

Resolution No. 24-04

A Resolution approving PDC RENO/LV/PHX LPIV, LLC and/or its assigns intended use of the real property identified as Churchill County Assessor's Parcel No. 001-781-19 as a distribution facility as defined herein.

WHEREAS, on June 15, 2004, the City of Fallon City Council passed and adopted Resolution 04-15 ;

WHEREAS, Resolution 04-15 established covenants and restrictions for the New River Business Park;

WHEREAS, Resolution 04-15 established both permitted and prohibited uses;

WHEREAS, City of Fallon Zoning Code further regulates land uses within the New River Business Park, designating the parcels situate therein as zoned "LI-Light Industrial District" and further enumerating permitted land uses therein;

WHEREAS, PDC RENO/LV/PHX LPIV, LLC and/or its assigns intend to use the real property located within the New River Business Park, and more specifically the real property identified as Churchill County Assessor's Parcel No. 001-781-19, as a distribution facility, as defined herein;

WHEREAS, Resolution 04-15 does not specifically prohibit distribution facility uses, nor does it specifically permit the same;

WHEREAS, under Permitted Uses, section N., of resolution 04-15, the City Council may approve other uses at the New River Business Park;

WHEREAS, under Fallon Municipal Code 21.54.010(Q), the City Council may approve other uses within an LI-Light Industrial District;

NOW THEREFORE, BE IT RESOLVED that pursuant to section N. under Permitted Uses of Resolution 04-15 the Fallon City Council on this day does approve PDC RENO/LV/PHX LPIV, LLC and/or its assigns intended use of the real property identified as Churchill County Assessor's Parcel No. 001-781-19 ("Real Property") as a distribution facility which said use is defined as follows:

Within the L-I zoning district, and without the necessity of obtaining a rezoning, special use permit, variance and/or any other approval whatsoever, and to the extent otherwise consistent with applicable regulation and/or law, the Property may be used for the purpose of (i) receiving, storing, assembling, shipping, distributing, preparing, selling and serving as a pick-up/drop-off location for products, materials, food, grocery and liquor items; (ii) the parking, storage, incidental maintenance, fueling and use (including driving into and through the building for loading and unloading and parking inside the building) of automobiles, trucks, machinery and trailers, including outdoor loading and unloading; (iii) printing; (iv) making products on demand; (v) ancillary warehouse and office use; and (vi) using, handling or storing hazardous materials in the ordinary course of business, including (A) in any packaged merchandise to be sold,

handled, and/or held for shipment to customers, (B) maintenance of trucks and machinery, and (C) fuel (including liquefied hydrogen or other alternative fuels) or batteries for any trucks, generators or other machinery or the equipment described in clause (vii); (vii) installing and operating rooftop equipment such as satellite dishes, cellular antenna, and renewable energy systems, including solar energy systems and hydrogen fuel cell tanks and related equipment; (viii) installing and operating battery storage systems, electrical generators, and fuel tanks; and (ix) ancillary and related uses for any of the foregoing, all on a twenty-four-hour, seven-days-per-week, fifty-two-weeks-per-year basis (the “Distribution Facility”).

BE IT FURTHER RESOLVED that pursuant to Fallon Municipal Code 21.54.010(Q), that the Fallon City Council approves PDC RENO/LV/PHX LPIV, LLC and/or its assigns intended use of the Real Property as a Distribution Facility as defined herein.

NOW THEREFORE, BE IT FURTHER RESOLVED that this resolution and approval of PDC RENO/LV/PHX LPIV, LLC and/or its assigns approved use only applies to Churchill County Assessor’s Parcel No. 001-781-19, and no other parcels located within the New River Business Park unless approved at a later date by the Council.

APPROVED AND ADOPTED by the City Council of the City of Fallon, Nevada this ____ day of _____, 2024.

Those voting aye:
Those voting nay:
Those absent:
Those abstaining:

Mayor

ATTEST:

City Clerk/Treasurer