

CARLIN PLANNING COMMISSION
City of Carlin, State of Nevada
Regular Meeting
Carlin City Hall
101 S. Eighth Street
Carlin, Nevada
May 3, 2017 at 6:30 p.m.

1. Call to Order and Roll Call:

- a. Members Present: Karla Jones, Chairperson, Anna Dean, Vice Chairperson, Isabella Bender, Member, William Bender, Member, Donnetta Skinner, Member, and Lincoln Litchfield, Council Liaison.
- b. Members Absent: Khatlyn Micheli.
- c. Staff: LaDawn Lawson, City Clerk, Lila Sexton, Animal Control and Code Enforcement Officer and Joe Lindsey, City Building Inspector.
- d. Public Present: Pat Beeson, Pam Beeson, Bob Smithson, and Judy Teel.

2. Public Comment – This time is devoted to comments by the general public and discussion to those comments. No action may be taken upon a matter raised at this time until the matter has been included on a successive agenda and identified as an action item. Pursuant to NRS 241.020. (Non-Action Item)

None.

3. Administer oath to Robert (Bob) Smithson. (Non-Action Item)

- a. Oath Administered by Chairperson Karla Jones.

4. Correction to an error on agenda item # 5 from the April 5, 2017 meeting. (For Possible Action)

- a. Vice Chairperson Anna Dean moved to correct agenda item #5 in order to change the name Kurt Jay Doke to read Jay Doke. Member Isabella Bender seconded the motion. The motion passed.

5. Review, discussion, and possible approval of the request by Patrick and Pamala Beeson to combine Parcels 002-093-002 and 002-093-003, commonly known as 711 Bush Street and 715 Bush Street. (For Possible Action)

- a. Member Bob Smithson asked if there was more than one lot per Assessor Parcel Number. City Clerk LaDawn Lawson confirmed there were in this case five lots but only two parcel numbers. Bob Smithson asked why the fee charged was only for one lot. LaDawn Lawson stated the application should say parcel not lot and that it would be corrected. Bob Smithson asked about a discrepancy in the maps provided with the application. Vice Mayor/Liaison Lincoln Litchfield explained the map isn't to scale. Bob Smithson stated he understood.

- b. Pamela Beeson asked what her street address number would be. LaDawn Lawson stated the street numbers would stay the same unless she wanted to change them which would require an application.
- c. Chairperson Karla Jones asked what the parcel number would be. City Engineer Joe Lindsey stated the Assessor's Office would decide what the parcel number would be.

Vice Chairperson Anna Dean moved to approve the request by Patrick and Pamala Beeson to combine Parcels 002-093-002 and 002-093-003, commonly known as 711 Bush Street and 715 Bush Street, pending Council approval with the rezone. Member Donnetta Skinner seconded the motion. The motion passed.

6. Review, discussion, and possible approval of the Carlin City Code Enforcer, Lila Sexton's, request regarding code enforcement for chickens in the different zones of the Title 3 Zoning Regulations and all related matters. (For Possible Action)

- a. Lila Sexton stated she believed a decision needed to be made about whether they would allow chickens or not allow chickens in certain areas.
- b. Chairperson Karla Jones stated she had done more research and she learned that in Elko you can have chickens but only if the lot was a certain size. Jones stated she believed someone needs to find out how the judges in Elko deal with chickens that were not allowed.
- c. Donnetta Skinner stated she checked with her brother in Idaho and the chickens were really a problem there and they do not always know when someone has chickens. Skinner stated further they allowed five chickens only and no roosters. Skinner stated she felt killing chickens in one's yard is gross but many people feel they should get to do what they want on their own property.
- d. Judy Bradshaw stated she believed people should be allowed to have chickens but they should not be allowed to kill chickens in their yard.
- e. Lila Sexton stated the City does not have the facility to hold chickens if the chickens get out. Sexton stated there were two separate issues which were animal control and zoning. Sexton stated she was not overly concerned about having to deal with chickens as an animal control officer.
- f. Chairperson Karla Jones stated she believes chickens should be limited to certain zones only. Vice Mayor/Liaison Lincoln Litchfield stated he did not believe enforcement should be in Title 3 but that it should be in code enforcement. Chairperson Karla Jones stated she did not understand why they needed to do permits. Vice Mayor/Liaison Lincoln Litchfield stated a permit would allow Lila Sexton to enforce the rule. Chairperson Karla Jones stated Sexton should not need to enforce a permit when she can enforce the code. Jones further stated the Judge would not enforce the code and that they needed to find out how Elko judges enforce the code pertaining to chickens. Chairperson Karla Jones stated it wouldn't matter if someone had a permit if Lila knew what the zones were allowed to have

- chickens. Lila Sexton asked what she would write the citation under. Sexton stated there had to be something solid in the Code she could enforce. Chairperson Karla Jones asked if they specified zones would Sexton be able to enforce it. Lila Sexton replied yes.
- g. Bill Bender asked how they came up with the limit of five. No one knew. Bender asked if someone moved in next door with farm animals would he be able to do anything about it. The response was no. Bender stated he thought there should be special use permits required.
 - h. Lila Sexton stated she did not believe the City Council would want to use special use permits. Sexton further stated that at the present time all she could do was advise people they are not allowed to have chickens in the City limits. Sexton explained the current code regarding dogs. Chairperson Karla Jones stated the chicken rules should be in the same code as the dogs. Sexton stated it was in Title 6. Chairperson Karla Jones asked if they were to put a specific rule stating chickens were only allowed in certain zones would they have to do a resolution or an ordinance. LaDawn Lawson stated they would have to add a section to Chapter 6 and then it would be up to the City Council to put it into effect. Chairperson Karla Jones stated she felt they should recommend readopting a CTO for Title 6.
 - i. Chairperson Karla Jones asked about adding goats. Lila Sexton stated goats were livestock and chickens were considered to be fowl. Jones asked if Title 6 needed to be changed to include livestock as well. Judy Teel asked whether goats that qualify for therapy animals would be included in this new code. Vice Mayor/Liaison Lincoln Litchfield stated the item on the agenda was for chickens only so they could not discuss goats.
 - j. City Engineer Joe Lindsey stated Title 3 does address keeping poultry and other livestock in certain zoning areas and that some animals are subject to conditional use permits. Chairperson Karla Jones stated those conditional use permits would go away if Title 6 was changed.
 - k. Lila Sexton asked if the Planning Board Commission was going to go forward with allowing five poultry. The response was yes. Sexton asked what the zones would be. Chairperson Karla Jones stated it would not be in high density, they had not decided medium density, and they had not addressed low density. Karla Jones stated it would probably be in 1 acre lots. Karla Jones said there were general requirements in the draft code they were working on instead of site specific. Lila Sexton stated the dog permits give her permission to go on property and she wanted to have that ability with chickens. Karla Jones asked what she would need to do that. Lila Sexton said she would need a CTO. Karla Jones stated she thought a CTO would be good because it would allow Sexton to go on property.
 - l. Bill Bender asked if it still had to be the property owner requesting the permit. The response was yes. Bender verified that it could not be renters, multi-family homes, apartments, or mobile homes in mobile home parks.

- m. Further discussion was held regarding the need to issue permits to those chicken owners in allowable zones. Lila Sexton stated she must be allowed to have recourse to take care of the situation.
- n. Donnetta Skinner asked how you would handle those people who already have 20 chickens. Lila Sexton said she would handle it the same way by issuing tickets for violation of the code. Chairperson Karla Jones asked if Sexton could go on property when she sees a violation. Sexton said she could not. Sexton said she must have a complaint.
- o. Bill Bender asked if this was put into Chapter 6 would a letter be sent to people within 300 feet. Chairperson Karla Jones stated a letter would not be sent because it would no longer be a conditional use permit.
- p. Bill Bender stated he felt that chickens could devalue property in Carlin. LaDawn Lawson stated devaluation of property could happen with junk or trash. Chairperson Karla Jones stated it is difficult to tell people what you can and cannot do with your property.
- q. Bob Smithson stated he felt the problem could be addressed with lot size rules. Chairperson Karla Jones stated that is why they had decided you could not have chickens in low density residential such as an RV Park. Lila Sexton asked if that was 7500 square feet. Jones said yes. Sexton asked about the size of the lot. Jones stated low density residential would be 50 x 100.
- r. Donnetta Skinner asked if the people who have chickens now would be able to keep them. Chairperson Karla Jones stated yes some would be able to depending on the zone. Jones explained the zone that would allow chickens would be basically from D Street to 4th Street and from W. Bush to Railroad Street. Not on School, Peters, or Ash. Karla Jones stated you would not go by lot size but by the zone. Lila Sexton stated she felt the zones would not solve the problem. Karla Jones stated the smaller lots would not be able to meet the setback requirement. Lila Sexton stated the citizens would be confused because some people have larger lots in high density zones. Karla Jones stated the lots would not matter anymore so even if you had a large lot in a zone that would not allow poultry then you would not get to have chickens period.
- s. Chairperson Karla Jones stated they had already sent recommendations to the City Council twice and that if they decide not to make changes again the Commission will not look at it again.

Donnetta Skinner made a motion to continue working on Title III and send Title VI to the City Council for a CTO. Anna Dean seconded the motion. The motion carried.

- 7. Review, discussion and possible approval of the Minutes of the Carlin Planning Commission for April 5, 2017 and all related matters. **(For Possible Action)**
 - a. Chairperson Karla Jones requested changing the Agenda for April 5, 2017 to read Robert instead of Bob on item #3. LaDawn Lawson said she would make the change.

Anna Dean made a motion to approve the Carlin Planning Commission Minutes for April 5, 2017, with the changes on Item #3 to read Robert (Bob) Smithson. Isabella Bender seconded the motion. The motion carried.

8. Review, discussion and possible approval of the proposed Title 3 Zoning Regulations of the Carlin City Code Book and all related matters. (For Possible Action)

- a. Chairperson Karla Jones recommended listening to Joe Lindsey's proposed changes to Title 3. Everyone agreed.
- b. Joe Lindsey stated he had no changes marked in Title 1. In Chapter 2, Lindsey stated he was questioning whether the tentative zoning map has been produced and when it is expected to be produced. Lindsey said he thinks it is important to have the map when discussing zoning changes. Karla Jones stated they previously had a flat map and mylars that would allow you to see the changes. Lindsey said he did not have the technology to make such maps but he would check with the Engineering firm about getting such maps.
- c. Joe Lindsey stated in Chapter 3, Section 3.3.6, he felt there needed to be alley setbacks and the recommended setback would be a five foot setback. Lindsey stated in Chapter 4, Section 3.4.3, a conditional use permit was required for building a garage on a 7500 square foot lot and he felt it should not be required for that size of lot. LaDawn Lawson stated she felt the size of the garage mattered because massive garages were put up on lots in her neighborhood. Joe Lindsey stated maybe it should stay in then. The Commission agreed that discussion should be held regarding including restrictions on the size of the garage. Karla Jones stated it should be a standard two car garage.
- d. Joe Lindsey stated that in Chapter 9, Section 3.9.3, at the end of the first paragraph there is a typographical error that should be corrected. Karla Jones stated the error has already been fixed.
- e. Joe Lindsey stated in Section 3.11.6, Dimensional Standards, the minimum setbacks would be a minimum of 3 feet in compliance with DOT and Railroad regulations and he said he found nothing in those regulations about such a setback. Karla Jones stated she thought it had to do with signs with red lights. Joe Lindsey stated he thought it was 50 feet. Karla Jones asked that he look into it further. Joe Lindsey said he would. Joe Lindsey stated that in another section it was 35 feet. Karla Jones said she thought it was probably a typo.
- f. Joe Lindsey stated in Section 3.13.7, there was a mistake and Karla Jones said they were already aware and they were changing it.
- g. Chairperson Karla Jones stated they could not discuss any more that evening.

Anna Dean made a motion to table the review, discussion and possible approval of the proposed Title 3 Zoning Regulations of the Carlin City Code Book and all related matters. Donnetta Skinner seconded the motion. The motion carried.


9. Public Comment – This time is devoted to comments by the general public and discussion to those comments. No action may be taken upon a matter raised at this time until the matter has been included on a successive agenda and identified as an action item. Pursuant to NRS 241.020. (Non-Action Item)

- a. Vice Mayor/Liaison Lincoln Litchfield stated he had a report about feral cats but he would present the report at the City Council meeting and he would give the report to LaDawn Lawson if they would like see it.

10. Adjournment. (For Possible Action)

Donnetta Skinner made a motion to adjourn. Isabella Bender seconded the motion. The motion carried. The meeting was adjourned at 8:06 p.m.

APPROVED:




Chairperson/Karla Jones

7/5/17

Date Approved

ATTEST:



City Clerk