



STAFF REPORT

Report To: Board of Supervisors

Meeting Date: February 3, 2022

Staff Contact: Heather Ferris

Agenda Title: For Possible Action: Discussion and possible action regarding three appeals of the Planning Commission's decision to approve a special use permit to allow for a slaughterhouse on property zoned General Industrial ("GI"), located on the south side of Hwy 50 E and east of Detroit Road, portions of APNs 008-371-38, 008-371-39 and 008-371-10 (now collectively APN 008-371-54). (Heather Ferris, hferris@carson.org)

Staff Summary: On December 15, 2021 the Planning Commission approved a request for a special use permit to allow for the construction and operation of a slaughterhouse. A slaughterhouse is a conditional use in the GI zoning district under section 18.04.150 of the Carson City Municipal Code ("CCMC"); therefore, a special use permit is required. Carson City received three appeals of the Planning Commission's decision under CCMC 18.02.060 from Doreen Mack, Jennifer Verive and Robert Buttner, and Kathleen Franco Simmons. The Board of Supervisors may affirm, modify, or reverse the decision of the Planning Commission.

Agenda Action: Formal Action / Motion

Time Requested: 1 hour

Proposed Motion

I move to deny the appeals and uphold the Planning Commission's decision.

Board's Strategic Goal

Economic Development

Previous Action

July 20, 2021 - Major Project Review was held for project.

August 23, 2021 - Applicant applies for special use permit for slaughterhouse.

September 29, 2021 - Application for slaughterhouse approved by the Planning Commission subject to conditions of approval by a vote of 4-1, 2 absent.

October 7-11, 2021 - Three appeals received.

November 8, 2021 - Notice was sent to surrounding property owners, appellants, and applicant notifying that the appeal hearing, scheduled for November 18, 2021, was cancelled due to a noticing error for the September 29, 2021 Planning Commission meeting. Appeals fees were refunded to all appellants.

November 30, 2021 - Because proper noticing was not provided prior to the September 29, 2021 Planning Commission meeting, the Planning Commission's action was null, and void and a new public hearing would be necessary. Notice was sent to surrounding property owners and applicant notifying that the matter had been scheduled for the December 15, 2021 Planning Commission meeting.

December 15, 2021 - Application for slaughterhouse approved by the Planning Commission subject to conditions of approval by a vote of 5-1, 1 absent.

December 20, 2021 - Appeal received from Doreen Mack.

December 21, 2021 - Appeal received from Jennifer Verive and Robert Buttner.

December 23, 2021 - Appeal received from Kathleen Franco Simmons.

Background/Issues & Analysis

The applicant is proposing operating a slaughterhouse facility on a vacant parcel zoned General Industrial. The facility was proposed on portions of former APNs 008-371-38, 008-371-39 and 008-371-10, which through a lot line adjustment, are now designated as APN 008-371-54. The facility will include a building, approximately 5,000 square feet in size, for processing, storage, and retail sales, and a 5,600 square foot indoor corral/holding area for animals awaiting processing. The applicant proposes processing no more than 60 animals (including beef, goat, lamb, and swine) per week with animals being on-site in the corral for no more than 24 hours prior to processing. During weeks where there are local events such as fairs, harvesting may occur up to 3 times per week with a maximum of 120 animals on-site at any one time. This may occur up to 3 times per year. Additionally, the applicant will offer the processing of wild game. As part of the processing, the applicant will offer on-site custom butchering, curing, and smoking of meats. There will also be a small retail component to this facility where the applicant will offer pre-packaged meats for sale.

The proposed facility will be United States Department of Agriculture ("USDA") certified and will be required to obtain and maintain all local, state, and federal permits and licenses, including but not limited to, a wastewater discharge permit from the Nevada Department of Environmental Protection, a Nevada Department of Agriculture license to operate (NRS Chapter 583 license), and USDA permits.

A slaughterhouse is a conditional use in the GI zoning district under CCMC 18.04.150; therefore, a special use permit is required. The Planning Commission is authorized to approve a special use permit.

At its meeting of December 15, 2021, the Planning Commission voted, 5-1, 1 absent, to approve the request for the slaughterhouse facility subject to conditions of approval, including conditions requiring all live animals to be kept indoors prior to harvest, prohibiting the transferring of the special use permit to another operator, requiring the Planning Commission review the special use permit within one year of commencement of operations to ensure compliance with the special use permit, prohibiting odors associated with processing of animals beyond the property line, and prohibiting noise levels at the property line from exceeding 80 decibels.

Per CCMC 18.02.060, any decision of the Commission may be appealed to the Board of Supervisors. The board may affirm, modify or reverse the decision.

As noted above, staff received three separate appeals of the Planning Commission's decision.

Applicable Statute, Code, Policy, Rule or Regulation

NRS 278.3195; CCMC 18.02.060 (Appeals), 18.02.080 (Special Use Permits), 18.04.150 (General Industrial) and 18.04.195 (Non-Residential Districts Intensity and Dimensional Standards).

Financial Information

Is there a fiscal impact? No

If yes, account name/number:

Is it currently budgeted? No

Explanation of Fiscal Impact:

Alternatives

1. Reverse the Planning Commission’s decision, denying the special use permit for a slaughterhouse.
2. Modify the Planning Commission’s decision by amending the conditions of approval or providing other direction.

Attachments:

[Memo to BOS 01-25-22.docx](#)

[Mack Appeal.pdf](#)

[Verive Buttner Appeal.pdf](#)

[Kathleen Franco Simmons - Appeal.pdf](#)

[LU-2021-0308 signed \(12.15.21 PC\).pdf](#)

[Excerpt of 12-15-2021 DRAFT Minutes \(PC\).pdf](#)

[Rendered Preliminary Landscape Plan.pdf](#)

[Updated Floor Plans and Arch- Carson Valley Meats.pdf](#)

[Slaughterhouse Appeal- comments received after 121521 PC.pdf](#)

Board Action Taken:

Motion: _____

- 1) _____
- 2) _____

Aye/Nay

(Vote Recorded By)



108 E. Proctor Street
Carson City, Nevada 89701
(775) 887-2180
Hearing Impaired: 711

DATE: January 25, 2022

TO: Board of Supervisors

FROM: Heather Ferris, Planning Manager

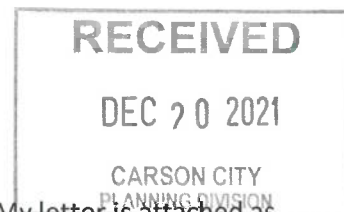
SUBJECT: Discussion and possible action regarding three appeals of the Planning Commission's decision to approve a special use permit to allow for a slaughterhouse on property zoned General Industrial ("GI"), located on the south side of Hwy 50 E and east of Detroit Road, portions of APNs 008-371-38, 008-371-39 and 008-371-10 (now collectively APN 008-371-54).

All of the December 15, 2021, Planning Commission materials can be accessed via the City's website at the following link:

<https://www.carson.org/government/city-meetings-live-broadcast-and-archives/agendas/planning-commission-agendas-with-supporting-materials/2021-agendas-w-supporting-materials/12-15-2021-planning-commission-agenda-with-supporting-material>

The link is being provided in lieu of hardcopies due to the volume of the documents. A hardcopy will be made available at the meeting for the public, in compliance with the Open Meeting Law.

SLAUGHTERHOUSE~12/20/2021



To the Board of Supervisors:

As President of the Downtown 2020 Group, I am Appealing the Slaughterhouse. My letter is attached as well as the \$250 to Appeal.

The "Downtown 2020 Group", the City, and other organizations have worked hard to improve our downtown corridor to recruit businesses, tourism and make it a gathering place for our locals.

Each of you, as an elected official, have a Moral and Ethical obligation to make responsible decisions that affect our community and citizens. Many residents of our town are fearful of the affects this will have on their health and well-being and property being devalued. Is the Board of Supervisors willing to take personal responsibility if the Project is 'detrimental to the use, peaceful enjoyment, economic value, or development of surrounding properties or the general neighborhood' or other adverse impacts?

As we all know, the demographics of Carson City have changed over the years. The area in question for the Slaughterhouse used to be all industrial and in the rural part of town. This area is now mixed use with businesses, residential neighborhoods, and possibly future housing Developments. Additionally, this is a recreational area with hiking trails and directly across the Hwy. from Centennial Park and Ball Fields. It is also home to the Historic "Empire Cemetery" and the "Morgan Hill Monument."

We are not against the Slaughterhouse; we are against the location. It needs to be in a rural, unpopulated area, not in our Capitol City. A place for this facility would be in Lyon County or Douglas County, where it first originated. This would be accessible to the 4H people without taking away property values from those who have their life savings invested in their homes.

If this facility closes, the land is likely to be contaminated. We do not need another piece of contaminated land in our City like the V&T property that has been vacant since the 50's. Please do not make another mistake that many generations will pay for.

The city has just received a \$9.3 million Grant used to transform East William Street to accommodate sustainable economic growth and enhance the quality of life in Carson City. Our Mayor, Lori Bagwell, said "Carson City can and will use these funds to accommodate sustainable economic growth and enhance the quality of life". The Slaughterhouse is not conducive to this vision.

Carson City is known as a Friendly Senior Community, but we are also a College Town. We need to continue to create, encourage and improve an environment and atmosphere where our Seniors feel safe and our youth can plan to build a future and a career, and raise their families. This applies to everyone, not just a chosen few!

It is respectfully, and with great concern, that I reiterate, the Slaughterhouse Project should not be approved for Carson City. Apply the Golden Rule: "Do unto Others as you would have them Do Unto you." I ask that you look into your hearts, reflect on your own livelihood, & embrace the pleas from our community against this Project being in our city and deny this moving forward. Thank You for your time.

A handwritten signature in cursive script that reads "Doreen Mack".

Doreen Mack

From: [Doreen Mack](#)
To: [Heather Ferris](#)
Subject: Appeal of Slaughterhouse SUP (LU-2021-0308)
Date: Wednesday, December 22, 2021 2:27:56 PM

This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

Heather,

I am so sorry. I thought it was on the bottom of the letter. My e-mail address and phone # are on the very bottom, but not my address. Here it is:
Please let me know you received it.

My phone # is: 775-885-2444
Address: 311 N. Pratt Ave.
Carson City, NV 89701

Merry Christmas!

God Bless,
Doreen ~Lofty Expressions



December 21, 2021

Planning Division
108 E. Proctor St.
Carson City, NV 89701

Dear Madam Mayor, Supervisors and Planning Division:

We are writing to appeal the Planning Commission’s decision on 12/15/21 to approve a special use permit for project LU-2021-0308. This is the slaughterhouse proposed for Highway 50. We live in the August Drive/Sunrise Dr. neighborhood that is adjacent to the proposed slaughterhouse location.

Because we have conducted a great deal of research and gathered hundreds of signatures on our petitions opposing the proposed project, we requested the opportunity to present community opposition to the proposal in a format that would have allowed us to address the topic more substantively and clearly. Our request was denied.

We appreciate that the 31 Conditions of Approval that have been attached to this project appear to be an attempt to ‘mitigate’ the well-documented harms of this sort of facility such as being a detriment to peaceful enjoyment, negatively impacting property values, compromising the Carson River and related recreational activities, and harming the economic vitality of our community. We appreciate the responsiveness of staff to public comment, such as the added condition on Wetlands. We value what we see as genuine intent by Commissioner Wiggins to protect the public from these harms via the inclusion of the additional conditions related to objectionable noise and odor.

However, we believe the Conditions are an insufficient solution, and that the Planning Commission erred in making Findings #1, 2, 3, 4, 6, and 7.

- 1. The Commission was provided with inaccurate and/or incomplete information and data from which they made their decisions.
- 2. The Commission did not use the standard identified in CMCC 18.04.150, “preponderance of evidence”, to make their decisions.
- 3. The Commission ignored the hundreds of voices of the public who overwhelmingly oppose the proposed facility.

We believe that approving this special use permit will result in harm to the health, safety, and general welfare of Carson City citizens.

Sincerely,

Jennifer Verive, Ph.D., Carson City Resident, ccpeacefulenjoyment@gmail.com

Robert R. Buttner, Reno Fire Captain (ret.) Carson City Resident, rrblabor@att.net

--We are also members of the Coalition for Citizens for Peaceful Enjoyment (“CCPE”), a ragtag group of neighbors and other residents across the city who are opposed to the proposed slaughterhouse.

From: [Jennifer Verive](#)
To: [Heather Ferris](#)
Cc: [Christie Overlay](#); [Robert Buttner](#)
Subject: Re: confirming appeal
Date: Wednesday, December 22, 2021 11:31:28 AM
Attachments: [image001.png](#)

This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

Hi Heather,

Thank you for the timely follow up and the invoice.

Here is the requested info for our appeal:

1) Appellants mailing address:
P.O. Box 2407
Carson City, NV 89702

2) Daytime Phone number: 775.315.4748

This should do the trick, then, for our appeal to be accepted by Planning. If you could please confirm receipt of this info, then that would be appreciated. Thank you.

Wishing you a Happy Holidays!

Best,
Jennifer

On Wed, Dec 22, 2021 at 11:05 AM Heather Ferris <HFerris@carson.org> wrote:

Jennifer-

In reviewing the submittal, it appears you are missing some information that is required per Carson City Municipal Code 18.02.060(4)(c)(2). In addition to the information provided, the appellants mailing address and daytime phone number must be provided. Please submit this information no later than close of business on Monday December 27, 2021. The appeal will be accepted, pending submittal of this missing information. Please note, the Board of Supervisors will decide who is an "aggrieved party" with standing to appeal (CCMC 18.02.060(4)).

I've attached the invoice for your records.

Thank you,

Heather

Heather Ferris

Planning Manager

108 E. Proctor Street

Carson City, NV 89701

775-283-7080



From: Jennifer Verive <ccpeacefulenjoyment@gmail.com>

Sent: Wednesday, December 22, 2021 9:58 AM

To: Heather Ferris <HFerris@carson.org>

Cc: Christie Overlay <COverlay@carson.org>; Robert Buttner <rrblabor@att.net>

Subject: confirming appeal

This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

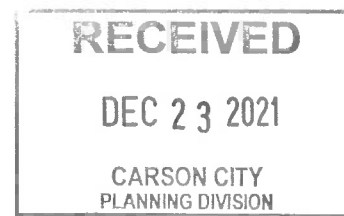
Hi Heather,

I'm writing to confirm that our appeal of the Planning Commission's decision on the proposed slaughterhouse, that I filed yesterday, is complete and accepted. I understand the Planning offices may be closed on Friday; I want to make sure everything is order before then, if possible.

Thank you.

Best,

Jennifer



December 23, 2021

Mayor, Board of Supervisors, Community Development
c/o Community Development Director Hope Sullivan
Carson City Planning Division
108 E. Proctor Street
Carson City, NV 89701

Mayor, Board of Supervisors, and Director Sullivan,

I am Kathleen Franco Simmons, and I am writing on behalf of my parents, George and Diane Howard, and our family, to appeal the Planning Commission's decision of December 15, 2021, regarding Item 6.E LU-2021-0308 to approve a special use permit to allow for a slaughterhouse located at Hwy 50 E and Detroit Road.

Please accept the following Appeal Application, pursuant to CCMC Section 18.020.060, Subsection. 4.c.:

- (1) Date letter of appeal submitted: December 23, 2021
- (2) Appellant's name, mailing address, daytime phone number, accompanied by appropriate fee: \$250 check (attached): Kathleen Franco Simmons, 2108 Utah Street, Carson City, NV 89701, (707) 499-7211, and George and Diane Howard and family, 4990 August Drive, Carson City, NV 89706.
- (3) Project appealed; aspects of the decision that are being appealed: LU-2021-0308 to approve a special use permit to allow for a slaughterhouse on property zoned General Industrial ("GI") located on the south side of Hwy 50 E and east of Detroit Road, portions of APNs 008-371-38, 008-371-39, and 008-371-10.

We are appealing the following aspects of the decision of the Planning Commission:

- a. The Planning Commission decision to approve special use permit LU-2021-0308 based on the findings and subject to the conditions of approval contained in the staff report, with three additional conditions added at the time of the 12/15/2021 public hearing.
- b. Finding 1: Will be consistent with the master plan elements.
- c. Finding 2: Will not be detrimental to the use, peaceful enjoyment, economic value, or development of surrounding properties or the general neighborhood; *[and is compatible with and preserves the character and integrity of adjacent development and neighborhoods]*, and will cause no objectionable noise, vibrations, fumes, odors, dust, glare, or physical activity.
- d. Finding 4: Will not overburden existing public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public improvements.
- e. Finding 6: Will not be detrimental to the public health, safety, convenience, and welfare.
- f. Finding 7: Will not result in material damage or prejudice to other property in the vicinity.

(4) Necessary facts or other information that support the appellant’s contention that the staff or Commission erred in its consideration or finding supporting its decision:

- a. The Planning Commission erred in its decision to approve special use permit LU-2021-0308 based on the findings and subject to the conditions of approval contained in the staff report, with three additional conditions added at the time of the 12/15/2021 public hearing. CCMC Title 18.02080, subs. 5.h., states “The applicant for a Special Use Permit shall have the burden of proof by a preponderance of the evidence to provide facts supporting the proposed Special Use Permit.” There was a lack of evidence, or meaningful data, reports, or analysis provided by the applicant and staff to support findings and conditions of approval. The Planning Commission was provided with a preponderance of evidence from dozens of neighbors and residents of Carson City to demonstrate why Findings 1, 2, 3, 4, 6, and 7 can not be made. (CCMC Title 18.02.080, subsection 5.h.)
- b. The Planning Commission erred in making Finding 1, that the proposed slaughterhouse will be consistent with the master plan elements. The staff report concluded that “Chapter 3 of the Master Plan calls for achieving a more balanced land use pattern by encouraging infill and redevelopment with the City’s urbanized area.” More correctly, the Master Plan calls for “Encouraging infill and redevelopment that blends seamlessly with established areas of the City.” (Theme 4 – Livable Neighborhoods) and “The City will work to maintain the quality and character of established neighborhoods and ensure that infill and redevelopment is designed in a manner that minimizes impacts on existing neighborhoods, including rural neighborhoods located within the city’s urbanizing areas.” (Guiding Principle 9: Stable, Cohesive Neighborhoods). My letter of December 7 highlights 14 other Master Plan Themes, Goals, and Guiding Principles in which it could be concluded and found that the proposed slaughterhouse will NOT be consistent with the Master Plan. A public records request for additional Master Plan elements could not be provided by the Planning Division as of this writing.
- c. The Planning Commission erred in making Finding 2, that the proposed slaughterhouse will not be detrimental to the use, peaceful enjoyment, economic value, or development of surrounding properties or the general neighborhood, [*that it is compatible with and preserves the character and integrity of adjacent development and neighborhoods*], and that it will cause no objectionable noise, vibrations, fumes, odors, dust, glare or physical activity as follows:
 - i. The Planning Commission erred in making the finding that the proposed slaughterhouse will not be detrimental to the use of our property. Objectionable noises, vibrations, fumes, odors, dust, glare, and physical activities will be detrimental to the peaceful enjoyment of our home, property and neighborhood, and will disturb or disrupt our long-established uses such as: gardening, walking, resting, enjoying the outdoors, birdwatching, wildlife viewing, and enjoying the beauty, peace and serenity of our yard. (See also ii. through ix. below.)
 - ii. The Planning Commission erred in making the finding that the proposed slaughterhouse use will not be detrimental to the **peaceful enjoyment** of our property. The conditions of approval provide inadequate mitigations, with little or no evidence that the slaughterhouse will not cause objectionable noises, vibrations, fumes, odors, dust, glare, and physical activities. The preponderance of evidence submitted by impacted property-

owners and concerned citizens of Carson City clearly indicates that a slaughterhouse this close to residential properties and neighborhoods WILL cause objectionable noise, fumes, odors, and physical activity. (See i. above, and iii. through ix. below.) We continue to maintain that the slaughterhouse will be detrimental to the peaceful enjoyment of our home and neighborhood, with the result that Finding 2 can not be made.

- iii. The Planning Commission erred in making the finding that the proposed slaughterhouse use will not be detrimental to the **Economic Value** of our property. Neither the applicant nor staff provided any information of substance regarding neighboring property-owners' often-repeated concerns for the potential for loss of property values. The conclusion by staff that the slaughterhouse will not be detrimental to the economic value of our property was not supported by any evidence, reports, data, or analysis. The Planning Commission disregarded testimony from numerous property-owners and residents of surrounding properties and neighborhoods in this regard. Pursuant to CCMC 18.02.080, subsection 5.h.: "The applicant for a Special Use Permit shall have the burden of proof by a preponderance of the evidence to provide facts supporting the proposed Special Use Permit." Pursuant to CCMC 18.02.080, subsection 6.a: "Following the public hearing, the Commission shall determine if there is a preponderance of evidence in the record to support the findings." Both statements are "shall" requirements, which are mandatory. Neither of these requirements were met with regard to the statement that the special use for a slaughterhouse "Will not be detrimental to the economic value, or development of surrounding properties or the general neighborhood."
- iv. Staff and the Planning Commission erred by not addressing a required finding (CCMC 18.02.080, subsection 5.b.) that the proposed slaughterhouse use will be **compatible with and preserves the character and integrity of adjacent neighborhoods**. This requirement in 18.02.080 was not listed as an aspect of Finding 2 in the staff report, nor addressed by the Planning Commission. Our neighborhood is adjacent to the proposed slaughterhouse property. This requirement should have been included in the Finding 2. In any event, the proposed slaughterhouse absolutely will not be compatible with, nor will it preserve the character and integrity of adjacent neighborhoods (See also Finding 1: regarding consistency with the Master Plan).
- v. The Planning Commission erred in making the finding that the proposed slaughterhouse use will cause no objectionable **noise**: Deputy District Attorney Todd Reese talked about *quantitative* measurement of noise, and the Planning Commission created a Condition of Approval stating that: "Noise levels at the property line shall not exceed 80 decibels." No discussion was held regarding **qualitative** aspect of noise, specifically the noise of animals being delivered, unloaded, held for 24 hours including overnight without food, hungry and thirsty animal sounds, distressed animal sounds, animals being herded to slaughter, animals being slaughtered, including but not limited to animal noises of crying, whining, whimpering, mooing, squealing, braying, baaing, animals bumping metal fences and gates in pens and chutes, sounds of the piston-hammer or other dispatching mechanisms, metal gates screeching or slamming, trucks, tractors and front-loaders operating on site, bins slamming, etc. The application fails to describe a use that

will entirely eradicate qualitative aspects of noise. The staff report with additional conditions failed to consider that this noise will be most objectionable to neighbors. The Planning Commission erred in making the finding that this activity will cause NO objectionable noise.

- vi. The Planning Commission erred in making the finding that the proposed slaughterhouse use will cause no objectionable **vibrations**. This aspect of Finding 2 was never discussed or addressed by the Planning Commission, nor did the applicant or staff offer a preponderance of evidence, if any, to conclude there will be no objectionable vibrations. (See v. above.)
 - vii. The Planning Commission erred in making the finding that the proposed slaughterhouse use will cause no objectionable **fumes**. This aspect of Finding 2 was not addressed by the Planning Commission. The applicant and City staff failed to provide a preponderance of evidence to ensure chemicals sprayed on-site (i.e., denature, etc.) will not cause objectionable, or toxic, hazardous fumes. No reference is made to air quality, air contaminants, air pollution control, or state or local agencies with authority to regulate air quality. No data or analysis was provided discussing wind patterns, wind direction and lack of wind for 24/7, all twelve months of the year.
 - viii. The Planning Commission erred in making the finding that the proposed slaughterhouse use will cause no objectionable odors. A condition of approval was added stating: "No odors related to the processing of animals shall be realized at the property line." This condition was intended to "put teeth" into the condition, that it might be used in the one-year review of the special use permit. The so-called "teeth" in this condition of approval is nominally punitive and does not make a clear statement of finding that the slaughterhouse will cause NO objectionable odors on days one through 365. No procedure for submitting complaints by neighbors or members of the public is provided. No fines or penalties are referenced. No public notification of the annual review is referenced. This condition of approval is non-responsive to neighbors' concerns about odors.
 - ix. The Planning Commission erred in making the finding that the proposed slaughterhouse use will cause no objectionable physical activity. Objectionable physical activities of delivery, holding, and slaughtering live animals nearby WILL be detrimental to the peaceful enjoyment of our homes, properties, and neighborhood, and will disturb or disrupt our long-established uses such as: gardening, walking, resting, enjoying the outdoors, birdwatching, wildlife viewing, and enjoying the beauty, peace and serenity of our yard.
- d. The Planning Commission erred in making Finding 4, that the proposed slaughterhouse at this location will not overburden existing public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public improvements. The preponderance of the evidence was submitted by members of the public between September 17, 2021, and December 15, 2021, stating concerns about City water, water use and water conservation, water pressure, sanitary sewer, sewage lift stations, storm drainage and other public improvements. Little evidence, data, reports or analysis was provided to address these very real concerns. The Planning Commission failed to adequately address these issues prior to making Finding 4.

- e. The Planning Commission erred in making Finding 6, that the proposed slaughterhouse at this location will not be detrimental to the public health, safety, convenience, and welfare. The staff report of December 15 incorporated an additional or expanded requirement (Condition of Approval 19) that the facility shall be certified by the United States Department of Agriculture ("USDA"). Staff also provided a memo dated December 15, 2021, requiring a wetlands delineation report and if appropriate, approval from the EPA. However, there was no information, reports, data, or analysis provided leading to these conditions. A full vetting of the conditions that were added after the original Planning Commission public hearing held September 29, 2021, should have been provided. There was no public consideration by the Planning Commission of the storm drainage issues presented by the public with regard to the drainage trenches and culverts that cross the property in the flood zone. There was no reference to the U.S. Army Corps of Engineers, which may have jurisdiction in this aspect. It is the applicant's responsibility to provide the preponderance of evidence (CCMC 18.02.080, subsection 5.h.). We contend Finding 6 can not be made and was made in error.
- f. The Planning Commission erred in making Finding 7 that the proposed slaughterhouse at this location will not result in material damage or prejudice to other property in the vicinity. As covered in statement iii. above, the preponderance of evidence provided by neighboring property-owners clearly indicates a very real concern for the loss of our property values. We contend that Finding 7 can not be made and was made in error.

Please accept this Appeal Application for consideration by the Carson City Board of Supervisors.


Kathleen Franco Simmons on behalf of my parents, George and Diane Howard, and our family



Carson City Planning Division

108 E. Proctor St.
Carson City, Nevada 89701
(775) 887-2180
Planning@carson.org
www.carson.org

★ CLERK ★
FILED
Time 8:14am

PLANNING COMMISSION
December 15, 2021

DEC 17 2021

By Lena E Reseck
Deputy
Carson City, Nevada

NOTICE OF DECISION – LU-2021-0308

An application was received regarding a request for a special use permit to allow for a slaughterhouse on property zoned General Industrial ("GI"), located on the south side of Hwy 50 E and east of Detroit Road, portions of APNs 008-371-38, 008-371-39, and 008-371-10.

The Planning Commission conducted a public hearing on December 15, 2021, in conformance with City and State legal requirements and approved LU-2021-0308 based on the findings contained in the staff report and subject to the following conditions of approval.

CONDITIONS OF APPROVAL:

Standard Conditions of Approval per CCMC 18.02.105(1):

1. The applicant must sign and return the Notice of Decision within 10 days of receipt of notification. If the Notice of Decision is not signed and returned within 10 days, the item will be rescheduled for the next Planning Commission meeting for further consideration.
2. The applicant shall meet all the conditions of approval and commence the use for which this permit is granted within twelve months of the date of final approval. A single, one-year extension of time may be granted if requested in writing to the Planning and Community Development Division thirty days prior to the one-year expiration date. Should this permit not be initiated within one year and no extension granted, the permit shall become null and void.
3. All development shall be substantially in accordance with the development plans approved with this application, except as otherwise modified by the conditions of approval herein.
4. All improvements shall conform to City standards and requirements.

The following shall be submitted or included as part of a building permit application:

5. The applicant shall submit a copy of the Notice of Decision signed by the applicant and owner.
6. Details of any proposed exterior light standards must be submitted with the building permit. All exterior lighting must be directed downward. The design of the light

standards must include cutoffs and shields, if necessary, to prevent spillover of light or glare onto adjacent properties.

7. The applicant shall provide a landscape and irrigation plan in compliance with Carson City Development Standards ("CCDS"), Division 3- Landscaping. The plans shall include landscaping to help to buffer views from Highway 50 East as well as surrounding properties.
8. Brick Road shall be a privately owned and maintained road and shall be designed to meet city standards for local streets, including streetlights, storm drain systems, water systems, sanitary sewer systems, and paving structural sections per CCDS 12.11. Brick Road must be constructed fully within an access and public utility easement, including the cul-de-sac bulb.
9. The indoor corral must be designed to drain to the City sewer.

The following shall be accomplished prior to the issuance of any building permit.

10. Prior to the issuance of any building permit, the lot line adjustment (LLA-2020-0007) shall be recorded.
11. Where drainage flow paths are changed and cross parcel lines, the applicant shall establish drainage easements.
12. A Letter of Map Revision shall be completed prior to issuance of any building permit.

The following are on-going conditions:

13. The hours of operation shall be 6 a.m. to 6 p.m. Monday through Friday.
14. The facility shall be limited to harvesting animals 1 day per week.
15. A maximum of 60 animals may be processed per week, with animals on-site no more than 1 day per week for a maximum of 24 hours prior to harvesting.
16. The facility may process wild game, without limitation.
17. Manure and waste material shall be removed from the indoor corral/holding area weekly, within 24 hours following harvesting. Manure shall be hauled off-site and disposed of properly. Manure shall not be stored on-site.
18. Unusable portions of the animals (offal, hides, fat, etc.) shall be sprayed with denature to eliminate the potential for odors and removed from the site on the day of harvest and properly handled by a rendering company.
19. The facility shall be certified by the United States Department of Agriculture ("USDA"). The applicant shall obtain and maintain all required permits and licenses, including but not limited to a wastewater discharge permit from the Nevada

Department of Environmental Protection (“NDEP”), a NV Department of Agriculture license to operate (Nevada Revised Statutes (“NRS”) Chapter 583 license); and USDA permits.

20. The project must obtain and maintain in good standing, a wastewater discharge permit through Carson City Environmental Control.
21. One-year following the commencement of operations, the Planning Commission shall review the special use permit to ensure compliance with the conditions of approval. The applicant shall, at a minimum, submit to the Planning Commission documentation of the actual number of animals harvested per week during the first year of operation and any crimes in the area associated with the facility. During this review, the Planning Commission may determine whether continued annual review is necessary.
22. The water use will be analyzed by Carson City staff for the first three years of operation, at annual intervals. If the water use exceeds the water use estimated by the applicant, the applicant will be required to correct connection fees and pursue any other approvals that may be necessary as they relate to water usage.
23. Live animals shall be kept indoors on-site. No open corrals/holding areas will be allowed. The building shall be designed to have an exterior appearance consistent with the processing building.
24. This special use permit shall not be transferrable.
25. The sewer lift station downstream of the project is at capacity with entitled projects. The project must enter into a development agreement with the City to pay its pro-rata share based on the peak flow to be contributed, with an available flow of 320 gallons per minute and a total project cost of \$1,000,000.

Additional conditions that apply during processing for local events:

26. A maximum of three times per year, additional animals may be processed to serve the needs of local events. To accommodate these events, harvesting may occur a maximum of 3 consecutive days with a maximum of 120 animals on-site at any one time.
27. A minimum of 3 business days prior to increasing operations for local events, the applicant shall provide written notice to the Community Development Department.
28. Manure and waste material shall be removed from the corral daily during increased operations. Manure shall be hauled off-site and disposed of properly. Manure shall not be stored on-site.

Conditions added at the December 15, 2021 Planning Commission meeting:

- 29. The applicant must provide a wetland delineation report with the building permit application and, if applicable, obtain approval from the EPA for the project design as it relates to wetlands prior to any permits for construction being issued.
- 30. No odors related to the processing of animals shall be realized at the property line.
- 31. Noise levels at the property line shall not exceed 80 decibels.

This decision was made on a vote of 5 ayes, 1 nays, 1 absent.

Heather Ferris
 Heather Ferris
 Planning Manager

Emailed on: Friday, December 17, 2021

By: Christie Overlay

PLEASE SIGN AND RETURN THIS NOTICE OF DECISION WITHIN TEN DAYS OF RECEIPT

This is to acknowledge that I have read and will comply with the Conditions of Approval as approved by the Carson City Planning Commission.

Kari A. [Signature]
 OWNER/APPLICANT SIGNATURE

12-18-2021
 DATE

Karin Sinclair
 PLEASE PRINT YOUR NAME HERE

RETURN VIA:

Email to: planning@carson.org

Fax to: (775) 887-2278

Mail to: Carson City Planning Division
 108 E. Proctor St.
 Carson City, NV 89701

RESULT:	APPROVED (5-0-0)
MOVER:	Wiggins
SECONDER:	Preston
AYES:	Borders, Wiggins, Loyd, Perry, Preston
NAYS:	None
ABSTENTIONS:	None
ABSENT:	Esswein, Killgore

(4:20:05) – Chairperson Borders recessed the meeting until 5:00 p.m. for the time specific item 6.E.

(5:01:09) – Chairperson Borders reconvened the meeting at 5:01 p.m. Roll was called and a quorum was present. Commissioner Killgore who was noted absent earlier joined the meeting.

TIME SPECIFIC ITEM: TO BE HEARD AT 5:00 P.M.

6.E LU-2021-0308 FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FOR A SPECIAL USE PERMIT TO ALLOW FOR A SLAUGHTERHOUSE ON PROPERTY ZONED GENERAL INDUSTRIAL (“GI”), LOCATED ON THE SOUTH SIDE OF HWY 50 E AND EAST OF DETROIT ROAD, PORTIONS OF APNS 008-371-38, 008-371-39, AND 008-371-10.

(5:01:44) – Chairperson Borders introduced the item and thanked members of the public for attending the meeting. He also read into the record a statement noting that the Commission, a body appointed by the Board of Supervisors, “is charged with making determinations on the suitability of projects based on the Master Plan, Title 18, and zoning and how that is interpreted. We do not make policy, we do not change laws, we do not move locations, we just operate under the guidelines and the things we have to work with. Those other changes that you may or may not want to see in the future, come from your Board of Supervisors whom you have elected.” He emphasized that the Commission “is interpreting what’s already written,” reminding everyone that this public hearing will begin with a presentation from Staff, another from the applicant, followed by Commissioners’ questions.

(5:03:26) – Chairperson Borders noted that once the Commission has finished its questioning, he would entertain public comments, and provided instructions on how to use the microphones, requested that all speakers introduce themselves, and provide input for three minutes. He explained that questions would be answered at the conclusion of public comments and that no dialogue will take place during public comments. Chairperson Borders also clarified for the record that the project “is not some of the things that people purport it to be. It’s not a feedlot, it’s not a livestock storage area, it’s a meat processing plant. We are not here to discuss the moralities of being a vegetarian or carnivore; we are not here to discuss any kind of a PETA subject on animal cruelty. Those are issues that do not belong in this discussion. We’re trying to discuss whether or not this facility, as a small slaughterhouse and meat processing plant, should go into

the location that it's currently sited in, and that's what we should base your testimony on." He reminded members of the public to adhere to the three-minute time limit and thanked them for being courteous at the previous slaughterhouse meeting.

(5:06:05) – Planning Manager Heather Ferris gave background and presented the Staff Report which included a detailed review of the required findings which Staff had been able to make in the affirmative, all of which are incorporated into the record. She also informed the Commission on the mailed and published notification process, explained that all public comments (including those from the September 29, 2021 meeting) that were received prior to 11 a.m. on the day of this meeting were included in the agenda materials or provided as late material, and responded to clarifying questions by the Commissioners. Ms. Ferris referenced a Staff Memorandum dated December 14, 2021 which recommended an additional Condition of Approval (please see below) requesting that the applicant provide a wetland delineation report, based on an inquiry by a member of the public, to read:

"The applicant must provide a wetland delineation report with the building permit application and, if applicable, obtain approval from the EPA for the project design as it relates to wetlands prior to any permits for construction being issued."

(5:19:00) – Mr. Pottéy addressed public concerns such as water use. He stated that based on public comments, the applicant had provided an estimated water use and subsequently, citizens had provided estimates from a third-party website which he called "not a recognized source for engineering data and analysis, but it was enough to raise concern for Staff;" however, after researching sourced information, the results had been close to the applicant's data, but Staff would still recommend an annual review of water usage in the Conditions of Approval. He also addressed the wetland delineation discussed above and the Federal Emergency Management Agency (FEMA) flood zone requirements, noting that the applicant was required to meet the City's regulations for developing in a flood zone. Mr. Pottéy explained that the well and river contamination issues were addressed by having the corral indoors and with the additional condition to drain into the City's sewer. He also noted that the project would be required to obtain a discharge permit from the City which would require pretreatment prior to the discharge, and responded to clarifying questions.

(5:26:11) – Applicant Representative Chris Baker of Manhard Consulting noted that the amended Conditions of Approval were acceptable to the applicant. Mr. Baker introduced applicant Mike Holcomb of Carson Valley Meats and reviewed a modified (since the September 29, 2021 meeting) presentation, which is incorporated into the record. Mr. Holcomb and Mr. Baker also responded to questions by the Commissioners. In response to questions regarding odor and noise, Mr. Baker stated that the annual review of the Special Use Permit should be able to address those concerns. Commissioner Preston noted that the on-site USDA inspector and the annual review would address the restriction of the 60 animals per week (except on approved event days) as well. Mr. Pottéy reviewed the location of the wetland area on the site map. Chairperson Borders entertained additional question and when none were forthcoming, public comments. He also reminded speakers to adhere to the three-minute limit. Written public comments in

favor of or in opposition to this item are incorporated into the record. Please note that the meeting may be viewed in its entirety, including all public comments, on the City's website at:

https://carsoncity.granicus.com/MediaPlayer.php?view_id=2&clip_id=1939

(5:52:21) – Dr. Jennifer Verive introduced herself as an August Drive resident and read a prepared statement on behalf of the Coalition of Citizens for Peaceful Enjoyment. She referenced articles she had read and a document she had sent as public comment explaining the 33 reasons why she believed a slaughterhouse was “a bad idea.” She urged the Commission to base their decision on the peaceful enjoyment of their neighborhood and was not in favor of the location. She also noted that the project would not meet findings 1, 2, 3, 4, 6, and 7.

(5:56:34) – Robert Buttner introduced himself as a 61-year resident of Carson City and stated that, based on his construction experience, it would be “virtually impossible to ventilate [the enclosed] pens.” He questioned the term “mitigate” relating to sound and odor and explained that the animal noise would cause the neighborhood dogs to bark. Mr. Buttner urged the Commission not to follow a 1950s business model.

(6:00:07) – Joan Dotson spoke in opposition of the project because interested individuals had requested having cattle on neighboring properties near the proposed slaughterhouse for use as a feedlot.

(6:03:35) – Ana Winston introduced herself as an 18-year resident of Empire Ranch and spoke in opposition of the proposed slaughterhouse. She noted that she had spoken with Spanish-speaking residents of Villa Sierra Mobile Home Park and cited the demographics of the residents living in 42 owner-occupied homes housing 71 or more children, and adding that most of the residents had signed a petition opposing the proposed slaughterhouse. She cited the noise of the stressed animals, believed that the location is on a floodplain that flows to the Carson River, and the decrease of their property values, adding that the residents “don't have a voice.”

(6:07:45) – A speaker who did not identify herself spoke in support of Carson Valley Meats and noted that she was not a resident of Carson Valley. She stated that the Villa Sierra Mobile Home Park and the proposed slaughterhouse were both zoned as Industrial. The speaker cited a need for the processing plant for 4-H participants and for farm-to-table food. She cited the example of the meat processing plant in Reno that is in a populated area.

(6:10:32) – Roger Maxwell introduced himself as an Empire Ranch resident and requested information on “how are they going to wash [the enclosed facility] down?” He also believed that non-residents of Carson City should “not be able to talk here.”

(6:11:26) – Doreen Mack reintroduced herself as a Carson City resident and president of the Downtown 2020 Group. Ms. Mack read a prepared statement, incorporated into the record as late material, opposing the project at the proposed location. She recommended that it be moved to either Lyon County or Douglas County as a slaughterhouse was not conducive to the City's vision.

(6:15:39) – Glenn Conant introduced himself as an Empire Ranch resident and noted his opposition to the proposed location of the slaughterhouse. He was opposed to the term “mixed-use” for the project and believed that the quality and character of the established neighborhood will not be maintained. He called the location discriminatory based on the ethnic makeup of the neighboring mobile home park.

(6:19:14) – Lyndsey Chichester introduced herself as a Carson City resident and an agricultural educator who works with 4-H students. She believed that youth are still interested in agriculture and clarified that the chemicals sprayed on the animal remains are to ensure they are not used for consumption. Ms. Chichester stated that the animal waste will be disposed of in the sewer, just like human waste is. She also noted her support for Carson Valley Meats and the project.

(6:22:00) – Chris Carver introduced himself as a Carson City resident and urged the [Community Development] Director to investigate the evidence submitted by the applicant to address the areas covered by Title 18. Mr. Carver believed that “this applicant and the Planning Director failed to do that,” as the project was not consistent with the Master Plan elements because it represented “a new agricultural activity.” He referenced a petition signed by project opponents and noted that none of the support was from adjacent property owners. Mr. Carver believed that the water usage was poorly addressed by the applicant and Staff, and questioned whether the project complied with “our vision of an Urban Carson City” and “do the corporate interests of Ms. [Karen] Sinclair have more value than the rights of residents in the neighboring properties?” He added that this may be the right project but in the wrong place.

(6:25:05) – Kathleen Franco Simmons reintroduced herself and noted that she was speaking on behalf of herself and her parents, Diane and George Howard. Ms. Simmons’ written comments are incorporated into the record as late material. She believed that Finding No. 2 could not be made by locating a slaughterhouse 913 feet from their family home as it would impact the peaceful enjoyment of their property. She also stated that “the Conditions of Approval are inadequate and are not responsive to our concerns and questions.” She believed that Findings 1 and 4 could not be made either. She encouraged the Commissioners to read her written comments detailing her concerns regarding the consistency with the Master Plan.

(6:29:02) – Paula Peters read into the record her written statement, incorporated into the record as late material, in opposition to the proposed slaughterhouse within the City limits. Ms. Peters cited loss of property values, odor, noise, and truck traffic increase on Highway 50.

(6:32:05) – Charlie Abowd introduced himself as a Carson City resident for 44 years. He cited his experience in the farm-to-table business and the struggles that local producers faced. Mr. Abowd highlighted the participation of the 250 Carson High School students in the agriculture program since the establishment of the Greenhouse Project, and their participation in Future Farmers of America.

(6:34:50) – Bethany Love introduced herself as “a parent of a 4-H child” who had an opportunity that she did not have growing up. She cited the benefits of raising, selling, and “the heartbreak” of losing an animal. Ms. Love also praised the work of Ms. Sinclair in educating hundreds of 4-H children. She believed that

the trailers used to bring in the animals would be small and there would not be any odor, adding that she preferred purchasing from small ranchers and not large meat companies.

(6:38:29) – Deni French appreciated the Commissioners’ dilemma and did not oppose a meat processing plant even though he did not consume beef or pork. However, he did not believe that the location was not ideal and inquired why an existing processing plant had been closed in the past. He also stated that he had attended a public meeting regarding the slaughterhouse project and had many questions regarding the sewage and waste. Mr. French recommended finding another location for the slaughterhouse.

(6:42:30) – Frank Recchi introduced himself as a resident of Morgan Mill Road and expressed disappointment in defending “our neighborhoods against the construction of a slaughterhouse nearby.” He was not in favor of “this kind of civic improvement” that would increase coyotes, vermin, truck noise, insects, the pollution of the Carson River, and the decrease in property values. Mr. Recchi did not believe the site was suitable for a slaughterhouse and noted that the project had been rejected by two other communities.

(6:45:35) – Maxine Nietz introduced herself and objected to the term “conjecture” used by Mr. Baker. She also stated that the chemical Denature was toxic and had been “banned in many places.” Ms. Nietz believed that the enclosed pens could cause the applicants to hold the animals for additional time periods without being noticed. She objected to the use of City water to wash the waste which she stated was more toxic than human waste because of the blood-borne pathogens. She referenced the maps she had provided that would show how the Carson River water would be polluted, and recommended that the water be addressed by the Growth Management Commission, highlighting flood and retention basin maintenance concerns. Ms. Nietz believed that the Carson City Municipal Code was developed to protect the citizens of Carson City.

(6:51:38) – John Dooley introduced himself as a Washoe Valley resident who raised cattle and a Carson City business owner. Mr. Dooley spoke in favor of the project calling it “a critical part of the supply chain that exists between ranchers and restaurants.” He noted that there were 10 [cannabis] dispensaries south of Reno but not a boutique butcher, who he believed were being “pushed out,” and praised the University of Nevada Reno (UNR) facility Mr. Holcomb had previously managed. Mr. Dooley was also in favor of having Conditions of Approval.

(6:55:40) – Sabine Harmer introduced herself as a Carson City native and a Texas A&M University student. She believed that the project should be called a processing plant and not a slaughterhouse. Ms. Harmer noted that she lived near a processing plant that followed the same regulations as the proposed project and explained that she had not experienced any noise, flies, or odor.

(6:58:43) – Kayla Holcomb introduced herself as a 4-H member who raised cows and sheep, and believed that the slaughterhouse was important to have their animals processed. She praised similar facilities that had been important to the youth, and recommended that the Commission approve the facility.

(7:01:25) – Chairperson Borders recessed the meeting.

(7:13:11) – Chairperson Borders reconvened the meeting. A quorum was still present.

(7:13:39) – Kendra Wilson introduced herself as a resident and business owner of Carson City and noted the City’s many improvements. She did not; however, believe that the proposed slaughterhouse would generate pride in Carson City. Ms. Wilson believed that the approval of the slaughterhouse would “put the periodic convenience of out of towners above the everyday quality of life of the residents, your constituents, [and] above your pride in Carson City.”

(7:16:48) – Roger Rakow introduced himself as a Carson City resident since 1970. He also expressed concern regarding the underground water. Mr. Rakow was also concerned about the contaminants that could seep underground and inquired about how the blood would be treated.

(7:20:23) – Linda Buchanan introduced herself as a Hells Bells Road resident with a well, and expressed concerned about the high levels of nitrogen and phosphorus sent to the sewage treatment plant and to the community. She also highlighted her support of 4-H; however, she believed that the project would not bring pride to Carson City.

(7:23:08) – Chris Pattison introduced herself as an area resident who lives less than half a mile away from the project site. He believed that all objections have been overcome and called the UNR facility a clean place.

(7:24:45) – Joylyn Harmer introduced herself as a Washoe Valley resident and a Carson City business owner. Ms. Harmer praised the work done by Staff to prepare for the item and recommended approval. She stated that she had been unable to schedule the processing of lambs in Fallon and praised the agriculture building and the meat processing plant at UNR. She also noted that when she visited the UNR facility and had detected no odor.

(7:28:35) – Peter Bader introduced himself and distributed images which he noted showed the water flowing in two places on the property. He also did not object to the slaughterhouse, but did not approve of the location because he believed his property value would decrease. Mr. Bader did not approve of the zoning change from Light Industrial to General Industrial. Chairperson Borders closed the public comments and invited Staff to respond to the questions.

(7:31:45) – Ms. Ferris explained that the water usage requirements would not trigger a Growth Management Review. Mr. Pottéy noted that the City had capacity to support the water and sewer needs of the proposed project. He also clarified that the environmental control/discharge permit would dictate what denaturing chemicals can or cannot be used. Mr. Pottéy stated that a wetland delineation report would be required to ensure no wetland areas would be encroached upon, adding that the applicant must meet all City standards for flood zones and ensure that the finished floor is two feet above the base flood elevation. He stated that because the operation would drain into the sewer, there would not be a reason to pollute the ground water.

(7:36:10) – Ms. Ferris recommended modifying Condition No. 3 to read: *All development shall be substantially in accordance with the development plans approved with this application, including the floor plan, building elevations and landscaping as presented during the December 15, 2021 Planning Commission meeting ~~except as otherwise modified by the conditions of approval herein.~~*

(7:36:52) – Chairperson Borders entertained discussion among the Commissioners. Commissioner Perry highlighted the difficulty of making a decision when some residential property is in an industrial zoning. He also noted that he had read all the material submitted to the Commission and had done due diligence by visiting Wolf Pack Meats in Reno which he called a similar operation. Commissioner Perry described the operation as clean “like a hospital” with an on-site USDA inspector. He explained the collection and disposal of blood and noted that no odors were detected, except for the butcher shop which “smelled like a butcher shop.” He concluded that if the proposed slaughterhouse ran like the one in Reno, there would be no impact on the residents, adding that after his visit “I can’t come up with a reason myself to say I have a finding against this.” Commissioner Perry also cited the example of the Tahoe Western Asphalt plant that had a Conditional Special Use Permit with a one-year review, which was revoked last year due to neighbor complaints and because it was not being operated well.

(7:43:15) – Commissioner Preston thanked everyone for attending the meeting and noted that she, along with all the Commission members, had read all the information provided to them in the past week as “we take it very seriously.” She called herself an almost 63-year Carson City resident and remembered the ranches of the past and, as a member of a development family, had developed most of the ranches. Commissioner Preston gave background on the property that was now deteriorating and explained that during the September meeting the residents of the Villa Sierra Mobile Home Park had stated that they had problems with their sewer system. She noted that one of the Conditions of Approval was to upgrade that sewer system which she called a benefit to the mobile home park. She also provided a personal example of managing a property across from Wolf Pack Meats and had received no complaints, noting that no large trucks were used to deliver the animals as most ranchers were using their personal trailers to bring their individual animals.

(7:48:40) – Commissioner Preston clarified that the project was not a feedlot or a stockyard which collected animal waste and polluted the water, and explained that she had looked into why Douglas County had not approved the project and had found out that there was no infrastructure of sewer and water to support the project. She reminded everyone that when a building supply company had occupied the property, semi-trucks were part of the traffic using Highway 50, which would not be the case with the proposed slaughterhouse, adding that her traffic concerns were addressed by having a controlled intersection. Commissioner Preston considered the footprint of the processing plant rather small and addressed the issue of having the plant in Lyon County by noting it could not accommodate the infrastructure. Based on how the project would be mitigated, she did not see any reason for denial of the Special Use Permit.

(7:51:12) – Commissioner Loyd noted her appreciation for the tremendous amount of information provided by the members of the public. She clarified that the Special Use Permit request was for a specific use not for an exception. She did not see a cause for denying it at this time; however, she agreed with Vice Chair

Wiggins' suggestion of including specific Conditions of Approval to allow the Commission to take specific action in the future should issues arise.

(7:52:19) – Commissioner Killgore wished to “absolutely commend the developers on what they’ve gone through to make the changes. That is huge.” He noted that per his inquiry during the September meeting, the unloading of the animals would also take place indoors now. However, Commissioner Killgore also stated that despite all the changes made by the applicant, his position would not change, based on how the community had spoken against the project.

(7:53:14) – Vice Chair Wiggins noted that the subject property was zoned General Industrial and that adjacent properties were similarly zoned. He did not believe that the proposed slaughterhouse should emit offensive odors and objectionable noise; however, he cited the Waste Management facility, the concrete plant, or the automobile repair business did not have the same level of requirements. He understood the fact that the slaughterhouse Special Use Permit was being considered after the residences had been established and that is why he was recommending an additional Condition of Approval (No. 29) to read: *no odors emitted, or noise greater than 80 decibels [heard] at the property line*. Ms. Ferris recommended making them two separate Conditions to read:

30. *No odors shall be realized at the property line.*

31. *Noise levels at the property line shall not exceed 80 decibels.*

(7:55:28) – Commissioner Perry believed that the noise level was measurable; however, he expressed concern regarding the measurement of odors. He recommended adding descriptors to the term odors. Ms. Ferris recommended using the term *odors relating to the processing plant*. Mr. Reese did not believe that odors were “quantitatively measurable.” Ms. Sullivan cited the example of Tahoe Western Asphalt where the odors were investigated. She also stated that she had enforced horse facility odor issues in other communities and noted that Ms. Ferris’ suggestion above was sufficient and could be refined at the one-year review mark if needed, adding that they had dealt with odors at the asphalt and marijuana facilities.

(7:59:24) – Chairperson Borders explained that during the September 29, 2021 meeting when the slaughterhouse project was first discussed, a car wash Special Use Permit, which would use 29,000 gallons of water per day, was approved “and there was no human cry.” He believed that this Commission, which is also the Growth Management Commission, took the stewardship of the City’s water seriously, and hoped that “the community would be as sensitive about things that don’t necessarily happen in their backyard.” Chairperson Borders highlighted the fact that the Commission had been putting “teeth into the Special Use Permits that we approve,” citing the one-year-review requirement to ensure all the conditions were met.

(8:02:54) – Ms. Sullivan recommended hearing from the applicant on whether the additional Conditions of Approval were acceptable or not.

(8:03:11) – Mr. Baker appreciated “the public process at work” and thanked the Commission for reading the “thousands of pages” presented to them. He also believed that the annual review of the Special Use

Permit would signify that legitimate concerns are taken very seriously and that they are enforced correctly. Mr. Baker thanked “everyone for their time” and confirmed for Commissioner Wiggins and the Commission the applicant’s agreement to the additional Conditions of Approval.

(8:06:08) – Ms. Ferris reiterated the proposed additional Conditions of Approval to which Mr. Baker had agreed:

30. *No odors related to the processing of animals shall be realized at the property line.*

31. *Noise levels at the property line shall not exceed 80 decibels.*

(8:06:45) – Ms. Sullivan recommended capturing each Commissioner’s affirmative vote and their indication that they can make the requirement findings, or specify which findings they could not make should they vote against the project.

(8:07:30) – Vice Chair Wiggins moved to approve Special Use Permit LU-2021-0308 based on the findings and subject to the Conditions of Approval contained in the Staff Report and in the amended in Staff’s memo dated December 14, 2021. Additionally, based on discussion during this meeting, to include the following added Conditions of Approval:

29. *The applicant must provide a wetland delineation report with the building permit application and, if applicable, obtain approval from the EPA for the project design as it relates to wetlands prior to any permits for construction being issued.*

30. *No odors related to the processing of animals shall be realized at the property line.*

31. *Noise levels at the property line shall not exceed 80 decibels.*

Commissioner Preston seconded the motion. Chair Borders requested a roll call vote.

- **Chairperson Borders:** Aye – able to make all findings of fact in the affirmative.
- **Vice Chair Wiggins:** Aye – meets all Conditions of approval, including: 29, 30, 31.
- **Commissioner Loyd:** Aye – able to make all findings of fact in the affirmative.
- **Commissioner Killgore:** Nay – “I do not find that it meets a few of the conditions which I stated last month and that did not change.”
- **Commissioner Perry:** Aye – able to make all findings of fact in the affirmative.
- **Commissioner Preston:** Aye – able to make all findings of fact in the affirmative.
- **Commissioner Esswein:** Absent.

Chairperson Borders confirmed that the motion carried 5-1-0 with one absence.

(8:11:00) – Chairperson Borders thanked all attendees for their civility and for their input.

7. STAFF REPORTS (NON-ACTION ITEMS)

- DIRECTOR'S REPORT TO THE COMMISSION

(8:20:33) – Ms. Sullivan noted that the due date for January meeting’s applications was yet to come; therefore, she could not announce the upcoming agenda items. She also confirmed that the Commission would meet next on January 26, 2022 to continue the Title 18 discussion.

- FUTURE AGENDA ITEMS

(8:21:27) – Ms. Sullivan confirmed that the Commission would elect a chair and a vice chair at the next meeting, and announced that there would be two vacancy appointments by the Board of Supervisors.

- COMMISSIONER REPORTS/COMMENTS

(8:21:50) – Vice Chair Wiggins was informed by Ms. Sullivan that she would present the Commission’s Title 18 recommendations to the Board of Supervisors for comments and not for action.

8. PUBLIC COMMENT

(8:23:55) – Chairperson Borders entertained public comments; however, none were forthcoming. Commissioner Killgore inquired whether he could “take the 5th...if I think that it’s [going] to be controversial if I speak, that I just don’t speak.” Ms. Sullivan confirmed that he did not have to speak; however, she clarified that because item 6.E would most likely be appealed to the Board of Supervisors, the Board would benefit from knowing every Commissioner’s thought process; therefore, she had asked them to clarify their votes. Chair Borders was in favor of the clarification as well. Mr. Reese was in agreement with Ms. Sullivan’s explanation. He likened it to court processes and the explanations of judges who have a dissenting opinion.

9. FOR POSSIBLE ACTION: ADJOURNMENT

(8:29:09) – Chairperson Borders adjourned the meeting at 8:29 p.m.

The Minutes of the December 15, 2021 Carson City Planning Commission meeting are so approved this 26th day of January, 2022.



CARSON CITY - LANDSCAPE DATA

SITE AREA = 193,000 SF
 BUILDING AREA = 9,984 SF
 IMPERVIOUS PAVED AREA = 33,101 SF

LANDSCAPE AREA REQUIRED = 6,620 SF (20%)
 (20% OF IMPERVIOUS SURFACE AREA)

LANDSCAPE AREA PROVIDED = 33,409 SF (62%)

TOTAL TREES REQUIRED = 17
 (1 / 400 SF REQUIRED LANDSCAPE AREA)

TREES PROVIDED = 30
 (INCLUDING PARKING & STREET)


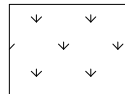

TOTAL SHRUBS REQUIRED = 17 * 6 = 102
 (6 SHRUBS PER TREE)

SHRUBS PROVIDED = 162

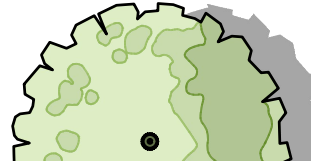

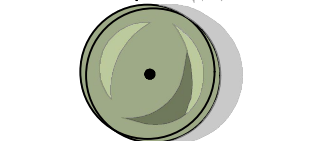

EVERGREEN SHRUBS = 84
 DECIDUOUS SHRUBS = 78

POLLINATOR PLANT MATERIAL
 Requirement: 50% of the plant material is to be specified
 as Pollinator friendly plant material.

MULCH LEGEND

-  All landscape areas shall have 4" depth of the following mulch types. No edging provided between different mulch types.
-  Existing Native Landscape Area to Remain
-  Landscape Areas - 33,409 Square Feet

CONCEPT PLANT SCHEDULE

	SHADE TREES	14
	EVERGREEN TREE	16
	DECIDUOUS SHRUBS	78
	EVERGREEN SHRUBS	84

December 15, 2023 - 09:38 Des Name: \\ced-w-mca\Projects-RE\Ccncv01\Manhard\landplan\01-Prelim\01-Updated Preliminary Landscape Plan.dwg Updated By: adethoff

DATE	REVISIONS

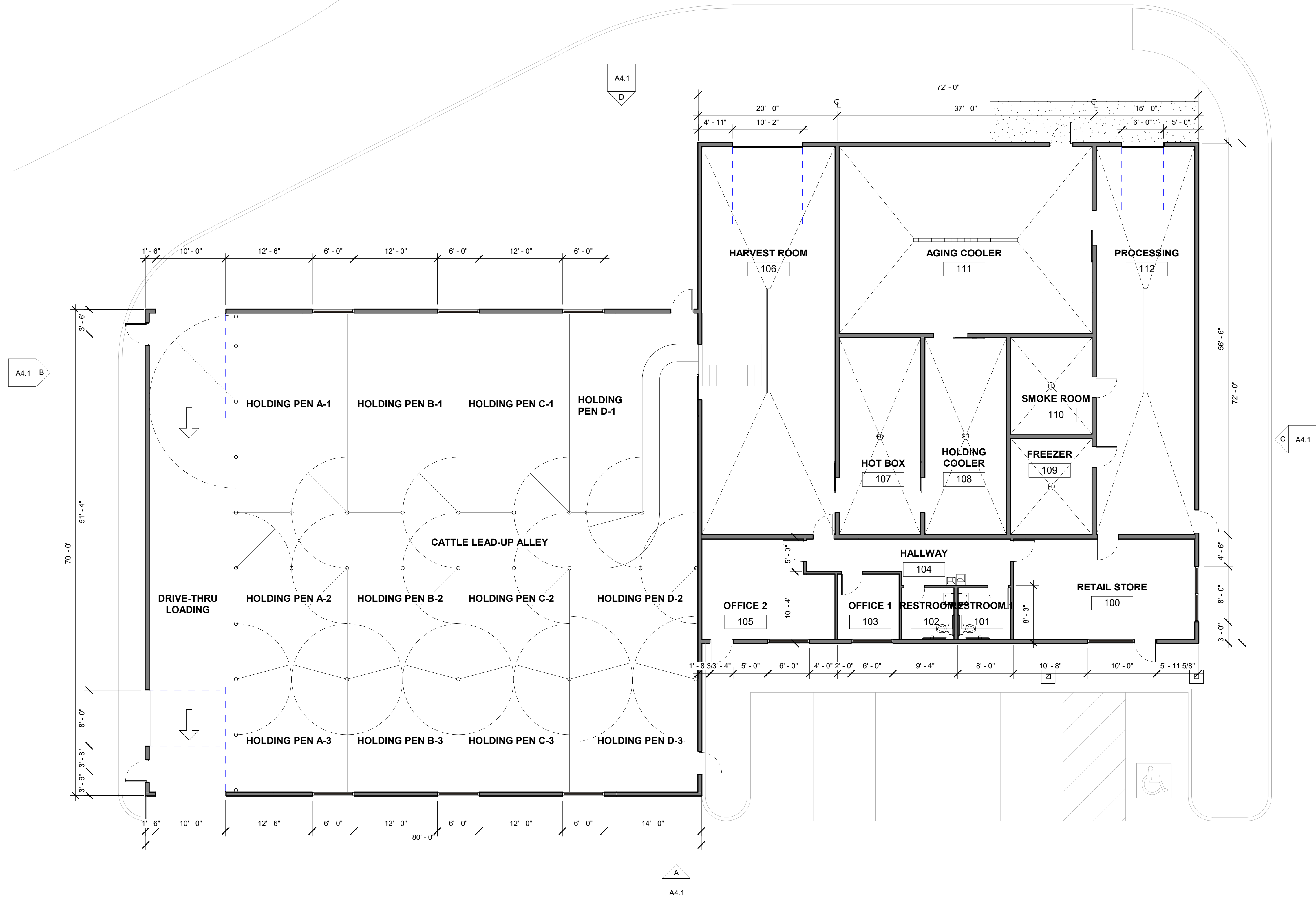


Manhard
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 Civil Engineers | Surveyors | Water Resource Engineers | Water & Waste Water Engineers
 Construction Managers | Environmental Scientists | Landscape Architects | Planners

CARSON VALLEY MEATS
 CITY OF CARSON CITY, NEVADA
 PRELIMINARY LANDSCAPE PLAN

PROJ. MGR.: KED
 PROJ. ASSOC.: JBD
 DRAWN BY: JBD
 DATE: 12-14-23
 SCALE: 1"=30'

SHEET
1 OF **1**
 CVM.CCNV01

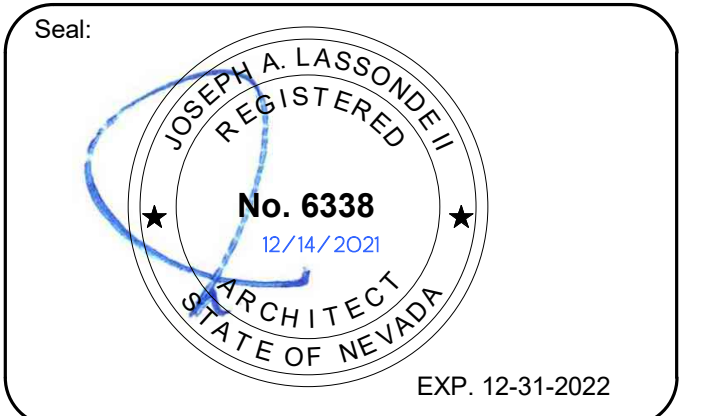


FLOOR PLAN
1/8" = 1'-0"



General Notes

No.	Revision/Issue	Date



Architect:
**JOEY LASSONDE DRAFTING
AND Design**
775-527-2483
1975 SELMI DRIVE, SUITE 116
RENO, NEVADA 89512

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Project Name and Address
CARSON VALLEY MEATS
CARSON CITY, NEVADA

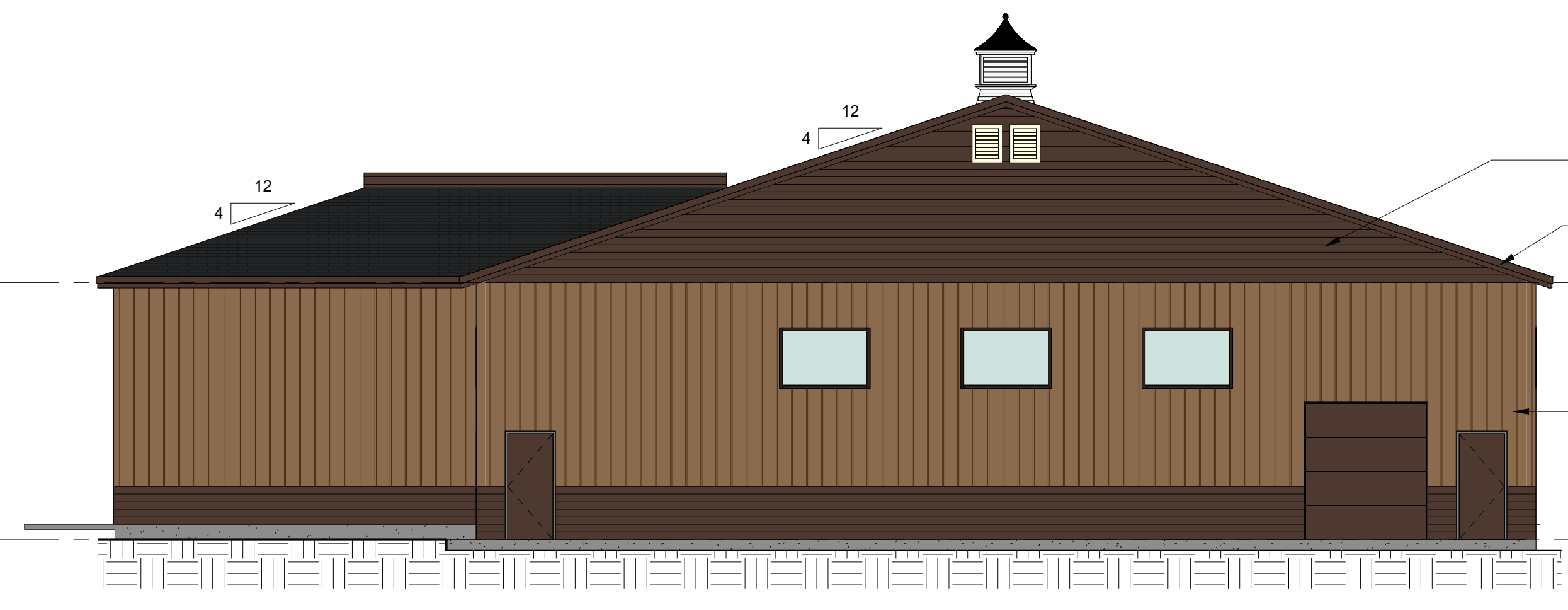
Title
FLOOR PLAN

Approvals

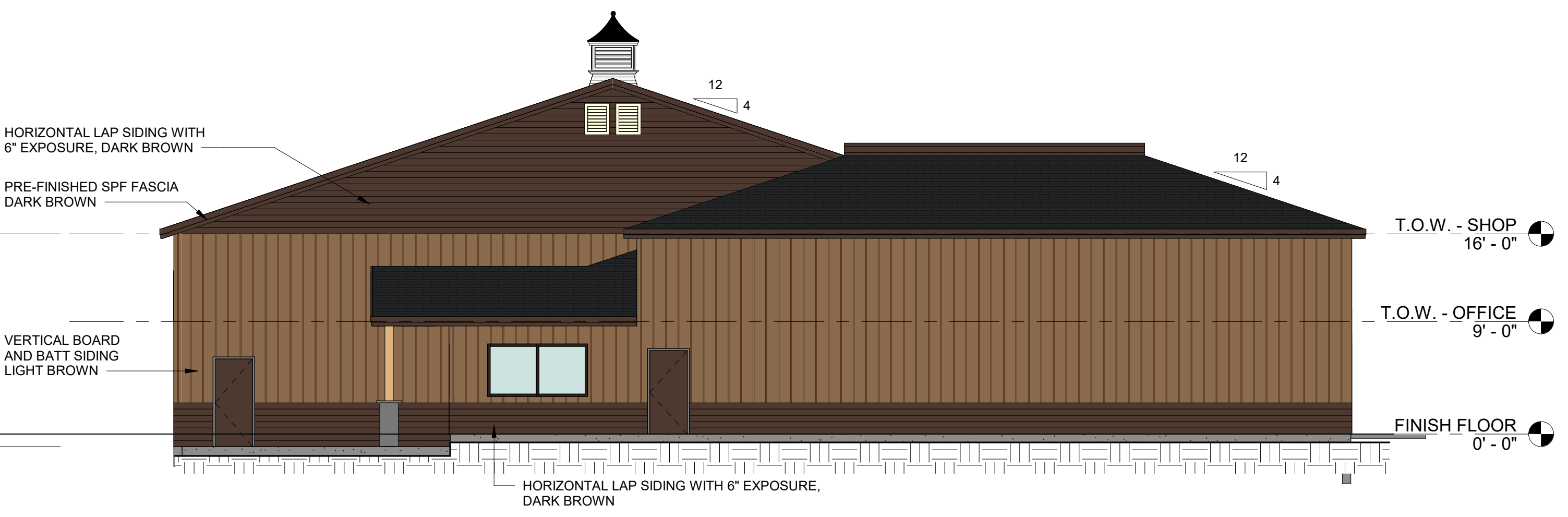
Date 12/13/2021	Job Number	Sheet A2.1
Scale 1/8" = 1'-0"		



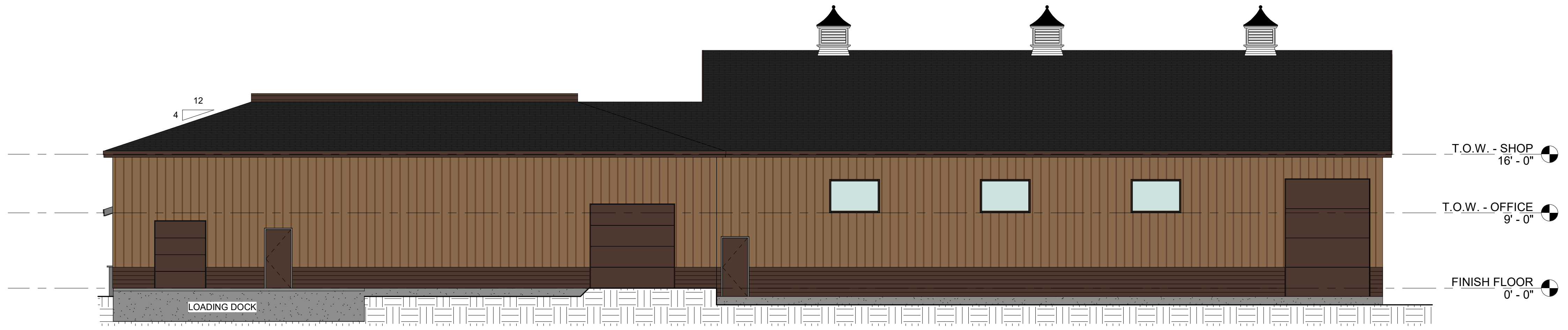
A FRONT ELEVATION
1/8" = 1'-0"



B WEST SIDE ELEVATION
1/8" = 1'-0"



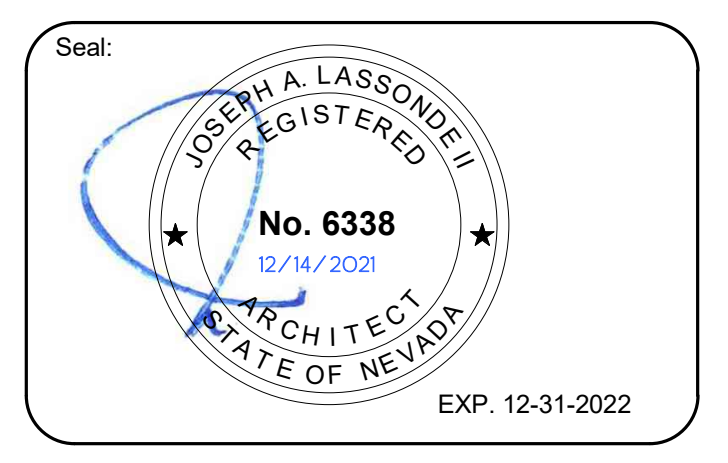
C EAST SIDE ELEVATION
1/8" = 1'-0"



D REAR ELEVATION
1/8" = 1'-0"

General Notes

No.	Revision/Issue	Date



Architect:
**JOEY LASSONDE DRAFTING
AND Design**
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Project Name and Address
CARSON VALLEY MEATS
CARSON CITY, NEVADA

Title
EXTERIOR ELEVATIONS

Approvals

Date 12/13/2021	Job Number	Sheet A4.1
Scale 1/8" = 1'-0"		

From: [Nevada Cattlemen's Association](#)
To: [Heather Ferris](#)
Subject: Carson Valley Meats
Date: Thursday, December 23, 2021 7:35:19 AM
Attachments: [Carson Valley Meats Letter of Support.docx](#)

This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

Hi Heather,

This is Martin Paris, Executive Director at the Nevada Cattlemen's Association (NCA). NCA would like to submit the attached letter of support in regard to the Carson Valley Meats processing facility proposal in the event the proposal comes back before the Planning Commission or the Board of Supervisors.

Thank you,

Martin

Martin Paris
Executive Director
Nevada Cattlemen's Association
(775)738-9214

December 23, 2021



To Whom it May Concern,

The Nevada Cattleman's Association would like to express its support for the proposed Carson Valley Meats facility located in the industrial zone on Highway 50 East. We believe that well run modern facilities such as this are a benefit to the livestock industry and local communities for the following reasons:

- Consumers have made clear that sustainable, locally sourced, low environmental impact and farm to fork food products are important to them. Having this local, USDA inspected harvest facility in the western part of the State is a crucial component in meeting these needs.
- The demand for high quality animal protein is outpacing the market's ability to provide those type of products. Backlogs exists at every level of the meat packing industry lending to the need for additional capacity.
- Beef producers are subject to volatile commodity markets and direct marketing, as would be afforded by the proposed Carson Valley Meats facility, has been shown to create stability especially for smaller producers.
- A harvest facility is an approved use for the general industrial zoning area per the Carson City Municipal Code. Carson Valley Meat's modern harvest practices and stringent health and safety regulations will ensure that it will have minimal impact on the community.

We appreciate your time and consideration of Carson Valley Meat's request.

Sincerely,

A handwritten signature in black ink that reads "Martin Paris". The signature is written in a cursive, flowing style.

Martin Paris
Executive Director, Nevada Cattlemen's Association