LYON COUNTY PLANNING COMMISSION MEETING MINUTES

September 10, 2024

The September 10, 2024 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**: Community Development Director, Gavin Henderson; District Attorney, Steve Rye; Senior Planners, Louis Cariola and Lisa Nash; Planning Technician, Shannon Juntunen; and Administrative Assistant, Brandi Lathrop were present.

1. **Roll Call:** Members present: Commissioners Audrey Allan, Loretta Sell, Ralph Ewing, Shannon Ceresola, Connie Kuzmicki and Mark Jones attended in chambers. Michael Carlson present via zoom. A quorum was noted.
2. **Pledge of Allegiance**
3. **Public Participation**

Ron McKay gave comments regarding the history of Hermann Ranch in Dayton Valley and the golf course. His concern is of the development in the area.

Sandra Mass gave her concern of the DVCA in Dayton Valley and the plan with future growth within the golf course. She is in support of development.

4. **Review and Adoption of the Agenda**

Commissioner Ewing motioned to adopt the agenda as presented.

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

There was no public comment.

5. **Advisory Board Reports –** None
6. **For Possible Action: Approval of Minutes**
   6.a. For Possible Action: To approve the minutes from the August 13, 2024 meeting.

Commissioner Sell motioned to approve the minutes from the August 13, 2024 meeting.

Commissioner Ceresola seconded and the motion passed by majority vote (5 Ayes, 0 Nay, 2 Abstentions- Commissioners Carlson and Jones).

7. **Public Hearing Items**

   7.a. For Possible Action: To approve a Tentative Parcel Map to subdivide an approximately 173.16-acre lot to create four new parcels, generally 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.

Senior Planner, Lisa Nash, presented the staff report. The applicant requested a Tentative Parcel Map (TPM) to subdivide an approximately 173.16-acre lot to create four new parcels:

- Proposed Parcel 1 (33.93 acres)
- Proposed Parcel 2 (19.90 acres)
- Proposed Parcel 3 (15.97 acres)
- Proposed Parcel 4 (103.36 acres)

Staff recommended approval of the tentative parcel map based on the Findings listed in the staff report and subject to the recommended Conditions of Approval. Page 7 had a typo and she corrected the backup and provided copies for the meeting. This is approved by the Planning Commission and will not be forwarded for a recommendation to the Board of Commissioners.

> *The applicant proposes the subdivision of an approximately ~~40.82 acre to create two (2) new 20.4 acre~~ 173.16- acre lot to create four new parcels (see Proposed Tentative Parcel Map, below and attached to this report).*

Karen Downs, Manhard Consulting, Ltd., gave a presentation of request and configuration of parcels. In the future there will be a PUD Amendment application. At the Dayton Regional Advisory Board meeting there was a vote of support for this item.

The Commissioners and staff discussed traffic at the intersection of Highway 50 and Dayton Valley Road, second bridge access to the area and stormwater drainage. In the future, additional traffic studies (or updates to existing studies) will be required as plans for development proceed which could increase traffic. Before the possibility of the second bridge being built, additional studies will need to be completed and this will take coordination and time to develop. With the splitting of these parcels, the traffic and second bridge issues wouldn't be affected as this parcel split is the first step in the process and does not grant any right to develop yet. Because of regional flooding issues that will require regional stormwater detention and conveyance solutions, the developer shall comply with Lyon County's Storm Drainage Guidelines and provide drainage as outlined in the Dayton Area Drainage Master Plan.

Public Comment:

Jeanette Peck stated her concern with application and condition #12 and with access to utilities.

Commissioner Sell motioned to **approve** a Tentative Parcel Map to subdivide an approximately 173.16-acre lot to create four new parcels, generally 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, subject to the following Conditions of Approval:

1. The developer shall comply with all Federal, State, County and special purpose district regulations.
2. Future development on the parcel is subject to the development standards of the Lakes at Dayton Valley Planned Unit Development Handbook, as currently drafted or as amended, unless specifically authorized by the Community Development Director.
3. The developer shall comply with Lyon County's Storm Drainage Guidelines (revised September 2018), or the updated document if/when the Guidelines are amended. Additional requirements for storm water management will be placed upon future development in accordance with the Lakes at Dayton Valley Planned Unit Development Handbook, the South Dayton Area Drainage Master Plan (approved June 29, 2022 by the Board of Commissioners) and/or the direction of the Community Development Director and the/ County Engineer.
4. Any future development will require connection to the public right-of-way and an encroachment permit from the Lyon County Roads Department will be required.
5. The developer shall make corrections of any engineering or drafting errors and other technical map corrections to the satisfaction of the County Engineer and Planning Director prior to submitting the final parcel map for recordation.
6. The developer shall pay the actual costs for the County Engineer plan and map checking fees and County Inspector site improvement inspection fees, in accordance with the adopted County fee

resolution in effect at the time, and provide proof of payment to the Planning Department prior to final parcel map recordation.

7. The developer shall pay in full all property taxes through the end of the fiscal year (June 30) prior to recordation of the final parcel map.
8. The developer shall provide the parcel map to the Lyon County GIS Coordinator in form and format compatible with the County geographical information system (GIS). The scale of the site plan, improvements, monuments and other items shall be in model space correctly oriented to coordinate system as established by the GIS Coordinator. Cover sheet and standard details need not be included.
9. The developer shall pay the required recording fees at time of final parcel map recordation.
10. No lot shall be offered for sale or sold and no building permits shall be accepted for processing until the final parcel map has been approved and recorded.
11. The developer shall comply with the requirements of the Central Lyon Fire Protection District (CLFPD) including, but not limited to conformance with the 2018 editions of the International Fire Code (IFC) and International Wildland-Urban Interface Code (IWUIC) including the 2018 Northern Nevada Amendments to both the IFC and IWUIC as applicable to the satisfaction of the CLFPD.
12. Per Lyon County Utilities Department (LCUD), the subject parcel is located within LCUD's water service area and LCUD does not require a dedication or relinquishment of water rights. Once the parcel map is created, as part of the final subdivision map application process, the applicant will be required to provide the appropriate water rights. Per LCUD, the subject parcel has no water rights assigned to it.
13. The final parcel map will comply with the current Lyon County standards requiring a 7.5-foot public utility easement along the front property lines and 5-foot public utility easement along all side property lines for the proposed parcels prior to recordation.
14. The following items are required of all development:
    a. All construction shall comply with all applicable building and fire code requirements.
    b. Building permits shall be issued in compliance with Title 15 of the Lyon County Code
    c. Site development work will require a site improvement permit(s) in accordance with Title 15.234 unless directly associated with a single family residential building permit.
    d. Structures placed on these parcels shall adhere to the County's site and setback standards for the zoning district as it applies to each parcel at the time of development.
    e. Distinct and legible "temporary" addresses are required of any structures under construction until such time as permanent address numbers are installed and posted.
    f. All debris on construction sites must be contained and removed periodically as required for safety and cleanliness to the satisfaction of the Lyon County Building Department.
    g. Prior to any combustible materials being brought on site, street name signage shall be installed, if applicable, and emergency vehicle access has been installed to the satisfaction of the Central Lyon Fire Protection District.
15. Any further division may be subject to the imposition of subdivision improvement standards as may be legally imposed at the time. The developer shall place a note to this effect on the final parcel map prior to recordation.
16. Approval of the tentative parcel map shall not constitute acceptance of the final parcel map. Failure to submit a complete final parcel map and pay the required fees within one (1) year from the date of approval shall render the tentative parcel map approval as expired. No extension may be granted after receiving approval of the tentative parcel map.

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

7.b. For Possible Action: To forward a recommendation to the Board of Commissioners for the request for a Zoning Map Amendment from Lucas Homes & Development, LLC, to amend the Zoning Map designation from Fifth Rural Residential District- 20 acre minimum (Title 10) to Community Commercial (CC) in conformance with the Sage Vista Specific Plan on 5.9 acres of an approximately 317-acre parcel, generally located north of US Highway 50 and east of Bryce Street in Mark Twain (APN 016-021-30) PLZ-2024-031.

Senior Planner Louis Cariola presented the applicants request for a Zoning Map Amendment to change the designation from Fifth Rural Residential District-20 acre minimum (Title 10) to Community Commercial (CC) in conformance with the Sage Vista Specific Plan designation of Commercial on 5.9 acres of an approximately 317-acre parcel. Staff recommended that the Planning Commission forward a recommendation of approval of the Zoning Map Amendment request based on the Findings as listed in the staff report as the request would be in general conformance with the 2020 Comprehensive Master Plan designation for the property. A Zoning Map Amendment request cannot be conditioned. This is not within the Lyon County utility Department service Boundaries, and future development will have to work with Lyon County Utilities Department.

Applicant's representative Derek Kirkland, Sage Vista Commercial, gave a report of the hopeful use of the commercial use in the residential area.

Staff and Commissioners discussed the requested zoning designation and the effect of the boundary line adjustment, there is a condition to address the boundary line adjustment, and they reviewed the map the adjustment to be extended east into the parcel.

Public Comment- None

Commissioner Ewing motioned for a **recommendation of approval** for a Zoning Map Amendment from Lucas Homes & Development, LLC, to amend the Zoning Map designation from Fifth Rural Residential District- 20 acre minimum (Title 10) to Community Commercial (CC) in conformance with the Sage Vista Specific Plan on 5.9 acres of an approximately 317-acre parcel, generally located north of US Highway 50 and east of Bryce Street in Mark Twain (APN 016-021-30) PLZ-2024-031, based on the findings:

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 Jones seconded and the motion passed by **unanimous** vote (7 Ayes; 0 Nay; 0 Abstentions).

7.c. For Possible Action: To forward a recommendation to the Board of Commissioners for a request for a Conditional Use Permit from Refuse Incorporated (Waste Management) to construct and operate a Transfer Station on two adjacent parcels totaling 5.34 acres and subject to HI-S (Heavy Industrial - Suburban) zoning generally located south of Almond Drive and west of Orange Lane in Silver Springs (APNs 015-261-13 and 015-261-16) PLZ-2024-039.

Senior Planner Louis Cariola presented the applicants request for a Conditional Use Permit from Refuse Incorporated (Waste Management) to construct and operate a Transfer Station on two adjacent parcels totaling 5.34 acres and subject to HI-S (Heavy Industrial - Suburban) zoning. Waste Management is proposing to construct and operate a Transfer Station for receipt of solid waste, recyclable materials, and household hazardous waste in Silver Springs in accordance with the Franchise Agreement with Lyon County that became effective in July of 2023. Staff added a condition of approval for and Administrative Design Review to the Lyon County Planning Department of site design approval. He gave clarification of

amended conditions of 10, 11 and 12 with added definition and additional language to provide clarification to the applicant.

Applicant's representative KLS Planning & Design, John Krmpotic, stated the number of trips was given by the Road Department and they worked with the Planning Department to define the language in the conditions. He gave a presentation of the application site, proposed design, hours of operation, haul off, utilities, tipping floor, security and litter mitigation. He clarified the traffic estimate in the area was compared to the transfer station in Dayton.

Staff and Commissioners discussed the roads, dust maintenance, traffic report, and the condition can be amended to be brought to the Board of Commissioners if desired.

Public Comment

John Forrester gave his statement of support of Waste Management, and the road will need further grading and base prior to it being paved.

Commissioner Sell motioned for a **recommendation of approval** for a request for a Conditional Use Permit from Refuse Incorporated (Waste Management) to construct and operate a Transfer Station on two adjacent parcels totaling 5.34 acres and subject to HI-S (Heavy Industrial - Suburban) zoning generally located south of Almond Drive and west of Orange Lane in Silver Springs (APNs 015-261-13 and 015-261-16) PLZ-2024-039, subject to the following Conditions of Approval as amended:

1. The Transfer Station operation shall be operated in accordance with the application materials as submitted and reviewed for this Conditional Use Permit in addition to maintaining compliance with the Solid Waste Franchise Agreement between Waste Management and Lyon County approved by the County's Board of Commissioners on July 6, 2023. Any further expansion or change in use will require modification of this Conditional Use Permit through the applicable public hearings or may require a new Conditional Use Permit.

2. No change in the terms and conditions of the Conditional Use Permit, 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 and any necessary amendments to the Franchise Agreement.

3. The applicant must submit an Administrative Design Review to the Lyon County Planning Department in order to assess the site design for substantial compliance with the Performance Standards for a Transfer Station found in Lyon County Code section 15.335.03.QQQ in addition to any additional requirements of the Franchise Agreement. This is a staff-level review and it must be completed before issuance of Building Permits or Site Improvement Permits. A reversion to acreage to merge the two parcels must also be completed prior to issuance of a Certificate of Occupancy for new structures.

4. The applicant shall comply with all state, federal and local government regulations to the satisfaction of the appropriate agencies for the proposed use.

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

6. The applicant is required to submit for a separate and independent Fire Plan review by the Central Lyon County Fire Protection District (CLCFPD) and will be required to comply with the 2018 Northern Nevada Code Amendments package including 2018 IFC, 2018 IBC, 2018 IWUIC and all applicable NFPA standards. Applications can be found at www.centrallyonfire.org under the Construction drop down menu. Contact the CLCFPD Fire Prevention Division at (775)246 6209 for more information and direction if necessary.

7. The applicant must receive approval from the Nevada Division of Environmental Protection's (NDEP) Bureau of Water Pollution Control of a commercial onsite sewage disposal system and, at NDEP's discretion, stormwater management permits both during and after construction. Confirmation of NDEP's approvals shall be provided to Lyon County Community Development upon submittal for Building Permits and Site Improvement Permits.

8. The applicant must receive approval from the Nevada Division of Water Resources for a well to provide water to the site. Confirmation of the Division's approval shall be provided to Lyon County Community Development upon submittal for Building Permits and Site Improvement Permits.

9. All construction documents must be submitted to the Lyon County Building Department for review and approval in order to obtain a Building Permit or Site Improvement permit.

~~10. The Lyon County Roads Department will require that the driveway into the site match the road base requirements of the access onto Almond Drive and the connection to US Highway 50 along Orange Lane, which is currently 6 inches of 3/4 inch type two compacted road base. Traffic counts must be provided by Waste Management to the Roads Department upon request once the facility is operational in order to assess whether or not full paving of the entire access from the facility to US Highway 50 will be required.~~

~~11. Waste Management will be responsible for submitting, and executing, a dust palliative maintenance schedule for the entire connection from the site to US Highway 50 until a true vehicle trip count is assessed. The Lyon County Roads Department will approve the schedule and reserves the right to require more substantial paving if deemed necessary.~~

10. The Lyon County Roads Department requires that the driveway, and Almond Drive to the site, match the road base requirements of the connection to US Highway 50 along Orange Lane, which is currently 6 inches of 3/4 inch type two compacted road base.

11. Traffic counts must be provided by Waste Management to the County Roads Department annually (or upon request) once the facility is operational. When a trip total generation associated with the Transfer Station site reaches 200 (Average Daily Trips) ADT, full paving in accordance with the standards of the Lyon County Roads Department is required. Paving shall commence within 6 months of the 200 ADT threshold being met and shall be completed in a timely fashion. Limits of paving shall include the entire segment between the site and US Highway 50 (including Almond Drive and Orange Lane).

12. Waste Management will be responsible for submitting, and executing, a dust palliative maintenance for the entire connection from the site to US Highway 50 until a true vehicle trip count is assessed or paving is required because Almond Drive and Orange Lane are not County-maintained roadways. The Lyon County Roads Department will approve the schedule.

~~12.~~13. The applicant shall maintain a Lyon County business license for the use while occupying the site.

~~13.~~14. All contractors doing any construction, modifications, or remodel must be licensed in the State of Nevada.

~~14.~~15. The operations authorized per this Conditional Use Permit shall not exceed 65 dBA (A-weighted decibel) during daytime hours or 60 dBA during night time hours as averaged from a one-hour monitoring period. The Community Development Director may require a sound study to verify sound levels of the functioning operations. If a sound study determines that the use permitted per this Conditional Use Permit exceeds the limit allowed, the authorization may be rescinded at the discretion of the Director.

~~15.~~16. Exterior site and building lighting shall be installed as to eliminate any nuisance to adjoining properties. No unshaded light sources shall be permitted.

~~16.~~17. The applicant shall comply with the Lyon County drainage guidelines (current edition) to the satisfaction of the County Engineer within site improvement plans. The property owner shall be responsible for maintenance of all roads, walks, parking areas and drainage facilities within the parcel, as well as the storm water detention facilities for the use permitted in this Conditional Use Permit, if applicable, whether onsite or offsite.

~~17.~~18. 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 two (2) years from the date of approval will result in the expiration of the conditional use permit approval.**

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

8. Community Development Director Comments

8.a. For Discussion Only: Community Development Director comments and updates.

Community Development Director Gavin Henderson stated there are 4 Commissioners (Loretta Sell, Shannon Lee Ceresola, Constantine Kuzmicki and Michael Carlson) that have terms expiring this December. Staff is accepting applications for all interested applicants. He commented the Public Lands Management Advisory Board is in the process of a possible ordinance revision and may be removed from the Planning Commission and operate as a separate board, independent from the Planning Commission. Staff will bring this back as an item at a Board of County Commissioners meeting.

9. Commissioner Comments and Agenda Requests - None

10. Public Participation - None

11. Adjournment at 10:26 A.M.