will also note all training that occurs and assure that it is placed into the employees personnel file located in the Human Resources Department. This includes, but not limited to, routine training processes that occur in the field.
4. Employees must **not** tamper with, remove, destroy or otherwise interfere with the use of any safety device or safeguard provided for protection of employees or customers.
5. Personal protective equipment **must** be provided by the County and worn or used in any area where it is required.

6. Employees must use only the proper tool for the job. If the proper tool is not available, contact management.
7. Employees are required to get help in lifting any item which is so bulky, awkward or heavy that they feel they cannot lift it safely.
8. If a repetitive task causes employees discomfort, or they feel it is unsafe or unhealthy, they must report this condition to management immediately.
9. Horseplay, including fighting or throwing articles is forbidden.
10. If an employee is suspected of using alcohol and/or other drugs in the workplace, this will be investigated and, if necessary, disciplinary measures will be taken. See appropriate County Policy regarding this issue.

The four-step procedure outlined below would normally be followed for violations of safety rules. However, each case may be considered in light of a number of factors (e.g. employee's length of service, seriousness of the incident, other mitigating factors and appropriate Collective Bargaining Agreement language). In conjunction with the appropriate Collective Bargaining Agreement, the County reserves the right to invoke any level of discipline at any point and, in fact, an employee may be terminated for the first instance of a serious safety violation.

1. The first time an infraction is noted; management should discuss the behavior with the employee and make sure the employee understands the nature of the violation and the consequences that would result if there is a repeat violation. This verbal warning should be documented and signed by the employee and then placed in the employee's personnel file. This counseling session should also include what training you provided to the employee, or what training you have required them to attend and how the employee will perform differently the next time they do the same function.
2. The second violation should be treated as a disciplinary action under applicable Human Resources Policy and/or CBA.
3. The third violation should result in the employee being placed on an unpaid disciplinary suspension. This action must be reviewed first with Management.
4. A fourth safety violation may result in the employee being terminated. This action must be reviewed first by Management.

These steps are not necessarily followed if the safety violation is a serious hazard either to the employee or to the County. In the case of a serious safety violation, the County may elect to immediately proceed to a higher step. When there is a CBA in place the manager/supervisor shall follow those steps regarding chain of progressive disciplinary action.

General Safety Rules:

1. Do not run in the workplace or parking lot.
2. Follow prescribed safety practices at all times.
3. Do not use machinery if it is not properly guarded.
4. Report hazardous conditions as described in this program.
5. Do not try to lift more than you feel comfortable with – get help.
6. Maintain safe housekeeping standards in your work area.
7. Do not eat or drink in assigned first-aid areas.
8. Wear appropriate personal protective equipment when at jobs where this is required.
9. Report all injuries and near misses immediately.
10. Comply with all safety instructions given.
11. Horseplay is prohibited and may result in termination.

Management is responsible to enforce these general safety rules, as well as more specific safety policies included in other written programs.

We maintain a progressive disciplinary policy.

All disciplinary action will be documented by using the appropriate forms as indicated in County Policy or applicable Collective Bargaining Agreements.

5. IDENTIFYING AND EVALUATING WORKPLACE RISKS

In order to comply with manufacturer's recommendations, best management practices, local, state and federal regulations, we conduct regular and frequent inspections of the workplace. To maintain a safe and healthy environment for employees, we need to have a way to identify hazards in the workplace.

Inspection of the workplace is our primary tool to identify unsafe conditions and practices. This includes the totality of the employees work environment. This may include buildings/offices, but should be all inclusive of equipment, apparatus, vehicles, specialized small motors, hand tools, personal protective equipment, etc. Management is responsible for routinely inspecting all work areas. Supervisors need to document their inspections of the workplace by using the **SUPERVISOR'S SAFETY INSPECTION FORM**. This form should be completed on a quarterly basis and forwarded to the Safety Director.

Supervisors must routinely check for:

- Violations of safety rules
- Machinery or other equipment without the necessary guards
- Unsafe use or storage of chemicals, including flammables
- Obvious violations of good housekeeping practices
- Personal protective equipment not being used where required or being used improperly
- Machinery, hand tools or other equipment in poor condition or being used improperly
- Areas where there have been recurring injuries
- Any other deviation from accepted safe practices
- Fire Extinguishers
- AED's in buildings that have such
- Trip and fall potentials
- Weather related hazards

6. SAFETY COMMUNICATION

Unless a system for communicating safety throughout the organization is established, employees may not understand management's policies and intentions, and management may not get unfiltered communication from the employees about safety hazards or their needs.

We expect supervisors to encourage and welcome suggestions. Employees may submit their safety suggestions on a **SAFETY ACTION REQUEST FORM**.

Management will respond – in writing – to the employee submitting a Safety Action Request Form, indicating what action has been taken.

Management needs to bring to the attention of employee's all types of safety communication, including the safety suggestion box, safety memos, safety posters, safety banners, paycheck inserts, articles relating to safety, etc.

7. EMERGENCY SITUATIONS

In case of an emergency, dial 9-911 from a County Phone and 9-1-1 from a home based or non-Centrex phone line, and be prepared to give;

1. Your name and Location.
2. Phone number.
3. Nature of the emergency and the assistance you require (Fire Department, Paramedics, Police, etc).
4. Location of the incident/injury, including the building address, which part of the building and nearby cross streets.
5. Prepare to have someone meet emergency vehicle in front of the building.
6. During business hours, call or notify the injured employees immediate supervisor or manager to report the information about the emergency.
7. If the event occurs during non-business hours, carefully document the event and give it to Management as soon as possible. Additionally, the Human Resources Director should be immediately made aware of any and all workers compensation injuries.

8. EMERGENCY EVACUATION

Management and all employees must become familiar with the evacuation routes for their work areas. Part of the orientation with new employees should include a discussion of emergency evacuation procedures. Management is responsible for the safe evacuation of all personnel in an emergency. This includes development, implementation and posting of primary and secondary evacuation routes in the event of an emergency. These shall be posted in a conspicuous location that is visible to the public as well as internal staff. The location of fire extinguishers shall also be identified on the evacuation plans.

Evacuations of all buildings shall be done at least annually to assure staff remains current on the plan. These evacuation drills should include not only full evacuations but also should address what will be done in a hostile environment. This is commonly called in place secured sheltering. In addition, what will occur in the event of an earthquake and sheltering locations for such.

All employees and management alike have a responsibility for securing their own buildings. This includes how to turn off the power, locate and shut down a propane tank and general safety considerations specific to that building.

To be prepared for an evacuation, locate the nearest appropriate exit and assembly area. Make sure all employees know the appropriate exits and assembly areas. Remind employees to walk, not run.

If evacuation is necessary (Code Green):

1. If available, attempt to use the public address system to order an evacuation. Repeat the message as long as it is safe to stay in the building. In an urgent situation it is important to get out of the building quickly. Do not wait around and become entrapped or unable to escape.
2. If possible, inspect the area to ensure all employees have been safely evacuated.
3. Shut – but do not lock – doors and assemble with your co-workers in the nearest designated assembly area and verify that all employees are there. Notify employees when it is safe to return to the building.

In place sheltering – violence (Code Red):

- This will be used when an immediate safety risk exists to the staff or customers. An example is a hostile person threatening to take action, but has not arrived to the building yet.
- Secure and lock all doors and windows.
- Cover windows whenever possible.

- Stay away from windows and doors.
- Attempt to find a location that the person cannot see you.
- Do not open the door/windows until law enforcement has arrived on scene.

In place sheltering – non violence – external hazard such as a materials release (Code Yellow):

- Close all windows and doors.
- Place clothing or something around any doors seals --or- duct tape around doors and windows.
- Turn off any forced air heat or air conditioning that draws from the outside of the structure.

9. HAZARD IDENTIFICATION AND CONTROL

Management and/or the safety coordinator will conduct monthly inspections, using the checklist contained as the end of this program. Problems will be noted in the checklist under the "satisfactory" column, and corrective action will be noted under the "comments" column. The safety coordinator will maintain these completed checklists for five years from the date of inspection.

Employees are to report hazardous conditions by using the Employee Hazardous Condition report form, turning them into their supervisor. The safety coordinator will recommend corrective action to be followed up on by management. This will all be written on the Employee Hazardous Condition Report form, which will be maintained by the safety coordinator for five years.

10. ACCIDENT INVESTIGATIONS

All injuries are to be reported immediately by filling out a C-1 to management. An investigation is to begin immediately by the immediate supervisor of the injured person. The Injury Investigation form is to be completed by the immediate supervisor.

The C-1 and the Injury Investigation Form are to be turned in to Human Resources in order to ensure corrective action is taken to reduce the probability of an injury recurring.

Near misses are to be reported by the Near Miss Form, and the process for investigating and correcting the problem is the same as described above.

11. ADDENDUM "A"

APPOINTMENT OF OFFICERS

Per Storey County Commissioner's Meeting date: _____

Safety Committee Officers appointed for terms beginning on date: _____

and ending on date: _____

Are as follows;

Chairman: _____

Signature: _____

Contact info:

Cell phone _____

e-mail _____

Vice Chair: _____

Signature: _____

Contact info:

Cell phone _____

e-mail _____

SAFETY INSPECTION CHECKLIST

Yes/No/Comments

1. All exits unblocked
2. No tripping hazards present.
3. No obstructions in passageways.
4. All electrical boxes covered/closed.
5. Personnel wearing proper PPE.
6. First aid supplies available and adequate.
7. Fire extinguishers charged.
8. Exits clearly marked.
9. Flammable materials stored in metal cabinets.
10. Hazardous materials containers labeled.
11. Emergency evacuation route maps on board.
12. Employees lifting properly.
13. Combustible material not stored near hot objects.
14. Low clearance marked appropriately.
15. Equipment in use being used properly
16. Equipment in use in safe condition.
17. Fire extinguishers clear of obstructions.
18. All moving parts and pinch points guarded.
19. Electrical cords in good condition.
20. No slip hazards present.
21. No sharp edges present.
22. Other.

Signature

Date _____

HAZARDOUS CONDITION REPORT

Date: _____ Name (optional): _____

Hazardous Condition: _____

Suggested Solution: _____

Investigation of Safety Coordinator: _____

Corrective Action Taken (completed by Safety Coordinator: _____

Employees are protected by NRS 618.383 against retribution from management for completing this form in order to report unsafe conditions.

**INJURY INVESTIGATION FORM
(TO BE COMPLETED BY SUPERVISOR)**

Employee Name: _____ SSN: _____

Job Position: _____

Date and Time of Injury: _____

Location of Accident: _____

Location of Injury: _____

Date and Time of Injury reported to you: _____

Witnesses: _____

First Aid given: _____

How did injury occur? _____

What were causes of injury? _____

What recommendations do you have to prevent reoccurrences? _____

Corrective Action Taken (completed by safety coordinator) _____

Supervisor Signature

Safety Coordinator Signature

**NEAR MISS REPORT FORM
(TO BE COMPLETED BY EMPLOYEE)**

Employee Name: _____ SSN: _____

Job Position: _____

Date and Time of Near Miss: _____

Witnesses: _____

Describe what happened: _____

How do you think this can be prevented in the future? _____

Corrective Action (to be completed by safety coordinator) _____

_____ Employee Signature	_____ Date	_____ Supervisor Signature	_____ Date
-----------------------------	---------------	-------------------------------	---------------

SAFETY TRAINING FORM

Topic: _____

Trainer: _____ Date: _____

Format: _____

Sign-in:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

EMPLOYEE SAFETY COMMUNICATON FORM

This form is for use by employees who wish to provide a safety suggestion or report an unsafe workplace condition or practice.

Description of unsafe condition or practice: _____

Location where unsafe condition exists: _____

Causes or other contributing factors: _____

Employee's suggestion for improving safety: _____

Has this matter been reported to the area supervisor? Yes _____ No _____

Employee Name (optional): _____

Department: _____ Date: _____

Employees are advised that the use of this form or other reports of unsafe conditions or practices are protected by law. It would be illegal for the employer to take action against an employee in reprisal for exercising rights to participate in communication involving safety.



Storey County Board of County Commissioners Agenda Action Report

Meeting date: 3/3/15

Estimate of time required: 0 - 5

Agenda: Consent ☒ Regular agenda ☐ Public hearing required ☐

1. **Title:** Business License First Readings

2. **Recommended motion:** None required (if approved as part of the Consent Agenda)
I move to approve all first readings (if removed from consent agenda by request)

3. **Prepared by:** Stacey Bucchianeri

Department: Community Development

Telephone: 847-0966

4. **Staff summary:** First readings of submitted business license applications are normally approved on the consent agenda. The applications are then submitted at the next Commissioners' meeting for approval.

5. **Supporting materials:** See attached Agenda Letter

6. **Fiscal impact:** None

Funds Available:

Fund:

____ Comptroller

7. **Legal review required:** None
____ District Attorney

8. **Reviewed by:**

☒ Department Head

Department Name: Community Development

____ County Manager

Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No.

Storey County Community Development

Business Licensing



P O Box 526 • Virginia City NV 89440 • (775) 847-0966 • Fax (775) 847-0935 • buslic@storeycounty.org

To: Vanessa Stephens, Clerk's Office
Pat Whitten, County Manager

February 23, 2015
Via email

Fr: Stacey Bucchianeri

Please add the following item(s) to the **March 3, 2015**, COMMISSIONERS Consent Agenda:

LICENSING BOARD FIRST READINGS:

- A. **PELETT CONSTRUCTION** – Contractor / 616 East Glendale ~ Sparks
- B. **S.W.O.R.D. DESIGN** – General / 420 USA Parkway
- C. **ELECTRIC TECH CONSTRUCTION, INC.** – Contractor / 1910 Mark Court ~ Concord, CA

TRI

Inspection Required

ec: Shannon Gardner, Building Dept.
Austin Osborne, Planning Dept.
Dean Haymore, Economic Dev.

Gary Hames, Fire Dept.
Patty Blakely, Fire Dept.
Fritz Klingler, Fire Dept.

Sheriff's Office
Assessor's Office



Storey County Board of County Commissioners Agenda Action Report

Meeting date: March 3, 2015

Estimate of time required: 0-5 Minutes

Agenda: Consent ☒ Regular agenda ☐ Public hearing required ☐

1. **Title:** Storey County Fire Protection District agreement with the Nevada Division of Forestry for participation for the Wildland Fire Protection Program (WFPP).
2. **Recommended motion:** None required if approved as part of the Consent Agenda. If a request is granted to hear separately, then: *I move to approve the renewal of the Storey County Fire Protection District agreement with the Nevada Division of Forestry for the Wildland Fire Protection Program.*

3. **Prepared by:** Gary Hames

Department: Fire District

Telephone: (775) 847-0954

4. **Staff summary:** The existing WFPP is due to expire on June 30, 2015. This is required to renew the WFPP agreement for the next biennium. This contract will be in effect from July 1, 2015 through June 30, 2017. There have been no cost increases with this contract and the first two years proved to be beneficial to both parties. This contract is for \$150,000 per year for a total of \$300,000 over the next biennium.

5. **Supporting materials:** Interlocal Contract Between Department of Conservation and Natural Resources (NDF) and the Storey County Fire Protection District.

6. **Fiscal impact:**

Funds Available: Yes

Fund: 250

047 Comptroller

7. **Legal review required:**

KL District Attorney

8. **Reviewed by:**

GDH Department Head

Department Name: Fire District

Rail County Manager

Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

INTERLOCAL CONTRACT BETWEEN PUBLIC AGENCIES

A Contract Between the State of Nevada
Acting By and Through Its

Department of Conservation and Natural Resources
Nevada Division of Forestry
2478 Fairview Drive, Carson City, Nevada 89701
Phone (775) 684-2500 – Fax (775) 684-2570

And

Storey County Fire Protection District
145 N "C" Street, PO Box 603
Virginia City, NV 89440
Phone 775-847-0968 – Fax 775-847-0987

WHEREAS, NRS 277.180 authorizes any one or more public agencies to contract with any one or more other public agencies to perform any governmental service, activity or undertaking which any of the public agencies entering into the contract is authorized by law to perform; and

WHEREAS, it is deemed that the services of Nevada Division of Forestry hereinafter set forth are both necessary to Storey County Fire Protection District and in the best interests of the State of Nevada;

NOW, THEREFORE, in consideration of the aforesaid premises, the parties mutually agree as follows:

1. REQUIRED APPROVAL. This Contract shall not become effective until and unless approved by appropriate official action of the governing body of each party.
2. DEFINITIONS. "State" means the State of Nevada and any state agency identified herein, its officers, employees and immune contractors as defined in NRS 41.0307.
3. CONTRACT TERM. This Contract shall be effective July 1, 2015 to June 30, 2017, unless sooner terminated by either party as set forth in this Contract.
4. TERMINATION. This Contract may be terminated by either party prior to the date set forth in paragraph (3), provided that a termination shall not be effective until 60 days after a party has served written notice upon the other party. This Contract may be terminated by mutual consent of both parties or unilaterally by either party without cause. The parties expressly agree that this Contract shall be terminated immediately if for any reason federal and/or State Legislature funding ability to satisfy this Contract is withdrawn, limited, or impaired.
5. NOTICE. All notices or other communications required or permitted to be given under this Contract shall be in writing and shall be deemed to have been duly given if delivered personally in hand, by telephonic facsimile with simultaneous regular mail, or mailed certified mail, return receipt requested, postage prepaid on the date posted, and addressed to the other party at the address set forth above.
6. INCORPORATED DOCUMENTS. The parties agree that the services to be performed shall be specifically described; this Contract incorporates the following attachments in descending order of constructive precedence:

ATTACHMENT A: WILDLAND FIRE PROTECTION PROGRAM SCOPE OF WORK

7. CONSIDERATION. Nevada Division of Forestry agrees to provide the services set forth in paragraph (6) at a cost of \$150,000 for State Fiscal Year 2016 and \$150,000 for State Fiscal Year 2017, not to exceed \$300,000 with quarterly installments payable in advance on the first of each quarter, starting July 1 of each fiscal year. Any intervening end to a biennial appropriation period shall be deemed an automatic renewal (not changing the overall Contract term) or a termination as the results of legislative appropriation may require.

8. ASSENT. The parties agree that the terms and conditions listed on incorporated attachments of this Contract are also specifically a part of this Contract and are limited only by their respective order of precedence and any limitations expressly provided.

9. INSPECTION & AUDIT.

a. Books and Records. Each party agrees to keep and maintain under generally accepted accounting principles full, true and complete records, agreements, books, and documents as are necessary to fully disclose to the State or United States Government, or their authorized representatives, upon audits or reviews, sufficient information to determine compliance with all state and federal regulations and statutes.

b. Inspection & Audit. Each party agrees that the relevant books, records (written, electronic, computer related or otherwise), including but not limited to relevant accounting procedures and practices of the party, financial statements and supporting documentation, and documentation related to the work product shall be subject, at any reasonable time, to inspection, examination, review, audit, and copying at any office or location where such records may be found, with or without notice by the State Auditor, Employment Security, the Department of Administration, Budget Division, the Nevada State Attorney General's Office or its Fraud Control Units, the State Legislative Auditor, and with regard to any federal funding, the relevant federal agency, the Comptroller General, the General Accounting Office, the Office of the Inspector General, or any of their authorized representatives.

c. Period of Retention. All books, records, reports, and statements relevant to this Contract must be retained a minimum of three years and for five years if any federal funds are used in this Contract. The retention period runs from the date of termination of this Contract. Retention time shall be extended when an audit is scheduled or in progress for a period reasonably necessary to complete an audit and/or to complete any administrative and judicial litigation which may ensue.

10. BREACH; REMEDIES. Failure of either party to perform any obligation of this Contract shall be deemed a breach. Except as otherwise provided for by law or this Contract, the rights and remedies of the parties shall not be exclusive and are in addition to any other rights and remedies provided by law or equity, including but not limited to actual damages and to a prevailing party reasonable attorneys' fees and costs. It is specifically agreed that reasonable attorneys' fees shall include without limitation \$125 per hour for State employed attorneys and County employed attorneys.

11. LIMITED LIABILITY. The parties will not waive and intend to assert available NRS Chapter 41 liability limitations in all cases. Contract liability of both parties shall not be subject to punitive damages. Actual damages for any breach shall never exceed the amount of funds which have been appropriated for payment under this Contract, but not yet paid, for the fiscal year budget in existence at the time of the breach.

12. FORCE MAJEURE. Neither party shall be deemed to be in violation of this Contract if it is prevented from performing any of its obligations hereunder due to strikes, failure of public transportation, civil or military authority, act of public enemy, accidents, fires, explosions, or acts of God, including, without limitation, earthquakes, floods, winds, or storms. In such an event the intervening cause must not be through the fault of the party asserting such an excuse, and the excused party is obligated to promptly perform in accordance with the terms of the Contract after the intervening cause ceases.

13. INDEMNIFICATION.

a. To the fullest extent of limited liability as set forth in paragraph (11) of this Contract, each party shall indemnify, hold harmless and defend, not excluding the other's right to participate, the other from and against all liability, claims, actions, damages, losses, and expenses, including but not limited to reasonable attorneys' fees and costs, arising out of any alleged negligent or willful acts or omissions of the party, its officers, employees and agents. Such obligation shall not be construed to negate, abridge, or otherwise reduce any other right or obligation of indemnity which would otherwise exist as to any party or person described in this paragraph.

b. The indemnification obligation under this paragraph is conditioned upon receipt of written notice by the indemnifying party within 30 days of the indemnified party's actual notice of any actual or pending claim or cause of action. The indemnifying party shall not be liable to hold harmless any attorneys' fees and costs for the indemnified party's chosen right to participate with legal counsel.

14. INDEPENDENT PUBLIC AGENCIES. The parties are associated with each other only for the purposes and to the extent set forth in this Contract, and in respect to performance of services pursuant to this Contract, each party is and shall be a public agency separate and distinct from the other party and, subject only to the terms of this Contract, shall have the sole right to supervise, manage, operate, control, and direct performance of the details incident to its duties under this Contract. Nothing contained in this Contract shall be deemed or construed to create a partnership or joint venture, to create relationships of an employer-employee or principal-agent, or to otherwise create any liability for one agency whatsoever with respect to the indebtedness, liabilities, and obligations of the other agency or any other party.

15. WAIVER OF BREACH. Failure to declare a breach or the actual waiver of any particular breach of the Contract or its material or nonmaterial terms by either party shall not operate as a waiver by such party of any of its rights or remedies as to any other breach.

16. SEVERABILITY. If any provision contained in this Contract is held to be unenforceable by a court of law or equity, this Contract shall be construed as if such provision did not exist and the non-enforceability of such provision shall not be held to render any other provision or provisions of this Contract unenforceable.

17. ASSIGNMENT. Neither party shall assign, transfer or delegate any rights, obligations or duties under this Contract without the prior written consent of the other party.

18. OWNERSHIP OF PROPRIETARY INFORMATION. Unless otherwise provided by law any reports, histories, studies, tests, manuals, instructions, photographs, negatives, blue prints, plans, maps, data, system designs, computer code (which is intended to be consideration under this Contract), or any other documents or drawings, prepared or in the course of preparation by either party in performance of its obligations under this Contract shall be the joint property of both parties.

19. PUBLIC RECORDS. Pursuant to NRS 239.010, information or documents may be open to public inspection and copying. The parties will have the duty to disclose unless a particular record is made confidential by law or a common law balancing of interests.

20. CONFIDENTIALITY. Each party shall keep confidential all information, in whatever form, produced, prepared, observed or received by that party to the extent that such information is confidential by law or otherwise required by this Contract.

21. PROPER AUTHORITY. The parties hereto represent and warrant that the person executing this Contract on behalf of each party has full power and authority to enter into this Contract and that the parties are authorized by law to perform the services set forth in paragraph (6).

22. GOVERNING LAW; JURISDICTION. This Contract and the rights and obligations of the parties hereto shall be governed by, and construed according to, the laws of the State of Nevada. The parties consent to the jurisdiction of the Nevada district courts for enforcement of this Contract.

23. ENTIRE AGREEMENT AND MODIFICATION. This Contract and its integrated attachment(s) constitute the entire agreement of the parties and as such are intended as a complete and exclusive statement of the promises, representations, negotiations, discussions, and other agreements that may have been made in connection with the subject matter hereof. Unless an integrated attachment to this Contract specifically displays a mutual intent to amend a particular part of this Contract, general conflicts in language between any such attachment and this Contract shall be construed consistent with the terms of this Contract. Unless otherwise expressly authorized by the terms of this Contract, no modification or amendment to this Contract shall be binding upon the parties unless the same is in writing and signed by the respective parties hereto and approved by the Office of the Attorney General.

IN WITNESS WHEREOF, the parties hereto have caused this Contract to be signed and intend to be legally bound thereby.

**FOR STOREY DISTRICT FIRE
PROTECTION DISTRICT**

FOR DCNR and DIVISION (STATE)

Marshall McBride, Chair, Board of Commissioners Date

Robert Roper, State Forester/Firewarden Date

Attest:

Leo Drozdoff, Director, DCNR Date

Vanessa Stephens, Clerk/Treasurer Date

Approved as to form by:

Approved as to form by:

Anne Langer, District Attorney Date

Bryan Stockton, Deputy Attorney General for
Attorney General, State of Nevada Date

APPROVED BY BOARD OF EXAMINERS:

Signature – Nevada State Board of Examiners Date

Attachment A
WILDLAND FIRE PROTECTION PROGRAM
SCOPE of WORK

I. IDENTIFICATION OF ENTITIES

- A. The State of Nevada Department of Conservation and Natural Resources (hereinafter "DCNR") which exists pursuant to NRS 232.010(1), and the Nevada Division of Forestry (hereinafter "DIVISION") which exists pursuant to NRS 232.090(c), are both agencies of the State of Nevada (and are from time to time collectively referred to as "STATE" in this Agreement);
- B. Storey County Fire Protection District, is a political subdivision of the State of Nevada (hereinafter "DISTRICT");

II. RECITALS

WHEREAS, all signatories to this Agreement are public agencies authorized by Chapter 277 of the Nevada Revised Statutes to enter into interlocal and cooperative agreements with each other for the performance of governmental functions; and;

WHEREAS, the DISTRICT is authorized to serve its community in many different ways, including emergency situation management such as fire and emergency medical service, hazardous materials, confined space rescue, fire prevention, aircraft fire rescue, and others.

WHEREAS, the DIVISION has responsibility to supervise or coordinate all forestry and watershed work on state-owned and privately owned lands, including fire control, in Nevada, working with federal agencies, private associations, counties, towns, cities or private persons and;

WHEREAS, the DIVISION may maintain or have access to additional specialized wildfire expertise and suppression resources and;

WHEREAS, it is to the mutual advantage of the DIVISION and the DISTRICT to work closely together to maintain effective wildfire management without duplication, and to coordinate efforts with federal cooperators and;

WHEREAS, the DIVISION and the DISTRICT desire to define their roles, responsibilities and relationships to achieve the most effective protection of forest, range, and watershed lands and;

WHEREAS, the DIVISION and the DISTRICT recognize that safe, aggressive initial attack is often the best suppression strategy to keep wildland fires small and costs down and;

WHEREAS, it is understood that the mission and intent of all parties is to quickly suppress wildland fires regardless of jurisdiction and/or ownership. It is considered mutually beneficial to all parties to jointly take action as necessary to safely and effectively contain all wildland fires and;

WHEREAS, the DISTRICT has requested to participate in the DIVISION Wildland Fire Protection Program (hereinafter WFPP), and the DIVISION is authorized to render wildland fire protection services, including cost reimbursement, to the DISTRICT;

NOW THEREFORE, in consideration of the above premises, it is agreed between the parties as follows:

III. TERMS

A. Location

The DISTRICT will provide the DIVISION a map of the jurisdictional boundaries the DISTRICT enrolled in the WFPP

B. Payment

The DIVISION will pay qualifying wildland fire suppression expenses to (or for) participating DISTRICT jurisdiction in the WFPP.

1. Qualifying Expenses

Reasonable and prudent expenses (actual costs, based on established rates of the jurisdiction or DIVISION, attached) with respect to values at risk, for wildland fire suppression and support resources engaged in wildland fire suppression within the DISTRICT jurisdiction, or through a cost-share agreement with Federal Agencies on adjacent or comingled jurisdiction.

- Initial Attack Suppression forces (Assistance by Hire), including aviation resources.
- Extended Attack resources (Assistance by Hire), services and supplies with a Resource Order number.
- Vehicles, equipment and apparatus utilizing established Rates based on actual operating costs.
- Fire Base Camp – Incident Command Post set-up and operational costs.
- Food services for Incident personnel.
- Transportation to/from Incident.
- Repair/replacement of uninsured items and small equipment damaged or destroyed during fire suppression (with IC approval and completed OF-289, Property Loss or Damage Report).
- Use of Mobile equipment.
- Use of Aircraft services.
- Personnel costs utilizing established Rates based on actual operating costs.
- Incident Management Team, mobilization and support.

- Cost Share Agreements.
- Dispatch overtime.
- Fire suppression damage repair.

2. Excluded Expenses

- DISTRICT equipment, apparatus, personnel salary and benefits, unless expenses are directly attributed to a wildland fire covered under the WFPP.
- DISTRICT equipment and repair/maintenance costs associated with wildland fire response and normal wear and tear.
- Individuals and agencies when in “mutual aid” to DISTRICT.
- “Profit” and Administrative fees.
- Dispatch personnel and services, regular time.
- Agency Overhead personnel not specifically assigned to the incident.
- Non-expendable (non-consumable) accountable property, i.e. Chainsaws, FAX Machines, and Mobile Air Conditioners.
- Claims and award payments.
- Interest and indemnities payments.
- DISTRICT Burned Area Emergency Rehabilitation (BAER) beyond suppression damage repair.
- Resources demobilized before the end of the mutual aid period.
- Escaped Prescribed Burns that were initiated by the DISTRICT.

3. Negotiable Expenses

Costs not outlined above may be subject to negotiation between the parties for payment.

The DISTRICT should notify the DIVISION of any questions, issues or situations regarding qualifying expenses that are not clear or require negotiation. The DIVISION will set a meeting to discuss and/or resolve. If the parties are unable to reach a mutually agreeable resolution, either party may refer the matter to the Review Committee (Section J) for further action.

C. Annual Planning Meeting

Annually, representatives of the DIVISION, the DISTRICT, and others deemed necessary, shall meet and jointly discuss, review, and update as necessary the WFPP and set rates for personnel and equipment. The DIVISION will arrange the date and location for the meeting each year.

D. Use of Incident Management Teams

The DISTRICT will notify the DIVISION State Duty Officer of any wildland fire in their jurisdiction that may require mobilization of an Incident Management Team. The DIVISION

will participate in unified command role and actively participate as an Agency Administrator on any Type II or Type I wildland incident in a WFPP jurisdiction.

E. Organizing, Equipping, and Training

The DISTRICT will cooperate in the training, equipping and maintaining of wildland firefighting forces in the DISTRICT.

The DIVISION will assist the DISTRICT in the organizing and training of DISTRICT and cooperator forces to detect, contain and extinguish wildland fires at no charge.

F. Wildfire Pre-Suppression

The DIVISION will provide, at the DISTRICT'S request, technical assistance with hazardous fuels reduction and/or modification, including developing projects, prescriptions, and plans; State Historic Preservation Office (SHPO) pre project reviews for potential impacts upon historic properties; Threatened and Endangered (T&E) species occurrences; and other technical services as requested and available. The DIVISION will provide, at the DISTRICT'S request, subject to availability, personnel and apparatus to assist in Public Wildfire Education Programs, and the DIVISION and the DISTRICT will collaborate on a wildland fire prevention program that includes a common message.

G. Wildfire Suppression

The DIVISION and the DISTRICT will utilize the "closest forces" concept for all wildland fire responses. This concept dictates that the closest available resources respond to initial attack fires, regardless of jurisdiction, whenever there is a critical and immediate need for the protection of life and property. Beyond initial attack, the "closest forces" concept is modified and the respective agencies will request the most appropriate resource to aid in the suppression of a wildfire. The DIVISION will pay DISTRICT volunteer fire departments \$20 per hour (with a 2 hour minimum) per fire engine/tender for wildland fire suppression responses in the DISTRICT.

H. Reporting/Notification

The DISTRICT will notify the DIVISION State Duty Officer of any wildland fire in their jurisdiction that may require DIVISION assistance at time of size up or as soon as reasonably possible.

I. Prescribed Burning

The DIVISION and the DISTRICT will coordinate technical assistance for prescribed fires and fuels reduction projects. Prescribed burning costs are not eligible for reimbursement

under the WFPP. If initiated by the DISTRICT Escaped Prescribed Fires (conversion to wildland fire) are not eligible for reimbursement or direct payment under the WFPP.

J. Review Committee

The STATE will establish a review committee to adjudicate issues or questions between the DIVISION and the DISTRICT which cannot be resolved informally through the parties. The Director of the Department of Conservation and Natural Resources (DCNR) will request one STATE representative and two individuals from jurisdictions other than where the dispute is occurring to serve on the Committee. The Committee will meet and discuss the issue and make a non-binding recommendation to the Director of DCNR for a final decision. The use of a Review Committee, however, is not intended to alter or supplant any other remedy either party may have at law.

K. Reimbursement/Payment

The DIVISION will provide reimbursement to the DISTRICT, or provide for direct payment of approved costs to Federal Agencies and other vendors.

The DIVISION will provide template/process for billing eligible DISTRICT costs to the Wildland Fire Protection Program.

1. Billing invoice requirements:
 - a. One incident per invoice;
 - b. Incident name;
 - c. Incident start date;
 - d. Incident number (State and Federal);
 - e. Contact point for questions;
 - f. Standard billing documentation: Dispatch Resource Orders, Cost Share Agreements, Transaction Registers and backup documentation (Resource Order Numbers for all Supplies, Incident Dispatch Log).

The DISTRICT will prepare and submit to the DIVISION incident billing packages no later than six (6) months from the date the incident is declared out, with the exception of certain FEMA, Civil Cost Recovery and other incidents that warrant specific time tables. The DIVISION reserves the right to return billing packages not meeting the billing invoice requirements outlined above, for correction. Failure to meet these timelines shall not be construed as a release or waiver of claims for reimbursement against the other party. If the six (6)-month timeframe cannot be met, immediate written notification shall be made to the DIVISION Deputy Administrator.

For Federal Emergency Management Agency (FEMA) billings, the DIVISION will be the lead agency for all bills to be submitted for the Fire Management Assistance Grant Program (FMAG). The DIVISION requires estimated bills from the DISTRICT within 30 days of the fire being declared out. The DISTRICT will track resources and costs associated with wildland fires.

L. Non-Wildland Fire Emergency Assistance

The DIVISION will provide to the DISTRICT participating in the WFPP, assistance without cost (subject to availability) requested by the DISTRICT for emergencies which threaten human life or property including the use of DIVISION aircraft, Conservation Camp Crews, apparatus and heavy equipment.

M. Cost Share Agreements

The DISTRICT will notify the DIVISION State Duty Officer of any wildland fire in their jurisdiction that may require a cost share agreement between agencies/jurisdictions. The DIVISION will assume an active role in the development of the cost share agreement and must ratify the agreement in order for any expenses incurred through the agreement to qualify under the WFPP.

N. Fire Investigations

PARTIES shall render mutual assistance in investigation and law enforcement activities, and in court prosecutions, to the fullest extent possible. The DISTRICT shall be responsible for fire-related law enforcement activities on wildfires that originate on their respective lands. The DIVISION has the ability to seek cost recovery actions on known human caused fires. To the extent permitted by State law, the DISTRICT will provide investigation files relative to the fire to the DIVISION.



Storey County Board of County Commissioners

Agenda Action Report

Meeting date: March 3, 2015

Estimate of time required: 15 min.

Agenda: Consent ☐ Regular agenda ☐ Public hearing required ☒

1. **Title:** Discussion and possible action to approve the second reading of Ordinance 14-261, an ordinance amending Storey County Code chapter 5.16 Prostitution to change the name to Brothels, amending the procedure for revoking a license, and changing requirements on work cards, and providing for other properly related matters.

2. **Recommended motion:** I move to approve the second reading of Ordinance 14-258.

3. **Prepared by:** Robert Morris, outside counsel

Department: District Attorney's Office

Tel: 847-0964

4. **Staff summary:** Ordinance 14-261 was introduced by the Board on its November 12, 2014 meeting with the understanding that staff would work to give the Board their suggestions on how to amend the ordinance. The Board on its December 2, 2014 meeting continued the matter on staff's request. On February 2, 2015 the Board held a public hearing and continued the matter to this meeting. Several additional discussions on brothel procedures and proposed language were held; this is staff's redrafted ordinance.

The request is to have the Board to take public comment on the ordinance, determine whether to change any of the language, and then to pass the ordinance. The issues that have been resolved (shown as underlined blue italics) include: 1) the succession language for licenses, 2) allowing prostitutes to stay segregated at the brothel, for up to 48 hours, until they receive medical clearance, 3) clarifying requirements for the approval of a brothel manager by the licensing board. (Continued on next page)

5. **Supporting materials:** Ordinance 14-261

6. **Fiscal impact:** None

7. **Legal review required:** Yes

____ District Attorney

8. **Reviewed by:**

____ Department Head

Department Name: _____

____ County Manager

Other agency review: _____

9. **Board action:**

☐ Approved

☐ Approved with Modifications

☐ Denied

☐ Continued

Agenda Item No.

4. Staff summary continued: The issue for the board to determine is in section 5.16.220 B (1). Staff is recommending the language that is in the proposed ordinance for what is necessary identification for work cards. The alternative proposed (shown in green italics) follows that section.

Ordinance No. 13-261

Summary

An ordinance amending Storey County Code chapter 5.16 Prostitution to change the name to Brothels, amending the procedure for revoking a license, exempting financial institution lenders from application requirements, and changing requirements on work cards.

Title

An ordinance amending Storey County Code chapter 5.16 Prostitution to change the name to Brothels, amending the procedure for revoking a license, changing requirements on work cards, and providing for other properly related matters.

The Board of County Commissioners of the County of Storey, State of Nevada, does ordain:

SECTION I: Chapter 5.16 Prostitution is amended as follows:

Chapter 5.16

~~Prostitution~~ *Brothels*

5.16.010 Declaration of public policy on privilege permit business.

A. ~~It is found and declared~~ *The board of county commissioners finds and declares* that the public health, safety, morals and welfare of the inhabitants of the county require the regulation and control of each brothel, as a privilege permit business, the licensing of which is granted in the sole discretion of the board (~~as defined below~~) and the regulation and control of each person with an ownership interest in, who is engaged in, who is associated with or who is in control of ~~the such~~ business, including the local general manager or managers, if any, thereof.

B. It is unlawful to practice prostitution, to allow acts of prostitution or sex-for-hire services, to solicit business for a prostitute or to procure any person for the purpose of prostitution, except as ~~permitted by licensed and conducted in accordance with this~~ chapter.

C. *Any license issued under the provisions of this chapter is a revocable privilege and the holder does not acquire any vested rights to the permit.* (Ord. No. 09-227, § 1)

5.16.020 Definitions.

When used in this chapter, the following words and terms *are defined as follows:*
~~shall have the meanings ascribed to them in this section:~~

"Applicant" means any person, including a trustee of an inter vivos trust, a director, officer or shareholder of a corporation, or a member or manager and owner of a limited liability company applying to the board for a license under the provisions of this chapter.

"Board" means the Brothel Licensing Board of Storey County consisting of *the board* of three County Commissioners and the Sheriff of Storey County.

"Brothel" means a business engaged in prostitution, sex-for-hire services, and all associated activities allowed *and* or approved under this chapter.

"Escort" means any person who, for a compensation of any type, accompanies any other person to or about social affairs, places of entertainment or amusement, or who consorts with others about any place of public resort or within any private quarters outside of a brothel.

"Escort service" includes any person, business or agency which, for compensation of any type, furnishes or offers to furnish escorts, also known as "outdating."

"Licensed operation" means a brothel duly licensed and operated in accordance with the provisions of this chapter.

"Operational control" means *the control of or the ability to control any substantial business decision involving a brothel.*

"Premises" means *the brothel building, accessory buildings used by customers, and area within the fenced enclosure, if any, of the building.*

"Work card" means the card issued by the sheriff to each employee and to each prostitute authorizing them to work at a licensed operation. (Ord. No. 09-227, § 1)

5.16.030 Prostitution permitted--~~Compliance with provisions.~~

~~Prostitution permitted.~~ The operation of a *licensed* brothel within the county in accordance with the provisions of this chapter does not constitute a public nuisance or an offense to public decency. (Ord. No. 09-227, § 1)

5.16.040 Powers of the licensing board.

A. The board ~~has the~~ *is made and constitutes the* full and sole authority to grant a permit to operate a brothel, and the sole authority to make, alter and rescind all necessary regulations setting forth the terms and conditions under which ~~such~~ permits may be applied for, the terms and conditions under which ~~such~~ permits ~~shall~~ *may* be granted, transferred, revoked or canceled, where ~~such~~ brothels ~~shall~~ *may* be located, within the county, and any and all other regulations necessary regarding the conditions under which the brothels may be allowed to operate.

B. ~~It shall be~~ *is* the duty of the board to carry out terms of the provisions of this chapter, and to see that this chapter is faithfully enforced.

C. Powers of the board ~~shall~~ *are* not be limited to, the power to:

1. Receive all license ~~and~~ general manager applications. ~~submitted under the provisions of this chapter;~~

2. Investigate all applicants. ~~under the provisions of this chapter;~~

3. Grant or refuse to grant the license. ~~provided for in this chapter;~~

4. Approve or disapprove a general manager for a licensed operation.

4 5. Receive complaints concerning alleged violations of this chapter.

~~5 6. Restrict, revoke or suspend licenses for cause after a hearing. In an emergency the board may issue an order for immediate suspension or limitation of a license, but the order must state the reason for suspension or limitation and afford the licensee a hearing. Revoke, temporarily suspend, or place restrictions and conditions against licenses issued under the terms of this chapter;~~

~~6 7. Exercise any proper the power and authority necessary to perform the duties assigned it, not limited by any enumeration of powers or considerations in this chapter.; and~~

~~7 8. Hear appeals from enforcement actions of the S sheriff of Storey County.~~
(Ord. No. 09-227, § 1)

5.16.050 Restrictions on licensing.

~~—A. Location and premises. Every licensed operation shall have the following restrictions:~~

~~——1. Signs. Each licensed operation may have up to three appropriate signs within Storey County. All off-premises signs shall be placed in a location off the right-of-way and in a manner so as not to constitute a hazard. The Storey County Community Development Department shall approve all signage.~~

~~——2. Fences. All licensed operations, individual or resort property oriented, shall include designated perimeter barriers (fences, berms or other approved forms of separation) and a resort-style entrance gate that will restrict access to the brothel property. No prostitution-related activities shall be conducted outside of the designated perimeter.~~

~~—B. No topless show or other exhibition involving the exposure of human genitals, pubic region, or buttocks, or any adult movie whose program during a substantial part of the time, contains one or more motion pictures which are rated "X" by the Code Rating Administration of the Motion Picture Association of America, or which is not rated, but whose program is intended to appeal to the prurient interests of the client shall be permitted or licensed by Storey County outside of a licensed operation. Such activities are hereby approved by this chapter for their operation in a licensed operation and shall be allowed only in association with, and pursuant to, the issuance of a bona fide brothel license.~~

~~—C. The board may, in its discretion, and to promote the health, safety and welfare of the people of the county, and/ or to promote the orderly conduct of the operation, impose additional restrictions, including, but not limited to, the following:~~

~~——1. Limitation on the hours per day and/or per week that a licensed operation may be conducted; and~~

~~——2. Limitation on the type, signing and size of building in which a licensed operation may be conducted.~~

~~—D. The board may impose restrictions pursuant to this section prior, during, or after issuance of license.~~

~~—E. Reserved.~~

~~—F. Subject to Nevada State Law, gaming may be permitted in the premises, or on the approved brothel property.~~

~~— G. In the interests of the public health, safety, morals, and general welfare, the number of licenses issued under this chapter shall be limited to five.~~

~~— H. Escort services shall only be allowed in association with a licensed operation and pursuant to a brothel license and shall occur only under an additional and separate specific escort license, subject to a per transactional written agreement acknowledging:~~

- ~~—— 1. The brothel is not licensed outside of Storey County;~~
- ~~—— 2. Prostitution is not allowed in Washoe County, Reno, Sparks, Carson City or the Nevada areas of Lake Tahoe;~~
- ~~—— 3. Escort services are solely for purposes such as, but not limited to, entertainment, dining, gaming (casino gambling), dancing, shopping, sight seeing or other similar activity;~~
- ~~—— 4. Escort and client shall not leave the State of Nevada; and~~
- ~~—— 5. Prostitution or solicitation of sexual activity away from the licensed operation is prohibited.~~

~~5.16.060 Unsuitable locations and buildings.~~

~~— A. The board may deny any application if the board deems that the place or location for which the license is sought is unsuitable for the conduct of a brothel. Without limiting the foregoing, the following places or locations may be deemed unsuitable:~~

- ~~—— 1. Premises located within 1 mile of a church, hospital, school, military or naval reservation, children's public playground or residential area;~~
- ~~—— 2. Premises difficult to police or difficult to access by police and emergency services;~~
- ~~—— 3. Premises adjoining a gambling house, motel, hotel, licensed cocktail lounge not part of the brothel, or another brothel;~~
- ~~—— 4. Premises located within the historic districts as defined by NRS 384.100 and such other sites of historical or public interest, as may be designated by the board;~~
- ~~—— 5. All properties located within the former McCarran Ranch, including all property contiguous thereto and/or associated therewith, excluding currently licensed brothels; and~~
- ~~—— 6. Properties requiring primary ingress egress across BLM controlled property, previously known as the Mustang Ranch, require written approval of easement access from the United States Department of Treasury, the United States Department of the Interior acting through the Bureau of Land Management (BLM) and the United States Attorney's Office prior to acceptance of application.~~

~~— B. The board may deny any application if the board deems that the building for which the license is sought is unsuitable for the conduct of a brothel. Without limiting the foregoing, the following may be deemed unsuitable:~~

- ~~—— 1. A building which is or is proposed to be located in a mobile home which will not be converted to real property;~~
- ~~—— 2. A factory built housing building which will not be permanently affixed to the land; and~~
- ~~—— 3. A manufactured home which will not be permanently affixed to the land.~~

5.16.070 Reserved.

5.16.0850 License application--Filing and investigation.

A. All license applications ~~for a brothel~~ under the provisions of this chapter shall ~~must~~ be filed with the sheriff's office along with a nonrefundable ~~three thousand dollar (\$3,000.00)~~ investigation fee, ~~set by resolution of the board of county commissioners, for each applicant.~~ If the actual total cost of investigating any license application exceeds ~~the fee three thousand dollars,~~ the applicant shall ~~will~~ be responsible for and pay to the county the amount in excess ~~before the license may be approved.~~ At time of application, the first ~~three month's-quarter's~~ license fee shall ~~must~~ be deposited with the sheriff's office. If the application is denied, the first ~~quarter's~~ license fee deposit shall ~~must~~ be refunded.

B. Any applicant whose place of business will be conducted by a general manager or agent, and any brothel licensee ~~who changes a general manager,~~ is required to submit an amended application ~~for the general manager~~ and is required to report the change of a general manager or agent, ~~shall and must~~ pay an additional nonrefundable investigation fee of ~~three thousand dollars (\$3,000.00)~~ for each such designated general manager or agent.

C. Any person, director, officer or shareholder of a corporation, member or manager of a limited liability company, or the principal of any firm or association having any financial interest, including revenue or income participation, operational control, or ownership interest in the brothel shall ~~must~~ submit an application as a co-licensee pursuant to § section 5.16.090 and shall pay an additional nonrefundable investigation fee of ~~three thousand dollars (\$3,000.00).~~

D. Banking and financial institutions that lend to a brothel operator, owner or landlord are not required to submit a license application unless the lending instruments include revenue or income participation, or operational control of the brothel business. For the purposes of this section "banking and financial institutions" mean any bank, savings and loan association, savings bank, thrift company, credit union, or other financial institution that is licensed, registered or otherwise authorized to do business in Nevada.

E. A loan related to the brothel equal to or greater than \$25,000 must be reported to the sheriff and loan documents must be provided within 30 days. (Ord. No. 09-227, § 1)

5.16.0960 License applications--Contents.

Any person desiring to own or operate a brothel within the county shall ~~must~~ apply to the board for a license. ~~The application for the licensee must be filed at the sheriff's office.~~ An applicant shall ~~must~~ be a natural person applying as an owner, co-owner, or general manager of the brothel, or as a trustee on behalf of an inter vivos trust, or as director, officer or shareholder on behalf of a corporation, or as member or manager and owner on behalf of a limited liability company that owns or will own the brothel. Applicants must be a resident of the State of Nevada.

A. The application shall ~~must~~ set forth:

1. The applicant for the license, including:

4 a. Names, ages, and addresses of all persons who have or will have a financial or ownership interest in the operation, including the owner of the real property;

2 b. Names, ages, and addresses of persons who are or will be personally responsible for the conduct and management of the operation;

3 c. Names, ages, and addresses of all persons designated as trustees of an inter vivos trust, directors, officers or shareholders of a corporation, or members or managers of a limited liability company;

4 2. A recent photograph and complete set of fingerprints of all persons listed in subsections 1 (A)(1), (A)(2) and (A)(3) of this section;

3. ~~such~~ *Names and addresses of any other businesses an applicant has a financial or ownership interest in and the type of business and the nature of the applicant's interest;*

54. Names and addresses of each of the applicant's current and former employers for the preceding ten 10 years;

65. ~~All~~ *The applicant's current address and all former addresses in the preceding ten 10 years;*

76. A list of all prior convictions of the applicant for any crime, excluding minor traffic violations; ~~such~~ *the list shall must include a statement of the offense, the place of its occurrence, the date of its occurrence, and the disposition of the case;*

87. A complete and accurate financial statement of the applicant prepared by a licensed certified public accountant;

98. Complete federal income tax returns for the applicant for the preceding five 5 years;

109. The street address and legal description of the property upon which the proposed brothel is to be located, together with copies of all deeds, mortgages, deeds of trust, liens or other encumbrances, leasehold interests, or other interests relating to the property;

110. A complete list of any children the applicant has under the age of eighteen 18, including names, addresses, phone numbers, any court orders for child support and an affidavit that all ~~such~~ child support payments are current;

121. A court certified copy of the inter vivos trust if applicant is designated trustee, the bylaws of a corporation, or the operating agreement of a limited liability company;

1312. An executed comprehensive release authorizing the investigating authority to obtain any and all information deemed pertinent to the granting of a license;

1413. A list consisting of a minimum of three verifiable personal references with addresses and telephone numbers; and

1514. Any other information reasonably deemed necessary or useful by the board.
(Ord. No. 09-227, § 1)

5.16.070 Restrictions on licensing.

A. *The board must apply the following restrictions to every licensed operation:*

1. *Signs. Each licensed operation may have up to three signs. All off-premises signs must be placed in a location off the right-of-way and in a manner so as not to constitute a hazard. The community development department must approve all signs.*

2. *Fences. All licensed operations, individual or resort property oriented, must*

include designated perimeter barriers (fences, berms or other approved forms of separation) and a resort-style entrance gate that will restrict access to the brothel property. No prostitution related activities may be conducted outside of the designated perimeter.

B. Topless shows or other exhibitions involving the exposure of human genitals, pubic region, or buttocks, or any adult movies whose program during a substantial part of the time, contains one or more motion pictures which are rated "X" by the Code Rating Administration of the Motion Picture Association of America, or which is not rated, but whose program is intended to appeal to the prurient interests of the client are allowed in a licensed brothel and may not be permitted or licensed by the board outside of a licensed brothel.

C. The board may, to promote the health, safety and welfare of the people of the county, or to promote the orderly conduct of the operation, impose additional restrictions, including, but not limited to, the following:

1. Limit the hours per day or per week that a licensed operation may be conducted; and

2. Limit the type, signing and size of building in which a licensed operation may be conducted.

3. Limit the number of prostitutes that work in an operation.

D. The board may impose restrictions pursuant to this section prior, during, or after issuance of license.

E. Subject to Nevada State Law, gaming may be permitted in the premises.

F. In the interests of the public health, safety, morals, and general welfare, the number of licenses issued under this chapter is limited to five.

G. Escort services may only be allowed in association with a licensed operation and may be allowed only under an additional and separate specific escort license, subject to a written agreement for each transaction for escort services acknowledging:

1. The brothel is not licensed outside of Storey County.

2. Prostitution is not allowed in Washoe County, Reno, Sparks, Carson City or the Nevada areas of Lake Tahoe.

3. Escort services are for purposes of entertainment, dining, gaming (casino gambling), dancing, shopping, sight seeing or other similar activity.

4. Escort and client may not leave the State of Nevada.

5. Prostitution or solicitation of sexual activity away from the licensed operation is prohibited.

5.16.080 Unsuitable locations and buildings.

A. The board may deny any application if the board finds that the place or location for which the license is sought is unsuitable for the conduct of a brothel. The following places or locations may be deemed unsuitable:

1. Premises located within 1 mile of a church, hospital, school, military or naval reservation, children's public playground or residential area;

2. Premises difficult to police or difficult to access by police and emergency services;

3. Premises adjoining a gambling house, motel, hotel, licensed cocktail lounge not part of the brothel, or another brothel;

4. Premises located within the historic districts as defined by NRS 384.100 and other sites of historical or public interest, as may be designated by the board;

5. All properties located within the former McCarran Ranch, including all contiguous property, excluding currently licensed brothels; and

6. Properties requiring primary ingress or egress across BLM controlled property, previously known as the Mustang Ranch, require written approval of easement access from the United States Department of Treasury, the United States Department of the Interior acting through the Bureau of Land Management (BLM) and the United States Attorney's Office prior to acceptance of application.

B. The board may deny any application if the board finds that the building for which the license is sought is unsuitable for the conduct of a brothel. Without limiting the foregoing, the following may be deemed unsuitable:

1. A building that is or is proposed to be located in a mobile home, which will not be converted to real property.

2. A factory-built housing building, which will not be permanently affixed to the land.

3. A manufactured home, which will not be permanently affixed to the land.

5.16.4090 Investigation of applicant--~~License granted or denied~~ Board action.

A. **Sheriff's investigation.** Upon presentation of any *completed* license application and payment of all fees, the sheriff shall *must* conduct a full investigation of all information contained in the license application and submitted with the application. ~~Such~~ The investigation shall *must* include, but shall *is not* be limited to, the following:

1. A complete check of all records of the Federal Bureau of Investigation and any other similar organization concerning the criminal record of the applicant;

2. A personal interview with the applicant;

3. An interview with selected employers of the applicant and business associates of the applicant, as shown in the license application;

4. Examination of the financial statement, records, and financial background of the applicant; and

5. An interview with any other person or source discovered during the investigation that may have information bearing upon applicant's suitability as a license holder.

B. **Investigation report.** As soon as practicable *or within 45 days* after any application is received by the sheriff, the sheriff shall *must* report the results of the investigation in writing to the board. ~~Such~~ The report shall *must* include, but shall *is not* be limited to, the following:

1. A complete statement of the results of all investigations undertaken;

2. A list of any errors or omissions found to exist in the application; and

3. An evaluation of the personal and financial status and background of the applicant.

C. **Board response.** Within ~~thirty~~ 30 days after receiving the sheriff's report, the board *must* place the application on the board's agenda for a hearing and may:

1. Refer the application back to the sheriff for additional investigation. ;
2. Require a personal interview with the applicant. ;
3. Require the applicant to submit additional information related to his application.

; and

4. *If no further investigation is needed, the board may decide whether to gGrant or deny refuse to grant a license or to approve a general manger under the provisions of this chapter.* (Ord. No. 09-227, § 1)

5.16.100 Issuance of license and automatic renewal.

A. Upon approval of an application for a licensee or all co-licensees connected with a brothel, the board may issue a license for the brothel. The license must state:

1. The name and address or location of the brothel.
2. The names of all licensees connected with the brothel.
3. Any restrictions or limitations imposed by the board under this chapter.
4. The date of issuance of the license.
5. The date of expiration of the license, which is June 30th, the end of each fiscal year.

6. All licenses are issued on a yearly basis and will renew automatically provided that licensee is in substantial compliance with this chapter.

B. The board may issue a temporary license to an applicant for a specific period of time in the case of a licensee's death, disability or insolvency when there is no remaining licensee to operate the brothel. The temporary license entitles the person named in the application to take part in the operation of the brothel and receive profits

5.16.110 License denial.

The board may ~~deny refuse to grant~~ a license to any applicant or ~~may disapprove of a general manager at~~ in its discretion, including based on, but not limited to, the following circumstances:

- A. The applicant, or the applicant's spouse or any other individual listed on the application who may have an interest in the brothel, has been convicted of a felony;
- B. The applicant is financially insolvent;
- C. The applicant has a history of financial instability;
- D. The applicant's stated financial condition is inadequate, insufficient, or too suspect cannot be verified as sufficient to operate a brothel;
- E. The applicant makes any false statement of a material fact or omits any material fact in any application, notice, statement, or report filed with the board;
- F. The applicant has any financial interest in, or connection with, any business or other organization, which that is illegal where such the entity-business is located;
- G. The applicant's license location under the provisions of this chapter would be contrary to the health, safety, morals or welfare of Storey County Codes or the county's residents;
- H. The applicant is under the age of twenty-one years;
- I. The applicant has been convicted of a crime involving moral turpitude, unless the board finds, upon examination of the circumstances of the crime and the applicant's

criminal history, that the applicant does not present, and is not likely to present in the future, a threat to the health, safety, morals, or welfare of the residents of Storey County, and will likely operate a lawful establishment in full compliance with the letter and intent of all Storey County Code Ordinances and Regulations, and the laws of the State of Nevada;

J. The applicant has past due child support;

K. The applicant's license issued under this chapter has been revoked for cause;

L. The applicant is a corporation, unless it is incorporated in Nevada, or unless it is a foreign corporation which is qualified under Nevada law to transact business in Nevada;

M. The applicant is a person whose place of business is conducted by a general manager, ~~or agent~~, unless the general manager ~~or agent~~ possesses the same general qualifications required of an individual licensee; and

N. A person who is unqualified or disqualified to hold a license owns any interest whatsoever in the premises, regardless of the qualifications of the applicant himself.
(Ord. No. 09-227, § 1)

5.16.120 Reserved. 5.16.125 License nontransferable. ~~site specific.~~ Death, disability or insolvency of licensee.

A license granted under this chapter is for operations conducted on the property described in the application only, by the licensee or co-licensees only, and no licensed operation may be added to or moved without a new license application and approval.

A. ~~No~~ A brothel license granted under this chapter may not be transferred, unless such the license is transferred under an inter vivos trust where the licensee is the grantor or settler of the trust and is also the trustee of the trust and the license is in good standing and has not been suspended or revoked.

B. *In the event of the death or judicially established disability of a licensee, the spouse, next of kin, personal representative or guardian of the deceased or disabled person, or any other co-licensee, must notify the board and the sheriff immediately of the death or disability.*

C. *In the event of death or judicially established disability of a sole licensee who holds the sole interest in a licensed operation and whose interest would pass by operation of law to the licensee's estate or to any other person other than a co-licensee, the board may authorize the spouse, next of kin, personal representative, executor, or guardian of the person to continue the operation of the brothel under a temporary permit, as a successor in interest, pending action on an application. The application for a temporary license must be filed within 30 days of the date of death or disability.*

D. *In the event of the death of a licensee holding a license under an inter vivos trust, or whose ownership of a brothel passes by way of a trust on the licensee's death, the succeeding trustee or trustees must be currently licensed as provided in Sections 5.16.020 and 5.16.090. If the succeeding trustee or trustees are not licensed at the time of the licensee's death, the board may authorize the succeeding trustee or trustees to continue operation of the brothel under a temporary license while the succeeding trustee or trustees prepare and submit an application for a license.. Written notification of death must be provided to the sheriff within ten (10) days of the trustee's death.*

E. Where the licensed operation is owned or operated by more than one licensee, the remaining co-licensees may continue to operate the business in the event of the death or disability of a co-licensee. The remaining co licensees may not permit any spouse, heir, next of kin, personal representative or guardian of the deceased or disabled licensee to take part in operation of the brothel unless or until the person is approved for a temporary license or is approved as a co-licensee. If a co-licensee no longer has an interest in the operation of a brothel and is no longer required to be licensed, the remaining licensees must notify the board and sheriff immediately that the person is no longer a licensee. The change in status of the co-licensee is effective on receipt of the notice by the sheriff or the board.

F. The board may, if satisfied the action is necessary, issue a temporary license to an applicant for a specific period of time. The temporary license entitles the person named in the application to take part in the operation of the brothel and receive profits. A temporary license is not transferable.

G. A temporary licensee may be summarily withdrawn at any time in the discretion of the sheriff and one board member without the necessity of a hearing or proceedings for revocation or suspension.

H. In the event a licensee files any petition with the bankruptcy court for relief as a debtor or has a petition filed against it, or a receiver is appointed for a licensed operation or an assignment of a business is made for the benefit of creditors, the licensee, trustee, receiver or assignee, as the case may be, must immediately notify the board of the change in writing. The written notice must have attached a copy of the assignment or the petition filed with the court, and any relevant court orders including orders appointing trustees, receivers, or assignees.

I. A trustee, receiver, or assignee desiring to continue operation of the licensed establishment must immediately make application for a temporary license.

J. A brothel may not be operated by a bankruptcy trustee, receiver, or assignee for the benefit of creditors until the board has either licensed or temporarily licensed the trustee, receiver, or assignee.

~~B. A license granted under this chapter shall be for operations conducted on the property described in the application only, by the licensee only, and no licensed operation shall be added to or moved without a new license application and approval. (Ord. No. 09-227, § 1)~~

5.16.130 License fees, penalties for non-payment.

A. Every licensed operation must pay monthly licensing fee, set by resolution of the board of county commissioners, in advance of the first calendar day of each month for the privilege of operating a brothel in the county ~~The fee for such license shall be set by the county commissioners, provided that it is based on a uniform formula and is not unreasonable or arbitrary, and provided further, that it shall~~ The fees must be considered at two county commissioners board of county commissioners' meetings before becoming effective.

~~B. No refunds of a~~Any license fees paid shall are nonrefundable except as provided in section 5.16.050. ~~be made.~~

~~C. All fees paid under this chapter shall be deposited in the county general fund.~~

C. All license fees must be paid to the sheriff. The sheriff must deposit all fees in the general fund.

D. Delinquent brothel fees, including all accrued penalties, as set forth by resolution of the board of county commissioners, may be grounds for suspension or revocation of the brothel license by action of the board. (Ord. No. 09-227, § 1)

5.16.140 Compliance inspections for brothels--Implied consent.

A. Licensees or management of licensed operations will *must* provide the sheriff access, upon demand at any time, for purposes of inspection to ensure compliance with this chapter.

B. Anyone obtaining or renewing a license pursuant to this chapter impliedly consents to and acknowledges the power and authority of the sheriff's department *office* to enter the licensed operation's premises and principal office at any time for the purposes of examining the premises, the brothel's books of account, medical records or work cards, to ascertain the truth or veracity of statements made on the brothel license application and to determine compliance with the Storey County Code and Nevada state law.

C. Refusal by a licensee, or his or her agent or employee, to permit a lawful inspection of a licensed operation in accordance with this chapter constitutes a violation. (Ord. No. 09-227, § 1)

~~5.16.150 License fees--Penalties for nonpayment.~~

~~—A. License fees established. Every licensed operation shall pay monthly licensing fees, in advance of the first calendar day of each month for the privilege of operating a brothel in the county. License fees shall be paid to the sheriff.~~

~~—B. Penalties for nonpayment. All brothel license fees due under this chapter shall be considered delinquent if not paid in full on or before the fifteenth day following the due date.~~

~~—C. Nonpayment of brothel fees--License revocations. Delinquent brothel fees, including all accrued penalties, shall be grounds for suspension and/or revocation of the brothel license by action of the board.~~

~~5.16.160 Issuance of license--Contents--Term.~~

~~—Upon approval of all applications connected with a brothel, the board shall issue a license for the brothel, which license shall *must* state:~~

~~—A. The name and address or location of the brothel;~~

~~—B. The names of all licensees connected with the brothel;~~

~~—C. Any restrictions or limitations imposed by the board under this chapter;~~

~~—D. The date of issuance of the license; and~~

~~—E. The date of expiration of the license, which shall *must* coincide with the end of each fiscal year (June 30th).~~

~~—F. All licenses shall be issued yearly.~~

5.16.170 License issuance—Renewal with taxes in arrears.

~~A. All licenses shall *must* be issued on a yearly basis and shall *will* renew automatically provided that licensee is in substantial compliance with this chapter.~~

B. No A business license shall *may not* be issued or renewed when, at the time of application or renewal, the applicant *or the licensee* is indebted to the county for any unpaid obligation, including real property taxes, personal property taxes, room taxes or business licenses, including those not used in conjunction with brothel operations. The tax receiver may enter into an agreement with any person so indebted to the county to establish a schedule for the payment of such *the* indebtedness and any delinquencies and interest thereon. In such *the* agreement, the debtor shall *must* acknowledge such *the* debt to the county and shall *must* agree that if any default occurs in the payment of any installment agreed to be paid ~~thereunder~~ *an agreement*, the entire amount to be paid shall becomes immediately due and payable. (Ord. No. 09-227, § 1)

5.16.180 License revocation; or suspension; ~~complaint procedures.~~

The board may revoke, or temporarily suspend, *or place on probation with or without conditions* any *brothel* license issued under the provisions of this chapter *for cause after a hearing* ~~or place a licensee on probation with or without conditions~~ for any of the following causes:

A. Any cause that would constitute grounds for denial of a license under this chapter;

B. Violation of any provision of this chapter by the licensee or any employee of the licensee or any working prostitute at a licensed operation;

C. Willful refusal of the licensee to comply with any reasonable order of the board or of the sheriff's department office;

D. The licensee knowingly permitting the existence of any health hazard on the premises occupied by the licensed operation or employing any prostitute when such *the* person does not have a valid health certificate, ~~as required herein~~;

E. Change in ownership *or the leasing of the premises to an unlicensed person*, or the addition of any persons with any financial interest, including revenue or income participation, operational control, or ownership interest in a brothel *who is not a co-licensee shall will* automatically revoke a license and reapplication shall be necessary;

F. Any attempt by a licensee to permit an unlicensed person to operate a brothel under the existing license shall ~~be~~ *is* grounds for automatic and immediate revocation, without further notice;

1. It ~~is~~ shall not be a violation for a licensee to employ a board-approved general manager to supervise day-to-day operations;

2. Any prospective general manager shall *must* be an employee of the licensed operation, *and be* subject to investigation *and board approval*, ~~registration and all other requirements as provided herein this chapter.~~

G. Any other cause which the board may determine, in its sound discretion, to be deleterious to the health, welfare, and safety of the general public; and;

H. If any written complaint regarding the licensed operation ~~shall have been~~ *is* received during the current license period, the sheriff may cause the complaint to be placed on the agenda of the next board meeting, at which meeting the board may

review the complaint and the license. The board may conduct a hearing, summon witnesses, interview the licensee, interview any complainant, require additional investigation by the sheriff, or do any and all other acts which may be necessary or appropriate for the board's determination. (Ord. No. 09-227, § 1)

5.16.190 License revocation procedure--Hearing--Notice.

A. Before permanently revoking any *a brothel* license issued under this chapter, ~~unless an alternative procedure is clearly specified elsewhere in this chapter,~~ the board shall *must*:

1. Conduct a hearing to determine the existence of the cause or causes of revocation, ~~in~~ *Notice of which the hearing with written specifications of the violations must be* ~~shall have been served upon the licensee or posted upon the premises where the licensed operation is located at least forty-eight hours 3 days prior to the time of such before the hearing;~~

2. Permit the licensee to submit evidence and testimony in opposition to the revocation;

3. Consider all evidence and testimony in support of and in opposition to the revocation;

4. Enter in the minutes of the board the findings of the board, and stating with specificity *the* cause of revocation; and

5. Enter in the minutes of the board an order revoking or refusing to revoke the license.

B. Notice of revocation shall *must* be served upon the licensee or posted upon the premises occupied by the licensed operation. Revocation ~~shall be~~ *is* effective upon service *of the notice on the licensee and/or posting of the notice on the premises.* (Ord. No. 09-227, § 1)

5.16.200 Exception to hearing procedure (emergency suspension of license).

A brothel license may be immediately suspended or limited without a hearing by a written emergency suspension order signed by one member of the board and the sheriff, if in their opinion, there exists an *emergency or other* immediate and present danger to public health and safety which necessitates the immediate closure of the brothel. *The order must state the reason for the suspension or limitation and advise the licensee of the right to a hearing.* Upon the issuance and service of ~~such an emergency suspension order,~~ all brothel activity shall *must* immediately cease and the brothel licensee may request a public hearing before the board within three 3 business days. ~~The hearing proceedings thereafter shall must be held in accordance with § section 5.16.190 of this chapter.~~ (Ord. No. 09-227, § 1)

5.16.210 Health examinations.

The licensed operation shall *must* comply with all State of Nevada Division of Health requirements and Nevada Revised Statutes with regard to medical and health examinations for prostitutes.

A. Exams required. Every prostitute working at a licensed operation shall *is required*

to have a weekly medical examination by a medical doctor licensed to practice medicine in the State of Nevada *or the doctor's duly qualified and supervised employee*. Each medical examination shall *must* include testing to be submitted to a state licensed medical laboratory and shall *must* include:

1. Once each week, a culture to confirm the presence or absence of gonorrhea and testing to screen for the presence or absence of chlamydia;

2. Once every week, a licensed medical professional shall *must* perform an examination on each prostitute for lesions. If lesions are present *on* the individual, *the* health care professional shall *must* excuse said *the* prostitute from work until said *the* lesions have resolved and are no longer infectious with herpes simplex II virus;

3. Other medically required or approved tests deemed advisable by the examiner for determining whether the prostitute is afflicted with any infectious or contagious disease;

4. All medical examinations, pre-employment and post-employment, and tests shall *must* conform to the requirements of the State of Nevada, Division of Health, the NRS and the Nevada Administrative Code;

5. *After performing an examination on a prostitute, the examining doctor may not issue a certificate if the person is found to be or suspected to be afflicted with a sexually transmitted infection or other contagious or infectious sexually transmitted disease ("STD"). The sheriff must be notified by the licensee of ineligibility of a prostitute to work; and*

~~5 6. The expense associated with the cost of the required medical examination and tests shall *must* be paid by the prostitute directly to the medical providers.~~

~~B. In the event *When* a prostitute shall have *has completed* the medical examination and tests required, as herein provided, the results of said *the* tests shall *must* be forwarded to a state approved medical lab for review and approval.~~

~~C. Certification of work eligibility--Approval and denial.~~

~~1. After the State Medical Lab completes the required *review of the* medical examination and tests, and forwards the certificate of clearance to the brothel's license holder, the brothel shall *must* retain those results to file for review by the sheriff and shall *must* certify to the sheriff that the prostitute is eligible for a work card. The sheriff is to *must* be notified by the licensee if the State Medical Lab does not issue a certificate of clearance. —of ineligibility to work and of any subsequent cure enabling the prostitute to return to work. Each medical certificate of clearance shall *must* specify the date of the examination and shall *may* be valid for seven days from the date of the certificate. The expense associated with the cost of this review and certification shall *must* be paid by the prostitute *directly to the doctor*.~~

~~2. ~~No~~ A person who has ever been denied a certificate by the State Health Department, as herein provided, may *not* again work as a prostitute in any licensed operation until *such that* person has received and presented to the brothel a certificate of clearance from the state stating that the cause or causes which resulted in the denial of the certificate have been cured and that the person is now free of a sexually transmitted infection or other contagious or infectious sexually transmitted disease ("STD"). any venereal disease or other contagious or infectious disease ("STD") and~~

~~has complied with all other requirements of this chapter.~~

D. Seizure of work card. Upon receiving information that a prostitute is afflicted with an infectious or contagious STD or has not obtained a current medical examination, as herein required, or is no longer entitled to a work card, the sheriff shall *must* immediately seize any work card previously issued. (Ord. No. 09-227, § 1)

5.16.220 Work card registration required.

A. It is unlawful for any person ~~to be to work as an independent contractor or to be employed or for a licensee to employ or allow a person on the premises of a licensed operation, unless such the person is the holder of a valid current work card issued by the sheriff. Customers of the brothel are exempt from this requirement. in accordance with this chapter and in accordance with Chapter 5.08.~~

A prostitute who has submitted an application to the sheriff's office but who has not yet received a medical clearance may remain on the premises of the brothel, segregated from any customer contact areas, for up to 48 hours as they complete the medical clearance and work card application process. It is the sole responsibility of the owner or general manager to ensure that all the prostitutes awaiting results and residing at the brothel do not engage in any type of sexual activity until the sheriff issues a work card.

B. — ~~Every employee and every independent contractor of a licensed operation shall be registered with the sheriff on a A work card application , which shall must include:~~

1. The *applicant's* name, all current and former names and aliases, age, address, social security number, physical description, and current picture identification of the applicant. Forms of identification acceptable are those issued from state agencies, which require a certified copy of a birth certificate. An actual social security card also must be produced. A *real state issued Real ID* or passport may be allowed in lieu of a birth certificate and social security card;

Alternative language proposed:

1. The worker's name, all current and former names and aliases, age, address, social security number, physical description, and current picture identification. Forms of identification acceptable are those issued from state or federal agencies or meet federal I-9 requirements;

2. A full set of fingerprints of the worker;
3. Complete employment record of the worker for the preceding three years;
4. All addresses of the worker for the preceding three years;
5. A complete criminal record of the worker, including all convictions, except minor traffic violations, such list to include a statement of each offense, the place of its occurrence, and the date of its occurrence;
6. A complete sheriff's routine child support information form;
7. A waiver of release of medical information allowing the medical facilities and doctors to provide to the county the results of the referred medical examination and tests of prostitutes; and

8. An authorization to conduct an investigation into the worker's criminal history.

C. *The sheriff must investigate, through all available means, the accuracy of all information supplied by any applicant on the registration form. The work card shall be renewed annually;*

D. *The sheriff may issue a work permit after an investigation and the determination that the applicant meets the work permit requirements. Except as provided in Subsection 5.15.220(J), all work cards are site specific, and must be renewed each time an employee changes places of work.*

E. *The sheriff may issue a revocable temporary work permit for up to 120 days after the applicant has submitted an application with proof of medical clearance and paid all required application fees. The sheriff shall investigate, through all available means, the accuracy of all information supplied by any applicant on the registration form.*

F. The board sheriff may deny a work card to any person who is under the age of eighteen or has ever been convicted of a felony offense, irrespective of jurisdiction, or for lesser crimes involving:

1. A misdemeanor possession or use of a controlled substance within the last three years;

2. Theft, embezzlement, or misappropriation of funds;

3. Violence of or the use of any deadly or dangerous weapon;

4. Any crime involving the illegal use of firearms;

5. Petty theft or shoplifting within the last year; and or

6. Willfully making any false statement or omission in the registration form required by subsection A of this section.

G. The sheriff or his designee will have the authority to deny or revoke the work card of a prostitute or any other employee who does not qualify under this chapter or who is found to be otherwise violating the Storey County Code or Nevada state law. The person whose work card has been denied or revoked may file an appeal with the board of county commissioners within thirty 30 calendar days from the date in which the work card was denied or revoked.

Additional language proposed:

The sheriff may deny or revoke a work card based upon notification from a federal agency or a duly authorized federal agent that the worker's immigration status does not allow the worker to be employed. The sheriff may not deny or revoke a work card based upon the sheriff's own investigation or determination of the worker's federal immigration or work authorization status.

H. The work card may be issued for not more than 12 months and must be renewed annually;

I. *Except as provided in subsection 5.16.220(J), all work cards are site specific, and must be renewed each time an employee changes places of work.*

J E. All employees shall must maintain a current work card with the operator of a licensed brothel and the licensee is required to maintain a work card for each employee. The work card shall must be kept on premises and available for inspection at all times.

A prostitute may change place of work between ~~two (2)~~ licensed operations under the same ownership and ~~approved by this chapter~~ by having brothel management notify the sheriff of the proposed change.

~~K-F. No~~ A prostitute or bartender/~~manager~~ of a licensed operation ~~shall~~ *may not* possess more than one work card at any given time.

~~L G. No~~ A bartender, general manager, maid, or maintenance employee ~~shall~~ *may not* engage in acts of prostitution.

~~M. Tradesmen or vendors who service the property or facilities periodically are not required to obtain work cards, as long as they are not employees of the brothel.~~ (Ord. No. 09-227, § 1)

5.16.230 Violations by employee--Effect on registration and work card.

A. In addition to criminal penalties provided herein *this chapter*, any employee of any licensed operator convicted of violating any section of this chapter or any regulation promulgated by the board or sheriff's department *office will* have his or her work card immediately revoked by the sheriff. ~~and shall forthwith return the card~~ *Upon revocation the person holding the work card must return it* to the sheriff.

B. Unauthorized persons. It is unlawful for any licensed operation to allow persons on the premises except for the owners, licensed employees, working prostitutes, potential customers, authorized emergency, medical, county agents, employees or others with legitimate reason to be on the premises for nonprostitution-related matters. No business or social organization ~~shall~~ *may* conduct official business meetings in a brothel. (Ord. No. 09-227, § 1)

5.16.240 Violations--Criminal penalty.

In addition to penalties provided regarding revocation of licenses and work cards, any person violating any provision of this chapter is guilty of a misdemeanor. (Ord. No. 13-249, § I; Ord. No. 09-227, § 1)

Proposed on _____, 2015.

by Commissioner _____

Passed on _____, 2015.

Vote: Ayes: Commissioners _____

Nays: Commissioners _____

Absent Commissioners _____

Marshall McBride, Chair
Storey County Board of County Commissioners

Attest:

Vanessa Stephens
Clerk & Treasurer, Storey County

This ordinance will become effective on _____, 2015.



Storey County Board of County Commissioners

Agenda Action Report

Meeting date: March 3, 2015

Estimate of time required: 5 min.

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☐

1. **Title:** Discussion and possible action to approve the Resolution 15-418 setting the fees for brothel licensing, license applications, and penalties.

2. **Recommended motion:** I move to approve Resolution 15-418.

3. **Prepared by:** Robert Morris, outside counsel

Department: District Attorney's Office

Tel: 847-0964

4. **Staff summary:** Storey County code section 5.16.130 currently requires the fee for a brothel license to be set by the board of county commissioners, provided that it is based on a uniform formula and is not unreasonable or arbitrary, and that it be considered at two meetings of the board of county commissioners before becoming effective. The existing code also calls for penalties for nonpayment but doesn't set an amount. This resolution sets the penalty for delinquent payments at 10 percent.

The request is to have the Board consider the attached language proposed by the Sheriff Antinoro and decide whether to include it and to approve the resolution.

5. **Supporting materials:** Resolution 15-418

6. **Fiscal impact:** None

7. **Legal review required:** Yes

____ District Attorney

8. **Reviewed by:**

____ Department Head

Department Name: Commissioner's Office

____ County Manager

Other agency review: _____

9. **Board action:**

☐ Approved

☐ Approved with Modifications

☐ Denied

☐ Continued

Agenda Item No.

Sheriff Antinoro proposal:

The intent here would be only to address those buildings/structures that contain a bar, call for line-ups, etc., regardless of where the transaction or cash is exchanged. If the customer and the working girl are there outside of an actual act of prostitution, there should be an additional fee because of the additional requirements involved in the policing of the business. By using a 10% formula, it is consistent with the fees we charge a bar for a "service bar" or secondary bar within the same establishment -- and at \$7,500.00 annually, this is far cheaper than anything that was previously thrown out during the past couple of years.

Brothel fees:

#2(a) Ancillary structures for the purposes of prostitution, up to three, will be charged an additional 10% of the annual license fee.

Ancillary structure means any structure covered under the brothel license that is outside of the main brothel where prostitutes and customers may meet, converse, barter, or engage in activities in the furtherance of prostitution.

Resolution No. 15-418

**A resolution setting fees for applications for a brothel license,
the licensing of brothels, and setting penalty fees.**

Whereas, the Storey County Board of County Commissioners (the Board) has enacted Ordinance No. 14-261 amending Storey County Code chapter 5.16 regarding brothels.

Whereas, the ordinance requires that fees be set by resolution of the Board.

Whereas, the Board has considered the fees for application for a brothel license, the fees for maintaining the brothel license, and penalties for delinquent payments, that are required to be set by resolution after two hearings by the Board.

Now therefore, the Board resolves and agrees to set the fees and penalties as follows:

1. Application fee – \$3000 per applicant or actual cost if more, payable before license is approved. The fee is non refundable.

2. Licensing fee- \$75,000 annually, payable monthly before the first day of the month. The first 3 months fees are due with application. The fee is refundable if application for license is denied.

3. Penalty- licensing fees that are due are considered delinquent if not paid in full on or before the fifteenth day following the due date. A penalty of 10 percent of the delinquent amount is due each month the fees are delinquent.

Adopted and effective this _____ day of _____ 2015 by the following vote:

Vote: Ayes: Commissioners:

Nays: Commissioners:

Absent: Commissioners:

Marshall McBride, Chair
Storey County Board of Commissioners

Attest:

Vanessa Stephens
Clerk & Treasurer, Storey County



Storey County Board of County Commissioners Agenda Action Report

Meeting date: March 3, 2015

Estimate of time required: 5 minutes

Agenda: Consent ☐ Regular agenda ☐ Public hearing required ☐

1. **Title:** Discussion/Possible Action: Approve Site License Agreement between Storey County and High Speed Networks.

2. **Recommended motion:** Motion to approve Site License Agreement between Storey County and High Speed Networks for the placement of internet access equipment on County property commonly referred to as the Hillside Water Tanks site, Assessor's Parcel #001-291-003

3. **Prepared by:** Mike Nevin

Department: Public Works – Storey County Water System

Telephone:

4. **Staff summary:** Some years back, High Speed Networks was granted permission verbally to install internet access equipment atop the Hillside water tanks. It was discovered that no formal agreement was ever entered into between Storey County and High Speed Networks. This agreement if approved provides the documentation necessary between the two parties.

5. **Supporting materials:** Site License Agreement as prepared and approval by the Storey County District Attorney's office.

6. **Fiscal impact:** None

Funds Available:

Fund:

____ Comptroller

7. **Legal review required:**

KML District Attorney

8. **Reviewed by:**

MN Department Head

Department Name: Public Works – Storey County Water System

____ County Manager

Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No.

Site License Agreement

This Agreement is entered into by and between Storey County, a political subdivision of the State of Nevada (County) and High Speed Networks Mound House LLC, a Nevada Limited Liability Company (HSN)

WHEREAS, HSN desires to utilize a site for the placement of its internet access equipment, and

WHEREAS, County owns a site which is suitable for the placement of HSN's equipment,

NOW THEREFORE DO THE PARTIES HEREBY AGREE AS FOLLOWS:

1. **Premises** COUNTY hereby grants a revocable license to HSN to utilize space at and on COUNTY's Property located within Assessor's Parcel #001-291-003, Virginia City, Nevada, commonly referred to as the Hillside Water Tanks site (Premises).
2. **Use of Premises** HSN may place equipment within County's building located on the Premises for network operations and place not more than four visible wired or wireless antennas, on the Premises at locations acceptable to County. The equipment shall not be permanently attached to County's property and if attachment is required it shall be attached in such a way that removal of the equipment will not cause damage to County's property.
3. **Term** The license hereby granted to HSN is of indefinite duration but is subject to revocation at any time by County and for any reason or even for no reason.
4. **License Fee** HSN shall pay \$150 per month for this license to the Storey County Public Works Department.
5. **Ownership of equipment.** All equipment installed by HSN shall remain the property of HSN.
6. **Use of the Premises** HSN shall use the Premises and operate its equipment in compliance with applicable regulations imposed by the FCC and any other government agency. HSN, its employees, agents and designated representatives shall have the right to access the licensed premises and HSN equipment as practicable taking into consideration the operating hours and the availability of County personnel. County agrees not to allow any other entity to install wireless equipment at the Premises that could interfere with HSN services. In order to gain access to its equipment HSN agrees to notify/call Storey County Public works at 847-0958 during normal business hours to make arrangements for access.
7. **Utilities** County will supply HSN with 120 volt AC Power to its supporting equipment on an uninterrupted 24 hour basis. The monthly license fee will cover the cost of providing power to HSN's equipment. If utility costs rise, County may increase the amount of the monthly license fee by the amount of the increase in utility costs.
8. **Insurance** HSN and County shall each maintain sufficient insurance to cover their respective employees and equipment.
9. **Maintenance of Site** County shall report to HSN as quickly as possible any damage or potential damage to HSN equipment. HSN shall maintain its equipment in accordance with the standards of good engineering practice. Upon revocation of this license HSN will leave the Premises in the same condition they were at the commencement of this agreement, except for ordinary and foreseeable wear and tear. HSN shall be responsible for obtaining all permits, plans, fees, etc. that may be required to maintain their equipment.

11. **Site Damage** If County's site is fully or partially destroyed, County will use its best efforts to allow HSN to gain access to the site to restore its equipment to operational capacity as quickly as possible.

12. **Damage to HSN Equipment and Service Interruption** County, its officers, officials, employees and volunteers shall not be liable for any interruption in electrical service or for damage to the property of HSN or others located on the Premises or in any building, nor for the loss of or damage to any property of HSN or others by theft or otherwise. County, its officers, officials, employees and volunteers shall not be liable for any injury or damage to persons or property resulting from any casualty or cause whatsoever, save and except for damage caused by the County's gross negligence or intentional acts or any damage which may be suffered as a result of hazardous or toxic materials existing on the Premises. County, its officers, officials, employees and volunteers shall not be liable for any such damage caused by other persons on the Premises, occupants of adjacent property, or the public. All property of HSN kept or stored on the Premises shall be so kept or stored at the risk of HSN only, and HSN shall hold County, its officers, officials, employees and volunteers harmless from and hereby waives any claims arising out of damage to the same or damage to HSN's business, including subrogation claims by HSN's insurance carrier, unless such damage shall be caused by the willful act or gross neglect of County.

13. **Indemnification** HSN shall indemnify and defend County its officers, officials, employees and volunteers against any and all claims for damage to property injuries or death of any person resulting from an act or omission of HSN, its officers, employees or any of its agents, except to the extent that liabilities are directly caused by the willful misconduct or gross negligence of County, its officers, officials, employees or volunteers.

14. **Removal of Equipment** Upon revocation of this license HSN shall remove its equipment within 90 days after being served written notice of revocation of this license. Written notice of the revocation of this license is effective when served upon HSN either personally to Sean Duff or three days after it is mailed by certified mail to:

4255 Garlan Lane
Reno, Nevada 89509

15. **Assignment** No assignment of this license is permitted.

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16. **Miscellaneous** This agreement contains the entire understanding of HSN and County with respect to its subject matter. It supersedes all prior discussions, agreements and understandings between the parties. This agreement shall be governed by the laws of Nevada.

High Speed Networks Mound House LLC

By: _____

Sean Duff
C.E.O. HSN

Date: ____/____/____

Storey County

By: Michael E. Nevin

Michael E. Nevin
Public Works Director

Date: 2 / 19 / 15

By: _____

Marshall McBride, Chairman
Storey County Commission

Date: ____/____/____

Approved as to Form:

Anne Langer
Anne Langer
Storey County District Attorney

Date: 2 / 19 / 15

Recorded By:

Vanessa Stephens
Storey County Clerk/Treasurer

Date: ____/____/____

DRAFT
Site License Agreement

This Agreement s entered into by and between Storey County, a political subdivision of the State of Nevada (County) and High Speed Networks Mound House LLC, a Nevada Limited Liability Company (HSN)

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WHEREAS, County owns a site which is suitable for the placement of HSN's equipment,

NOW THEREFORE DO THE PARTIES HEREBY AGREE AS FOLLOWS:

1. **Premises** COUNTY hereby grants a revocable license to HSN to utilize space at and on COUNTY's Property located within Assessor's Parcel #001-291-003, Virginia City, Nevada, commonly referred to as the Hillside Water Tanks site (Premises).
2. **Use of Premises** HSN may place equipment within County's building located on the Premises for network operations and place not more than four visible wired or wireless antennas, on the Premises at locations acceptable to County. The equipment shall not be permanently attached to County's property and if attachment is required it shall be attached in such a way that removal of the equipment will not cause damage to County's property.
3. **Term** The license hereby granted to HSN is of indefinite duration but is subject to revocation at any time by County and for any reason or even for no reason.
4. **License Fee** HSN shall pay \$150 per month for this license to the Storey County Public Works Department.
5. **Ownership of equipment.** All equipment installed by HSN shall remain the property of HSN.
6. **Use of the Premises** HSN shall use the Premises and operate its equipment in compliance with applicable regulations imposed by the FCC and any other government agency. HSN, its employees, agents and designated representatives shall have the right to access the licensed premises and HSN equipment as practicable taking into consideration the operating hours and the availability of County personnel. County agrees not to allow any other entity to install wireless equipment at the Premises that could interfere with HSN services. In order to gain access to its equipment HSN agrees to notify/call Storey County Public works at 847-0958 during normal business hours to make arrangements for access.

7. **Utilities** County will supply HSN with 120 volt AC Power to its supporting equipment on an uninterrupted 24 hour basis. The monthly license fee will cover the cost of providing power to HSN's equipment. If utility costs rise, County may increase the amount of the monthly license fee by the amount of the increase in utility costs.
8. **Insurance** HSN and County shall each maintain sufficient insurance to cover their respective employees and equipment.
9. **Maintenance of Site** County shall report to HSN as quickly as possible any damage or potential damage to HSN equipment. HSN shall maintain its equipment in accordance with the standards of good engineering practice. Upon revocation of this license HSN will leave the Premises in the same condition they were at the commencement of this agreement, except for ordinary and foreseeable wear and tear. HSN shall be responsible for obtaining all permits, plans, fees, etc. that may be required to maintain their equipment.
11. **Site Damage** If County's site is fully or partially destroyed, County will use its best efforts to allow HSN to gain access to the site to restore its equipment to operational capacity as quickly as possible.
12. **Damage to HSN Equipment and Service Interruption** County, its officers, officials, employees and volunteers shall not be liable for any interruption in electrical service or for damage to the property of HSN or others located on the Premises or in any building, nor for the loss of or damage to any property of HSN or others by theft or otherwise. County, its officers, officials, employees and volunteers shall not be liable for any injury or damage to persons or property resulting from any casualty or cause whatsoever, save and except for damage caused by the County's gross negligence or intentional acts or any damage which may be suffered as a result of hazardous or toxic materials existing on the Premises. County, its officers, officials, employees and volunteers shall not be liable for any such damage caused by other persons on the Premises, occupants of adjacent property, or the public. All property of HSN kept or stored on the Premises shall be so kept or stored at the risk of HSN only, and HSN shall hold County, its officers, officials, employees and volunteers harmless from and hereby waives any claims arising out of damage to the same or damage to HSN's business, including subrogation claims by HSN's insurance carrier, unless such damage shall be caused by the willful act or gross neglect of County.
13. **Indemnification** HSN shall indemnify and defend County its officers, officials, employees and volunteers against any and all claims for damage to property injuries or death of any person resulting from an act or omission of HSN, its officers, employees or any of its agents, except to the extent that liabilities are directly caused by the willful misconduct or gross negligence of County, its officers, officials, employees or volunteers.
14. **Removal of Equipment** Upon revocation of this license HSN shall remove its equipment within 90 days after being served written notice of revocation of this license. Written notice of the revocation of this license is effective when served upon HSN either personally to Sean Duff or three days after it is mailed by certified mail to:

4255 Garlan Lane
Reno, Nevada 89509

15. **Assignment** No assignment of this license is permitted.

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16. **Miscellaneous** This agreement contains the entire understanding of HSN and County with respect to its subject matter. It supersedes all prior discussions, agreements and understandings between the parties. This agreement shall be governed by the laws of Nevada.

High Speed Networks Mound House LLC

By:  _____

Sean Duff
C.E.O. HSN

Date: 2 / 1 / 2015

Storey County

By: _____

Michael E. Nevin
Public Works Director

Date: ____/____/____

By: _____

Marshall McBride, Chairman
Storey County Commission

Date: ____/____/____

Approved as to Form:

Recorded By:

Anne Langer
Storey County District Attorney

Date: ____/____/____

Vanessa Stephens
Storey County Clerk/Treasurer

Date: ____/____/____



Storey County Board of County Commissioners

Agenda Action Report

Meeting date: March 3, 2015

Estimate of time required: 10 min.

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☐

1. **Title:** Discussion and possible action to approve first reading of Ordinance 15-263 adding section 3.50.200 to the Storey County Code providing for a pilot project for granting partial abatements of permitting fees to participants in a qualified project in an Economic Diversification District and providing for other properly related matters.

2. **Recommended motion:** I move to introduce for the first reading Ordinance 15-263

3. **Prepared by:** Robert Morris, outside counsel

Department: District Attorney's Office

Tel: 847-0964

4. **Staff summary:**

S.B. 1, 28th Special Sess. (Nev. 2014) allows Storey County to create a economic diversification district and pledge an amount equal to the proceeds of all the sales and use taxes as reimbursement payments for the costs incurred by the lead participant. The Board has passed Ordinance 14-260 creating the Storey County Economic Diversification District No. 1. Ordinance 14-260 is not effective until Storey County enters an agreement with one or more owners of property in the district to defray in whole or in part the cost of local government services. Negotiations on the government services agreement are ongoing.

(Continued on next page.)

5. **Supporting materials:** Ordinance 15-263

6. **Fiscal impact:** None

7. **Legal review required:** Yes

____ District Attorney

8. **Reviewed by:**

____ Department Head

Department Name: Commissioner's Office

____ County Manager

Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No.

4. Staff summary continued:

S. B. 1, section 18, authorizes the governing body of a county to grant to one or more of the participants in a qualified project an abatement of all or any percentage of the amount of certain permitting fees and licensing fees imposed by the county if the board provides by ordinance for a pilot project for the abatement of the fees.

The board may grant this abatement of certain fees for the purpose of encouraging local economic development. After discussions, Tesla and county staff have agreed that the partial abatements contained in Ordinance No. 15-263 will encourage local development. This partial abatement is for ten years and covers the building official and fire district permitting, plan reviews, and inspections for the Tesla factory project.

Ordinance No. 15-263

Summary

An ordinance providing for a pilot project for granting partial abatements of permitting or licensing fees that the county is authorized to impose or charge pursuant to chapter 244 of NRS to participants in a qualified project in an Economic Diversification District.

Title

An ordinance adding section 3.50.200 to the Storey County Code providing for a pilot project for granting partial abatements of permitting fees to participants in a qualified project in an Economic Diversification District and providing for other properly related matters.

The Board of County Commissioners of the County of Storey, State of Nevada, does ordain:

SECTION I:

3.50.200 Title.

This ordinance is known as the "Permitting Fee Abatement Ordinance".

3.50.210 Determinations of the board.

The board has determined that it intends to encourage local economic development by granting to any participant in a qualified project in an Economic Diversification District an abatement of all or any percentage of the amount of any permitting fee or licensing fee which the county is authorized to impose or charge pursuant to chapter 244 of NRS.

3.50.220 Definitions.

The definitions contained in the Economic Diversification Act and the Economic Diversification District are incorporated into and are adopted for use in this chapter.

3.50.230 Creation of the pilot project.

The board, for the purposes of encouraging local economic development, creates this pilot project for granting partial abatements of permits, plan reviews, and inspection fees. The board may determine, to the best of its ability, the amount of the abatement based on the anticipated local economic development that the qualified project would bring to the county.

3.50.240 Abatement of fees.

A. The board finds that Tesla is a participant in a qualified project within the county's Economic Diversity District No. 1. The board has determined to grant an abatement of permitting fees it is authorized to impose pursuant to chapter 244 for a ten year period for

building official and fire district permitting, plan reviews, and inspections for the factory project by fixing the following annual fees:

2015 - \$556,268
2016 - \$587,419
2017 - \$620,315
2018 - \$655,053
2019 - \$230,579
2020 - \$243,491
2021 - \$257,126
2022 - \$271,525
2023 - \$286,731
2024 - \$302,788

B. These fees are based on the county's fiscal year beginning on July 1, 2014.

C. The fees must be paid in advance on a quarterly basis.

D. These fee payments do not include payments by Tesla for additional plan reviews and inspections that require outside contractors.

E. The County may charge an additional fee of 30% of the value for review of subsequent plan changes after a set of plans has been reviewed twice by the building official or fire district staff.

3.50.250 Sunset provision.

The abatement of fees for Tesla will sunset on May 15, 2015 if the county and Tesla do not agree to a government services agreement required by section 3.50.110.

3.50.260 Annual report.

The board, if it grants an abatement pursuant to this chapter, must submit an annual report to the governor and to the director of the Legislative Counsel Bureau for transmittal to the legislature that includes for the immediately preceding fiscal year:

A. The number of qualified projects located within the jurisdiction of the board for which a certificate of eligibility for transferable tax credits was approved.

B. The number and dollar amounts of the abatements granted by the board.

C. The number of persons within the jurisdiction of the board that were employed by each participant in a qualified project and the amount of wages paid those persons.

Proposed on _____, 2015.

by Commissioner _____

Passed on _____, 2015.

Vote: Ayes Commissioners _____

Nays Commissioners

Absent Commissioners

Marshall McBride, Chair
Storey County Board of County Commissioners

Attest:

Vanessa Stephens
Clerk & Treasurer, Storey County

This ordinance will become effective on _____



Storey County Board of County Commissioners Agenda Action Report

Meeting date: March 3, 2015

Estimate of time required: 10 min.

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☐

1. **Title:** Discussion and possible action to approve a cooperative agreement with the State of Nevada Department of Taxation specifying the dates and procedure for distribution to Storey County of the Economic Diversification District No. 1 revenues pledged pursuant to Ordinance No. 14-260 and a Reimbursement Agreement with Tesla.

2. **Recommended motion:** I move to approve the agreement between Storey County and the State of Nevada Department of Taxation specifying the dates and procedure for distribution to Storey County of the Economic Diversification District No. 1 revenues pledged pursuant to Ordinance No. 14-260 and a Reimbursement Agreement with Tesla.

3. **Prepared by:** Bill Maddox and Robert Morris, outside counsel
Department: District Attorney's Office **Tel:** 847-0964

4. **Staff summary:** This cooperative agreement requires the Nevada Department of Taxation to administer and enforce all provisions of Storey County Code chapter 3.50 pertaining to the collection of all sales and use taxes pledged to Tesla pursuant to section 3.50.050 of the chapter.

It further requires Storey County to notify the Nevada Department of Taxation of each participant that is located within and remits taxes generated within District No. 1. Such taxes shall be administered in accordance with the Agreement. Storey County is further required to notify the Department any time a Participant ceases doing business in District No. 1.

(Continued on next page.)

5. **Supporting materials:** The Cooperative Agreement between Storey County and Nevada Dept. of Taxation for Economic Diversification District No. 1 (TESLA)

6. **Fiscal impact:** None

7. **Legal review required:** Yes

____ District Attorney

8. **Reviewed by:**

____ Department Head

Department Name: Commissioner's Office

____ County Manager

Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No.

4. Staff summary continued:

The agreement requires the Nevada Department of Taxation to distribute to Storey County, on a monthly basis, an amount equal to one hundred percent (100%) of the sales and use taxes pledged to Tesla pursuant to section 3.50.050 of the Ordinance as permitted by S.B. 1, 28th Special Sess. (Nev. 2014) (Economic Diversification Act). With each distribution, the Nevada Department of Taxation must provide the Storey County Comptroller with a monthly statement setting forth the amount collected. Distributions by the Nevada Department of Taxation to Storey County pursuant to this Agreement will cease on June 30, 2035.

In the agreement, Storey County agrees that the Nevada Department of Taxation has the power to make all necessary rules and regulations and prescribe all necessary forms or other requirements for the purpose of making the administration of the Ordinance effective. Further, Storey County agrees that the Nevada Department of Taxation has all the powers, duties, and responsibilities as provided by Storey County Code chapter 3.50 and all other State laws pertaining to the collection of sales and use taxes.

COOPERATIVE AGREEMENT
between Storey County and Nevada Dept. of Taxation for
Economic Diversification District No. 1 (TESLA)

This Cooperative Agreement is made and entered into as of this ____ day of March, 2015, by and between Storey County, Nevada, a political subdivision of the State of Nevada and the State of Nevada Department of Taxation (the "Department"), collectively the "Parties."

RECITALS

Whereas, Storey County, through its Board of County Commissioners, and consistent with S.B. 1, 28th Special Sess. (Nev. 2014) known here as the Economic Diversification Act, has established the Storey County Economic Diversification District No. 1 (Tesla) ("District No. 1") by enacting Ordinance No. 14-260, adding chapter 3.50 to the Storey County Code (the "Ordinance"); and

Whereas, the Economic Diversification Act further provides that after the adoption of the Ordinance creating District No. 1, Storey County must enter into an agreement with the Department specifying the dates and procedure for distribution to Storey County of the District No. 1 Revenues pledged pursuant to the Ordinance and the Reimbursement Agreement with Tesla.

Now therefore, in consideration of the premises set forth above and the mutual covenants and promises set forth in this Agreement, and for other good and valuable consideration, the receipt and sufficiency of which is acknowledged, Storey County and the Department agree as follows:

1. The Department shall administer and enforce all provisions of Storey County Code chapter 3.50 pertaining to the collection of all sales and use taxes pledged to Tesla pursuant to section 3.50.050 of the chapter.

2. Storey County shall notify the Department, using a notice which is substantially in the form attached hereto as Exhibit A, of each Participant, as that term is defined in chapter 3.50, that is located within and remits taxes generated within District No. 1; and that such taxes shall be administered in accordance with this Agreement. Storey County shall further notify the Department any time a Participant ceases doing business in District No. 1.

3. The Department shall distribute to Storey County, on a monthly basis, an amount equal to one hundred percent (100%) of the sales and use taxes pledged to Tesla pursuant to section 3.50.050 of the Ordinance as permitted by the Economic Diversification Act. With each distribution, the Department shall provide the Storey County Comptroller with a monthly statement setting forth the amount collected. Distributions by the Department to Storey County pursuant to this Agreement shall cease on June 30, 2035.

4. Storey County agrees that the Department shall have the power to make all necessary

rules and regulations and prescribe all necessary forms or other requirements for the purpose of making the administration of the Ordinance effective.

5. The Department shall have all the powers, duties, and responsibilities as provided by Storey County Code chapter 3.50 and all other State laws pertaining to the collection of sales and use taxes.

6. If any term or provision of this Agreement is deemed to be invalid or unenforceable to any extent, the remainder of this Agreement will not be affected thereby, and each remaining term and provision of this Agreement will be valid and be enforced to the fullest extent permitted by law.

7. No waiver of any breach of any covenant or provision contained herein will be deemed a waiver of any preceding or succeeding breach thereof or of any other covenant or provision contained herein. No extension of time for performance of any obligation or act will be deemed an extension of the time for performance of any other obligation or act except those of the waiving Party, which will be extended by a period of time equal to the period of the delay.

8. Neither of the Parties shall assign any of the rights or delegate any of the duties of this Agreement without the express written consent of the other Party and Tesla Motors, Inc. as the intended third-party beneficiary of this Agreement.

9. Except as otherwise expressly provided, this Agreement (including all Exhibits attached hereto) constitutes the entire contract between the Parties hereto and may not be modified except by an instrument in writing signed by the Party to be charged.

10. The Parties hereto expressly agree that this Agreement will be governed by, interpreted under, and construed and enforced in accordance with the laws of the State of Nevada. Any action to enforce this agreement must be filed in the First Judicial District Court of the State of Nevada in and for Storey County.

11. This Agreement may be executed on one or more counterparts, each of which shall be regarded as an original and all of which shall constitute the same Agreement.

SIGNATURE PAGE FOLLOWS

IN WITNESS WHEREOF, each of the Parties has caused this Agreement to be duly executed on its behalf by an authorized representative.

STOREY COUNTY

Dated this ____ day of March 2015.

By: _____
Marshall McBride, Chair
Storey County Board of County Commissioners

APPROVED AS TO FORM:

By: _____
County District Attorney

DEPARTMENT OF TAXATION

Dated this ____ day of March, 2015.

By: _____
Deonne E. Contine
Executive Director
Nevada Department of Taxation

APPROVED AS TO FORM:

By: _____
Deputy Attorney General

EXHIBIT A

NOTICE TO DEPARTMENT OF TAXATION

Name of Business: _____ (the "Business")

Business Address: _____

Department of Taxation Identification Number for Business: _____

Storey County hereby notifies the Department of Taxation that the Business is located within the Storey County Economic Diversification District No. 1 (Tesla) ("District No. 1"). The Business remits sales and use tax revenues generated within the District and such revenues shall be administered in accordance with the Storey County Economic Diversification District No. 1 (Tesla) Cooperative Agreement dated as of March 2, 2015.

STOREY COUNTY, NEVADA

By: _____

Printed Name and Title

Date



Storey County Board of County Commissioners Agenda Action Report

Meeting date: 02/03/15

Estimate of time required: 5 min.

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☒

1. **Title:** (Continued from 01/05/15 meeting) Discussion/Possible Action: Application No. 2014-020 by the Tahoe-Reno Industrial Center, LLC to amend the text of Storey County Code Title 17 (Zoning Ordinance) by adding Chapter 17.39 I-C Industrial-Commercial Zone. The intent of the proposed I-C Zone is to provide for certain mixed-use industrial and commercial uses where found appropriate by the board with recommendation by the planning commission. Additional information including, but not limited to, reports and the draft zone text may be obtained from the Planning Department at 775.847.1144 or planning@storeycounty.org.

2. **Recommended motion:** (Continue item until March 3, 2015, board meeting.) Based on findings of fact shown in Subsection 4.1 and the conditions of approval shown in Section 5 of this report, and conformance with federal, state, and county regulations, and the master plan, and the recommendation for approval by staff and the planning commission, I (Commissioner) motion to approve Storey County Zone Text Amendment Application No. 2014-020 to include "Chapter 17.39 I-C Industrial Commercial Zone" to Storey County Code, Title 17 Storey County Zoning Ordinance.

3. **Prepared by:** Austin Osborne

Department: Planning

Telephone: 847-1144

4. **Staff summary:** Text amendment of Storey County Code Title 17 (Zoning Ordinance) as explained and recommended in Staff Report No. 2014-020.

5. **Supporting materials:** Staff Report No. 2014-020 and exhibits provided at the 12/02/14 board meeting and packet, and available at the Planning Department at 775.847.1144.

6. **Fiscal impact:** None on local government.

Funds Available:

Fund:

_____ Comptroller

7. **Legal review required:**

_____ District Attorney

8. **Reviewed by:**

 Department Head

Department Name:

_____ County Manager

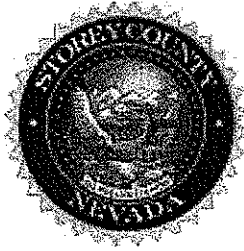
Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No.



Storey County
Board of County Commissioners
Staff Report – **Zone Text Amendment**

To: Storey County Board of County Commissioners

From: Storey County Planning Department

Meeting Dates: December 2, 2014

Meeting Location: Storey County Courthouse
26 South "B" Street, Virginia City, Nevada

Case Number: 2014-020

Request: The applicant requests a text amendment to Storey County Code Title 17 Storey County Zoning Ordinance that will add Chapter 17.39 I-C Industrial-Commercial Zone.

Applicant: Tahoe-Reno Industrial Center, LLC

Property Owner: Not applicable

Staff Contact: Austin Osborne, Planning Director

Guiding Documents: Storey County Code (SCC) 17.03 Administrative Provisions; SCC 17.28 Commercial Zone; SCC 17.34 Light Industrial Zone; 17.35 Heavy Industrial Zone; SCC 17.84 Signs and Billboards; Storey County Master Plan, River District, Industry, and Economic plans.

Property Location: Not applicable

1. BACKGROUND & ANALYSIS

1.1 Request summary

The applicant requests an amendment to the text of Storey County Code Title 17, also known as the Storey County Zoning Ordinance (zoning ordinance), that will create Chapter 17.39 I-C Industrial-Commercial Zone. There is no particular parcel or property associated with this request. However, the applicant of the text amendment submitted a zone map amendment application (see Application No. 2014-021) to apply the proposed I-C Zone, if approved by the board, to land located adjacent to the Tahoe-Reno Industrial Center at McCarran.

1.2 Purpose and intent of the proposed zone

The proposed I-C Zone combines certain commercial, light industrial, and heavy industrial uses now allowed pursuant to SCC Chapters 17.28 Commercial Zone, 17.34 I-1 Light Industrial Zone, and 17.35 I-2 Heavy Industrial Zone. Unlike the existing Commercial zone that provides for general neighborhood and regional commercial uses, and the Heavy Industrial zone that provides for heavy manufacturing and other high-intensity uses, the I-C zone is intended to facilitate a heavy commercial and light industrial mixed-use environment that may be well-suited for heavy arterial traffic corridors, such as Interstate 80 or USA Parkway, that interface and serve large industrial developments.

1.3 Land use compatibility

1.3.1 Compatibility with surrounding uses

The subject application for zone text amendment does not apply to any parcel of land. However, the potential application of this zoning designation to land in the future should be considered. Table 1.1 – Use Comparisons, demonstrates allowed uses in the proposed I-C zone and compares them with those allowed in the Commercial, Light Industrial, and Heavy Industrial zones, from which each listed I-C use originated. The Purpose and Intent of the proposed I-C zone (17.39.015, proposed) states that:

The purpose of the I-C Industrial-Commercial zone is to provide areas with the county where certain industrial and commercial uses and activities may be established and maintained together to promote efficiency, ensure compatibility, and provide for mixed non-residential uses. It facilitates a heavy commercial and light industrial mixed-use environment that may be well-suited near principal traffic arterials, such as the Interstate 80 corridor, and industrial development with which the allowed use are compatible.

I-C zoning is intended to be applied to land that is in close proximity to principal traffic arterial routes and existing industrial type uses with which allowed uses in the I-C zone are compatible. It is not considered an appropriate zone for residential areas or general neighborhood commercial areas, such as Gold Hill, Virginia City, and Lockwood where C Commercial or CR Commercial-Residential zoning may be more appropriate.

1.3.2 Compatibility with mixed-uses within the zone

Table 1.1 shows allowed uses in the I-C zone. Because the I-C zone provides for a mixed-use commercial-industrial environment, it should be assumed that the listed uses may occur together on a single property (e.g., such as in a strip-mall or cluster development) or in a group of independent but closely situated properties.

To ensure compatibility between the allowed uses, setback distance requirements in the I-C zone (17.39.070, proposed) are particular to the use category, that being commercial, light industrial, or heavy industrial (see setbacks, height, and area requirements in Table 1.2 – Comparison of Use Allowances). Planning staff finds that the required setback distances facilitate a mixed-use environment with necessary separation and other considerations between allowed uses.

A special use permit is required for certain heavy intensity uses in the I-C zone that may be incompatible with each other, or may be incompatible with allowed uses in zones likely to occur adjacent to the I-C zone (see Section 3.1.1). Board and planning commission approvals are required for special use permits. It is, therefore, found that these uses have the necessary case-by-case governing body oversight to assure that their application will cause no zoning or use conflicts with other conditions that may apply.

Table 1.1 Use Comparison					
	Use categories	Commercial	Light Industrial	Heavy Industrial	Industrial Commercial
1	Retail (principle)	X			X
2	Retail (super regional)	X			X
3	Commercial offices	X			X
4	Personal services	X			X
5	Hotels and boarding	X			X
6	Tourism and visitor	X			X
7	Recreation facilities	X			X
8	Public infrastructure	X			X
9	Schools and higher ed.	X	X	X	X
10	Equipment repair	X	X		X
11	Indoor firearms use	X			X
12	Outdoor firearms use	X		X*	
13	Automotive services	X	X	X	X
14	Truck stops	X	X*	X	X
15	Agriculture	X	X		
16	Billboards	X		X*	X*
17	Automotive paint	X		X	X
18	Casinos (large-scale)	X	X*		X
19	Fortune tellers	X			X*
20	RV parks	X			X
21	Mini-storage	X	X	X	X
22	Hospitals / urgent care	X*	X*	X	X
23	Crisis care, permanent	X		X	X
24	Open-air markets	X			X

25	Fairgrounds	X			X*
26	Amusement parks	X			X*
27	Film and movie sets	X		X*	X*
28	Race tracks	X		X*	X
29	Education boarding	X*		X*	X*
30	Light manufacturing		X	X	X*
31	Heavy manufacturing			X	
32	Warehouses		X	X	X
33	Chemical/oil storage		X	X	X
34	Chemical manufacture			X*	
35	Laboratory testing		X ¹	X ¹	X ¹
37	Non-renewable energy			X*	
38	Renewable energy		X*	X*	
39	Solid waste recycling		X*	X	X
40	Solid waste landfill			X*	
21	Solid waste collection		X*	X	X
22	Natural resources		X*	X*	X*
23	Concrete plant (perm)			X*	
24	Adult retail	X		X*	X*
24	Mining			X*	
25	Mine processing			X*	X*

Uses shown above are categorized into general use categories; see Storey County Code Chapters 17.24, 17.32, 17.35, 17.76, and 17.84 for specific uses in each zone.

*Asterisks indicate uses requiring a special use permit.

¹The use of live animals in laboratory testing is prohibited.

Table 1.2 Comparison of Use Allowances Regulations per SCC Title 17	
1. Height	
	C – 45' or 3 stories
	I-1 – 35' or 3 stories
	I-2 – 75' or 6 stories
	I-C – 120' or 10 stories
2. Setback distances	
	C – zero front and sides; 10' rear
	I-1 – 20'
	I-2 – 50'
	I-C - heavy industry, 50'; light industry, 20'; commercial, 20' front, 10' rear
3. Minimum parcel area / use density	
	C – 15,000 sq.'
	I-1 – 1 acre
	I-2 – 3 acres
	I-C – heavy industry, 3 acres; light industry, ½ acre; commercial, 10,000 square-feet

2. General Compliance with Guiding Documents

2.1 Master Plan

Chapter 3.2 of the Storey County Master Plan (1994) states that considerable development has occurred in the River District over the years and that development is expected to continue. It recommends that planning officials “give serious consideration to development and zoning for an industrial park in the [River District] area” (pp. 19-20). Attracting additional businesses; diversification to the county’s economy; broadening the county’s tax base; enhancing efficiency of water, sewer, and other utility service; and managing growth are described benefits to improving and consolidating industrial development in the county. Specific goals and objectives listed in the master plan in this regard include:

- **Chapter 3 Economy** – Goal 1, enhance diversification of economic opportunities within the county; Goal 1, Objective 1.1: develop and adopt standards for industrial park development before a large project is proposed.
- **Chapter 5 Conservation and Natural Resources** – Goal 2, protect the quality of present and future water resources; Goal 4, regulate the use of open-range and watershed areas to minimize fire danger and prevent degradation; Goal 4, Objective 4.1, assist property owners and interested groups in controlling grazing and public use of critical watershed and riparian areas.
- **Chapter 9 Land Use** – Goal 1: maintain a healthy environment for all residents of the county; Goal 1, Objective 1.1: ensure that land use permit decisions are compatible with the zoning map, master plan, and previous planning decisions; Goal 4: preserve existing agricultural areas; Goal 4, objective 4.1: through zoning regulations, direct non-agricultural development to non-agricultural areas.
- **Section River District** – Goal 4, Objective 4.1: coordinate land uses on the south side [Storey County] of the Truckee River with developments on the north side [Washoe County] of the river and visa-versa; Goal 5: design zoning districts to allow for a mix in land use development; Goal 5, Objective 5.1: consider zoning the Tracy-Clark and the surrounding area for industrial use.

As stated in Section 1.3, the subject text amendment application does not apply to any particular land. However, planning staff and the applicant have identified potential land adjacent to the Tahoe-Reno Industrial Center that may be ideal for an I-C zoning designation. Aligned with the purpose and intent of the I-C zone, this land abuts or is in immediate proximity to Interstate 80, interfaces heavy industrial uses at the Tahoe-Reno Industrial Center, and is near existing infrastructure that would support the listed uses. There are other areas in the county near the interstate or industrial development that too may be considered for this zoning designation.

With the expressed purpose and intent of the proposed I-C zone corresponding to such land application, planning staff find that the I-C zone conforms to the goals and objectives of the county master plan.

2.2 Zoning Ordinance (SCC Title 17)

2.2.1 Conformance with zoning

Storey County is divided into zoning districts of such number and character as necessary to achieve compatibility of land uses within each district, and to implement the master plan and related official plans as needed to meet the purpose and intent of the Storey County Zoning Ordinance. The purpose of the zoning ordinance is to serve the public health, safety, comfort, convenience, and general welfare; to provide the economic and social advantages resulting from an orderly planned use of economic, natural, and community resources; to encourage, guide, and provide for the future growth and development of the county; and to implement the goals, objectives, policies, and procedures of the master plan (SCC 17.02.020).

As stated in Sections 1.3 and 2.1 above, planning staff finds that the purpose and intent, and the uses allowed in the I-C zone conform to the elements of the master plan, as well as the regulations and provisions of the county zoning ordinance.

2.2.2 Application for zone text amendment

SCC 17.03.220 states that amendments to Title 17 (zoning ordinance) may be initiated by the board, planning commission, or an owner of a lot or parcel, by applying with the Planning Director a signed and completed application. The Planning Director must consider whether or not information provided by the applicant substantiates findings for approval. The applicant will then proceed with its presentation of such to the planning commission and board for consideration. The subject application was initiated by the land owner and is hereby presented to the planning commission and board with discussion, findings, and recommendations.

2.2.3 Zone map amendment, applicability

While not subject to this request, a property owner who desires to apply the I-C zone (if adopted), or any other zone to a piece of land, is required to apply for a zone map amendment that will be considered in public hearing by the board with recommendation by the planning commission. The board and planning must consider: (a) how the proposal will impact the immediate vicinity; (b) how the proposal supports the goals, objectives, and recommendations of the master plan concerning land use and related policies for the neighborhood where the subject parcel is situated; (c) if the proposed amendment will impact properties within the use district; and (d) any impacts on public services and facilities, and availability of water resources.

Notwithstanding approval of the I-C zone, any proposal to apply it to land will require further review by the board and planning commission.

3. Public Comment

3.1 Public comments regarding proposal

Staff has received no public comment for this application request.

4. Findings

4.1 Motion for approval

The following are found regarding the zone text amendment under the recommended conditions of approval shown in Section 5. A motion for approval should include at a minimum these findings and may include other findings deemed appropriate and factual by the body.

4.1.1 The zone text amendment complies with federal, Nevada State, and Storey County regulations.

4.1.2 The zone text amendment substantially conforms to and supports the goals, objectives, and recommendations of the Storey County Master Plan concerning land use and related policies.

4.1.3 The zone text amendment considers uses that pursuant to the master plan and zoning ordinance occur on abutting lands, and it reasonably mitigates potential adverse impacts that may be caused by its uses.

4.1.4 The zone text amendment does not conflict with the minimum requirements of Title 17 zoning ordinance or SCC Chapter 17.03 Administrative Provisions for zone text amendments.

4.1.5 The proposed zone text amendment will not cause uses that will likely negatively impact existing or planned public facilities, and it will not adversely impact the public health, safety, and welfare.

4.1.6 The proposed zone text amendment will not create any non-conforming conditions, such as non-conforming setback distances or minimum parcel area and width requirements.

4.2 Motion for denial

Should a motion be made to deny the zone text amendment application, the following findings with an explanation of the motion for denial should be included in that motion.

4.2.1 Substantial evidence suggests that the zone text amendment does not conform to federal, Nevada State, and Storey County regulations.

4.2.2 Substantial evidence suggests that the zone text amendment does not conform to and support the goals, objectives, and recommendations of the Storey County Master Plan concerning land use and related policies.

4.2.3 Substantial evidence suggests that the zone text amendment does not sufficiently consider uses that may pursuant to the master plan and zoning ordinance occur on abutting lands, and it does not reasonably mitigate potential adverse impacts that may be caused by its allowed uses.

4.2.4 Substantial evidence suggests that the zone text amendment may cause uses that will negatively impact existing or planned public facilities, may adversely impact the public health, safety, and welfare, and may create non-conforming conditions.

5. Conditions of Approval

All of the following conditions must be met to the satisfaction of the applicable County Department, unless otherwise stated.

5.1 Official zoning text requirements

The official Storey County Code, Title 17 Storey County Zoning Ordinance, must be amended to include Chapter "17.39 I-C Industrial Commercial Zone", and existing Chapter 17.08 Zones Generally and other applicable zoning chapters must be amended to appropriately reference the subject zone.

5.2 Official zoning map requirements

The Official Storey County Zoning Map must be amended to depict the subject zone designation that is added to Storey County Code, Title 17 Storey County Zoning Ordinance. The Official Storey County Zoning Map must be identified by the signature of the chairman of the Board attested by the Storey County Clerk under the following words: "This is to certified that this is the Official Zoning Map of Storey County referred to in Section 17.08.040 of the Zoning Ordinance of Storey County, Nevada" together with the date of adoption.

5.3 Changes made promptly

The changes approved by the board with recommendation by the planning commission must be entered by the Planning Department on the Official Storey County Zoning Map (and the applicable area zoning maps) promptly as reasonable after the amendment has been approved, with the entry indicating the ordinance number and date adopted. Regardless of the existence of the purported copies of the Official Storey County Zoning Map and the applicable Area Zoning Map which may periodically be made or published, the Official Storey County Zoning Map and Area Zoning Maps shall be kept in the Office of the Storey County Clerk and Recorder. The Storey County Recorder shall be the final authority as to the current zoning status of the land and water area, buildings, and other structures in the county.

5.4 Copies of official zoning text and map

Signed and sealed copies of the Official Storey County Zoning Map and Area Zoning Maps, and official Storey County Code, Title 17 Storey County Zoning Ordinance, must be available for public viewing at the Offices of the Storey County Clerk and Storey County Recorder.

5.5 General requirements

The zone text amendment and related map amendment must comply with and remain in conformance with all provisions set forth by this zone map amendment and all applicable federal, Nevada State, and Storey County codes and regulations.

6. Power of the Board and Planning Commission

The Board of County Commissioners has the power to make planning and zoning decisions for Storey County and has created the planning commission to advise the Board as provided in Title 2 of the Storey County Code ("SCC") and NRS 278 and 278A. The Planning Commission must perform all duties and functions delegated to a county planning commission by the terms of NRS 278.010 to 278.630, inclusive, and SCC Chapter 2.12 (Planning Commission). The planning commission is advisory to the Board. The Planning Commission must hear applications on special use permits, variances, and appeals of administrative decisions, changes to the county master plan, zoning districts, amendments to SCC Title 18, and all other appropriate subjects and make recommendations to the Board. After considering the Planning Commission's recommendation, the Board by majority vote may approve, approve with conditions, or deny the application, or return the recommendation to the Planning Commission for further consideration.

7. Planning Commission Action

At its November 13, 2014, hearing, the planning commission heard testimony from the applicant, county staff, and the public. Discussion at the meeting included environmental and safety compatibility concerns; access and traffic impacts for several allowed uses; zoning and use entitlements; potential impacts to areas where the zone may be allowable; potential location and placement of the zoning designation; and overall benefits and impacts that the I-C zone may have on the county and its communities. There was no public comment for or against the proposal. Commissioner Tyler asked several questions about traffic and other impacts generated by large-scale casinos allowed by the zone. Planning staff stated that the I-C zone is only allowed near major arterial routes such as Interstate 80 and USA Parkway, which are typically developed to standards that would accommodate large-scale casinos and other uses. Commissioner Tyler and the planning commission asked that a special use permit be required for large-scale casinos. Staff read into the records its recommended findings to be included with a motion for approval. Members of the planning commission who were present voted unanimously (4 votes with 4 planning commissioners present) to approve the zone text amendment in accordance with stated findings and as recommended by staff, except that a special use permit shall be required for large-scale casinos.

8. Proposed Motions

This section contains three motions from which to choose. **Motion 1 for approval** is recommended by staff in accordance with findings under Subsection 4.1. This motion is recommended by staff, but does not conform to the recommendation by the planning commission regarding special use permitting for large-scale casinos. **Motion 2 for approval**, as an alternative, may be made in accordance with findings under Subsection 4.1 and the recommendation by the planning commission, but against the recommendation by staff regarding special use permitting for large-scale casinos. **Motion 3 for denial** may be made and that motion should cite one or more of the findings shown in Subsection 4.2. The findings of fact in the respective section of this report, and other findings of fact determined appropriate by the body should be made part of the motion.

Motion 1 – Recommended motion (approval)

Based on findings of fact shown in Subsection 4.1 and the conditions of approval shown in Section 5 of this report, and conformance with federal, state, and county regulations, and the master plan, and the recommendation for approval by staff and the planning commission, except against the recommendation by the planning commission that a special use permit shall be required for large-scale casinos, I (commissioner) motion to approve Storey County Zone Text Amendment Application No. 2014-020 to include “Chapter 17.39 I-C Industrial Commercial Zone” to Storey County Code, Title 17 Storey County Zoning Ordinance.

Summary: Approve zone text amendment as presented, except modify planning commission recommendation so a special use permit is not required for large casinos

Motion 2 – Alternative motion (approval)

Based on findings of fact shown in Subsection 4.1 and the conditions of approval shown in Section 5 of this report, and conformance with federal, state, and county regulations, and the master plan, and the recommendation for approval by staff and the planning commission, except against the recommendation by staff that a special use permit not be required for large-scale casinos, I (commissioner) motion to approve Storey County Zone Text Amendment Application No. 2014-020 to include “Chapter 17.39 I-C Industrial Commercial Zone” to Storey County Code, Title 17 Storey County Zoning Ordinance.

Summary: Approve zone text amendment as recommended by the planning commission, and require a special use permit for large casinos

Motion 3 – Alternative motion (denial)

Based on findings of fact shown in Subsection 4.2 and the conditions of approval shown in Section 5 of this report, or other findings found appropriate, and against the recommendation for approval by staff and the planning commission, I (commissioner) motion to a deny Storey County Zone Text Amendment Application No. 2014-020 to include “Chapter 17.39 I-C Industrial Commercial Zone” to Storey County Code, Title 17 Storey County Zoning Ordinance.

Summary: Deny text amendment

Prepared by Austin Osborne, Planning Director

Enclosures:

Exhibit A: Proposed Chapter 17.39 I-C Industrial-Commercial Zone
Exhibit B: Application No. 2014-020

Exhibit A: Proposed Chapter 17.39 I-C Industrial-Commercial Zone

Chapter 17.39

I-C Industrial-Commercial Zone

Sections:

- 17.39.010 Applicability.**
- 17.39.015 Purpose and Intent**
- 17.39.020 Allowed Uses**
- 17.39.030 Uses Subject to Special Use Permit**
- 17.39.040 Height and Width of Buildings and Structure**
- 17.39.050 Minimum Parcel Area**
- 17.39.070 Loading Area**
- 17.39.080 Setback Requirements**

17.39.010 Applicability

The provisions of this chapter apply to the I-C Industrial-Commercial Zone. Uses in the C Commercial Zone are regulated by chapter 17.28 C Commercial Zone and uses in the CR Commercial-Residential zone are regulated by chapter 17.30 Commercial-Residential zone.

17.39.015 Purpose and Intent

The purpose of the I-C Industrial-Commercial zone is to provide areas within the county where certain industrial and commercial uses and activities may be established and maintained together to promote efficiency, ensure compatibility, and provide for mixed non-residential uses. It facilitates a heavy commercial and light industrial mixed-use environment that may be well-suited near principal traffic arterials, such as the Interstate 80 corridor, and industrial development with which the allowed uses are compatible. It is not intended for residential areas or general neighborhood commercial areas, such as Gold Hill, Virginia City, Lockwood, or other such residential communities where C Commercial or CR Commercial Residential zoning may be more appropriate.

17.39.020 Allowed Uses

The commercial, light industrial, and heavy industrial uses listed in this section are allowed in the I-C Industrial-Commercial Zone.

A. Commercial uses including:

1. Retail sales and shopping centers including:
 - a. General stores, shopping centers, convenience stores, principal grocery stores, neighborhood stores and shopping centers, regional stores and shopping centers, and super regional stores and shopping centers.
 - b. Seasonal holiday sales and uses.
 - c. Seasonal farmers markets.
2. Commercial offices and financial institutions:
 - a. Real-estate permanent office, banks and credit unions, accountants, insurance, employment agencies, consulting firms, manufacturer representatives, newspapers, secretarial services, associations and other similar office uses and activities.

- b. Building maintenance and services.
 - c. Business and professional offices and buildings.
 - d. Convention and meeting facilities.
3. Personal services:
- a. Barbers, hair stylists, beauticians, manicurists/pedicurists, spas, salons, tailors, massage establishments, and similar type uses.
 - b. Wedding chapels and travel agencies.
 - c. Childcare of any number of children.
 - d. Laundromats, personal dry cleaning, and laundry services.
4. Boarding accommodations including hotels, motels, hostels, bed and breakfast inns, timeshares, and vacation rentals.
5. Tourist and visitor services:
- a. Eating and drinking establishments such as restaurants, cafes, drive-in diners, fast-food, coffee shops and coffee houses, soda-fountains, saloons and taverns, and micro-breweries with on-site and off-site sales.
 - b. Entertainment and casual education services such as docents, guided tours on foot, gold panning, and museums.
 - c. Equestrian facilities and uses including riding arenas, stables, horse and pony rides, and carriage and stagecoach rides.
 - d. Theaters.
6. Recreation. Bowling lanes, billiard parlors and pool halls, arcades, gaming (when incidental to a primary use and limited to no more than 15 slot and/or video machines), golf driving ranges, miniature golf, country clubs, health clubs and personal fitness gyms, swimming pools and saunas, tennis courts, permanent indoor and seasonal outdoor roller and ice skating rinks and facilities, seasonal or temporary outdoor theatres, and other similar recreational uses and activities.
7. Civic uses:
- a. Public facilities and offices for fire, emergency services, and sheriff.
 - b. Helipads and heliports for use only by medical evacuation transport services.
 - c. Crisis care use uses and facilities, permanent.
 - d. Libraries and cultural services, governmental offices, post offices, community centers, and courts of law.

- e. Education including elementary, middle, and high (K-12) schools and academies, colleges and higher education, technical and vocational education, apprentice training, whether public, private, or parochial. A special use permit is required for education institutions and academies that include student residential accommodations.
 - f. Highway rest areas, picnicking areas, parks and playgrounds, dog parks, walking and bicycle trails, interpretive trails, restroom facilities, and information kiosks.
 - g. Parking lots and structures, park-and-rides and carpool transfer centers, multi-modal transit hubs, parking garages and storage, railroad and light rail infrastructures, train tunnels, and railroad switchyards and turntables.
 - h. Indoor and outdoor veterinarian services and shelters for large and small animals.
8. General services:
- a. Catering, equipment and appliance repair, gun repair, general contractors offices, heavy and light equipment rental, feed and tack stores, manufactured home sales and service, pawn brokers, pet sales and grooming, print shops, upholstery shops, video rentals, and other similar general services uses and activities.
 - b. Uses involving indoor archery and indoor discharge of firearms.
9. Congregational establishments including religious institutions, fraternal lodges, recreational and social clubs, labor halls, service clubs and facilities for other private clubs.
10. Agricultural and horticultural uses for domestic purposes and incidental to the permitted uses. Uses also include community gardens.
11. Casinos and gaming establishments of more than 5,000 square feet of total floor area where slots and/or video machines are located, where there are more than 15 slots and/or video machines, and where other forms of gambling such as poker, craps, blackjack, keno, sports book and other similar activities may take place.
12. Public utility service yards, buildings, electric substations, gas transmission substations, and ancillary uses.
13. Recreational vehicle (RV) parks.
14. Mini-warehouses and storage facilities for rent including recreational vehicle, boat, utility trailer, horse trailer, and similar equipment storage.
15. Open-air markets, flea-markets, farmers markets, and the display, sale, barter, or trade of items associated with a business outside of a permanent building.
16. Race tracks and arenas involving the use of automobiles, trucks, tractors, and other motorized vehicles.
17. Radio-controlled (RC) cars, vehicles, watercraft, and aircraft facilities and uses.
18. Signs as regulated by chapter 17.84 Signs and billboards.

19. Automobile paint shops and body repair shops.
20. Accessory use, buildings and structures if they are clearly incidental to a permitted use, placed upon the same lot or parcel with a permitted use, and in conformance with section 17.12.048.
21. Other uses similar to the above which are determined by the board to be consistent with the uses permitted within the zone.

B. Light industrial uses including the following:

1. Limited indoor manufacturing and assembly involving the production process that uses already manufactured components to assemble, print, or package a product such as cloth, paper, plastic, leather, wood, glass, stones, or computer and electronic parts.
2. Contractor services, including general contractor offices, contractor service shops, carpet cleaning, pest control, printing and publishing, and similar uses.
3. Agricultural use types including general agricultural uses, agricultural animal production, custom animal processing, agricultural research, agricultural supplies sales, and agricultural entertainment and commercial uses.
4. Trade and craftsman industries, including furniture and carpentry manufacturing and refining, upholstery shops, monument works, and similar uses.
5. Outdoor storage and maintenance of building materials, vehicles, trailers, and heavy equipment associated with a commercial building contractor or business when not directly associated with a construction project on the premises.
6. Manufactured home and modular home sales lots.
7. Propane sales and storage.
8. Firewood sales and storage.
9. Temporary real-estate tract offices not located within a permanent structure.
10. Laboratories and testing services. The use of live animals in laboratory, testing, and experimentation is prohibited.
11. Building material manufacturing.
12. Breweries, distilleries, wineries.
13. Warehouses, warehouse complexes, distribution operations, and wholesale distribution.
14. Laundromats and personal dry cleaning.
15. Automotive, truck, and heavy equipment services including washing and detailing (manual hand-washing, coin-operated, and production line methods), service and fueling stations, repair (including painting and body repair), sales, and rental.
16. Truck stops.

17. Solid waste recycling collection center.
18. Solid waste recycling center.
19. Brick, tile or terra cotta products manufacturing.
20. Hunting, fishing, and skiing facilities and lodges, wildlife refuges, and game farms.
21. Sewage treatment plants and facilities and other sewage or sludge processing, treatment, or storage.
22. Watchman's dwelling, whether permanent or temporary.
23. Outdoor storage or maintenance of building materials, vehicles, trailers, and heavy equipment associated with a commercial building contractor or business when not directly associated with a construction project on the premises.
24. Other uses similar to the above which are determined by the board to be consistent with the uses permitted within the zone.

C. Heavy industrial uses including the following:

1. Manufacturing and assembly involving the production process which uses already manufactured components to assemble, print, or package a product such as cloth, paper, plastic, leather, wood, glass, stones, or computer and electronic parts and manufacturing operations involving primary production of commodity of raw materials, except those listed in section 17.39.030 as requiring a special use permit.
2. Storage and distribution of paints, shellac, turpentine, varnishes, and other similar chemicals within a warehouse facility.
3. Storage and distribution of petroleum and liquid petroleum products within a warehouse facility.
4. Manufacturing of paints, shellac, turpentine, varnishes, and other such chemicals. Manufacturing, reclaiming, refining, storage, and distribution of cyanide, hazardous materials, and liquid petroleum products are prohibited.
5. Paper manufacturing.
6. Bottling plants.
7. Other uses similar to the above which are determined by the board to be consistent with the uses permitted within the zone.

17.39.030 Uses Subject to Special Use Permit

Unless stated otherwise, the following uses may be permitted subject to securing a special use permit pursuant to chapter 17.03 Administrative provisions.

1. Fortune tellers, astrology parlors, clairvoyance and palmistry. Additionally, uses under this subsection must comply with the regulations under Title 5 Business licenses, and be located no closer than 1,000 feet from a public or private school, religious institution, public building or facility, or another permitted fortune teller, astrology parlor, clairvoyance and palmistry use, and

300 feet from any E, R, or SPR zone.

2. Permanent outdoor skateboard parks and related facilities.
3. Fairgrounds, rodeo arenas, horse and other animal competition tracks and arenas, and similar uses.
4. Amusement parks involving various devices for entertainment such as thrill and theme rides, roller-coasters, water slides, and games and concession booths.
5. Facilities and uses that include outdoor sets and props for the development and production of movies, film, television, and similar visual media.
6. Education facilities that include student residential and boarding accommodations.
7. Permanent outdoor theatres.
8. Billboards as regulated by chapter 17.68 Signs and billboards.
9. Zoos, animal theme and amusement parks, and other maintenance, display, or possession of one or more wild animals.
10. Healthcare facilities including hospital services, medical services, urgent care, clinics, convalescent services, civic convalescent and group care service, continuum of care facilities for seniors, and group care services.
11. Tattoo, permanent cosmetics, and invasive body piercing facilities. These uses are only allowed within the boundaries of the Tahoe-Reno Industrial Center which is zoned I-2 Heavy Industrial, I-C Industrial-Commercial, or C Commercial. They are prohibited within 1,500 feet of a public or private school or religious institution.
12. Retail establishments featuring the display, lease, or rental of "adult material" books, merchandise, periodicals, video tapes, video disks including DVDs and other recorded video devices, computer disks, instruments, devices or paraphernalia "adult" material. The merchandise shall only be available for sale or lease for private use by the purchaser or lessee off the premises of the business.
13. Temporary (less than 1 year) concrete and asphalt batch plants when not incidental to an on-site construction project or when located within 2,500 feet from a CR, E, R, or SPR zone.
14. Milling and processing related to mining and extraction.
15. Natural resources including river and waterway restoration, wetland creation, water restoration and recycling.
16. The keeping of 7 or more dogs or potbelly pigs more than 12 weeks of age. A minimum of 10 acres is required.
17. Commercial kennel. A minimum of 10 acres is required.
18. Other uses similar to the above that are determined by the board with action by the planning commission to be consistent with the uses requiring a special use permit within the zone.

17.39.040 Height and Width of Buildings and Structures

A building, manufactured building, or structure may not exceed a height of ten stories or 120 feet, whichever is higher, except as may be allowed by a variance. The requirements of this section do not apply to church spires, belfries, cupolas, domes, chimneys and smoke-stacks, grain silos, water towers, flagpoles, and commercial and amateur wireless communication towers and antennas. Wind energy turbine support structures are regulated by chapter 17.12.044, Height of buildings and structures.

17.39.050 Minimum Parcel Area

Parcel area requirements shall be as follows: (A) commercial uses may be located on a parcel of no less than 10,000 square-feet; (B) light-industrial uses may be located on a parcel no less than one-half acre; and (C) heavy-industrial uses may be located on a parcel no less than 3 acres. The minimum area requirement for uses requiring a special use permit shall be determined by the special use permit, except that the area shall be no less than 10,000 square-feet.

17.39.060 Loading Area

Loading area must have adequate room for vehicular circulation and staging. All truck parking and docking area must be designed so that right-of-ways and travelled ways are not adversely impacted.

17.39.070 Setback Requirements

Setback requirements shall be as follows: (A) heavy-industrial uses may be located no closer than 50 feet from any property line; (B) light-industrial uses may be located no closer than 20 feet from any property line; and (C) commercial uses shall have a minimum 10 foot rear and side setback and a 20 foot front setback. Uses requiring a special use permit shall have setback distances established by the granted special use permit, except that the minimum allowable setback distances shall be no less than 10 feet from any property line.

Exhibit B: Application No. 2014-020 (Zone Text Amendment)

The following application includes a request for both a zone text and zone map amendments. For zone map amendment applicability, refer to Application and Staff Report No. 2014-021.



Storey County Planning Department

26 South "B" Street, P.O. Box 176, Virginia City, NV 89440
Phone: (775) 847-1144 Fax: (775) 847-0949
planning@storeycounty.org

Development Application

Submit this completed application and all attachments along with the application fee (see page two for type of application and fees) at least 30 days prior to the meeting you wish to have your request scheduled. The application will not be accepted unless complete, including attachments (applicant will be notified within 15 days if application is not acceptable and what is still required). The application fee is non-refundable. Please make checks payable to Storey County Planning Development.

Project Number: _____			
Property Owner: <u>Tahoe-Reno Industrial Center, LLC</u> <small>All land owners must be listed on this application. Type or print legibly in black or blue ink.</small>			
Mailing Address: <u>c/o Robert M. Sader, 8600 Technology Way, Suite 101</u>			
City: <u>Reno</u>	State: <u>NV</u>	Zip: <u>89521</u>	
Telephone (Home) () <u>N/A</u>	Business () <u>775</u>	<u>329-8310</u>	
Applicant: <u>SAME</u> <small>All applicants must be listed on this application.</small>			
Mailing Address: <u>SAME</u>			
City: _____		State: _____	Zip: _____
Telephone (Home) () _____		Business () _____	

<input type="checkbox"/> Gold Hill	<input type="checkbox"/> Virginia City	<input type="checkbox"/> VC Highlands (1 acre)	<input type="checkbox"/> Highland Ranches (10 acres)	<input type="checkbox"/> Virginia Ranches (40 acres)
<input type="checkbox"/> Mark Twain	<input type="checkbox"/> Hafed	<input type="checkbox"/> Lockwood	<input type="checkbox"/> Painted Rock	<input checked="" type="checkbox"/> XX R1
Project Address: <u>Waltham Way and I-80</u>				
Assessor's Parcel Numbers (APN): <u>004-161-98 and 99; 004-162-01 and 02; 005-121-01, 02, 03, 04, and 05</u>				
Lot: <u>N/A</u>	Block: <u>N/A</u>	Acreage: <u>319.852</u>		

Application Type	Application Fee	Application Type	Application Fee
<input type="checkbox"/> Abandonment	\$200.00	<input type="checkbox"/> Amended Map	n/a
<input type="checkbox"/> Condition Amendment	n/a	<input type="checkbox"/> Boundary Line Adjustment	\$250.00 + 25.00 per lot
<input type="checkbox"/> Development Agreement (Requires a Special Use Permit)	\$1,000.00	<input type="checkbox"/> Extension of Time Request (One Year Extension Only)	50% of Original Fee
<input type="checkbox"/> Land Division Map (40 acre minimum)	\$500.00 + \$50.00 per lot	<input type="checkbox"/> Lot Consolidation	n/a
<input type="checkbox"/> Master Plan Map Amendment	\$2,900.00	<input checked="" type="checkbox"/> Master Plan Text Amendment	\$800.00
<input type="checkbox"/> Natural Resources Exploration and Registration	\$65.00 per hour	<input type="checkbox"/> Street Name Request	n/a
<input type="checkbox"/> Parcel Map – Record of Survey	\$250.00 + 25.00 per lot	<input type="checkbox"/> Parcel Map Final	n/a
<input type="checkbox"/> Planned Unit Development (PUD) - Tentative	\$500.00 + 1.00 per lot	<input type="checkbox"/> Planned Unit Development - Final	\$200.00 + 25.00 per lot
<input type="checkbox"/> *Special Use Permit – Minor	\$250.00	<input type="checkbox"/> *Special Use Permit – Routine	\$450.00
<input type="checkbox"/> *Special Use Permit – Major	\$750.00	<input type="checkbox"/> *Special Use Permit – Major Industrial	\$2,500.00
<input type="checkbox"/> Subdivision Map - Tentative	\$500.00 + 1.00 per lot	<input type="checkbox"/> Subdivision Map - Final	\$200.00 + 25.00 per lot
<input type="checkbox"/> Variance - Administrative	n/a	<input type="checkbox"/> Variance	\$100.00
<input type="checkbox"/> Wireless Communication Facility		<input type="checkbox"/> Wireless Communication Facility, Modification	n/a
<input checked="" type="checkbox"/> Zoning Map Change	\$1,000.00	<input checked="" type="checkbox"/> Zoning Text Change	n/a

Note: Additional fees to cover costs accrue by the county in association with the application, including staff time and consultation with outside legal and professional council may be charged to the applicant. No additional fees will be charged without expressed written permission by the applicant.

RMS Applicants Initials

*If you are applying for a Special Use Permit, please refer also to the Storey County Special Use Permit Definitions List when determining a minor, major, routine or major industrial permit.

Storey County Development Application

Detail Description/Justification of Project
Attached additional pages as necessary

SEE ATTACHED

STOREY COUNTY DEVELOPMENT APPLICATION
DETAIL DESCRIPTION/JUSTIFICATION OF PROJECT

INTRODUCTION

This application requests an amendment to the Storey County Master Plan text, a zoning map change, and zoning text change for real property (the "Property") owned by Tahoe-Reno Industrial Center, LLC ("TRI") which was formerly in Washoe County but now has been moved by a boundary line adjustment to Storey County. The Property came to Storey County without master plan or zoning designations. The legal description of the Property is attached to this application, including a map of the parcels.

There are nine (9) parcels subject to this application. Their location can generally be described as south of I-80, north of Truckee River, west of Tracy Power Plant and east of Mustang.

BACKGROUND

The 2013 Nevada State Legislature enacted Senate Bill 272, which authorized a boundary line adjustment between Washoe County and Storey County under Sections 1.5 and 3(3) of that act by resolutions approved by each county's board of commissioners. On June 17, 2014 the Board of Commissioners of Storey County passed Resolution 14-403 approving the adjustment. On the same date the Board of County Commissioners of Washoe County approved a resolution on the same adjustment.

The result of these actions was to transfer eighteen (18) parcels from Washoe County to Storey County. Nine (9) of those parcels are owned by TRI and are subject to this application.

TRI is the master developer of the Tahoe-Reno Industrial Center ("Center"). The current northwestern boundary of the Center is separated from the Property by the Truckee River. It is a logical extension of the Center for TRI to develop a portion of the Property as a part of the Center.

The basic entitlement for the Center is the Development Agreement dated February 1, 2000 between TRI and Storey County. The Center is provided water and sewer service by TRI General Improvement District ("TRIGID"). Applications to annex the Property to the Development Agreement are being made concurrently with this application. An application to expand the service territory of TRIGID will be made to the Trustees upon approval of the Development Agreement annexation.

The zoning for the Center is I-2 Heavy Industrial (1999 Storey County Zoning Code edition), which allows light industrial zoning uses and also allows commercial zoning uses on 10% of the land. This application seeks to add a portion of the Property

STOREY COUNTY DEVELOPMENT APPLICATION
DETAIL DESCRIPTION/JUSTIFICATION OF PROJECT

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Storey County Development Application

Professional Consultant/Representative(s)			
Name:	Robert M. Sader		
Address:	8600 Technology Way, Suite 101		
City:	Reno	State:	Nevada Zip: 89521
Phone:	(775) 329-8310	Email:	msader@robertmsaderltd.com Cell: N/A

Applicant's Affidavit:

I, N/A, being duly sworn, depose and say that I am the applicant of the described
(Printed name)
project and/or request, and all the statements and answers herein contained and the information herewith submitted are in all respects complete, true and correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of the Storey County Planning Department Staff.

Signature of Applicant _____

Date _____

State of Nevada,
County of Storey

Signed and sworn to before me on _____ by,

Notary's Signature _____

My Commission Expires _____

Property Owner's Affidavit:

I, Tahoe-Reno Industrial, LLC, being duly sworn, depose and say that I am an owner* in fee of the described
(Printed name)
property involved in this application, that I have knowledge of, and agree to, the filing of this application, and that the statements and answers herein contained and the information herewith submitted are in all respects complete, true and correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of the Storey County Planning Department Staff.

Robert M. Sader
Signature of Applicant
Robert M. Sader, Legal Counsel

Date 10/6/14

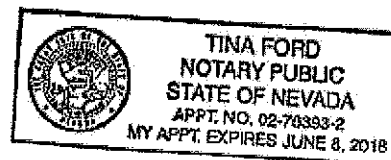
State of Nevada,
County of ~~Storey~~ Washoe

Signed and sworn to before me on Oct 6, 2014 by,

Robert M. Sader

Tina Ford
Notary's Signature

June 8, 2018
My Commission Expires



Storey County Development Application

DEVELOPMENT APPLICATION SUBMITTAL REQUIREMENTS

Application Type	Submittal Requirements													
	Development Application	Detailed Description/Justification	Paid Tax Receipt	Plot Plan	Reduced Map (11 x 17)	Original Map Mylar	Map & Data in CAD Format on Disk	Vicinity Map	Floor Plan	Legal Description - Deed	Title Report	Drainage Report	Soils Report	Traffic Report
<input checked="" type="checkbox"/> Abandonment	X	X	X	X	X			X		X				
<input type="checkbox"/> Amended Map	X	X		X	X			X						
<input type="checkbox"/> Condition Amendment	X	X		X	X			X		X				
<input type="checkbox"/> Boundary Line Adjustment	X	X	X	X	X			X		X				
<input type="checkbox"/> Development Agreement (Requires Special Use Permit)	X	X	X	X	X		X	X	X	X	X	X	X	X
<input type="checkbox"/> Extension of Time Request (One Year Extension Only)	X	X	X					X						
<input type="checkbox"/> Land Division Map (40 acre minimum)	X	X	X	X	X			X		X	X			
<input type="checkbox"/> Lot Consolidation*	X	X	X	X	X			X						
<input type="checkbox"/> Master Plan Map Amendment	X	X		X	X			X						
<input type="checkbox"/> Master Plan Text Amendment	X	X												
<input type="checkbox"/> Natural Resources Exploration and Registration Review	X	X	X	X	X			X						
<input type="checkbox"/> Parcel Map - Record of Survey														
<input type="checkbox"/> Parcel Map	X	X	X	X	X			X		X				
<input type="checkbox"/> Planned Unit Development, Tentative	X	X	X	X	X		X	X		X	X	X	X	X
<input type="checkbox"/> Planned Unit Development, Final	X	X	X	X	X		X	X						
<input type="checkbox"/> Additional Information - Check with Planning Department	X													

*Administrative lot consolidation procedure

Note: Additional information and materials may be required with the application.

Storey County Development Application

Submittal Requirements		DEVELOPMENT APPLICATION SUBMITTAL REQUIREMENTS																
Application Type		Development Application	Detailed Description/Justification	Paid Tax Receipt	Plot Plan	Reduced Map (11 x 17)	Original Map Mylar	Map & Data in CAD Format on Disk	Vicinity Map	Floor Plan	Legal Description - Deed	Title Report	Drainage Report	Soils Report	Traffic Report	Water Rights	Reclamation Plan	Additional Information – Check with Planning Department
<input checked="" type="checkbox"/> Special Use Permit - Minor		X	X	X	X	X			X									X
<input type="checkbox"/> Special Use Permit - Routine		X	X	X	X	X			X									X
<input type="checkbox"/> Special Use Permit – Major		X	X	X	X	X			X									X
<input type="checkbox"/> Special Use Permit – Major Industrial		X	X	X	X	X			X									X
<input type="checkbox"/> Street Name Request		X	X		X				X									X
<input type="checkbox"/> Subdivision Map - Tentative		X	X	X	X	X			X		X	X	X	X	X	X		X
<input type="checkbox"/> Subdivision Map - Final		X	X	X	X	X		X			X							X
<input type="checkbox"/> Variance - Administrative		X	X						X									X
<input type="checkbox"/> Variance		X	X	X					X									X
<input type="checkbox"/> Wireless Communication Facility		X	X	X	X	X			X		X							X
<input type="checkbox"/> Wireless Communication Facility, Modification		X	X	X	X	X			X		X							X
<input type="checkbox"/> Zoning Map Change		X	X		X	X		X			X							X
<input type="checkbox"/> Zoning Text Change		X	X		X	X												X
<input type="checkbox"/> Other		X	X	X	X	X												X

Note: Additional information and materials may be required with the application.

DEVELOPMENT APPLICATION SUBMITTAL REQUIREMENTS GUIDE

1. **Development Application** – You can get an application from the Planning Department at the Storey County Courthouse or online at StoreyCounty.org.
2. **Detailed Description/Justification** – The description of your project and the reason for the project. Be as detailed as possible and submit any information to help explain your project (photos, maps, etc.).
3. **Paid Tax Receipt** – This is a receipt showing your property taxes are current or paid in full. A copy can be obtained from the Clerk/Treasurer's office located on the 2nd floor in the Storey County Courthouse.
4. **Plot Plan** – A diagram showing the location of all buildings, well and septic (if any). This can be obtained from the Building Department or Assessor's office or neatly hand drawn by the applicant.
5. **Reduced Map (11 x 17)** – Applications with large maps must supply one that can be scanned in for use in reports.
6. **Original Map Mylar** – This map is done by a professional surveyor.
7. **Map & Data in CAD format on Disk** – This map is done by a professional surveyor.
8. **Vicinity Map** – This map shows surrounding parcels to application parcel. A copy can be obtained from the assessor's office located on the 1st floor in the Storey County Courthouse.
9. **Floor Plan** – These are building plans for a house (subdivision) and done by a builder.
10. **Legal Description – Deed** – Done by a professional surveyor.
11. **Title Report** – Done by a professional company.
12. **Drainage Report** – Done by a professional company.
13. **Soils Report** – Done by a professional company.
14. **Traffic Report** – Done by a professional company.
15. **Water Rights** – You can obtain this from State Water Department.
16. **Reclamation Plan** – Done by a professional company.

8 of 8

(Proposed text amendment attached to application is located in Exhibit A above.)



Storey County Board of County Commissioners Agenda Action Report

Meeting date: 12/02/14

Estimate of time required: 20 min.

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☒

1. **Title:** (Agenda Language included in Enclosure A)

2. **Recommended motion:** Based on findings of fact shown in Subsection 4.1 and the conditions of approval shown in Section 5 of this report, and conformance with federal, state, and county regulations, and the recommendation for approval by staff and the planning commission, I (Commissioner) motion to approve Storey County Zone Map Amendment Application No. 2014-021 modifying the official zoning map of Storey County to include the Forestry, Natural Resources, Public, and Industrial-Commercial zones as presented by staff in this report.

3. **Prepared by:** Austin Osborne, Planning Director

Department: Planning Department

Telephone: 847-1144

4. **Staff summary:** Amendment of the Official Storey County Zoning Map as explained and recommended in Staff Report No. 2014-021 enclosed herewith.

5. **Supporting materials:** Staff Report No. 2014-021 and exhibits enclosed herewith.

6. **Fiscal impact:** None on local government.

Funds Available:


Fund:

____ Comptroller

7. **Legal review required:**

____ District Attorney

8. **Reviewed by:**

 Department Head

Department Name:

____ County Manager

Other agency review: _____

9. **Board action:**

☐ Approved

☐ Approved with Modifications

☐ Denied

☐ Continued

Agenda Item No.

Enclosure A: Agenda Language for Application No. 2014-021

Discussion/Possible Action: Application No. 2014-021 by the Tahoe-Reno Industrial Center, LLC., and Storey County on behalf of The Nature Conservancy, LLC and the Union Pacific Railroad Company to amend the Official Storey County Zoning Map. The amendments will apply regulatory zones to approximately 600 acres of land located in McCarran, Nevada (River District near the Tahoe-Reno Industrial Center) which was in July of 2014 transferred from Washoe County to Storey County by means of boundary line adjustment. The subject area is described approximately as portions of: Section 31 and 32, Township 20 North, Range 22 East; Section 6, Township 19 North, Range 22 East; Section 36, Township 20 North, Range 21 East; Sections 2 and 11, Township 19 North, Range 21 East; and Section 1, Township 19 North, Range 21 East, all in the Mount Diablo Baseline and Meridian (MDB&M). The specific zones and subject properties will be as follows: (a) F Forestry zoning will be applied to land located at Assessor's Parcel Numbers (APN) 004.161.98, 004.161.99, 004.162.01, and 004.162.02; (b) N-R Natural-Resources zoning will be applied to land located at APNs 004.161.85, 004.161.86, 004.161.88, and 004.161.96; (c) I-C Industrial-Commercial zoning will be applied to land located at APNs 005.121.01, 005.121.02, 005.121.03, 005.121.04, and 005.121.05; and (d) P Public will be applied to land located at 004.161.87, 004.161.89, 004.161.90, 004.161.91, 004.161.92, 004.161.93, 004.161.94, 004.161.95, and 004.161.97, all within the approximate subject area described above. The purpose of the zone map amendment is to apply zoning to newly acquired land in Storey County that is consistent with surrounding uses and the Storey County Master Plan. Prior to their transfer into Storey County, the properties were zoned in Washoe County as Agriculture, Medium Density Rural, Industrial, and Public Infrastructure. Additional information including, but not limited to, reports and maps may be obtained from the Planning Department at 775.847.1144 or planning@storeycounty.org.



Storey County
Board of County Commissioners
Staff Report – **Zone Map** Amendment

To: Storey County Board of County Commissioners

From: Storey County Planning Department

Meeting Date: December 2, 2014

Meeting Location: Storey County Courthouse
26 South "B" Street, Virginia City, Nevada

Case Number: 2014-021

Request: Request for amendment to the Official Storey County Zoning Map to apply Forestry, Natural Resources, Public, and Industrial zoning to parcels all located within approximately 600 acres of land recently transferred from Washoe County to Storey County by boundary line adjustment.

Applicants: Tahoe-Reno Industrial Center, LLC; and Storey County on behalf of The Nature Conservancy, LLC and Union Pacific Railroad Company.

Property Owners: Tahoe-Reno Industrial Center, LLC; The Nature Conservancy, LLC; and Union Pacific Railroad Company.

Staff Contact: Austin Osborne, Planning Director

Guiding Documents: Storey County Code 17.03 Administrative Provisions; SCC 17.24 Agriculture Zone; 17.32 Forestry Zone; 17.35 Heavy Industrial Zone; 17.76 Natural Resources Zone; 17.84 Signs and Billboards; 17.92 Mineral Exploration and Mining; Storey County Master Plan, River District plan and Industrial development plan; Washoe County Master Plan, Truckee Canyon Area Plan.

Property Location: The subject area is described approximately as portions of: Section 31 and 32, Township 20 North, Range 22 East; Section 6, Township 19 North, Range 22 East; Section 36, Township 20 North, Range 21 East; Sections 2 and 11, Township 19 North, Range 21 East; and Section 1, Township 19 North, Range 21 East, all in the Mount Diablo Baseline and Meridian (MDB&M). Specific subject properties are listed in Table 1.1 and Exhibit C.

1. BACKGROUND & ANALYSIS

1.1 Site location and characteristics

The properties subject to this request for zone map amendment are located on approximately 580 acres along the Truckee River and Interstate 80 between Mustang and McCarran, Nevada. The approximate location and placement of each subject parcel is illustrated in Figures 1.1 and 1.2. McCarran is approximately 12 miles east of Sparks and about halfway between it and Fernley.

In 2003 the Nevada State Legislature enacted Senate Bill 272 which authorized a boundary line adjustment between Storey County and Washoe County by resolution approved by each county's board of commissioners. On June 17, 2014, the Board of Storey County Commissioners passed Resolution 14-403 approving the adjustment. On the same date, the Board of Washoe County Commissioners approved a resolution on the adjustment. The result of these actions was the transfer 22 parcels and approximately 580 acres from Washoe County to Storey County. The area of land transfer is described in Table 1.1 and illustrated in Figures 1.1 and 1.2.

#	APN	Owner	Acres Σ=575 (+/-)	Former Zone (Washoe County)	Requested Zone
1	004-161-98	Tahoe-Reno Industrial Center	10	Agriculture	Forestry
2	004-161-99	Tahoe-Reno Industrial Center	6	Agriculture	Forestry
3	004-162-01	Tahoe-Reno Industrial Center	26	Agriculture	Forestry
4	005-121-01	Tahoe-Reno Industrial Center	36	Industrial	IC
5	005-121-02	Tahoe-Reno Industrial Center	104	Industrial	IC
6	005-121-03	Tahoe-Reno Industrial Center	65	Industrial	IC
7	005-121-04	Tahoe-Reno Industrial Center	3	Industrial	IC
8	005-121-05	Tahoe-Reno Industrial Center	17	Industrial	IC
9	004-162-02	Tahoe-Reno Industrial Center	55	Rural	Forestry
10	004-161-85	The Nature Conservancy	3	Rural	Nat Resource
11	004-161-86	The Nature Conservancy	0.23	Rural	Nat Resource
12	004-161-88	The Nature Conservancy	47	Rural	Nat Resource
13	004-161-96	The Nature Conservancy	59	Rural	Nat Resource
14	004-161-87	Union Pacific Railroad	30	Infrastructure	Public
15	004-161-89	Union Pacific Railroad	48	Infrastructure	Public
16	004-161-90	Union Pacific Railroad	11	Infrastructure	Public
17	004-161-91	Union Pacific Railroad	1	Infrastructure	Public
18	004-161-92	Union Pacific Railroad	7	Infrastructure	Public
19	004-161-93	Union Pacific Railroad	5	Infrastructure	Public
20	004-161-94	Union Pacific Railroad	27	Infrastructure	Public
21	004-161-95	Union Pacific Railroad	5	Infrastructure	Public
22	004-161-97	Union Pacific Railroad	10	Infrastructure	Public

Note: "IC" – Industrial-Commercial (Storey); "Rural" – Medium Density Rural (Washoe)

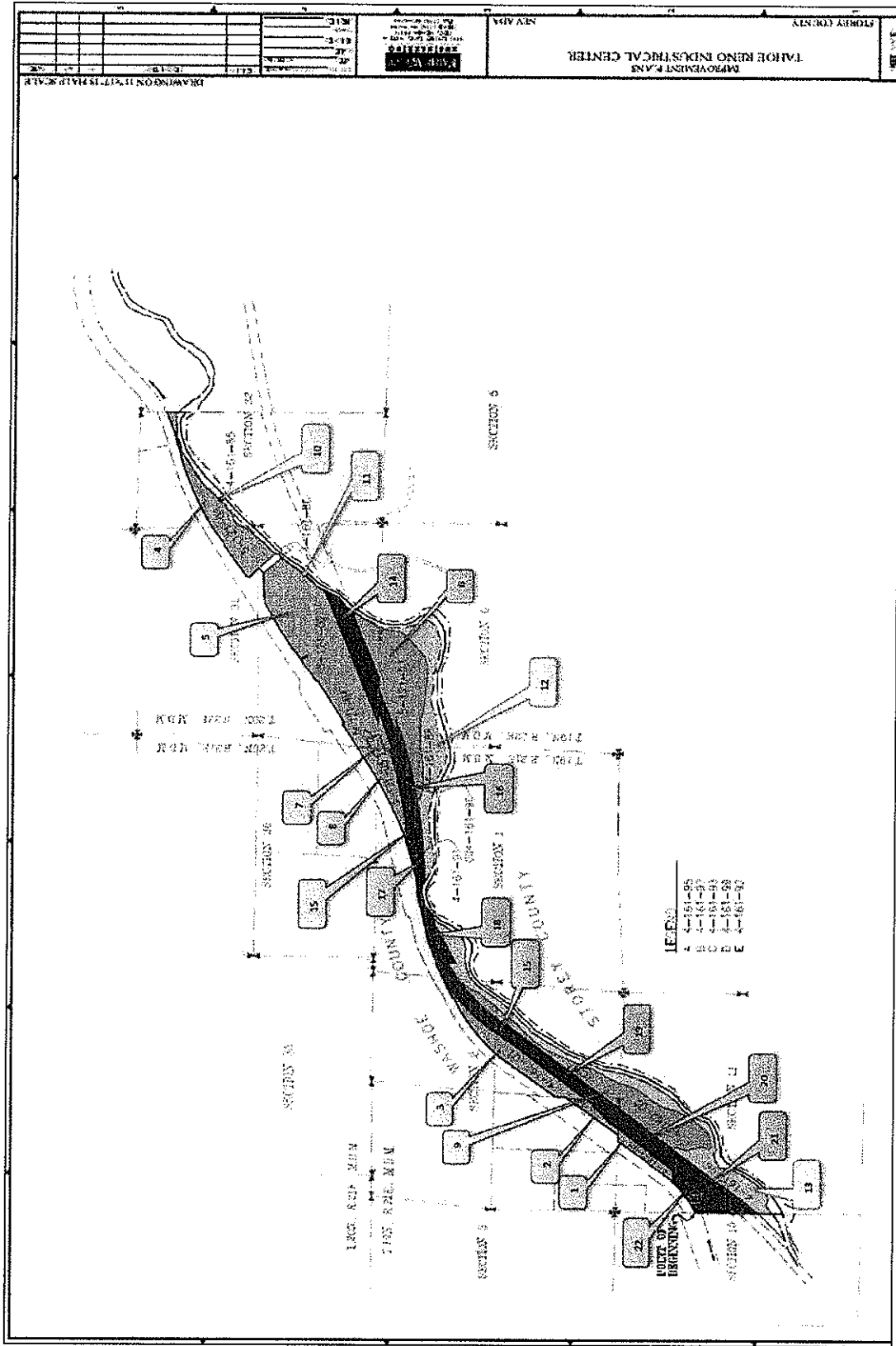


Figure 1.1 – Land ownership and reference to prior and proposed zoning (see close-up images in Figures 1.1.1 and 1.1.2)

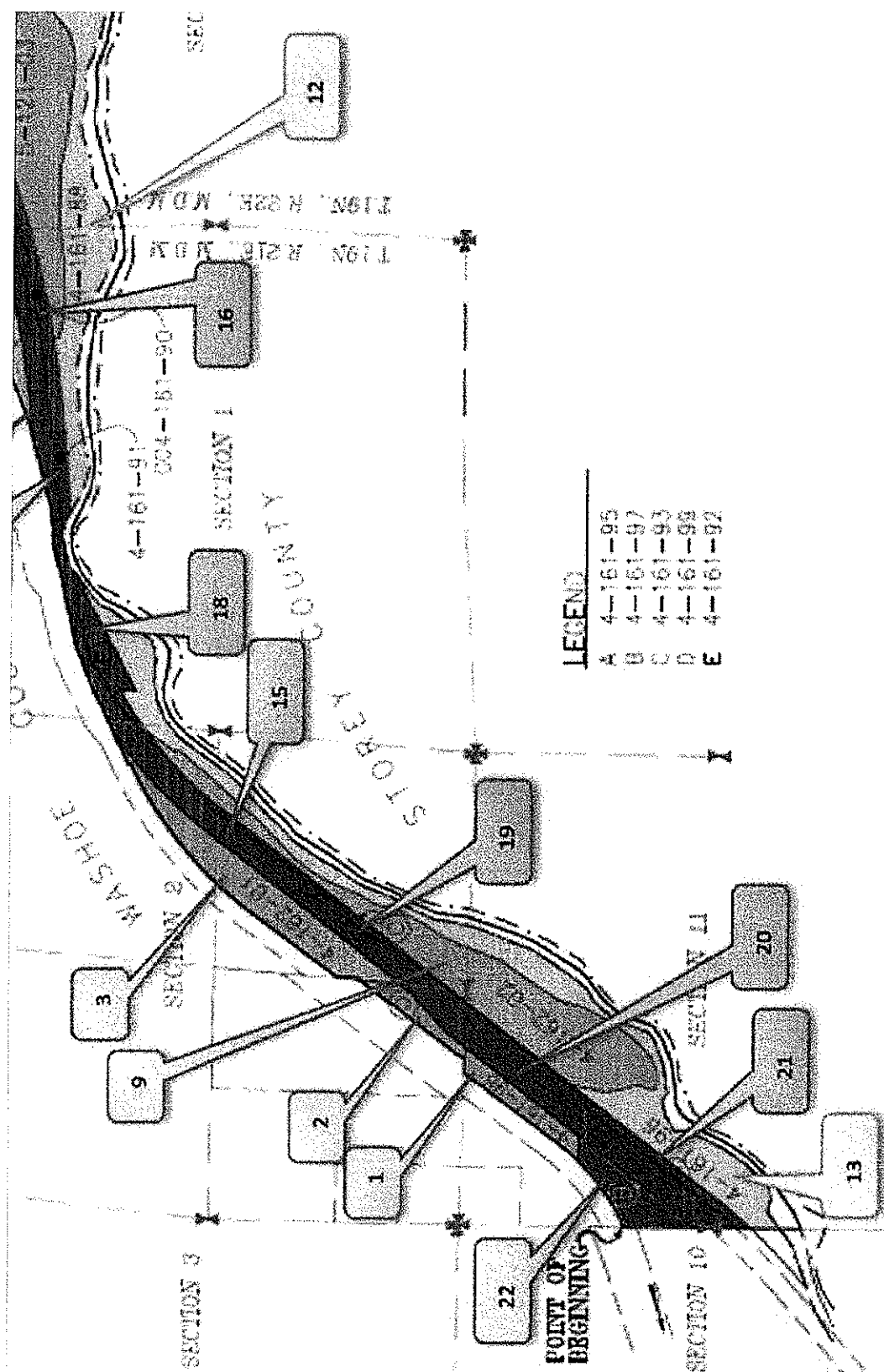


Figure 1.1.1 – Zoom left (central and west) of Figure 1.1 image

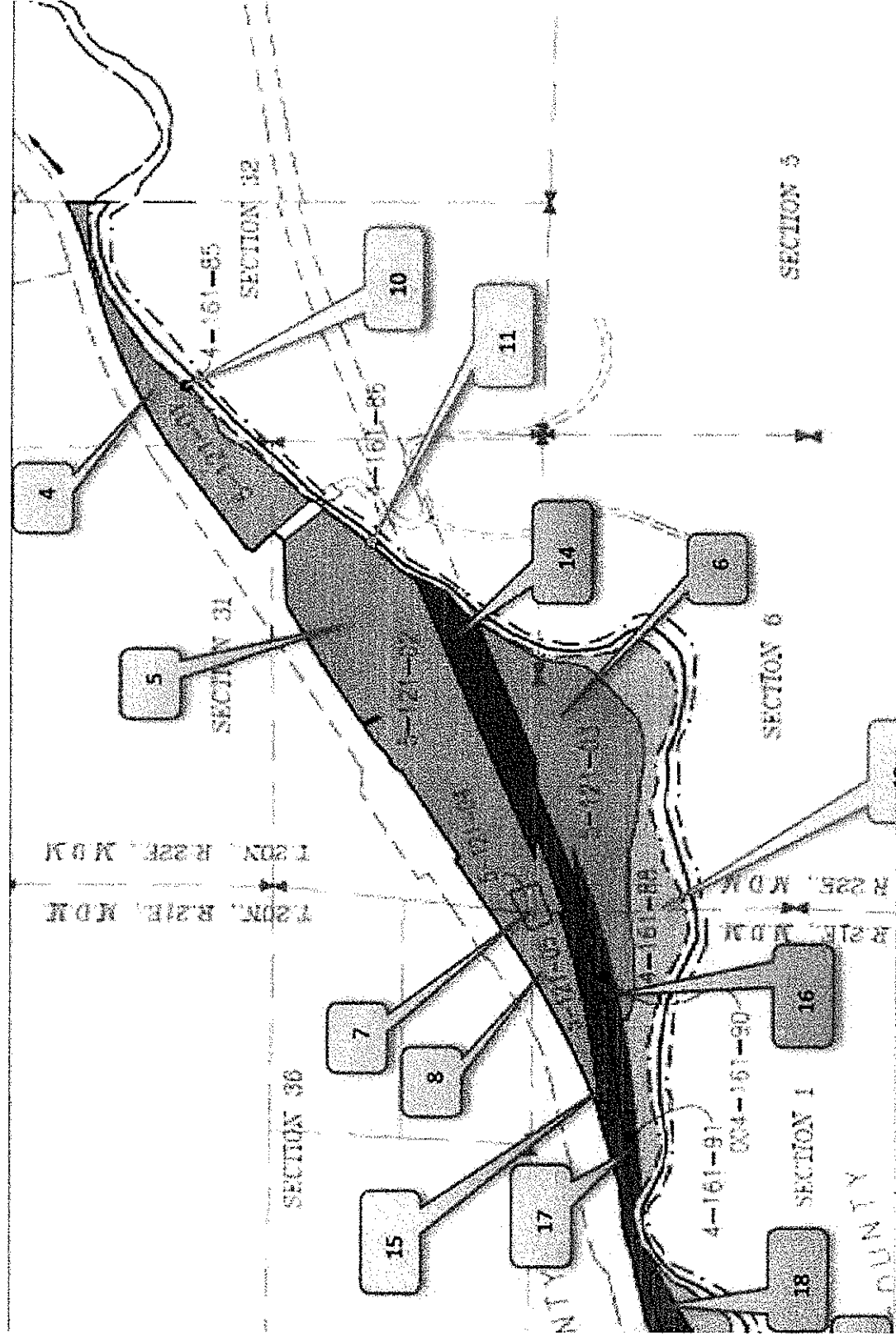


Figure 1.1.2 – Zoom right (central and east) of Figure 1.1 image

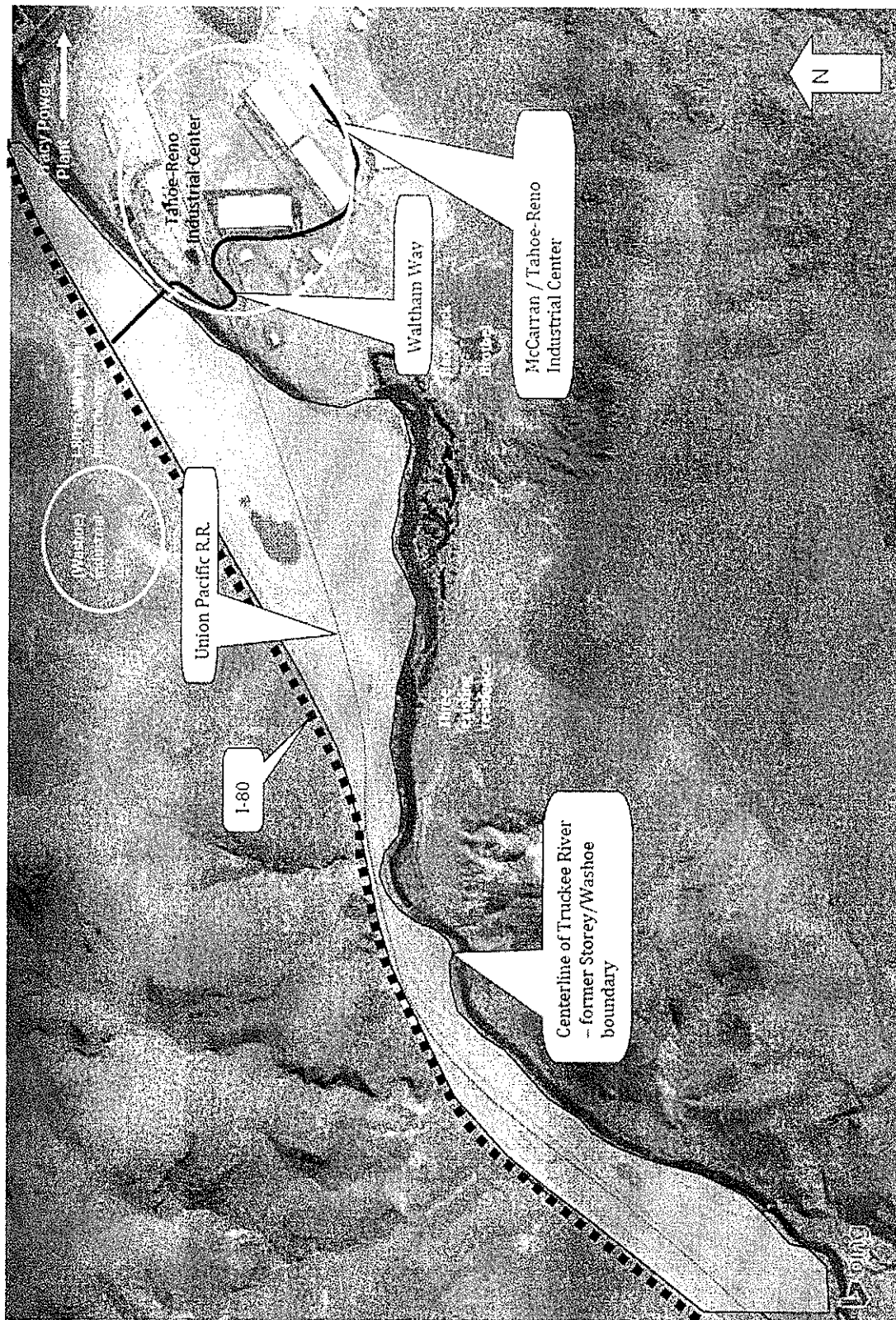


Figure 1.2 – The subject area highlighted green indicates land transferred from Washoe to Storey County. Information is approximate.

1.2 Zoning and master plan considerations

The properties in Washoe County were zoned Industrial, Agricultural, Medium Density Rural, and Public Infrastructure prior to their transfer into Storey County (Washoe County, Truckee Canyon Regulatory Zone Map, 2013). The properties, now in Storey County, have not yet been assigned zoning designations. There are three principal owners involved in the subject properties: The Tahoe-Reno Industrial Center, LLC (TRI-Center); The Nature Conservancy, LLC (Nature Conservancy); and the Union Pacific Railroad Company (Union Pacific).

1.3 Application background and requested zoning designations

Planning staff consulted with TRI-Center and the Nature Conservancy in determining appropriate zoning designations for their subject parcels. Planning staff also contacted representatives of Union Pacific by telephone and USPS mail. Union Pacific did not express interest in applying for any zoning designation for its land. However, the company representative informed staff that it would accept Public zoning for their land, a Storey County zone that is similar to its prior Washoe County Public Infrastructure zoning. The following describe existing land uses in and around the subject properties, and zone map amendment proposals for each group of subject properties.

1.3.1 Land owned by TRI-Center

Parcels 1-9 shown in Table 1.1 – Ownership and Zoning, are owned by TRI-Center. Five of those parcels were zoned Industrial in Washoe County, three were zoned Agriculture, and one was zoned Medium Density Rural. TRI Center requested that the five parcels previously zoned Industrial be classified similarly in Storey County, and that its four remaining parcels previously zoned Agriculture and Medium Density Rural be zoned Forestry.

Preceding its request for zone map amendment, TRI-Center applied for an amendment to Storey County Zoning Ordinance text to create an “I-C Industrial-Commercial Zone”. The I-C zone allows mixed commercial, light industrial, and heavy industrial uses where deemed appropriate by the board with recommendation by the planning commission. For the purpose of this report, it is assumed that the I-C zone is adopted prior to this zone map amendment request.

TRI-Center described to planning staff its subject property along portions of the Interstate 80 corridor as ideal for mixed-use commercial-industrial zoning. Planning staff finds this interstate frontage appropriate for I-C zoning. It also finds the I-C zone to be consistent with the prior zoning designation and area uses in both Storey and Washoe Counties (see compatibility in Section 1.4). Staff recommends that the remaining four parcels mentioned above remain rural type zoning similar to their previous Agriculture and Medium Density Rural zoning. However, because there is no known agricultural activity occurring on that land, staff and the property owner recommend that these parcels are zoned Forestry, Storey County’s closest equivalent and appropriate zoning classification.

1.3.2 Land owned by Nature Conservancy

Parcels 10-13 shown in Table 1.1 are owned by the Nature Conservancy. The subject land is located within the floodway and riparian area of the Truckee River. The property owner manages

the land for the purpose of restoring riparian habitats and improving natural flood storage capacity of the river. Planning staff and the property owner agree that N-R Natural Resources zoning designation would be the most appropriate classification for this land. The N-R Zone is established to promote the preservation of land to conserve and enhance natural and scenic resources, archeological, and cultural sites, primitive areas, watersheds, and flood-prone areas from unreasonable impairment. Staff on behalf of the property owner is applying for this zoning designation.

1.3.3 Land owned by Union Pacific

Parcels 14-22 shown in Table 1.1 are owned by Union Pacific. These parcels make up a narrow strip of land through entire stretch of the subject area that facilitates the existing Union Pacific transcontinental railroad. The land was zoned Public Infrastructure in Washoe County.

Storey County's Public zone is the most equivalent zone to Washoe County's Public Infrastructure zone. Its purpose is to accommodate a wide-range of public uses including, but not limited to, "railroads and light rail infrastructure", and similar uses (SCC 17.15.020.A.12). Planning staff finds this zoning designation most appropriate for the subject properties. Staff on behalf of the property owner is applying for this zoning designation.

1.4 Land use compatibility

Table 1.2 Compatibility with Surrounding Land, and Table 1.3 Comparison of Uses, demonstrate master plan and zoning designations, and allowed uses for each land use zone proposed in the subject land and surrounding area. Uses shown in the tables are relatively consistent with those allowed in the previous Washoe County zones, and the current zoning in the surrounding Storey and Washoe County land. Uses in the proposed zones, particularly the I-C zone, that may be found to be incompatible with existing conditions are only allowed with a special use permit. A special use permit is required for certain heavy intensity uses in the I-C zone that could be incompatible with each, or incompatible with other uses in the abutting zones. Board and planning commission approvals are required for special use permits. It is, therefore, found that these uses have the necessary case-by-case governing body oversight to assure that their application will cause no zoning or use conflicts with anticipated abutting uses or zones.

Table 1.2: Compatibility with Surrounding Land			
Land	Land Use	Master Plan Designation	Zoning
Applicant's Land (TRI-Center; Nature Conservancy; and Union Pacific land)	Vacant; one historic single-family structure used as work space for river restoration project; railroad.	Light and heavy industrial; riparian restoration; agricultural uses.	Formerly rural, industrial, agricultural, and public. Currently no Storey County zoning designation.
Land to Southwest	Vacant; Truckee River.	Light and heavy industrial; riparian restoration; agricultural uses.	F Forestry
Land to South	Vacant; several single-family residential uses; light and heavy industrial uses; Truckee River.	Light and heavy industrial; riparian restoration; agricultural uses.	I-2 Heavy Industrial; F Forestry; and A Agriculture
Land to central southwest	Vacant; Truckee River	Light and heavy industrial; riparian restoration; agricultural uses.	A Agriculture
Land to central northwest	Washoe County; Interstate 80; light industrial uses.	Industrial, commercial, residential, and rural uses.	Industrial; Commercial; Agriculture; Rural
Land to Northwest	Washoe County; Interstate 80; vacant.	Industrial, commercial, residential, and rural uses.	Industrial; Commercial; Agriculture; Rural
Land to North	Washoe County; Interstate 80; light industrial uses; mining.	Industrial, commercial, residential, and rural uses.	Industrial; Commercial; Agriculture; Rural

Land to Northeast	Washoe County; Interstate 80; vacant; light industrial uses.	Industrial, commercial, residential, and rural uses.	Industrial; Commercial; Agriculture; Rural
Land to East	Light and heavy industrial uses (Tahoe-Reno Industrial Center)	Light and heavy industrial uses.	I-2 Heavy Industrial

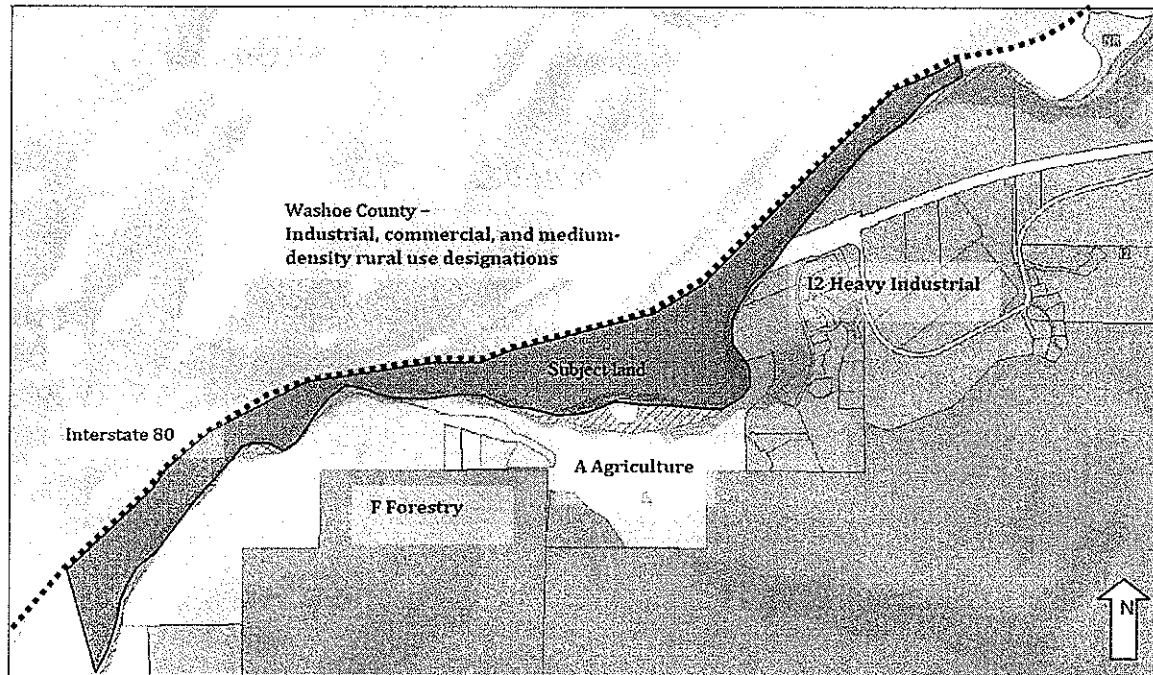


Figure 1.3: Current Storey County zoning designations (excluding the subject land).

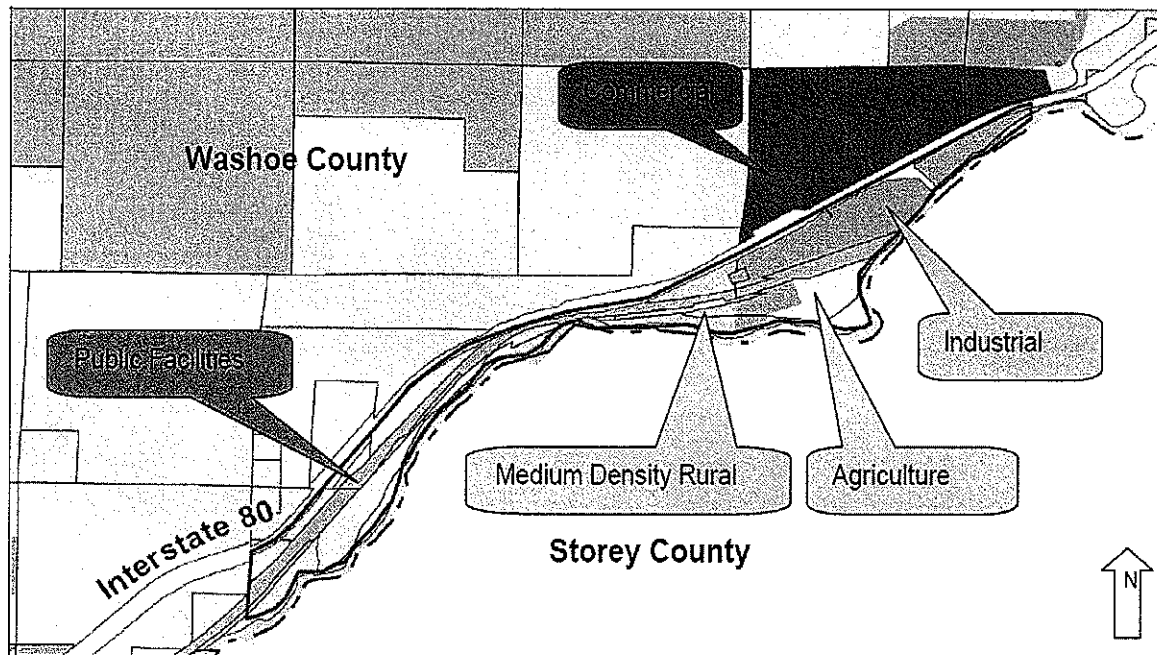


Figure 1.4: The previous Washoe County zoning designations and land use patterns are consistent with the proposed zoning. Red outlines the subject land.

Table 1.3 Comparison of Allowed Uses							
	Use categories	Public	Natural Resources	Agri.	Forestry	Heavy Industrial	Industrial Commercial
1	River/riparian restoration	X*	X*			X*	
2	Agriculture	X	X*	X	X*		
3	Residential		X*	X	X*		
4	Home occupation business			X	X*		
5	Retail					X	X
6	Commercial offices					X	X
7	Personal services					X	X
8	Boarding (motels, hotels)			X		X*	X
9	Tourism/visitor	X			X*	X	X
10	Government uses	X			X*	X	X
11	Automotive related					X	X
12	Transit infrastructure	X			X*	X	X
13	Mining				X*	X*	
14	Mine processing				X*	X	X*
15	Non-renewable energy				X*	X*	
16	Renewable energy				X*	X*	
17	Permanent concrete plant				X*	X*	
18	Schools and higher ed.	X			X*	X	X
19	Education institution				X*	X*	X
20	Heavy manufacturing					X	
21	Craftsman industry					X	X
22	Laboratory/research		X*	X*		X	X
23	Warehousing					X	X
24	Chemical manufacturing					X*	
25	Petroleum uses					X*	
26	Truck stop					X	X
27	Solid waste recycling	X*				X	
28	Solid waste landfill					X*	
29	Explosives and hazmat					X*	
30	Saw mills					X*	
31	Hazardous recycling					X	
32	Tattoo parlors					X*	X*
33	Billboards			X*	X*	X*	X*
34	RV Parks			X*			X
35	Agriculture youth rehab			X*			
37	Sewage treatment	X				X*	
38	Public infrastructure	X	X*	X	X*	X	X

Uses shown above are categorized into general use categories; see Storey County Code Chapters 17.24, 17.32, 17.35, 17.76, and 17.84 for specific uses in each zone.

*Asterisks indicate uses requiring a special use permit.

Table 1.4 Comparison of Use Allowances <i>Regulations per SCC Title 17</i>	
1	Height
	A – 35' or 3 stories
	F – 35' or 3 stories
	P – 45' or 3 stories
	I-2 – 50' or 6 stories
	I-C – 120' or 10 stories
2	Setback distances
	A – Same as abutting zone, but not less than 10' for residential and 20' for boarding
	F – 30' front, 40' rear, 15' side
	P – same as abutting zones (F= 40'; A= 50'; I-2= 50'; P= n/a; I-C= 50')
	I-2 – 50'
	I-C - heavy industry, 50'; light industry, 20'; commercial, 20' front, 10' rear
3	Minimum parcel area / use density
	A – 3 acres
	F – 40 acres
	P – no minimum
	I-2 – 3 acres
	I-C – heavy industry, 3 acres; light industry, ½ acre; commercial, 10,000 square-feet

2. General Compliance with Guiding Documents

2.1 Master Plan

Chapter 3.2 of the Storey County Master Plan (1994) states that considerable development has occurred in the River District over the years and that development is expected to continue. It recommends that planning official “give serious consideration to development and zoning for an industrial park in the [River District] area” (pp. 19-20). Attracting additional businesses; diversification to the county’s economy; broadening the county’s tax base; enhancing efficiency of water, sewer, and other utility service; and managing growth are described benefits to developing and improving a consolidated industrial development. The master plan also states that protecting the Truckee River and its riparian area should be a priority when considering uses in the River District.

A significant portion of the area subject to this request for zoning map amendment abuts existing Tahoe-Reno Industrial Center land and is, therefore, contiguous to I-2 Heavy Industrial Zoning. It also abuts or is in immediate proximity to existing infrastructure including, but not limited to, Interstate 80; the Patrick interchange that connects Interstate 80 to TRI-Center’s second primary arterial route, Waltham Way; the Union Pacific transcontinental railroad; municipal sewer and water services; power generation and distribution systems; and high-pressure natural gas. The southern portion of the subject area abuts the Truckee River and its riparian area.

Staff finds that the proposed I-C zone is ideal for this location because it allows a mixture of certain commercial and industrial uses that are tailor-fitted to a transportation orientated

environment such as the interstate corridor. Staff also finds that alignment of the proposed F and N-R zones provides sufficient natural buffering between uses allowed in the I-C zone and the adjacent Truckee River and its riparian area. As such, the proposed zoning designation conforms to the following goals and objectives of the county master plan:

- **Chapter 3 Economy** – Goal 1, enhance diversification of economic opportunities within the county; Goal 1, Objective 1.1: develop and adopt standards for industrial park development before a large project is proposed.
- **Chapter 5 Conservation and Natural Resources** – Goal 2, protect the quality of present and future water resources; Goal 4, regulate the use of open-range and watershed areas to minimize fire danger and prevent degradation; Goal 4, Objective 4.1, assist property owners and interested groups in controlling grazing and public use of critical watershed and riparian areas.
- **Chapter 9 Land Use** – Goal 1: maintain a healthy environment for all residents of the county; Goal 1, Objective 1.1: ensure that land use permit decisions are compatible with the zoning map, master plan, and previous planning decisions; Goal 4: preserve existing agricultural areas; Goal 4, objective 4.1: through zoning regulations, direct non-agricultural development to non-agricultural areas.
- **Section River District** – Goal 4, Objective 4.1: coordinate land uses on the south side (Storey County) of the Truckee River with developments on the north side (Washoe County) of the river and visa-versa; Goal 5: design zoning districts to allow for a mix in land use development; Goal 5, Objective 5.1: consider zoning the Tracy-Clark and the surrounding area for industrial use.

2.2 Zoning Ordinance (SCC Title 17)

SCC Section 17.03.220 Zone Map Amendments and Zone Text Amendments states:

Before a zone map amendment may be recommended for approval, the applicant must provide evidence to the board and the planning commission concerning the physical use of the land and zoning currently existing in the general vicinity, and which have occurred in the previous five-year time period, and describe: (a) how the proposal will impact the immediate vicinity; (b) how the proposal supports the goals, objectives, and recommendations of the master plan concerning land use and related policies for the neighborhood where the subject parcel is situated; (c) if the proposed amendment will impact properties within the use district; and (d) any impacts on public services and facilities, and availability of water resources.

The collaborative efforts between staff and the property owners in determining the appropriate zoning designations for the subject properties conforms to and exceeds the requirements of SCC 17.03.220. The zoning designations and uses allowed therein also conform to the master plan and do not conflict with the provisions of the zoning ordinance.

3. Public Comment

3.1 Public comments regarding proposal

Staff has received no public comment for this application request.

4. Findings

4.1 Motion for approval

The following are found regarding the zone map amendment under the recommended conditions of approval shown in Section 5. A motion for approval should include at a minimum these findings and may include other findings deemed appropriate and factual by the body.

4.1.1 The proposed zone map amendment complies with federal, Nevada State, and Storey County regulations.

4.1.2 The proposed zone map amendment will impose no substantial adverse impacts or safety hazards on the abutting properties.

4.1.3 The conditions of approval for the zone map amendment do not conflict with the minimum requirements of SCC Chapters 17.03 Administrative Provisions for zone map amendments and zone text amendments; or the purpose and intent of SCC 17.15 Public zone, 17.32 Forestry zone, 17.39 Industrial-Commercial zone, 17.76 Natural Resources zone, and 17.84 Signs and Billboards regulations, as applicable.

4.1.4 The uses allowed by the new zones do not appear to cause substantial adverse impacts to the uses allowed in the abutting zones.

4.1.5 The proposed zone map amendment is in substantial compliance with and supports the goals, objectives, and recommendations of the Storey County Master Plan.

4.1.6 The proposed zone map amendments will provide for land uses compatible with existing adjacent land uses and will not have detrimental impacts to other properties in the vicinity.

4.1.7 The proposed zone map amendment will not cause uses that will negatively impact existing or planned public facilities and will not adversely impact the public health, safety, and welfare.

4.1.8 The proposed zone map amendment will not create any non-conforming conditions, such as non-conforming setback distances or minimum parcel area and width requirements.

4.2 Motion for denial

Should a motion be made to deny the zone map amendment application, the following findings with an explanation of the motion for denial should be included in that motion.

4.2.1 Substantial evidence suggests that the zone map amendment will conflict with the minimum requirements of SCC Chapters 17.03 Administrative Provisions for zone map amendments and zone text amendments; or the purpose and intent of SCC 17.15 Public zone, 17.32 Forestry zone, 17.39 Industrial-Commercial zone, 17.76 Natural Resources zone, and 17.84 Signs and Billboards regulations, as applicable.

4.2.2 The conditions of approval under the zone map amendment do not adequately mitigate potential adverse impacts on surrounding uses or protect against potential safety hazards for surrounding uses.

4.2.3 No reasonable level of conditions of approval imposed on this one map amendment would be sufficient to reasonably mitigate visual, safety, or other potential impacts on adjacent and surrounding residences and land uses.

4.2.4 The proposed zone map amendment will not provide for land uses compatible with existing adjacent land uses and will have detrimental impacts to other properties in the vicinity.

4.2.5 The proposed zone map amendment will negatively impact existing or planned public services or facilities and will adversely impact the public health, safety, and welfare.

5. Conditions of Approval

All of the following conditions must be met to the satisfaction of the applicable County Department, unless otherwise stated.

5.1 Official zoning map requirements

The Official Storey County Zoning Map must be amended to depict the zone map amendment approved by the Storey County Board of Commissioners (Board) with recommendation by the planning commission. The Official Storey County Zoning Map must be identified by the signature of the chairman of the Board attested by the Storey County Clerk under the following words: "This is to certified that this is the Official Zoning Map of Storey County referred to in Section 17.08.040 of the Zoning Ordinance of Storey County, Nevada" together with the date of adoption.

5.2 Changes made promptly

The changes approved by the Board with recommendation by the planning commission must be entered by the Planning Department on the Official Storey County Zoning Map (and the applicable area zoning maps) promptly as reasonable after the amendment has been approved, with the entry indicating the ordinance number and date adopted. Regardless of the existence of the purported copies of the Official Storey County Zoning Map and the applicable Area Zoning Map which may periodically be made or published, the Official Storey County Zoning Map and Area Zoning Maps shall be kept in the Office of the Storey County Recorder. The Storey County

Recorder shall be the final authority as to the current zoning status of the land and water area, buildings, and other structures in the county.

5.3 Copies of official zoning map

Signed and sealed copies of the Official Storey County Zoning Map and Area Zoning Maps must be available for public viewing at the Offices of the Storey County Clerk and Storey County Recorder.

5.4 General requirements

The zone map amendment must comply with and remain in conformance with all provisions set forth by this zone map amendment and all applicable federal, Nevada State, and Storey County codes and regulations.

6. Powers of the Board and Planning Commission

The Board of County Commissioners has the power to make planning and zoning decisions for Storey County and has created the planning commission to advise the Board as provided in Title 2 of the Storey County Code ("SCC") and NRS 278 and 278A. The Planning Commission must perform all duties and functions delegated to a county planning commission by the terms of NRS 278.010 to 278.630, inclusive, and SCC Chapter 2.12 (Planning Commission). The planning commission is advisory to the Board. The Planning Commission must hear applications on special use permits, variances, and appeals of administrative decisions, changes to the county master plan, zoning districts, amendments to SCC Title 18, and all other appropriate subjects and make recommendations to the Board. After considering the Planning Commission's recommendation, the Board by majority vote may approve, approve with conditions, or deny the application, or return the recommendation to the Planning Commission for further consideration.

7. Planning Commission Action

At its November 13, 2014, hearing, the planning commission heard testimony from the applicant (Tahoe-Reno Industrial Center representing itself, and planning staff representing Nature Conservancy and Union Pacific). Planning staff on behalf of the applicants and the county provided textual information, maps, and aerial visuals showing the land, as well as past, current, and proposed zoning conditions. Discussion at the meeting included environmental and safety compatibility concerns; access and traffic impacts for several allowed uses in the proposed I-C zone; zoning and use entitlements; existing uses in and around the subject land in Storey and Washoe Counties; and overall benefits and impacts that the proposed zones may have on the area. There was no public comment for or against the proposal. Planning staff stated that the proposed zoning was consistent with the master plan and current zoning, and that the proposed zones in their proposed configuration were consistent with the surrounding environment, including existing uses and the Truckee River. Staff read into the records its recommended findings to be included with a motion for approval. Members of the planning commission who were present voted unanimously (4 votes with 4 planning commissioners present) to approve the zone map amendment in accordance with stated findings and as recommended by staff.

8. Proposed Motions

This section contains three motions from which to choose. **Motion 1** for approval is recommended by staff in accordance with findings under Subsection 4.1; those findings should be made part of that motion. **Motion 2** for approval, as an alternative, may be made in accordance with findings under Subsections 4.1 and/or 4.2; those findings should be made part of that motion. **Motion 3** for denial may be made and that motion should cite one or more of the findings shown in Subsection 4.2. Other findings of fact determined appropriate by the body should be made part of their motion.

Motion 1 – Recommended motion (approval)

Based on findings of fact shown in Subsection 4.1 and the conditions of approval shown in Section 5 of this report, and conformance with federal, state, and county regulations, and the recommendation for approval by staff, I (commissioner) motion to approve Storey County Zone Map Amendment Application No. 2014-021 modifying the official zoning map of Storey County to include the Forestry, Natural Resources, Public, and Industrial-Commercial zones as presented by staff in this report.

Summary: Approve zone map amendments as proposed

Motion 2 – Alternative motion (approval)

Based on findings of fact shown in Subsection 4.1 and/or 4.2 and the conditions of approval shown in Section 5 of this report, and conformance with federal, state, and county regulations, but against the recommendation for approval by staff, I (commissioner) motion to approve Storey County Zone Map Amendment Application No. 2014-021 modifying the official zoning map of Storey County to include the _____ (describe zones or parcels) _____ as presented by staff, but to deny the _____ (describe zones or parcels) _____ as presented by staff in this report.

Summary: Approve __x__ zones and deny __x__ zones

Motion 3 – Alternative motion (denial)

Based on findings of fact shown in Subsection 4.2 of this staff report and/or other findings deemed appropriate by the planning commission, and against the recommendation of staff, I (commissioner) motion to deny Storey County Zone Map Amendment Application No. 2014-021 modifying the official zoning map of Storey County as presented in this report. This is a denial of all proposed zoning designations.

Summary: Deny all zone map amendments

Prepared by Austin Osborne, Planning Director

Enclosures:

Exhibit A: Letter and map submitted by applicants.

Exhibit B: Legal description (posting) of the subject area and properties

Exhibit C: Uses allowed in the I-C zone

Exhibit A: Application No. 2014-021 (Zone Map Amendment)

The following application includes a request for both a zone text and zone map amendments. For zone text amendment applicability, refer to Application and Staff Report No. 2014-020.



Storey County Planning Department

26 South "B" Street, P.O. Box 175, Virginia City, NV 89440

Phone: (775) 847-1144 Fax: (775) 847-0949

planning@storeycounty.org

Development Application

Submit this completed application and all attachments along with the application fee (see page two for type of application and fees) at least 30 days prior to the meeting you wish to have your request scheduled. The application will not be accepted unless complete, including attachments (applicant will be notified within 15 days if application is not acceptable and what is still required). The application fee is non-refundable. Please make checks payable to Storey County Planning Department.

Project Number: _____			
Property Owner: <u>Tahoe-Reno Industrial Center, LLC</u> <small>All land owners must be listed on this application. Type or print legibly in black or blue ink.</small>			
Mailing Address: <u>c/o Robert M. Sader, 8600 Technology Way, Suite 101</u>			
City: <u>Reno</u>	State: <u>NV</u>	Zip: <u>89521</u>	
Telephone (Home) () <u>N/A</u>	Business (<u>775</u>) <u>329-8310</u>		
Applicant: <u>SAME</u> <small>All applicants must be listed on this application.</small>			
Mailing Address: <u>SAME</u>			
City: _____	State: _____	Zip: _____	
Telephone (Home) () _____	Business () _____		

<input type="checkbox"/> Gold Hill	<input type="checkbox"/> Virginia City	<input type="checkbox"/> VC Highlands (1 acre)	<input type="checkbox"/> Highland Ranches (10 acres)	<input type="checkbox"/> Virginia Ranches (40 acres)
<input type="checkbox"/> Mark Twain	<input type="checkbox"/> Hefed	<input type="checkbox"/> Lockwood	<input type="checkbox"/> Painted Rock	<input checked="" type="checkbox"/> TRI
<input type="checkbox"/> Other _____				
Project Address: <u>Waltham Way and I-80</u>				
Assessor's Parcel Numbers (APN): <u>004-161-98 and 99; 004-162-01 and 02; 005-121-01, 02, 03, 04, and 05</u>				
Lot: <u>N/A</u>	Block: <u>N/A</u>	Acreage: <u>319.852</u>		

Application Type	Application Fee	Application Type	Application Fee
<input type="checkbox"/> Abandonment	\$200.00	<input type="checkbox"/> Amended Map	n/a
<input type="checkbox"/> Condition Amendment	n/a	<input type="checkbox"/> Boundary Line Adjustment	\$250.00 + 25.00 per lot
<input type="checkbox"/> Development Agreement (Requires a Special Use Permit)	\$1,000.00	<input type="checkbox"/> Extension of Time Request (One Year Extension Only)	50% of Original Fee
<input type="checkbox"/> Land Division Map (40 acre minimum)	\$500.00 + \$50.00 per lot	<input type="checkbox"/> Lot Consolidation	n/a
<input type="checkbox"/> Master Plan Map Amendment	\$2,900.00	<input checked="" type="checkbox"/> Master Plan Text Amendment	\$800.00
<input type="checkbox"/> Natural Resources Exploration and Registration	\$65.00 per hour	<input type="checkbox"/> Street Name Request	n/a
<input type="checkbox"/> Parcel Map – Record of Survey	\$250.00 + 25.00 per lot	<input type="checkbox"/> Parcel Map Final	n/a
<input type="checkbox"/> Planned Unit Development (PUD) - Tentative	\$500.00 + 1.00 per lot	<input type="checkbox"/> Planned Unit Development - Final	\$200.00 + 25.00 per lot
<input type="checkbox"/> *Special Use Permit – Minor	\$250.00	<input type="checkbox"/> *Special Use Permit – Routine	\$450.00
<input type="checkbox"/> *Special Use Permit – Major	\$750.00	<input type="checkbox"/> *Special Use Permit – Major Industrial	\$2,500.00
<input type="checkbox"/> Subdivision Map - Tentative	\$500.00 + 1.00 per lot	<input type="checkbox"/> Subdivision Map - Final	\$200.00 + 25.00 per lot
<input type="checkbox"/> Variance - Administrative	n/a	<input type="checkbox"/> Variance	\$100.00
<input type="checkbox"/> Wireless Communication Facility		<input type="checkbox"/> Wireless Communication Facility, Modification	n/a
<input checked="" type="checkbox"/> Zoning Map Change	\$1,000.00	<input checked="" type="checkbox"/> Zoning Text Change	n/a

Note: Additional fees to cover costs accrue by the county in association with the application, including staff time and consultation with outside legal and professional council may be charged to the applicant. No additional fees will be charged without expressed written permission by the applicant.

RMS Applicants Initials

*If you are applying for a Special Use Permit, please refer also to the Storey County Special Use Permit Definitions List when determining a minor, major, routine or major industrial permit.

Storey County Development Application

Detail Description/Justification of Project
Attached additional pages as necessary

SEE ATTACHED

3 of 8

STOREY COUNTY DEVELOPMENT APPLICATION
DETAIL DESCRIPTION/JUSTIFICATION OF PROJECT

INTRODUCTION

This application requests an amendment to the Storey County Master Plan text, a zoning map change, and zoning text change for real property (the "Property") owned by Tahoe-Reno Industrial Center, LLC ("TRI") which was formerly in Washoe County but now has been moved by a boundary line adjustment to Storey County. The Property came to Storey County without master plan or zoning designations. The legal description of the Property is attached to this application, including a map of the parcels.

There are nine (9) parcels subject to this application. Their location can generally be described as south of I-80, north of Truckee River, west of Tracy Power Plant and east of Mustang.

BACKGROUND

The 2013 Nevada State Legislature enacted Senate Bill 272, which authorized a boundary line adjustment between Washoe County and Storey County under Sections 1.5 and 3(3) of that act by resolutions approved by each county's board of commissioners. On June 17, 2014 the Board of Commissioners of Storey County passed Resolution 14-403 approving the adjustment. On the same date the Board of County Commissioners of Washoe County approved a resolution on the same adjustment.

The result of these actions was to transfer eighteen (18) parcels from Washoe County to Storey County. Nine (9) of those parcels are owned by TRI and are subject to this application.

TRI is the master developer of the Tahoe-Reno Industrial Center ("Center"). The current northwestern boundary of the Center is separated from the Property by the Truckee River. It is a logical extension of the Center for TRI to develop a portion of the Property as a part of the Center.

The basic entitlement for the Center is the Development Agreement dated February 1, 2000 between TRI and Storey County. The Center is provided water and sewer service by TRI General Improvement District ("TRIGID"). Applications to annex the Property to the Development Agreement are being made concurrently with this application. An application to expand the service territory of TRIGID will be made to the Trustees upon approval of the Development Agreement annexation.

The zoning for the Center is I-2 Heavy Industrial (1999 Storey County Zoning Code edition), which allows light industrial zoning uses and also allows commercial zoning uses on 10% of the land. This application seeks to add a portion of the Property

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Storey County Development Application

Professional Consultant/Representative(s)

Name: Robert M. Sader
 Address: 8600 Technology Way, Suite 101
 City: Reno State: Nevada Zip: 89521
 Phone: (775) 329-8310 Email: rmsader@robertmsaderltd.com Cell: N/A

Applicant's Affidavit:

I, N/A, being duly sworn, depose and say that I am the applicant of the described
 (Printed name)
 project and/or request, and all the statements and answers herein contained and the information herewith submitted are in
 all respects complete, true and correct to the best of my knowledge and belief. I understand that no assurance or guarantee
 can be given by members of the Storey County Planning Department Staff.

Signature of Applicant

Date

State of Nevada,
 County of Storey

Signed and sworn to before me on _____ by,

Notary's Signature

My Commission Expires

Property Owner's Affidavit:

I, Tahoe-Reno Industrial, LLC, being duly sworn, depose and say that I am an owner* in fee of the described
 (Printed name)
 property involved in this application, that I have knowledge of, and agree to, the filing of this application, and that the
 statements and answers herein contained and the information herewith submitted are in all respects complete, true and
 correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of
 the Storey County Planning Department Staff.

Robert M. Sader
 Signature of Applicant
 Robert M. Sader, Legal Counsel

Date 10/6/14

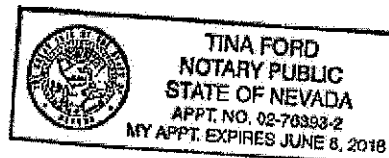
State of Nevada,
 County of ~~Storey~~ Washoe

Signed and sworn to before me on Oct 6, 2014 by,

Robert M. Sader

Tina Ford
 Notary's Signature

June 8, 2018
 My Commission Expires



Storey County Development Application

DEVELOPMENT APPLICATION SUBMITTAL REQUIREMENTS

Application Type	Submittal Requirements													
	Development Application	Detailed Description/Justification	Paid Tax Receipt	Plot Plan	Reduced Map (11 x 17)	Original Map Mylar	Map & Data in CAD Format on Disk	Vicinity Map	Floor Plan	Legal Description - Deed	Title Report	Drainage Report	Soils Report	Traffic Report
<input checked="" type="checkbox"/> Abandonment	X	X	X	X	X			X		X				
<input type="checkbox"/> Amended Map	X	X		X	X			X		X				
<input type="checkbox"/> Condition Amendment	X	X	X	X	X			X		X				
<input type="checkbox"/> Boundary Line Adjustment	X	X	X	X	X			X		X				
<input type="checkbox"/> Development Agreement (Requires Special Use Permit)	X	X	X	X	X		X	X	X	X				
<input type="checkbox"/> Extension of Time Request (One Year Extension Only)	X	X	X					X						
<input type="checkbox"/> Land Division Map (40 acre minimum)	X	X	X	X	X			X		X				
<input type="checkbox"/> Lot Consolidation*	X	X	X	X	X			X						
<input type="checkbox"/> Master Plan Map Amendment	X	X		X	X			X						
<input type="checkbox"/> Master Plan Text Amendment	X	X												
<input type="checkbox"/> Natural Resources Exploration and Registration Review	X	X	X	X	X			X						
<input type="checkbox"/> Parcel Map - Record of Survey														
<input type="checkbox"/> Parcel Map	X	X	X	X	X			X		X				
<input type="checkbox"/> Planned Unit Development, Tentative	X	X	X	X	X		X	X		X		X	X	X
<input type="checkbox"/> Planned Unit Development, Final	X	X	X	X	X		X	X						
<input type="checkbox"/> Additional Information - Check with Planning Department														X

*Administrative lot consolidation procedure

Note: Additional information and materials may be required with the application.

Storey County Development Application

DEVELOPMENT APPLICATION SUBMITTAL REQUIREMENTS

Application Type		Submittal Requirements													
<input checked="" type="checkbox"/>	Development Application	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Detailed Description/Justification	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Paid Tax Receipt	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Plot Plan	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Reduced Map (11 x 17)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Original Map Mylar	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Map & Data in CAD Format on Disk	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Vicinity Map	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Floor Plan	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Legal Description - Deed	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Title Report	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Drainage Report	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Soils Report	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Traffic Report	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Water Rights	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Reclamation Plan	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Additional Information – Check with Planning Department	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Special Use Permit - Minor	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Special Use Permit - Routine	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Special Use Permit – Major	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Special Use Permit – Major Industrial	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Street Name Request	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Subdivision Map - Tentative	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Subdivision Map - Final	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Variance - Administrative	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Variance	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Wireless Communication Facility	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Wireless Communication Facility, Modification	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Zoning Map Change	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Zoning Text Change	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Other	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Note: Additional information and materials may be required with the application.

Exhibit B: Legal description of subject area and properties (public posting)

PUBLIC NOTICE OF MEETING FOR ZONE MAP AMENDMENT

Storey County Planning Commission and Board of County Commissioners Meetings

The Storey County Planning Commission will hold a public meeting on November 13, 2014, at 6:00 p.m. and the Board of Storey County Commissioners will hold a public meeting on December 2, 2014, at 10:00 a.m. at the Storey County Courthouse, District Courtroom, 26 South "B" Street, Virginia City, Nevada. The meetings will include discussion and possible action of an amendment to the Official Storey County Zoning Map.

The amendments will apply regulatory zones to approximately 600 acres of land located in McCarran, Nevada (River District near the Tahoe-Reno Industrial Center) which was in July of 2014 transferred from Washoe County to Storey County by means of boundary line adjustment.

The subject area is described approximately as portions of: Section 31 and 32, Township 20 North, Range 22 East; Section 6, Township 19 North, Range 22 East; Section 36, Township 20 North, Range 21 East; Sections 2 and 11, Township 19 North, Range 21 East; and Section 1, Township 19 North, Range 21 East, all in the Mount Diablo Baseline and Meridian (MDB&M).

The specific zones and subject properties will be as follows: (a) F Forestry zoning will be applied to land located at Assessor's Parcel Number (APN) 004.161.98; (b) N-R Natural-Resources zoning will be applied to land located at APNs 004.161.85, 004.161.86, 004.161.88, and 004.161.96; (c) I-C Industrial-Commercial zoning will be applied to land located at APNs 004.161.99, 004.162.01, 005.121.01, 005.121.02, 005.121.03, 005.121.04, 005.121.05, and 004.162.02; and (d) P Public will be applied to land located at 004.161.87, 004.161.89, 004.161.90, 004.161.91, 004.161.92, 004.161.93, 004.161.94, 004.161.95, and 004.161.97, all within the approximate subject area described above.

The purpose of the zone map amendment is to apply zoning to newly acquired land in Storey County that is consistent with surrounding uses and the Storey County Master Plan. Prior to their transfer into Storey County, the properties were zoned in Washoe County as Agriculture, Medium Density Rural, Industrial, and Public Infrastructure.

In addition to provisions of the NRS, any owner of land within or adjacent to the proposed zone map amendment may complete and return to the board or planning commission a statement indicating his or her approval or opposition to the proposed amendment. Additional information including, but not limited to, reports and maps may be obtained from the Planning Department at 775.847.1144 or planning@storeycounty.org.

Lyndi Renaud
Sitting Secretary, Planning Commission
Storey County, Nevada
Date of publication: 10/31/14

Exhibit C: Uses allowed in the I-C zone
(see 17.39 I-C zone for full zoning chapter)

Chapter 17.39

I-C Industrial-Commercial Zone

Sections:

- 17.39.010 Applicability.**
- 17.39.015 Purpose and Intent**
- 17.39.020 Allowed Uses**
- 17.39.030 Uses Subject to Special Use Permit**
- 17.39.040 Height and Width of Buildings and Structure**
- 17.39.050 Minimum Parcel Area**
- 17.39.070 Loading Area**
- 17.39.080 Setback Requirements**

17.39.010 Applicability

The provisions of this chapter apply to the I-C Industrial-Commercial Zone. Uses in the C Commercial Zone are regulated by chapter 17.28 C Commercial Zone and uses in the CR Commercial-Residential zone are regulated by chapter 17.30 Commercial-Residential zone.

17.39.015 Purpose and Intent

The purpose of the I-C Industrial-Commercial zone is to provide areas with the county where certain industrial and commercial uses and activities may be established and maintained together to promote efficiency, ensure compatibility, and provide for mixed non-residential uses. It facilitates a heavy commercial and light industrial mixed-use environment that may be well-suited near principal traffic arterials, such as the Interstate 80 corridor, and industrial development with which the allowed uses are compatible. It is not intended for residential areas or general neighborhood commercial areas, such as Gold Hill, Virginia City, Lockwood, or other such residential communities where C Commercial or CR Commercial Residential zoning may be more appropriate.

17.39.020 Allowed Uses

The commercial, light industrial, and heavy industrial uses listed in this section are allowed in the I-C Industrial-Commercial Zone.

A. Commercial uses including:

1. Retail sales and shopping centers including:

- a. General stores, shopping centers, convenience stores, principal grocery stores, neighborhood stores and shopping centers, regional stores and shopping centers, and super regional stores and shopping centers.
- b. Seasonal holiday sales and uses.
- c. Seasonal farmers markets.

2. Commercial offices and financial institutions:

- a. Real-estate permanent office, banks and credit unions, accountants, insurance, employment agencies, consulting firms, manufacturer representatives, newspapers, secretarial services, associations and other similar office uses and activities.

- b. Building maintenance and services.
 - c. Business and professional offices and buildings.
 - d. Convention and meeting facilities.
3. Personal services:
- a. Barbers, hair stylists, beauticians, manicurists/pedicurists, spas, salons, tailors, massage establishments, and similar type uses.
 - b. Wedding chapels and travel agencies.
 - c. Childcare of any number of children.
 - d. Laundromats, personal dry cleaning, and laundry services.
4. Boarding accommodations including hotels, motels, hostels, bed and breakfast inns, timeshares, and vacation rentals.
5. Tourist and visitor services:
- a. Eating and drinking establishments such as restaurants, cafes, drive-in diners, fast-food, coffee shops and coffee houses, soda-fountains, saloons and taverns, and micro-breweries with on-site and off-site sales.
 - b. Entertainment and casual education services such as docents, guided tours on foot, gold panning, and museums.
 - c. Equestrian facilities and uses including riding arenas, stables, horse and pony rides, and carriage and stagecoach rides.
 - d. Theaters.
6. Recreation. Bowling lanes, billiard parlors and pool halls, arcades, gaming (when incidental to a primary use and limited to no more than 15 slot and/or video machines), golf driving ranges, miniature golf, country clubs, health clubs and personal fitness gyms, swimming pools and saunas, tennis courts, permanent indoor and seasonal outdoor roller and ice skating rinks and facilities, seasonal or temporary outdoor theatres, and other similar recreational uses and activities.
7. Civic uses:
- a. Public facilities and offices for fire, emergency services, and sheriff.
 - b. Helipads and heliports for use only by medical evacuation transport services.
 - c. Crisis care use uses and facilities, permanent.
 - d. Libraries and cultural services, governmental offices, post offices, community centers, and courts of law.

- e. Education including elementary, middle, and high (K-12) schools and academies, colleges and higher education, technical and vocational education, apprentice training, whether public, private, or parochial. A special use permit is required for education institutions and academies that include student residential accommodations.
 - f. Highway rest areas, picnicking areas, parks and playgrounds, dog parks, walking and bicycle trails, interpretive trails, restroom facilities, and information kiosks.
 - g. Parking lots and structures, park-and-rides and carpool transfer centers, multi-modal transit hubs, parking garages and storage, railroad and light rail infrastructures, train tunnels, and railroad switchyards and turntables.
 - h. Indoor and outdoor veterinarian services and shelters for large and small animals.
8. General services:
- a. Catering, equipment and appliance repair, gun repair, general contractors offices, heavy and light equipment rental, feed and tack stores, manufactured home sales and service, pawn brokers, pet sales and grooming, print shops, upholstery shops, video rentals, and other similar general services uses and activities.
 - b. Uses involving indoor archery and indoor discharge of firearms.
9. Congregational establishments including religious institutions, fraternal lodges, recreational and social clubs, labor halls, service clubs and facilities for other private clubs.
10. Agricultural and horticultural uses for domestic purposes and incidental to the permitted uses. Uses also include community gardens.
11. Casinos and gaming establishments of more than 5,000 square feet of total floor area where slots and/or video machines are located, where there are more than 15 slots and/or video machines, and where other forms of gambling such as poker, craps, blackjack, keno, sports book and other similar activities may take place.
12. Public utility service yards, buildings, electric substations, gas transmission substations, and ancillary uses.
13. Recreational vehicle (RV) parks.
14. Mini-warehouses and storage facilities for rent including recreational vehicle, boat, utility trailer, horse trailer, and similar equipment storage.
15. Open-air markets, flea-markets, farmers markets, and the display, sale, barter, or trade of items associated with a business outside of a permanent building.
16. Race tracks and arenas involving the use of automobiles, trucks, tractors, and other motorized vehicles.
17. Radio-controlled (RC) cars, vehicles, watercraft, and aircraft facilities and uses.
18. Signs as regulated by chapter 17.84 Signs and billboards.

19. Automobile paint shops and body repair shops.
20. Accessory use, buildings and structures if they are clearly incidental to a permitted use, placed upon the same lot or parcel with a permitted use, and in conformance with section 17.12.048.
21. Other uses similar to the above which are determined by the board to be consistent with the uses permitted within the zone.

B. Light industrial uses including the following:

1. Limited indoor manufacturing and assembly involving the production process that uses already manufactured components to assemble, print, or package a product such as cloth, paper, plastic, leather, wood, glass, stones, or computer and electronic parts.
2. Contractor services, including general contractor offices, contractor service shops, carpet cleaning, pest control, printing and publishing, and similar uses.
3. Agricultural use types including general agricultural uses, agricultural animal production, custom animal processing, agricultural research, agricultural supplies sales, and agricultural entertainment and commercial uses.
4. Trade and craftsman industries, including furniture and carpentry manufacturing and refining, upholstery shops, monument works, and similar uses.
5. Outdoor storage and maintenance of building materials, vehicles, trailers, and heavy equipment associated with a commercial building contractor or business when not directly associated with a construction project on the premises.
6. Manufactured home and modular home sales lots.
7. Propane sales and storage.
8. Firewood sales and storage.
9. Temporary real-estate tract offices not located within a permanent structure.
10. Laboratories and testing services. The use of live animals in laboratory, testing, and experimentation is prohibited.
11. Building material manufacturing.
12. Breweries, distilleries, wineries.
13. Warehouses, warehouse complexes, distribution operations, and wholesale distribution.
14. Laundromats and personal dry cleaning.
15. Automotive, truck, and heavy equipment services including washing and detailing (manual hand-washing, coin-operated, and production line methods), service and fueling stations, repair (including painting and body repair), sales, and rental.
16. Truck stops.

17. Solid waste recycling collection center.
18. Solid waste recycling center.
19. Brick, tile or terra cotta products manufacturing.
20. Hunting, fishing, and skiing facilities and lodges, wildlife refuges, and game farms.
21. Sewage treatment plants and facilities and other sewage or sludge processing, treatment, or storage.
22. Watchman's dwelling, whether permanent or temporary.
23. Outdoor storage or maintenance of building materials, vehicles, trailers, and heavy equipment associated with a commercial building contractor or business when not directly associated with a construction project on the premises.
24. Other uses similar to the above which are determined by the board to be consistent with the uses permitted within the zone.

C. Heavy industrial uses including the following:

1. Manufacturing and assembly involving the production process which uses already manufactured components to assemble, print, or package a product such as cloth, paper, plastic, leather, wood, glass, stones, or computer and electronic parts and manufacturing operations involving primary production of commodity of raw materials, except those listed in section 17.39.030 as requiring a special use permit.
2. Storage and distribution of paints, shellac, turpentine, varnishes, and other similar chemicals within a warehouse facility.
3. Storage and distribution of petroleum and liquid petroleum products within a warehouse facility.
4. Manufacturing of paints, shellac, turpentine, varnishes, and other such chemicals. Manufacturing, reclaiming, refining, storage, and distribution of cyanide, hazardous materials, and liquid petroleum products are prohibited.
5. Paper manufacturing.
6. Bottling plants.
7. Other uses similar to the above which are determined by the board to be consistent with the uses permitted within the zone.

17.39.030 Uses Subject to Special Use Permit

Unless stated otherwise, the following uses may be permitted subject to securing a special use permit pursuant to chapter 17.03 Administrative provisions.

1. Fortune tellers, astrology parlors, clairvoyance and palmistry. Additionally, uses under this subsection must comply with the regulations under Title 5 Business licenses, and be located no closer than 1,000 feet from a public or private school, religious institution, public building or facility, or another permitted fortune teller, astrology parlor, clairvoyance and palmistry use, and

300 feet from any E, R, or SPR zone.

2. Permanent outdoor skateboard parks and related facilities.
3. Fairgrounds, rodeo arenas, horse and other animal competition tracks and arenas, and similar uses.
4. Amusement parks involving various devices for entertainment such as thrill and theme rides, roller-coasters, water slides, and games and concession booths.
5. Facilities and uses that include outdoor sets and props for the development and production of movies, film, television, and similar visual media.
6. Education facilities that include student residential and boarding accommodations.
7. Permanent outdoor theatres.
8. Billboards as regulated by chapter 17.68 Signs and billboards.
9. Zoos, animal theme and amusement parks, and other maintenance, display, or possession of one or more wild animals.
10. Healthcare facilities including hospital services, medical services, urgent care, clinics, convalescent services, civic convalescent and group care service, continuum of care facilities for seniors, and group care services.
11. Tattoo, permanent cosmetics, and invasive body piercing facilities. These uses are only allowed within the boundaries of the Tahoe-Reno Industrial Center which is zoned I-2 Heavy Industrial, I-C Industrial-Commercial, or C Commercial. They are prohibited within 1,500 feet of a public or private school or religious institution.
12. Retail establishments featuring the display, lease, or rental of "adult material" books, merchandise, periodicals, video tapes, video disks including DVDs and other recorded video devices, computer disks, instruments, devices or paraphernalia "adult" material. The merchandise shall only be available for sale or lease for private use by the purchaser or lessee off the premises of the business.
13. Temporary (less than 1 year) concrete and asphalt batch plants when not incidental to an on-site construction project or when located within 2,500 feet from a CR, E, R, or SPR zone.
14. Milling and processing related to mining and extraction.
15. Natural resources including river and waterway restoration, wetland creation, water restoration and recycling.
16. The keeping of 7 or more dogs or potbelly pigs more than 12 weeks of age. A minimum of 10 acres is required.
17. Commercial kennel. A minimum of 10 acres is required.
18. Other uses similar to the above that are determined by the board with action by the planning commission to be consistent with the uses requiring a special use permit within the zone.

17.39.040 Height and Width of Buildings and Structures

A building, manufactured building, or structure may not exceed a height of ten stories or 120 feet, whichever is higher, except as may be allowed by a variance. The requirements of this section do not apply to church spires, belfries, cupolas, domes, chimneys and smoke-stacks, grain silos, water towers, flagpoles, and commercial and amateur wireless communication towers and antennas. Wind energy turbine support structures are regulated by chapter 17.12.044, Height of buildings and structures.

17.39.050 Minimum Parcel Area

Parcel area requirements shall be as follows: (A) commercial uses may be located on a parcel of no less than 10,000 square-feet; (B) light-industrial uses may be located on a parcel no less than one-half acre; and (C) heavy-industrial uses may be located on a parcel no less than 3 acres. The minimum area requirement for uses requiring a special use permit shall be determined by the special use permit, except that the area shall be no less than 10,000 square-feet.

17.39.060 Loading Area

Loading area must have adequate room for vehicular circulation and staging. All truck parking and docking area must be designed so that right-of-ways and travelled ways are not adversely impacted.

17.39.070 Setback Requirements

Setback requirements shall be as follows: (A) heavy-industrial uses may be located no closer than 50 feet from any property line; (B) light-industrial uses may be located no closer than 20 feet from any property line; and (C) commercial uses shall have a minimum 10 foot rear and side setback and a 20 foot front setback. Uses requiring a special use permit shall have setback distances established by the granted special use permit, except that the minimum allowable setback distances shall be no less than 10 feet from any property line.



Storey County Board of County Commissioners Agenda Action Report

Meeting date: 3/3/15

Estimate of time required: 0 - 5

Agenda: Consent [] Regular agenda [x] Public hearing required []

1. **Title:** Business License Second Readings -- Approval

2. **Recommended motion:** Approval

3. **Prepared by:** Stacey Bucchianeri

Department: Community Development

Telephone: 847-0966

4. **Staff summary:** Second readings of submitted business license applications are normally approved unless, for various reasons, requested to be continued to the next meeting. A follow-up letter noting those to be continued or approved will be submitted prior to Commission Meeting. The business licenses are then printed and mailed to the new business license holder.

5. **Supporting materials:** See attached Agenda Letter

6. **Fiscal impact:** None

Funds Available:

Fund:

____ Comptroller

7. **Legal review required:** None

____ District Attorney

8. **Reviewed by:**

x Department Head

Department Name: Community Development

____ County Manager

Other agency review: _____

9. **Board action:**

[] Approved
[] Denied

[] Approved with Modifications
[] Continued

Agenda Item No.

Storey County Community Development

Business Licensing

P O Box 526 • Virginia City NV 89440 • (775) 847-0966 • Fax (775) 847-0935 • buslic@storeycounty.org

To: Vanessa Stephens, Clerk's Office
Pat Whitten, County Manager

February 23, 2015
Via email

Please add the following item(s) to the **March 3, 2015**, COMMISSIONERS Agenda:

Storey County Building Department has inspected and found that the following businesses meet code requirements necessary to operate in the county:

LICENSING BOARD SECOND READINGS

- A. **EAGLE SOLUTIONS** – Contractor / 1350 Geiger Grade ~ Reno (landscaping)
- B. **BEAR MOBILE SERVICE & REPAIR, LLC** – General / 1525 Sharon Way ~ Reno (mobile equip repair)
- C. **WILD HORSE GALLERY** – General / 145 South C Street (retail store) VC
- D. **REEL CONSTRUCTION** – Contractor / 72 East Freeport ~ Sparks (Contractor)
- E. **LERO ENTEPRISES, INC.** – Contractor / 1043 H Street ~ Sparks (Contractor)
- F. **SPENCER MEDIA PARTNERS, LLC** – Home Business / 2187 Main Street ~ Gold Hill (Consultant)
- G. **DIAMOND CONCRETE CUTTING, LLC** – Contractor / 80 Corporate Park Dr ~ Henderson (Contractor)
- H. **ASCENSION POWER ENGINEERING, LLC** – Professional / 55 North C Street (elect eng.) VC
- I. **MDB TRUCKING, LLC.** – Transportation / 905 East Mustang (trucking co.) MCC
- J. **IONIX, LLC** – General / 222 East Sydney (metal fabrication) TRI
- K. **RICH DOSS, INC.** – General / 201 Wild Horse Canyon Drive (transportation) MCC

Inspection Required

cc: Shannon Gardner, Building Dept.
Austin Osborne, Planning Dept.
Dean Haymore, Economic Dev.

Gary Hames, Fire Dept.
Patty Blakely, Fire Dept.
Assessor's Office

Sheriff's Office