LYON COUNTY PLANNING COMMISSION MEETING MINUTES

November 14, 2023

The November 14, 2023 meeting of the Lyon County Planning Commission was called to order by Commission Chairwoman, Audrey Allan, at approximately 9:00 a.m. at the Lyon County Administrative Complex, 27 S. Main Street, Yerington, NV, 89447.

A**ttending staff**: County Manager, Andrew Haskin; Community Development Director, Louis Cariola; Senior Planner, Lisa Nash; Planning Technician, Kerry Page; Administrative Assistant, Shannon Juntunen; and Deputy District Attorney, Illyssa Fogel, attended in person.

1. Roll Call

Members present: Commissioners Audrey Allan, Ralph Ewing, Loretta Sell, Michael Carlson, Connie Kuzmicki, Shannon Ceresola and Mark Jones attended in person at the Lyon County Administrative Complex. A quorum was noted.

2. Pledge of Allegiance was led by Commissioner Ceresola

3. Public Participation – None

4. Review and Adoption of the Agenda

Commissioner Sell motioned to adopt the agenda as presented. Commissioner Ewing seconded, the motion passed by unanimous vote (7 Ayes; 0 Nay; 0 absent)

5. For Possible Action: Approval of Minutes

5.a. For Possible Action: To approve the minutes from the October 10, 2023 meeting

Commissioner Sell motioned to approve the minutes of the October 10, 2023 meeting. Commissioner Ceresola seconded; motion passed unanimously 7 Ayes; 0 Nay; 0 absent)

Public Participation- None

6. Presentation and Reading of Miscellaneous Correspondence- There was none

7. Advisory Board Reports- There was none

8. Public Hearing Items

8.a. For Possible Action: To forward a recommendation to the Board of Commissioners for a Street Name request from Wendy Wilson to name an existing unnamed street west of Mason Pass Road, and south of Kass Lane, Yerington, NV (APN: 014-281-16) PLZ-2023-070.

Community Development Director, Louis Cariola explained the applicant's request to name an unnamed existing access easement created through a previously approved Parcel Map. The applicant's would like to reserve the street name of BUCKAROO LANE.

Public Comment- There was none

Commissioner Sell motioned to forward a recommendation of approval to the Board of Commissioners for the Street Name Request from Wendy Wilson to name an existing unnamed street west of Mason Pass Road, and south of Kass Lane, Yerington, NV (APN: 014-281-16) PLZ-2023-070, based on the findings listed in the staff report and subject to the following condition of approval.

1. The requested street name, Buckaroo Lane, is approved unless it is determined that there is a duplicate street name or that a name that would create a public safety hazard due to another similar existing street name(s). Should the requested street name be denied, the Planning Director is

authorized to administratively process a request for a replacement street name, obtain review and comment from the fire district with jurisdiction, Road Department and any other appropriate agency, and approve a revised street name without the requirement of a public hearing before the Planning Commission and Board of County Commissioners.

Commissioner Carlson seconded and the motion passed by unanimous vote (7 Ayes; 0 Nay: 0 Abstentions)

8.b. For Possible Action: CONTINUED FROM SEPTEMBER 12, 2023- To forward a recommendation to the Board of Commissioners for a Conditional Use Permit request from NV Energy to construct and operate a Power Substation and Power Transmission Lines, 60kV or greater on portions of three parcels totaling 343.1 acres; located approximately 2,600 feet to the east of the intersection of US Route 95 and Sierra Way, in the HI-R (Heavy Industrial - Rural) and LI-R (Light Industrial - Rural) zoning districts in Mason Valley (APNs: 014-091-09, -10, -11) PLZ-2023-052.

Community Development Director, Louis Cariola, presented the staff report. The applicant is requesting a Conditional Use Permit (CUP) to allow the construction, operation, and maintenance of a *Power Substation* and *Power Transmission Line, 60kV or greater* on a 343.1 acre portion of three parcels. In submitting this CUP Application, NV Energy is seeking approval for the following facilities, along with associated distribution lines, system communications, access roads, pull sites, and a materials yard:

- 500/345/230/120-kV Walker River Substation. Construction is scheduled to start in February 2024.
- 525-kV Esmeralda-Walker River Transmission Line. Construction is scheduled to start in October 2025.

These facilities would be a part of NV Energy's Greenlink West Transmission Project, a system of new 120-kilovolt (kV), 230-kV, 345-kV, and 525-kV electric facilities between Las Vegas and Reno, Nevada. The subject parcels have a Master Plan designation of Industrial and are zoned HI-R (Heavy Industrial - Rural) and LI-R (Light Industrial - Rural). Power substations and Power transmission lines, 60kV or greater may be allowed in the HI-R and LI-R zoning districts, subject to the approval of a Conditional Use Permit. The applicant's request is in conformance with the goals and policies of the Master Plan. Staff recommended approval.

Charles Hutchinson, NV Energy representative, summarized the overall project and how the Conditional Use Permit being applied for ties in. The proposed project is intended to:

- Increase Northern Nevada's transmission import capacity to meet native electric demand and FERC request for service.
- Improve Nevada's overall system reliability by providing a second critical statewide transmission connection.
- Comply with Nevada State Bill 448, which requires NV Energy to plan for, construct and energize the Greenlink high-voltage transmission project by December 31, 2028.
- Achieve the State of Nevada's GHG Emission Standards of an 80% reduction in carbon dioxide emissions by 2023.
- Achieve the State of Nevada's RPS of 50% by 2030 and 100% by 2050.
- Facilitate access to federally designated renewable energy zones and associated solar energy developments.

Mr. Hutchinson explained the temporary facilities and permanent facilities:

Temporary Facilities:

- Transmission structure work areas
- Guard structure work areas for wire-stringing during construction
- Pulling and tensioning sites for the 525 kV transmission line
- Access roads for construction activities
- Materials yard for equipment delivery and storage

Permanent Facilities:

- Esmeralda-Fort Churchill 525 kV transmission Line
- Fort Churchill 500/345/230/120 kV substation
- Microwave radio facilities
- Optical amplifier facilities
- Access roads for operation and maintenance

Public Comment- There was none

Commissioner Sell motioned to forward a recommendation of approval to the Board of Commissioners for the request for a Conditional Use Permit request from NV Energy to construct and operate a Power Substation and Power Transmission Lines, 60kV or greater on portions of three parcels totaling 343.1 acres, located approximately 2,600 feet to the east of the intersection of US Route 95 and Sierra Way, in the HI-R (Heavy Industrial - Rural) and LI-R (Light Industrial - Rural) zoning districts in Mason Valley (APNs: 014-091-09, -10, -11) PLZ-2023-052, based on the findings listed in the staff report and subject to the following 12 conditions of approval:

1. No change in the terms and conditions of the Conditional Use Permit (CUP), as approved, shall be undertaken without first submitting the changes to Lyon County Community Development and having them modified in conformance with Lyon County Code.

2. The applicant shall comply with all applicable Fire, building, zoning and improvement code requirements and obtain any necessary public inspections.

3. All construction documents and separate applications must be submitted to the Mason Valley Fire Protection District (MVFPD) and the Lyon County Building Department for review and approval to obtain a Building Permit.

   a. Fire plan review by MVFPD is required.

   b. An encroachment permit from the Lyon County Road Department (LCRD) is required for work in the public right of way.

4. All contractors doing any construction, modifications, or remodels must be licensed in Lyon County and the State of Nevada.

5. Water use and the disposal of wastewater and solid waste shall be managed per local, state, and federal regulations.

6. Exterior lighting shall be downward facing and shielded such that light is not shed onto adjacent properties and public rights-of-way.

7. Off-street parking for the construction, operation, and maintenance of all proposed uses and facilities, shall be provided on-site and in accordance with Lyon County Code 15.401.03 Off-Street Parking Requirements.

8. A portion of the subject property, specifically the southeastern half of APN: 014-091-11, is located within Flood Zone A. Prior to any development on APN: 014-091-11, as defined in Lyon County code section 15.02.01, the applicant shall secure approval of a flood plain development permit through the County Engineer and/or the Floodplain Administrator.

9. Prior to operation, the Applicant shall ensure the satisfactory completion of all required access, driveway and parking improvements to County and International Fire Code standards, as required by the Lyon County Planning Department, the Lyon County Road Department, and the Mason Valley Fire Protection District.

   a. The Applicant shall enter into a road maintenance and traffic management agreement with the County for the maintenance and dust control of rights-of-way in front of the subject parcels and to ensure satisfactory traffic flow during the construction period of the project. Once the construction of the project is completed and the amount of traffic generated by the project is minimal, the road maintenance and traffic management agreement may expire.

10. Construction, operation, and maintenance of the proposed 525-kV transmission line and Walker River Substation shall meet or exceed National Electrical Safety Code (NESC) requirements.

11. The applicant shall comply with Lyon County's 2018 revised drainage guidelines to the satisfaction of the County Engineer prior to occupancy.

12. The substantial failure to comply with the conditions imposed on the issuance of this conditional use permit or the operation of the conditional use in a manner that endangers the health, safety or welfare of Lyon County or its residents or the violation of ordinances, regulations or laws in the conditional use may result in the institution of revocation proceedings. Failure to initiate the conditional use permit within one (1) year from the date of approval or to complete all work within two (2) years from the date of approval will result in the expiration of the conditional use permit approval.

Commissioner Ewing seconded and the motion passed by unanimous vote (7 Ayes; 0 Nay; 0 Abstentions)

8.c. **For Possible Action:** To forward a recommendation to the Board of Commissioners for a Master Plan Amendment request from Michael A. and Claudia C. Casey to amend the Master Plan designation from Mixed-Use to Suburban Residential for 17 parcels totaling 10.35-acres generally located on the west side of US 95A between Idaho Avenue and Spruce Avenue in Silver Springs (APNs 018-415-16, -17, -18, -19, -20; 018-415-24, -25, -26, -27, -28, -29, -30, -31, -32, -33, -34, -35) PLZ-2023-055.

Senior Planner, Lisa Nash, presented the staff report. The Applicant requests a Master Plan Amendment to change the designation from Mixed-Use to Suburban Residential on 17 parcels totaling 10.35 acres in Silver Springs. The stated future intent of the proposed Master Plan Amendment and the subsequent Zoning Map Amendment is to facilitate the subdivision of the parcel into 16 parcels of a minimum one-half acres in size for suburban residential use. Should the Master Plan Amendment be approved, the proposed zoning request is to rezone the parcels from the Title 10 zoning district of C-1 (Limited Commercial – Title 10) and C-2 (General Commercial – Title 10) to the Title 15 districts of SR-1/2 (Suburban Residential – 1/2 acre Minimum). The rezoning application is addressed in a separate staff report (PLZ-2023-056). The proposed Master Plan Amendment would facilitate the

development of the subject property in a manner consistent with the Master Plan and existing suburban residential and commercial activities. The proposed amendment does meet goals of the Master Plan. Staff is recommending approval.

Commissioner Sell asked if the future homes will be accessed off of Hwy 50. Mrs. Nash replied all future development will be accessed from Elm St. The applicant has agreed to construct a concrete wall along the Highway frontage for safety and noise reduction.

Applicant's representative, Kim McQueary, said the applicant would like to use an alternative material for construction of the wall. The proposed material is eco-friendly, fade resistant, wind resistant, and impact resistant and blocks 90% of noise. He presented the Commission with pictures and examples of other sites that have use this type of construction.

Public Comment- There was none

Commissioner Ewing motioned to forward a recommendation of approval to the Board of Commissioners for the request for a Master Plan Amendment request from Michael A. and Claudia C. Casey to amend the Master Plan designation from Mixed-Use to Suburban Residential for 17 parcels totaling 10.35-acres generally located on the west side of US 95A between Idaho Avenue and Spruce Avenue in Silver Springs (APNs 018-415-16, -17, -18, -19, -20; 018-415-24, -25, -26, -27, -28, -29, -30, -31, -32, -33, -34, -35) PLZ-2023-055 based on the findings listed in the staff report.

A. The applicant has demonstrated that the amendment is in substantial compliance with and promotes the master plan goals, objectives and actions;

B. The proposed amendment is compatible with the existing or master planned adjacent land uses, and reflects a logical change in land uses;

C. The proposed amendment has demonstrated and responds to changed conditions or further studies that have occurred since the master plan was adopted by the Board, and the requested amendment represents a more desirable utilization of land;

D. The proposed amendment will not adversely affect the implementation of the master plan goals, objectives and actions, and will not adversely impact the public health, safety or welfare; and

E. The proposed amendment will promote the desired pattern for the orderly physical growth of the County, allows infrastructure to be extended in efficient increments and patterns, maintains relatively compact development patterns, and guides development of the County based on the consideration of natural resources, the physical geography and the efficient expenditure of funds for public services.

Commissioner Sell seconded and the motion passed my unanimous vote (7 Ayes; 0 Nay; 0 Abstentions)

9.d. For Possible Action: To forward a recommendation to the Board of Commissioners for a Zoning Map Amendment request from Michael A. and Claudia C. Casey to amend the Zoning Map designation from the Title 10 districts of C-1 (Limited Commercial – Title 10) and C-2 (General Commercial – Title 10) to the Title 15 district of SR-1/2 (Suburban Residential – 1/2 acre minimum) for 10 parcels totaling 7.38-acres with parcels generally located on the west side of US 95A between Idaho Avenue and Spruce Avenue in Silver Springs (APNs 018-415-16, -17, -18, -19, -20; 018-415-24, -25, -26, -27, -28) PLZ-2023-56.

Senior Planner, Lisa Nash, presented the staff report. The Applicant requests a Zoning Map Amendment to change the designation from Neighborhood Commercial (NC) and Community

Commercial (CC) zoning to Suburban Residential – 1/2 acre minimum (SR-1/2) on 10 parcels with a total of 7.38 acres in Silver Springs. The stated future intent of the proposed Zoning Map Amendment, and the predecessor Master Plan Amendment that would go before it to allow for the rezoning, is to change the 10 parcels from commercial zoning to residential zoning for future rural residential use. The remaining 7 lots out of the total 17 that are being requested to change from Mixed-Use to Suburban Residential in the predecessor Master Plan Amendment will be addressed following this Zoning Map Amendment. The applicant proposes to adjust property lines and reduce the remaining 7 lots to 6 lots in order to meet with ½ acre zoning. They will plan to come before the Board for a final Zoning Map Amendment.

The proposed zoning request, should the Master Plan Amendment be approved, is to rezone the parcels from the Title 10 zoning district of C-1 (Limited Commercial – Title 10) and C-2 (General Commercial – Title 10) to the Title 15 district of SR-1/2 (Suburban Residential – 1/2 acre Minimum). The zoning amendment would be consistent with the new Suburban Residential Master Plan designation.
Staff is recommending approval.

Brian Newman, the applicant's representative, explained if both the Master Plan Amendment and Zoning Map amendment are approved the existing seven (7) parcels will go through the boundary line adjustment process to create five (5) half acre parcels for residential development. The parcels will be served by municipal water and sewer service and do not create any additional impact to the surrounding parcels. The proposed single-family residences will be placed closer to Elm Street and a minimum of 100 feet from the Highway.

Commissioner Kuzmicki asked if the proposed wall would run parallel to the Highway. Mr. Newman responded that was correct.

Public Comment- There was none

Commissioner Sell motioned to forward a recommendation of approval to the Board of Commissioners for the request for a Zoning Map Amendment request from Michael A. and Claudia C. Casey to amend the Zoning Map designation from the Title 10 districts of C-1 (Limited Commercial – Title 10) and C-2 (General Commercial – Title 10) to the Title 15 district of SR-1/2 (Suburban Residential – 1/2 acre minimum) for 10 parcels totaling 7.38-acres with parcels generally located on the west side of US 95A between Idaho Avenue and Spruce Avenue in Silver Springs (APNs 018-415-16, -17, -18, -19, -20; 018-415-24, -25, -26, -27, -28) PLZ-2023-56, based on the findings listed in the staff report.

A. The proposed amendment is consistent with the policies embodied in the adopted master plan and the underlying land use designation contained in the land use plan;

B. The proposed amendment will not be inconsistent with the adequate public facilities policies contained in this title; and

C. The proposed amendment is compatible with the actual or master planned adjacent uses.

Commissioner Ceresola seconded and the motion passed by unanimous vote (7 Ayes; 0 Nay; 0 Abstentions)

8.e. For Possible Action: CONTINUED FROM OCTOBER 10, 2023 - To approve a Tentative Parcel Map request from Dayton Partners No. 1 LLC to divide a 173.16-acre parcel into four (4) parcels, the smallest being 15.97 acres, located on the south side of Dayton Valley Road, approximately 400 feet to the east of the intersection of Dayton Valley Road and Palmer Drive in Dayton (APN: 016-361-71) PLZ-2023-054.

Community Development Director, Louis Cariola informed the Commission the applicant requested the item be pulled until it can be brought forward with a Planned United Development application (PUD).

Public Comment- There was none

Commissioner Jones motioned to approve the applicants request to table the item until which time it can be heard with the Planned Unit Development Application (PUD).

Commissioner Ewing seconded; the motion passed by unanimous vote (7 Ayes; 0 Nay; 0 Abstentions)

8.f. For Possible Action: To forward a recommendation to the Board of Commissioners for a Conditional Use Permit request from Steven Cruz to allow a new, modular scale house building, electric weigh scales and portable restrooms at an existing aggregate pit operation on an approximately 137.35-acre site comprised of two parcels located approximately 5,700 feet to the northwest of the intersection of Enterprise Way and E. Highway 50, at 3750 E. Highway 50 in Dayton (APNs 016-401-74, 75) PLZ-2023-068.

Senior Planner, Lisa Nash, presented the staff report. The applicant is requesting a Conditional Use Permit (CUP) to allow the construction and operation of a new modular scale house building, electric weigh scales and portable restrooms at an existing aggregate pit operation in Dayton. Equipment that would be used in the proposed operations would include excavators, wheel loaders, crushers, water trucks, and other specialty equipment. Commercial sale of aggregate will expand and no expansion of the existing aggregate pit is proposed. The proposed weigh station will sit on approximately 50 acres of the 130.9 available acres (APN 016-401-75). The remainder of the 131-acre site will be available for mining purposes. Access to the site is across existing access easements or property owned by applicant. Two employees are expected to operate the site. Security at the site will include locked and secured gate-access at the site's single established entrance. A fence presently surrounds the operational pit area to deter public access. Code minimum site lighting standards will be satisfied for the scales and scale house operations. The hours of operation will be from 7 AM to 3 PM, Monday through Friday, totaling 8 hours of operation per day on weekdays. The average number of trucks per day is expected to increase from 21 trucks per day to 40 trucks per day, with a conservative estimate of 5 trucks entering and existing the site during the peak hour of operation (1 truck per 12 minutes). Applying the peak hour trips over the 8 hour day, the estimated number of commercial trips per day is 80. The applicant's request is in conformance with the goals and policies of the Master Plan and an allowable use in the Zoning district. Staff is recommending approval.
There were questions from the commissioners regarding the increase in truck traffic; if there will be bathrooms available for public use; dust; access to the site; and special flood zone designation requirements. It was noted google has the access road to the site named as Enterprise; however, it is an unnamed, unmaintained road.

Justin Sand with Lumos and Associates, responded to the Commissioner's concerns. He stated there is already a water truck on site that waters down the site daily, the restrooms will be available for public use, there are currently Sani huts on site. As far as traffic, there will be a small increase in traffic which won't trigger the need for a traffic study from NDOT. When the application was submitted for review, NDOT had no comment or concerns. Property owner, Steven Cruz, spoke about the current use on the property. Since he took ownership he has done a lot of cleanup on the property. They are in compliance with all MSHAW and OSHA and NDEP and County standards.

Public Comment- There was none

Commissioner Sell motioned to forward a recommendation of approval to the Board of Commissioners for the request for a Conditional Use Permit from Steven Cruz to allow a new modular scale house

building, electric weigh scales, and portable restrooms at an existing aggregate pit operation on an approximately 137.35-acre site located at 3750 E. Highway 50 in Dayton (APNs 016-401-74, 75) PLZ-2023-068, based on the findings listed in the staff report and subject to the following 16 conditions of approval:

1. No change in the terms and conditions of the Conditional Use Permit (CUP), as approved, shall be undertaken without first submitting the changes to Lyon County Community Development and having them modified in conformance with Lyon County Code.

2. The applicant shall comply with all applicable fire, building, zoning and improvement code requirements and obtain any necessary public inspections.

3. The applicant shall acquire all Lyon County, state and federal permits necessary for the operation of the aggregate pit and its accessory uses as well as obtain all of the necessary public inspections.

4. Prior to any development activity, as defined in Lyon County code section 15.02.01, occurring on the property that is located within an AO flood zone, the applicant shall secure approval of a flood plain development permit through the County Engineer.

5. The applicant shall meet all traffic control requirements placed on the business enterprise by the Nevada Department of Transportation, the County Engineer, the Lyon County Road Manager, special purpose districts and any other jurisdictions with approval authority.

6. All contractors doing any construction, modifications, or remodels must be licensed in Lyon County and the State of Nevada.

7. All construction documents and separate applications must be submitted to the Central Lyon County Fire Protection District and the Lyon County Building Department for review and approval to obtain a Building Permit.

8. The applicant shall comply with Central Lyon County Fire Protection District requirements.

   a. A fire plan subject to review and approval of Central Lyon County Fire Protection District is required prior to the start of operation of the proposed asphalt batch plant.

   b. The site's access and circulation in and around any structures, storage areas, and parking areas shall comply with the County and Central Lyon County Fire Protection District access and turning radius standards.

9. The existing access road to the subject parcel along Enterprise Way shall be re-aligned to be within the existing access easement and paved to accommodate the anticipated traffic loads that will be generated by the proposed operations.

10. This project is within the water service boundaries of the Lyon County Utilities Department (LCUD). The applicant is required to submit an application to the Utilities Department, and is subject to the following Conditions.

   a. LCUD will require the applicant to provide an engineered solution for permanent water delivery to this property. The current method of drawing water out of a fire hydrant and storing in a stand tank is not an acceptable method.

   b. This property has a 12" water main on APN 016-401-75.

   c. No LCUD sewer in this area.

   d. Any proposed connection to the existing LCUD water system will require a permit submission and approval prior to construction.

e. All connections to the LCUD water infrastructure will require an approved backflow preventer.

f. Any connection to the existing water main will require a submittal and approval to Nevada Division of Environmental Protection Bureau of Safe Drinking Water (NDEP BSDW), NDEP BSDW requires an NAC letter from the utility, this letter is generated by our County Engineer's office (DOWL). DOWL will need the project information including plans, fire flow requirements and domestic and irrigation fixture unit calculations. Please be aware the NAC letter may take 3-4 weeks to receive, then the applicant can submit to NDEP BSDW which can also take an additional 3-4 weeks of review and approval. I recommend contacting Sean Sinclair with LCUD directly to discuss if this project will be connected to the existing LCUD water system to help navigate the NAC letter and NDEP BSDW submittal process.

g. Water Rights will be required for any industrial and irrigation use.

h. Water Connection fees will be required for any industrial and irrigation needs.

11. The proposed use shall comply with all of the performance requirements for industrial uses provided in Lyon County code section 15.337.03, including but not limited to all requirements pertaining to lighting, noise, odor, dust, dirt, and smoke. Should the proposed use fail to comply with the Lyon County Code, the Conditional Use Permit may be revoked.

12. A sign with contact information and phone number for the site operator shall be posted at the front gate, visible from the public right of way.

13. The hours of operation of the weigh scale shall be limited to 7:00 AM – 5:00 PM Monday through Friday.

14. The applicant shall maintain a Lyon County business license for the use while occupying the site.

15. The applicant shall comply with Lyon County's 2018 revised drainage guidelines to the satisfaction of the County Engineer prior to occupancy.

16. The substantial failure to comply with the conditions imposed on the issuance of this conditional use permit or the operation of the conditional use in a manner that endangers the health, safety or welfare of Lyon County or its residents or the violation of ordinances, regulations or laws in the conditional use may result in the institution of revocation proceedings. **Failure to initiate the conditional use permit within one (1) year from the date of approval or to complete all project installation work related to the conditional use permit within two (2) years from the date of approval will result in the expiration of the conditional use permit approval.**

Commissioner Ceresola seconded, the motion passed by majority vote (5 Ayes, Commissioners Sell, Ceresola, Jones, Kuzmicki and Allan; 2 Nay, Commissioners Ewing and Carlson; 0 Abstentions).

8.g. For Possible Action: To forward a recommendation to the Board of Commissioners for the request of an ordinance amending Lyon County Code Title 15- Land Use and Development Code related to Accessory Dwelling Units; Chapter 15.335.03.A, and other matters properly related thereto.

Community Development Director, Louis Cariola, explained during the 2021 regular State Legislative session, the Legislature approved and the Governor signed, Senate Bill 150 which requires local governing bodies within the state's cities and counties to include regulations to allow "tiny houses" to be used as single family dwelling units in specific instances.

Section 1 of Senate Bill 150 requires the governing bodies of a county whose population is under 100,000 to designate:

1. At least one (1) zoning district in which a tiny house may be located and classified as an accessory dwelling unit;
2. At least one (1) zoning district in which a Tiny House may be located and classified as a single family residence; or
3. At least one (1) zoning district in which a Tiny House may be located in a tiny house park.

At the January 20, 2022 Board of Commissioners meeting, Community Development staff made a presentation regarding the types of, and regulations regarding, "tiny houses". The Board's stated preference was in accordance with option one (1) above, to designate "at least one (1) zoning district in which a tiny house may be located and classified as an accessory dwelling unit". The proposed ordinance would allow Tiny Homes to be used as accessory dwellings.

The Commission had questions regarding the use of Tiny Homes for hardship cases, the standard for water and sewer and how water usage is monitored if property is served by a well.

Community Development Director, Louis Cariola responded that Tiny Homes will not be allowed to be used in hardship cases due to hardships being a temporary use. Tiny Homes must be on a permanent foundation, no more than 400 sq. ft. and must include a living room, bathroom and kitchen. Septic size is based on the number of bedrooms so if an applicant is utilizing an existing septic it must be large enough to accommodate the extra bedroom/bedrooms. If the property is served by a well, the owner must apply to the state (Division of Water Resources) to see if the well will need to be metered. If the property is served by municipal water and sewer the property owner will be required to connect to services.

Public Comment-

Darilyn Kotzenberg asked if the sq. ft. for a primary residence is still 1200 and if a Tiny Home can be utilized for a primary dwelling or only as an accessory dwelling. Mr. Cariola responded at this time the minimum sq. ft. for a stick built primary residence is 600 sq. ft. and 1,200 sq. ft. for a manufactured home and Tiny Homes are being proposed as accessory dwellings only.

Commissioner Ceresola motioned to forward a recommendation to propose the Zoning Text Amendments to amend Lyon County Code Title 15 – Land Development Code; Chapter 335.03.3.A.1; to introduce allowances for Tiny Houses to be used as accessory dwelling units; and other matters properly related thereto, as described in the attached draft Ordinance.

Commissioner Sell seconded, the motion passed by unanimous vote (7 Ayes; 0 Nay; 0 Abstentions).

RECESS TO CONVENE AS THE LYON COUNTY PUBLIC LANDS MANAGEMENT ADVISORY BOARD

9. Public Participation- None

10. Action Items- None

11. Board Member Comments- None

12. Future Agenda Items- None

13. Public Comment- None

ADJOURN TO RECONVENE AS THE LYON COUNTY PLANNING COMMISSION

14. Staff update on recent County Commissioner actions

14.a. Community Development Director, Louis Cariola, updated the Planning Commission on the

Board's actions at their November 2, 2023 meeting.

The Housing Ordinance that came before the Planning Commission in October amending Title 15; Land Use and Development Code; residential building standards, was continued with no time specified.

Mr. Cariola thanked Community Development staff for taking on extra tasks, the department is still short staffed and is looking for a Senior Planner.

15. Public Participation- There was none

16. Adjournment

At approximately 11:36 a.m. it was unanimously motioned to adjourn.

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Audrey Allan, Chairwoman

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Shannon Juntunen, Administrative Assistant