

<b>Jan Hodges, Chairman</b> <b>Felicity Zoberski, Vice Chair</b> <b>Paul Unterbrink</b> <b>Angela Lewis</b> <b>Jenni McCullar</b> <b>Cody Wagner</b> <b>Barry Williams Sr.</b>	<b>FERNLEY PLANNING COMMISSION</b> <b>AGENDA</b>  Fernley City Hall 595 Silver Lace Blvd. • Fernley, NV 89408 Phone: (775) 784-9900
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**FPC Meeting Date: February 12, 2020**

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

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

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

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

1. ROLL CALL
2. PUBLIC INPUT.  
**Public comment is limited to five (5) minutes per person. Items not agendized for this meeting cannot be acted upon other than to place them on future agendas. Public input is prohibited regarding comments, which are not relevant to, or within the authority of, the public body, or if the content of the comments is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational or amounting to personal attacks or interfering, with the rights of other speakers**
3. APPROVAL OF THE AGENDA
4. (Possible Action) Approval Of Minutes From January 8, 2020

Documents:

[2020.01.08 FPC MINUTES.PDF](#)

5. PLANNING DIRECTOR ITEMS:  
**(Activity Summary or updates on projects that have been previously reviewed by the Planning Commission. This item is to provide general information to the commission and public. No discussion shall take place and no action will be taken.)**
- 5.1. DISCUSSION AND POSSIBLE ACTION REGARDING THE CITY OF FERNLEY PLANNING COMMISSION BY-LAWS.

Documents:

[BY-LAWS 1-13-2016.PDF](#)

5.2. PRESENTATION AND DISCUSSION REGARDING THE ROLE AND RESPONSIBILITY OF THE PLANNING COMMISSION.

6. CHAIR AND COMMISSION ITEMS:

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

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

8. PUBLIC INPUT.

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

**ADJOURNMENT.**

This notice and agenda is being posted before 9:00 a.m., 02/07/2020 in accordance with NRS 241.020 at the following locations: [www.cityoffernley.org](http://www.cityoffernley.org), <https://notice.nv.gov>; North Lyon County Fire Protection District, 195 E Main Street; Senior Citizen's Center, 1170 W. Newlands Drive; Fernley Post Office 315 E Main Street; and Fernley City Hall, 595 Silver Lace Blvd. To obtain supporting material for this agenda please visit the City of Fernley website at [www.cityoffernley.org](http://www.cityoffernley.org) or contact Kim Swanson, City Clerk, inside City Hall at 595 Silver Lace Blvd, Fernley, NV 89408, email [cityclerk@cityoffernley.org](mailto:cityclerk@cityoffernley.org) or call (775) 784-9830. Notice to persons with disabilities: Members of the public who are disabled and require special assistance or accommodations at the meeting are requested to notify Fernley City Hall, at least 24 hours in advance at (775) 784-9830 or email [cityclerk@cityoffernley.org](mailto:cityclerk@cityoffernley.org)

# Fernley Planning Commission

## Meeting Minutes

January 8, 2020

Chairman Jan Hodges called the meeting to order at 5:00 p.m. at Fernley City Hall, 595 Silver Lace Blvd, Fernley, NV.

### 1. Roll Call.

**Present:** Chairman Jan Hodges, Commissioner Paul Unterbrink, Commissioner Angela Lewis, Commissioner Jenni McCullar, Commissioner Cody Wagner, Commissioner Barry Williams Sr., Commissioner Felicity Zoberski, Planning Director Tim Thompson, Planning Assistant Olivia John, Deputy City Attorney Brent Kolvet, Deputy City Clerk Brenda Gosser, Public Works Director Dave Whalen, late arrival.

### 2. PUBLIC INPUT.

There was none.

### 3. APPROVAL OF THE AGENDA

**Motion:** MOVE TO APPROVE AGENDA, **Action:** Approve, **Moved by** Commissioner Cody Wagner, **Seconded by** Commissioner Barry Williams Sr. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 7). **Yes:** Commissioner Angela Lewis, Commissioner Barry Williams Sr., Commissioner Cody Wagner, Commissioner Felicity Zoberski, Commissioner Jenni McCullar, Commissioner Paul Unterbrink, Chairman Jan Hodges.

### 4. (Possible Action) Approval Of Minutes From December 11, 2019

**Motion:** MOVE TO APPROVE MINUTES, **Action:** Approve, **Moved by** Commissioner Angela Lewis, **Seconded by** Commissioner Paul Unterbrink. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 7). **Yes:** Commissioner Angela Lewis, Commissioner Barry Williams Sr., Commissioner Cody Wagner, Commissioner Felicity

Zoberski, Commissioner Jenni McCullar, Commissioner Paul Unterbrink, Chairman Jan Hodges.

## **5. DISCUSSION AND POSSIBLE ACTION TO ELECT CITY OF FERNLEY PLANNING COMMISSION OFFICERS FOR 2020. (FOR POSSIBLE ACTION)**

**Motion #1:** MOVE TO NOMINATE JAN HODGES FOR CHAIRMAN, **Action:** Approve, **Moved by** Commissioner Cody Wagner, **Seconded by** Commissioner Felicity Zoberski. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 7). **Yes:** Commissioner Angela Lewis, Commissioner Barry Williams Sr., Commissioner Cody Wagner, Commissioner Felicity Zoberski, Commissioner Jenni McCullar, Commissioner Paul Unterbrink, Chairman Jan Hodges.

**Motion #2:** MOVE TO NOMINATE FELICITY ZOBERSKI FOR VICE CHAIRWOMAN, **Action:** Approve, **Moved by** Chairman Jan Hodges, **Seconded by** Commissioner Cody Wagner. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 7). **Yes:** Commissioner Angela Lewis, Commissioner Barry Williams Sr., Commissioner Cody Wagner, Commissioner Felicity Zoberski, Commissioner Jenni McCullar, Commissioner Paul Unterbrink, Chairman Jan Hodges.

## **6. PUBLIC HEARINGS**

- a. Discussion with City Council & Staff
- b. Public Input
- c. Additional Discussion with City Council & Staff
- d. Council Action or Direction to Staff

### **6.1. Public Hearing, ANX 2019-001 (FOR POSSIBLE ACTION)**

**Consideration and possible action on an Annexation request from M4 New Fernley QOZB, LLC to annex into the City of Fernley approximately 170.13 acres located south of the southern terminus of Nevada Pacific Parkway and north of U.S. Hwy 50A. Upon annexation, the zoning shall convert from the Lyon County zoning designation of M-1 (General Industrial) to a City of Fernley zoning designation of M-1 (General Industrial). (APN: 021-261-04)**

Planning Director Tim Thompson presented this item. He stated that Mark IV purchased some properties in the City and has plans to develop an industrial park on them; he further

explained that the properties purchased include a section of land that was not previously annexed to the City.

Dave Snelgrove, CFA manager representative for Mark IV, gave further explanation and information on the property and the applicant's intention by annexing the property.

Commissioner Cody Wagner asked if the county will be agreeable with the annexation. Mr. Thompson stated that notice was sent to the Lyon County Planning Director and Chair of the Commission, pursuant to State Law.

Chairman Jan Hodges asked about infrastructure of the area. Mr. Thompson stated that no project proposed but that infrastructure would be extended from the surrounding area.

Commissioner Jenni McCullar asked who would be responsible for maintaining the property. Thompson stated the property would cease to be a County Island and become part of the City, therefore the property would be maintained and serviced by the City.

Commissioner Cody Wagner asked if the responsibility of maintain Nevada Pacific Parkway would shift; Mr. Thompson stated it was unlikely.

#### **Public Input.**

There was none.

**Motion:** I MOVE TO FORWARD A RECOMMENDATION OF APPROVAL TO CITY COUNCIL FOR AN ANNEXATION REQUEST, ASSOCIATED WITH ANX 2019-001, TO ANNEX APPROXIMATELY 170.13 ACRES INTO THE CITY OF FERNLEY AND, UPON ANNEXATION, THE ZONING SHALL CONVERT FROM THE LYON COUNTY ZONING DESIGNATION OF M-1 (GENERAL INDUSTRIAL) TO A CITY OF FERNLEY ZONING DESIGNATION OF M-1 (GENERAL INDUSTRIAL) HENCEFORTH ADOPTING FINDINGS 1 THROUGH 3 AND THE FACTS SUPPORTING THESE FINDINGS AS SET FORTH IN THE STAFF REPORT., **Action:** Approve, **Moved by** Commissioner Cody Wagner, **Seconded by** Commissioner Felicity Zoberski. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 7). **Yes:** Commissioner Angela Lewis, Commissioner Barry Williams Sr., Commissioner Cody Wagner, Commissioner Felicity

Zoberski, Commissioner Jenni McCullar, Commissioner Paul Unterbrink, Chairman Jan Hodges.

## **6.2. Public Hearing, TSM 2019-002 (FOR POSSIBLE ACTION)**

**A Tentative Subdivision Map (Donner Trails Estates Phase 12) request from Genica Nevada, LLC to allow for a 105-lot single family residential development on a site approximately 20.88 acres, generally located east of Spur Way, south of Rutledge Street, and west of Endeavor Lane, Fernley, NV. (APN: 021-201-51)**

Assistant Planner Olivia John presented this item. She stated that this item has been before the Commission but the previous tentative map expired and the applicants are re-submitting the tentative map.

Commissioner Jenni McCullar asked about a water rights dedication and where the access to the project will be located.

JR Hildebrand from Tec Civil Engineering answered the questions.

Commissioner Felicity Zoberski asked if the blocked off roads will be opened up and if there is an update on Clover Lane. Mr. Thompson stated that to address this pedestrian access was required between the retention pond and lot #9 to the South-West.

Chairman Jan Hodges asked if there was information on anything being developed for Phase 11. Mr. Hildebrand stated that the property was previously mass graded and some utility lines are in place.

### **Public Input.**

There was none.

**Motion:** I MOVE TO FORWARD A RECOMMENDATION OF APPROVAL TO CITY COUNCIL FOR A TENTATIVE SUBDIVISION MAP, ASSOCIATED WITH TSM 2019-002, ADOPTING FINDINGS 1 THROUGH 8 AND THE FACTS SUPPORTING THESE FINDINGS AS SET FORTH IN THE STAFF REPORT AND SUBJECT TO THE CONDITIONS OF APPROVAL 1 THROUGH 24 AS LISTED IN THE STAFF REPORT.,

**Action:** Approve, **Moved by** Commissioner Felicity Zoberski, **Seconded by** Commissioner Angela Lewis. **Vote:** Motion carried by unanimous roll call vote (**summary:**

Yes = 7). **Yes:** Commissioner Angela Lewis, Commissioner Barry Williams Sr.,

Commissioner Cody Wagner, Commissioner Felicity Zoberski, Commissioner Jenni McCullar, Commissioner Paul Unterbrink, Chairman Jan Hodges.

**6.3. Public Hearing, ZMA 2019-003 & MPA 2019-001 (FOR POSSIBLE ACTION)**

**A Master Plan Amendment and Zoning Map Amendment request from ERGS, Inc. on a site approximately 2.23 acres generally located south of Fremont Street, east of King Court, and north of the Union Pacific Railroad Right-of-Way. (APN: 021-101-14)**

**A. Consideration and possible action to change the land use designation from MR (Mixed Residential) to MFR (Multi-Family Residential).**

**B. Consideration and possible action to change the zoning from C-2 (General Commercial) to NR-2 (Multiple Residence Non-Rural Residential).**

Planning Assistant Olivia John and Melissa Lindell, from ERGS Inc., presented this item using attached presentation.

Commissioner Cody Wagner and Commissioner Felicity Zoberski asked about additional roads. Ms. Lindell explained that there would be two access points through Fremont Street.

**Public Input.**

Louise Inman stated a concern over traffic in the proposed area.

Commissioner Felicity Zoberski stated that the motion at this meeting is for a zone change, not for a specific project and encouraged the resident to attend the meeting(s) where a project will go for approval.

Director Tim Thompson stated that several phone calls were received from residents stating a concern over traffic. He also stated that a traffic study has to be done as part of a project application and that the Transportation Master Plan aims to address some of the traffic concerns in the City.

Commissioner Paul Unterbrink inquired about the traffic analysis.. Mr. Thompson stated the applicants hire traffic analyst and follows the City's requirements; the City and NDOT review the analysis and comment on it.

**Motion #1:** I MOVE TO APPROVE THE MASTER PLAN AMENDMENT REQUEST, ASSOCIATED WITH MPA 2019-001, ADOPTING FINDINGS A THROUGH E AND THE FACTS SUPPORTING THESE FINDINGS AS SET FORTH IN THE STAFF REPORT AND FORWARD TO THE CITY COUNCIL FOR CERTIFICATION., **Action:** Approve, **Moved by** Commissioner Felicity Zoberiski, **Seconded by** Commissioner Angela Lewis. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 7). **Yes:** Commissioner Angela Lewis, Commissioner Barry Williams Sr., Commissioner Cody Wagner, Commissioner Felicity Zoberiski, Commissioner Jenni McCullar, Commissioner Paul Unterbrink, Chairman Jan Hodges.

**Motion #2:** I MOVE TO FORWARD A RECOMMENDATION OF APPROVAL TO CITY COUNCIL FOR A ZONING MAP AMENDMENT REQUEST, ASSOCIATED WITH ZMA 2019-003, DOPTING FINDINGS A THROUGH E AND THE FACTS SUPPORTING THESE FINDINGS AS SET FORTH IN THE STAFF REPORT., **Action:** Approve, **Moved by** Commissioner Cody Wagner, **Seconded by** Commissioner Barry Williams Sr. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 7). **Yes:** Commissioner Angela Lewis, Commissioner Barry Williams Sr., Commissioner Cody Wagner, Commissioner Felicity Zoberiski, Commissioner Jenni McCullar, Commissioner Paul Unterbrink, Chairman Jan Hodges.

#### **6.4. Public Hearing, CA 2020-001 (FOR POSSIBLE ACTION)**

**Consideration and possible action on a Code Amendment request to amend Title 32 - Zoning of the Fernley Municipal Code in its entirety and providing other matters properly relating thereto.**

Planning Director Tim Thompson presented this item using the Development Code draft attached to the agenda.

Commissioner Felicity Zoberiski asked for clarification on the administrative process and whether this development code would apply to county islands.

Mr. Thompson answered questions and discussion ensued.

Break at 6:47-6:53



Planning Director Thompson resumed presentation of this item.

**Public Input.**

JR Hildebrand from Tec Civil Engineering commented that the current code is outdated, and the proposed code is indicative of modern-day City of Reno or City of Sparks. He stated that the proposed code is modern, useable and well thought out.

**Motion:** I MOVE TO FORWARD A RECOMMENDATION OF APPROVAL TO THE CITY COUNCIL FOR THE CODE AMENDMENT REQUEST ASSOCIATED WITH CA 2020-001., **Action:** Approve, **Moved by** Commissioner Angela Lewis, **Seconded by** Commissioner Paul Unterbrink. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 7). **Yes:** Commissioner Angela Lewis, Commissioner Barry Williams Sr., Commissioner Cody Wagner, Commissioner Felicity Zoberski, Commissioner Jenni McCullar, Commissioner Paul Unterbrink, Chairman Jan Hodges.

**6.5. Public Hearing, MPA 2019-002 (FOR POSSIBLE ACTION)**

**Consideration and possible action to Adopt Resolution 20-002, Master Plan Amendment to modify the land use tables within Chapter 3 – Land Use Element within the City of Fernley Comprehensive Master Plan. Specifically, updates to the Uses and Density, Characteristics and Location, and the Equivalent Zoning Categories within the land use tables to provide consistency with the City’s updated Development Code as required by NRS 278.**

Director Tim Thompson presented this item using the comparison outline attached to the agenda.

**Public Input.**

There was none.

**Motion:** I MOVE TO APPROVE THE MASTER PLAN AMENDMENT REQUEST ASSOCIATED WITH MPA 2019-002 BASED ON THE FINDINGS AND THE FACTS SUPPORTING THOSE FINDINGS AS SET FORTH IN THE STAFF REPORT AND FORWARD THE REQUEST TO THE CITY COUNCIL FOR CERTIFICATION., **Action:** Approve, **Moved by** Commissioner Felicity Zoberski, **Seconded by** Commissioner Paul

Unterbrink. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 7). **Yes:** Commissioner Angela Lewis, Commissioner Barry Williams Sr., Commissioner Cody Wagner, Commissioner Felicity Zoberski, Commissioner Jenni McCullar, Commissioner Paul Unterbrink, Chairman Jan Hodges.

**7. CHAIR AND COMMISSION ITEMS:**

Commissioner Angela Lewis asked when Reds will be open.

**8. PLANNING DIRECTOR ITEMS:**

Thanked the Commissioners for their participation in the meetings.

**9. ADDRESS REQUEST(S) FOR FUTURE AGENDA ITEMS.**

There was none.

**10. PUBLIC INPUT.**

There was none.

There being no further business to come before it, the Fernley Planning Commission meeting adjourned at 7:12 pm.

Approved by the Fernley Planning Commission on February 12, 2020 by a vote of:

AYES: \_\_\_\_\_ NAYS: \_\_\_\_\_ ABSTENTIONS: \_\_\_\_\_ ABSENT: \_\_\_\_\_

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Chairman Jan Hodges

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ATTEST:

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

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

**Article I – The Commission**

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

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

**Article II – Membership**

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

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

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

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

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

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

**Article III – Officers and Responsibilities**

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

A. Chairman:

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

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

B. Vice Chairman:

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

C. Secretary:

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

Section 2. Election of Officers:

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

**Article IV – Meetings**

Section 1. Meetings:

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

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

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

Section 3. Public Rights

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

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

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

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

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

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

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

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

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

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

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

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

#### **Article V – Gifts, Loans and Other Financial Interests**

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

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

#### **Article VI – Site Visitations; Neighborhood Meetings**

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

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

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

#### **Article VII – Amendments of By-Laws**

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

**Article VIII – Commissioner Attendance at City Council Meetings**

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

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