

**LYON COUNTY PLANNING COMMISSION  
REGULAR AGENDA  
COMMISSIONERS' MEETING ROOM  
LYON COUNTY ADMINISTRATIVE COMPLEX  
27 SOUTH MAIN STREET  
YERINGTON, NEVADA**

**OCTOBER 10, 2006**

The Lyon County Planning Commission met this day with the following members present: Chuck Roberts, Paula Rosaschi, Ray Johnson, Ken Gardner Chuck Davies and Ray Fierro. Attending staff were Rob Loveberg, Planning Director, Kerry Page, Planning Assistant, Dick Faber, County Engineer and Gary Fried, Road Manager. There was no representative present of the Lyon County Commissioner's or from the District Attorney's office.

**REVIEW AND ADOPTION OF AGENDA**

There were no changes made to the agenda. Ken Gardner made a motion to adopt the agenda, as presented. Paula Rosaschi seconded and the motion passed unanimously.

**PUBLIC PARTICIPATION**

Ken Gardner thanked staff for their efforts. There was no other public participation.

**APPROVAL OF THE MINUTES**

Ken Gardner made a motion to **approve** the minutes from the September 12, 2006 Planning Commission meeting as presented. Paula Rosaschi seconded and the motion passed by majority vote. Ray Fierro abstained as he was absent from that meeting.

**MISCELLANEOUS CORRESPONDENCE**

There was no miscellaneous correspondence presented.

**REGULAR AGENDA**

**SPECIAL USE PERMIT REVOCATION RECOMMENDATIONS -**

Paula Rosaschi made a motion to **recommend revocation** of the following special use permits, listed on the regular agenda as items 1 through 7, 9 through 13 and 15, as a consent agenda item, for the reasons given, except for items 8 & 14 which were acted on separately. Ken Gardner seconded and the motion passed unanimously.

1. **HARRIS, GEORGE/ WALDIE, DAVID** - Special use permit issued May 2003 to allow 10 dogs on 4.83 acres; located at 4590 W. Quince Avenue, Silver Springs (APN 18-473-10) **Revoke at the applicant's request as the special use permit is no longer needed.**

2. **PIPER, RICHARD F. & DIANNIA** - Special use permit issued June 1992 for a mobile home for watchman's quarters on approximately .62 acres, located at 1195

Ranchito Drive, Silver Springs (APN 18-163-03) **Revoke at the applicant's request as the business and property has been sold.**

3. **REED, BERT & MARTHA** - Special use permit issued August 2001 to utilize an additional mobile home for a hardship case on approximately 4.77 acres; located at 1665 East 5<sup>th</sup> Street, Silver Springs (APN 17-281-06) **Revoke at the applicant's request as the mobile home has been removed from the property.**

4. **WATCHERS, ALBERT** - Special use permit issued May 1999 to utilize a mobile home for watchman's quarters on approximately 2.23 acres; located at 30 Kit Kat Drive, Mound House (APN 19-071-06) **Revoke as the property has been sold.**

5. **PARAGON ASSOCIATES, INC / V&T MANAGEMENT** - Special use permit issued April 2001 to operate an asphalt batch plant, concrete batch plant and an aggregate material storage facility on approximately 8.63 acres; located off of Thunder Road and Industrial Parkway, Mound House (APN 16-411-17) **Revoke at the applicant's request as the special use permit is no longer needed.**

6. **JONES, JIM P. & ALICE N.** - Special use permit issued July 2001 to utilize a mobile home for owner/watchman's quarters on approximately 1 acre; located at 62 Affonso Drive, Mound House (APN 16-194-01) **Revoke as the property has been sold and the business is closed.**

7. **CANYON CREEK CONST/ V&T MANAGEMENT, LLC** - Special use permit issued July 2004 to utilize a mobile home for watchman's quarters in conjunction with their asphalt, concrete batch plant, sand, and gravel pit on approximately 173 acres, located at 95 Industrial Parkway, Mound House (APN 16-411-06) **Revoke at the applicant's request as the special use permit is no longer needed.**

8. **DAYTON VALLEY ENTERPRISES** - Special use permit issued August 1993 to utilize a mobile home for temporary housing for ranch help on approximately 24.32 total acres; located at 11495 highway 50, stagecoach (APN 15-371-08) **Revoke as the property has been sold.**

9. **GABREE, LONA/DUPREE, CHARLES** - Special use permit issued July 2004 for residential industry to manufacture soaps and creams at a residence on approximately 4.25 acres; located at 7095 Iron Mountain Blvd, Stagecoach (APN 15-324-12) **Revoke as the business is closed.**

10. **PIERCE, MAXINE / MC LEOD, BILLIE L.** - Special use permit issued July 1997 to place an additional mobile home on the property for a hardship on approximately 2.15

acres; located at 861 Branstetter Avenue, Mark Twain (APN 19-287-07) **Revoke as the property has been sold.**

11. **EPPS, PAUL E.** - Special use permit issued May 1998 to operate existing mini storage units (Mark Twain Mini Storage) as well as future development on approximately 2.73 total acres; located at 4962 Highway 50 East, Mark Twain area (APN 16-041-07) **Revoke as the property has been sold.**

12. **MOREHOUSE, JAMES E. JR. TR.** - Special use permit issued July 2004 to operate existing mini-storage units (Mark Twain Storage) with the possibility of future development on approximately 2.73 acres; located at 4962 Highway 50 East, Mark Twain (APN 16-041-07) **Revoke as the property has been sold.**

13. **SIERRA SIGNATURE HOMES** - Special use permit issued July 2005 to allow a commercial coach to be used as a temporary sales office; located on lot 73 of Santa Maria Ranch, Dayton (APN 29-352-07) **Revoke for non-compliance.**

14. **SANTA LUCIA PARTNERS / WEAVER PROPERTIES, INC. / VERDUGO, JUAN** - Special use permit issued July 1997 to utilize a mobile home for ranch help on approximately 239.02 acres; located at 754 Highway 208, Mason Valley (APN 12-311-02) **Revoke as the property has been sold.**

15. **NEVADA CIRCUITS / KAZARIAN, SARKIS J. & KARIN J., LLC.** - Special use permit issued March 2005 to manufacture printed circuit boards on approximately 1.00 total acre; all located at 21 Cash Drive, Mound House (APN 16-185-14) **Revoke for non-compliance.**

16. **SELMA TREATING OF NEVADA, INC. / NEVADA WOOD PRESERVING – AMENDMENT OF APPROVAL CONDITION** – The applicants have filed to amend the original, special use permit condition approval #5, to change the fence height requirement from 8 feet to 7 feet, on approximately 84.91 total acres; located off of Toiyabe and Spruce Streets, Silver Springs (APN'S 18-430-01 through 12 and 18-430-15 through 18) (action will be taken) (AAC-02-06) Rob Loveberg, Planning Director, represented staff and explained why the original condition is being requested changed. A discussion followed regarding why the fence was originally approved at 8 feet in height, as well as the ownership of the surrounding property. Bob Growcock, with Selma Treating of Nevada Inc., addressed the Planning Commission, and answered questions regarding the request. Ray Johnson made a motion to **approve** the amendment of the original condition of approval #5, which will now read as follows: 5) a

security fence totaling 6 feet in height topped with barbed wire for a total height of approximately 7 feet. Ken Gardner seconded and the motion passed unanimously.

**17. TRADITIONS, VILLAGE ONE / LANDMARK COMMUNITIES – AMENDMENT OF**

**APPROVAL CONDITION** – The applicants have filed to amend the original, special use permit/Planned Unit Development and Tentative Subdivision map approval condition #17 for the Traditions, Village One development, to permit certain roads and carriage ways within the development to remain private, on approximately 934.06 total acres; located off of Highway 50, Dayton (APN'S 16-401-34, 16-402-13, 14, 17, 19, 21, 22, 24 & 25, 16-403-07, 09 -13) (action will be taken) (AAC-03-06) A letter dated October 9, 2006, from Lumos & Associates, which recommended specific wording for the amended approval condition, was read into the record. A comment letter from Mabel Masterman, a Dayton resident, was read into the record. A letter from the Dayton Regional Advisory Council was read into the record, which stated that they did not have a quorum at their meeting but they had some points of concern to consider. Rob Loveberg, Planning Director, represented staff and explained the applicant's request. Ray Fierro stated his concern with emergency vehicle access on roads that are below county specifications. Ken Gardner said that all roads, whether public or private, should be built to county standards. Mr. Loveberg responded that this amendment is nothing to do with width or standards, only ownership and maintenance responsibility. Susan Dorr, representing Landmark Communities for the applicant, said that this point was not outlined in the initial approval meeting and therefore they requested it brought forward now for clarification. The width and standards will not be any different from what was originally approved. Discussion followed regarding the code requirements for roadways. Ken Gardner made a motion to **approve** the amendment of the original condition of approval #17 for the Traditions Planned Unit Development and Tentative Map, which will now read as follows, and without forgiving the design standards previously approved: 17) that all interior roads within the project (Village One) meet or exceed Lyon County standards as far as design and build out, and that they will be maintained by Lyon County after approval by Lyon County except for those sections of interior roads and carriage drives specifically designated as private (to be maintained by the developer or the Homeowners Association as depicted by detailed plans approved by the Lyon County Road and Planning Departments and County Engineer. Appropriate utility and access easements shall be provided within the private areas and a note added to the final maps that private alley access easements shall not be blocked with fences or

structures. During construction of the private areas the developer shall provide testing and inspection services through an engineer / geotechnical firm and provide test and inspection results to the County as determined by the Lyon County Inspector and Lyon County Engineer. Construction must meet or exceed the recommendations in the approved studies and be build per the approved plans. Ray Johnson seconded and the motion passed unanimously.

**18. ROSENGREN, DIANE – SPECIAL USE PERMIT** – The applicant has filed for a special use permit to operate a breeder's kennel for up to 13 adult dogs on approximately 1.09 total acres; located at 7890 Santa Fe Trail, Stagecoach (APN 15-441-27) (action will be taken) (SUP-53-06) Rob Loveberg, Planning Director, represented staff and stated that the applicant may want to discuss the possibility of keeping up to 20 dogs and staff is concerned with keeping that many dogs on a 1 acre parcel, even though they are small dogs. A discussion followed regarding whether or not it would be in violation of the open meeting law to approve more dogs than was agendized at this meeting. Diane Rosengren, applicant, stated that the Lyon County Code considers a dog to be adult at the age of six months. She continued that if her opinion, a dog is not an adult until the age of 14 months as that is the age that the animal can be bred. Paula Rosaschi stated that historically, they have approved up to 10 dogs. Ray Johnson stated that the consensus of those attending the Stagecoach Advisory Board was that there are sufficient dogs in the area already and they were not in favor of having this many dogs on this size property. Paula Rosaschi asked if the entire parcel is fenced. Ms. Rosengren responded that it is completely fenced and they have installed wire along the bottom of the fence to keep any critters out. They have owned these dogs since November of 2005. She continued that each of the dogs is housed inside their enclosed kennels at night to reduce the possibility of them barking, and the new moms with pups are kept inside her residence. Ken Gardner asked if Animal Services had inspected the property. Kerry Page, Planning Assistant, responded that Animal Services had inspected the property and found everything to be satisfactory except that licenses for each adult dog had not yet been obtained and that will be required. James Parker, a neighbor on Cheyenne Trail, spoke to reinforce the opinion of those at the Stagecoach Advisory Board meeting, in that there are too many dogs in the area already, and they all bark. Chuck Davies voiced his concern that 20 dogs on one acre of land is excessive. A discussion continued regarding how many dogs could be approved at this meeting. Chuck Roberts requested that the portion of

the code relating to breeder's kennel be re-evaluated. Ms. Rosengren asked that the age of adult dogs be re-evaluated too. Paula Rosaschi made a motion to approve the special use permit modifying condition of approval #6 to allow a maximum of 10 dogs over the age of six months. Chuck Davies seconded. The motion for approval failed due to the lack of a majority and will be forwarded to the Board of Commissioners as a **denial**. Ray Fierro, Chuck Davies and Paula Rosaschi voted aye. Ray Johnson, Chuck Roberts and Ken Gardner voted nay. No additional motion was proposed.

**19. MC LACHLAN, CURTIS J. & NANCY E. – SPECIAL USE PERMIT** – The applicants have filed for a change in ownership of a special use permit to utilize an existing mobile home as watchman's quarters in conjunction with a construction business, on approximately 1.00 total acres; located at 62 Affonso Drive, Mound House (APN 16-194-01) (action will be taken) (SUP-54-06) Rob Loveberg, Planning Director, represented staff. Paula Rosaschi asked about the requirement for someone who is storing equipment to have a business license. Mr. Loveberg responded that a business license should be obtained for each location that the business operates but he will verify the information with the Business License Officer. Paula Rosaschi asked for clarification of what is being stored on the property. Curtis McLachlan offered pictures of the site. Ray Johnson made a motion to **approve** the special use permit subject to the following conditions recommended by staff:

1. The applicant shall comply with all State, County, Federal and Special Purpose District rules and regulations as they apply to this special use permit.
2. The applicant shall comply with all applicable fire and building code requirements.
3. The applicant shall acquire all necessary State, County and Special Purpose District permits and obtain all necessary public inspections.
4. The manufactured home and its installation, as it exists, must meet all applicable State of Nevada Division of Manufactured housing requirements.
5. The applicant shall comply with the off-street parking regulations and requirements set forth in 10.04.01(C) of the Lyon County Code including, but not limited to, the following:
  - a. All parking areas, driveways and entry areas shall be surfaced with a minimum of the same type of material and in the same manner as the adjoining public street used for access to the parking area.

- b. If lighting is provided, it shall be so arranged to reflect away from residential areas, and any public street or highway.
- c. All off-street parking facilities shall comply with recognized standards and dimensions of layout commensurate with individual design limitations.
6. The applicant shall obtain Planning Department approval of the site improvements, including access, driveways, parking, landscaping, and exterior lighting prior to the issuance of any building permits and prior to the issuance of the special use permit.
7. The applicant shall provide satisfactory evidence that the septic system has been approved for sufficiency by the State Health Department or appropriate agency.
8. The applicant shall procure and maintain a Lyon County business license prior to occupying the premises.
9. The mobile home will be removed within 30 days of the cessation of the need for the watchman's quarters.
10. The mobile home will not be used as a rental property.
11. All of the requirements placed on the special use permit by the County Building Official, Central Lyon County Fire Protection District, Planning Director, and other agencies with jurisdiction shall be met prior to the applicant commencing use of the watchman's quarters.
12. No change in the terms and conditions of the special use permit, as approved shall be undertaken without first submitting the changes to Lyon County and having them modified through a public hearing process.
13. The substantial failure to comply with any conditions imposed on the issuance of a special use permit or the operation of a special 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 special use or the non use of the permit for a year may result in the institution of revocation proceedings.
14. The special use permit is subject to annual review by Lyon County.

Chuck Davies seconded and the motion passed by majority vote. Five (5) ayes, and one (1) absent. Ken Gardner was absent for this vote.

**20. STOR-ALL, LLC – SPECIAL USE PERMIT** – The applicants have filed for a special use permit for a self-storage business to include indoor self-storage, outdoor RV & boat storage, a car/truck wash, and a caretaker's facility with an office, on approximately 5.97 total acres; located at 10221 & 10225 Highway 50 East, Mound

House (APN'S 16-192-01 & 02) (action will be taken) (SUP-55-06) A letter dated October 6, 2006, from Lumos & Associates, was read into the record. A letter from Mr. James A. Linebaugh, of Yhvona Drive, Mound House, was read who requested that the applicant construct a block wall as a buffer between the project and the adjoining residences. Rob Loveberg, Planning Director, represented staff, and recommended that access from Yhvona Drive be obtained from the Bureau of Land Management (BLM) and that Lyon County will have to be the applicant on the permit as Yhvona Drive is a county right-of-way. This road will also have to be improved to county standards to allow for additional commercial traffic. Chuck Roberts stated that he had received calls from some of the neighboring property owners requesting the solid block fence as a buffer. Rob Loveberg responded that it is within the Planning Commission's power to require that. Dennis Smith, Western Engineering, represented the applicant, and stated that some of the properties at the rear of the property have a wooden fence now, but a block wall certainly is a feature that could be added if required. A block wall is also proposed along the highway frontage to screen the covered parking. Mr. Smith said he agrees with the requirement of Lumos & Associates to reconfigure the front entrance to allow for vehicle stacking. He continued that the applicant has a concern with the signage limits and he presented a sample of the signage being requested which is very similar to the existing sign at the Retail Road facility. Mr. Smith said that staff limits the sign to 12 foot in height but the block wall is that high therefore the sign needs to be higher. The applicant is also requesting an additional smaller sign to be located at the west end of the highway frontage with the larger sign to be located at the Yhvona Drive end. Chuck Davies stated he would like to see some landscaping along the highway frontage and the block wall continued along the entire highway frontage as well as the rear of the property. Mr. Smith added that the applicant plans to loop the existing water system which will enhance the water pressure and flows to the entire area, including the residences. Todd Whear, co-owner of Stor-All, LLC, addressed the Planning Commission and stated that this will facility will offer 24 hour gate access for customers with the office hours to be 9 AM until 6 PM daily. They are proposing a watchman's quarter's onsite which will be a stick-built structure. Paula Rosaschi asked if the stacking area is sufficient for larger vehicles. Mr. Smith responded that the area is proposed at 80 feet in length which exceeds the requirement. Mrs. Rosaschi asked there should be any environmental concerns with the gas and oil washing into the septic from the vehicle washing area. Dennis Smith stated that the department of Safe

Drinking Water will issue the permit for a large commercial septic system which will be sufficient to handle the wash area too. Mr. Whear stated that the RV dump station will be located inside the gate and available only to customers. A discussion regarding the phasing of the block wall followed. Chuck Roberts asked if a sight obscuring fence would suffice as a temporary screen along the rear of the property until the block wall could be built. Mr. Smith said that would be acceptable. Mr. Whear asked if they could have similar signage as on the existing Retail Road facility, except omitting the reader board. A lengthy discussion followed. Mr. Smith then said that the applicant desires to have the reader board added now. Further discussion followed. Ray Fierro made a motion to **approve** the special use permit subject to the following conditions recommended by staff and as amended by mutual agreement:

1. The self-storage facility shall be constructed in accordance with the conceptual site plan dated August 22, 2006, with revisions as required by the special use permit conditions of approval. No storage of industrial materials or items is allowed. Any further expansion of the business enterprise will require modification of this special use permit or an additional special use permit, and/or other approvals.
2. The applicant shall improve Yhvona Drive to a County AC paved road standard from its intersection with Highway 50 to the southerly boundary of the subject property. The applicant shall install curb, gutter and sidewalk along the full frontage of its property.
3. The applicant shall make application to the BLM for the right-of-way for Yhvona Drive to permit proper commercial access to its property.
4. The applicant shall comply with all State, County, federal and special district rules and regulations as they apply to this special use permit.
5. The applicant shall comply with all applicable fire and building code requirements.
6. The applicant shall acquire all State, County and special purpose district permits and obtain all necessary public inspections.
7. The applicant shall meet all traffic control requirements placed on the business enterprise by the Nevada Department of Transportation, the County Engineer, Lyon County Road Manager, special purpose districts, and any other jurisdictions with approval authority.

8. The applicant shall comply with the off-street parking regulations and requirements set forth in 10.04.01(C) of the Lyon County Code including, but not limited to, the following:

a) All parking areas, driveways and entry areas shall be AC paving.

b) If lighting is provided, it shall be so arranged to reflect away from residential areas, any public street or highway.

c) All off-street parking facilities shall comply with recognized standards and dimensions of layout commensurate with individual design limitations.

9. The applicant shall provide on-site parking spaces (not for the storage of vehicles or boats), in conformance with the County's parking standards. No parking spaces shall be allowed to back directly into a driveway entrance. All parking areas, driveways and entry areas shall be paved and handicap parking shall meet Americans with Disabilities Act requirements. Parking and circulation plans must be approved by the Planning Director prior to the issuance of the special use permit and building permits.

10. The applicant shall comply with Central Lyon County Fire Protection District requirements. All required fire hydrants are to be installed and fully operating. Minimum required fire flows are required for each fire hydrant as directed by the Fire District. The site's access and circulation in and around the storage units and parking areas shall comply with the County and Central Lyon County Fire District access and turning radius standards.

11. The applicant shall be limited to the display of two onsite free-standing commercial signs, as described in the submitted materials and similar to the sign located at the Dayton facility, without the reader board. The second and smaller sign is not to exceed 32 square feet or a height greater than 12 feet to the top of the signage. The County shall approve any illuminated signage intended for placement at this location. No sign shall be placed on public property adjoining the land parcel. No advertising signs shall be placed on the fences or storage structures for advertising or promotional purpose. Signage will be placed at the entry and throughout the facility noting that the storage of hazardous materials is prohibited.

12. The property shall be enclosed by a decorative and solid block wall which shall surround the entire self storage facility perimeter except for the Yhvona Drive and the Northeast office access sections. The southerly, rear property line will be screened with a temporary sight obscuring fence and will be in place for up to one year at which time that will be replaced with the solid block wall. The height, placement, construction and

materials associated with the perimeter fencing are subject to Planning Department staff review. Fencing layout and construction method shall be included on the building permit site plans.

13. The applicant shall comply with Lyon County's 1996 drainage guidelines.

14. The applicant shall obtain Planning Department approval of the site improvements, including access, driveways, parking, landscaping, and exterior lighting prior to the issuance of any building permits and prior to the issuance of the special use permit.

15. The applicant shall provide evidence of the approval of the Nevada Division of Environmental Protection for an individual sewer disposal system, or provide suitable approved alternatives.

16. The use shall be connected to a public water system.

17. Site development work will require a grading permit(s) in accordance with Title 11.07.14(F).

18. Site built caretakers /watchman's quarters are permitted in the same structure as the office. No other residential uses are permitted on this site and the storage structures shall not be occupied for residential living purposes.

19. The applicant shall procure and/or maintain a Lyon County business license prior to establishing the use or occupying the premises.

20. All of the requirements placed on the special use permit by the County Building Official, Central Lyon County Fire Protection District, Planning Director, and other agencies with jurisdiction shall be met prior to the applicant commencing use of the site.

21. No change in the terms and conditions of the special use permit, as approved shall be undertaken without first submitting the changes to Lyon County and having them modified through a public hearing process.

22. The substantial failure to comply with any conditions imposed on the issuance of a special use permit or the operation of a special 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 special use or the non use of the permit for a year may result in the institution of revocation proceedings.

23. The special use permit is subject to annual review by Lyon County.

24. Compliance with the recommendations as stated in the letter from Lumos & Associates, dated October 6, 2006, regarding vehicle stacking. Ken Gardner seconded and the motion passed unanimously.

**21. KESHMIRI, KAMY / JACIE, LLC – SPECIAL USE PERMIT** – The applicant has filed to change the ownership of a special use permit to operate an existing brothel and provide for future expansion of the brothel, on approximately 8.20 total acres; located at 48 & 50 Kit Kat Drive, Mound House (APN'S 19-072-05 & 09) (action will be taken) (SUP-56-06) Rob Loveberg, Planning Director, represented staff. Kamy Keshmiri, applicant, addressed the Planning Commission. Chuck Roberts asked if the brothel resort theme is something that Lyon County wants to promote. Paula Rosaschi stated her concern with approving future expansion of a brothel without any plans being presented. Mr. Keshmiri stated that the purpose of the expansion is to replace the existing blight. His description of resort is intended to be more to improve the quality of the structures rather than the use. He continued that he is not planning a huge expansion merely vast improvement by creating a decent place for patrons to go. The existing run-down mobile homes will be removed and replaced with permanent structures. Chuck Roberts stated that here they are redefining the traditional use with a high-end bar and restaurant, etc. and that something like that would require further review. Mr. Loveberg said that any design plans would be brought back for review and approval. Mr. Keshmiri asked for guidance from the Planning Commission as to what they wanted to see placed on the property. A lengthy discussion followed. Ray Johnson made a motion to **approve** the special use permit for the change in ownership to operate an existing brothel only, subject to all of the existing and original conditions of approval as follows:

1. Annual review,
2. Compliance with all Nevada Department of Transportation requirements,
3. Compliance with all State Health Division requirements,
4. Compliance with all Central Lyon County Fire Protection District requirements,
5. All necessary licensing to be in place,
6. A reversion to acreage map being recorded making the two lots into one,

And, adding the following condition of approval:

7. Any plans for future expansion to be brought back for review and approval as a modification to the existing special use permit. Ken Gardner seconded and the motion passed unanimously.

**22. HIGH PLAINS ESTATES, PHASE 4 / HP4, LLC – TENTATIVE MAP EXTENSION OF TIME** – The applicants have filed for a one year extension of time on the Tentative Subdivision Map for a proposed 30 residential lot development, plus

commercial, known as High Plains Estates, Phase 4, on approximately 46.91 total acres; located at 9630 Highway 50 West, Stagecoach (APN 15-401-02) (action will be taken) (TE-08-06) Rob Loveberg, Planning Director, represented staff. Dennis Smith, Western Engineering, represented the applicant and explained the request. Ray Johnson made a motion to **approve** the tentative map extension of time as presented. Ken Gardner seconded and the motion passed unanimously.

**23. PINION RANCH ESTATES / PINION RANCH ESTATES, LLC - TENTATIVE**

**MAP EXTENSION OF TIME** – The applicants have filed for a one year extension of time on the Tentative Subdivision Map for the proposed 40 lot development known as Pinion Ranch Estates, on approximately 201.76 total acres; located off of Lower Colony Road, Smith Valley (APN'S 10-081-29, 30, 31 & 32) (action will be taken) (TE-09-06) The recommendation for approval from the Smith Valley Township Advisory Council was read into the record. Rob Loveberg, Planning Director, represented staff. Dennis Smith, Western Engineering, represented the applicant and stated that the purpose of this extension is to complete all of the required improvements prior to recording the final map. Paula Rosaschi made a motion to **approve** the tentative map extension of time as presented. Ken Gardner seconded and the motion passed unanimously.

**24. PALMER COURT SUBDIVISION / YOUNG, JEFFREY S. & KAREN A, ETAL / SYD G KELLY CONSTRUCTION - TENTATIVE MAP EXTENSION OF TIME** – The

applicants have filed for a one year extension of time on the Tentative Subdivision Map for the proposed 8 lot development known as Palmer Court Subdivision, on approximately 2.79 total acres; located off of Palmer Court, Dayton (APN 19-701-15) (action will be taken) (TE-10-06) Rob Loveberg, Planning Director, represented staff. Dennis Smith, Western Engineering, represented the applicant and stated that the project is being redesigned and obtaining water rights have become an issue. The applicant is waiting for the State Water Resources and Lyon County to reach an agreement also known as a Consumptive Use Plan, regarding water rights requirements for multi-family units. Paula Rosaschi made a motion to **approve** the tentative map extension of time as presented. Ken Gardner seconded and the motion passed unanimously.

**25. AJA ESTATES / MILLARD, DWIGHT C. JR., TRS., ETAL - TENTATIVE MAP**

**EXTENSION OF TIME** – The applicants have filed for a one year extension of time on the Tentative Subdivision Map for the proposed 6 lot development known as Aja Estates, on approximately 2.89 total acres; located off of Six Mile Canyon Road, Mark

Twain (APN 16-024-02) (action will be taken) (TE-11-06) Rob Loveberg, Planning Director, represented staff. Dennis Smith, Western Engineering, represented the applicant and stated that the project is delayed due to the inability to obtain water rights. This applicant is also waiting for a court decision on the water rights requirements. Paula Rosaschi made a motion to **approve** the tentative map extension of time as presented. Ken Gardner seconded and the motion passed unanimously.

**26. SOVEREIGN ENTERPRISES – TENTATIVE SUBDIVISION FEASIBILITY**

**REPORT** – The applicants have filed a feasibility report for a 9 lot development on approximately 180.00 total acres; located Hudson Aurora Road and Grant View Drive, Smith Valley (APN 10-481-33) (informal discussion) (FES-23-06) The comments from the Smith Valley Advisory Council were read into the record. A letter dated October 9, 2006, from Lumos & Associates, was read into the record. Rob Loveberg, Planning Director, represented staff. Dennis Smith, Western Engineering, represented the applicant. Mr. Smith stated that separate easements for roadways and ditches are proposed, as is recommended in staff's comments, and a ditch crossing already exists. Both ponds indicated on the map will be enlarged for the use of the property owners. Easements for individual irrigation will be placed on the map, though some parcels are no suitable for irrigation. Water Rights are to be dedicated. Additional crossings are to be provided to address the problem of the sliver of land created on parcel 2. The proposed lakes will remain private and are not intended as retention sites. Paula Rosaschi is concerned with the design of parcel 8. Mr. Smith explained that the design is to accommodate the irrigation plan and the existing pipes. CC&R's are proposed to control the irrigation and maintenance. An **informal discussion** followed which included the issue of cul-de-sacs and emergency vehicle access.

**27. O'BANION, TODD JAMES – FEASIBILITY REPORT** – The applicant has filed a

feasibility report for a re-parceling to create a 4 lot development on approximately 81.12 total acres; located off of Hudson Aurora Road and Great Basin Trail, Smith Valley (APN 10-741-55) (informal discussion) (FES-22-06) The comments in favor of the application, from the Smith Valley Advisory Board were read into the record. Rob Loveberg, Planning Director, represented staff. Joe Caciopo, Resource Concepts, represented the applicant. Paula Rosaschi asked about the storm water impacts. Mr. Caciopo stated that a drainage analysis will be provided which will address that issue. Paula Rosaschi asked how long the proposed roadway to Highway 338 will be. Mr. Caciopo responded that it will be less than one mile. Mrs. Rosaschi asked if the project

relies upon approval from the United States Forestry Service (USFS) for access across their property. Mr. Caciopo said the access can also be provided from Hudson Aurora, however that is, at this time, a very bad portion of roadway. Rob Loveberg stated that the applicant has to meet both Lyon County as well as Federal requirements for roadways, which is plate 3G. Gary Fried, Road Manager, spoke about the meeting that was held between USFS and Lyon County personnel. An **informal discussion** followed.

**28. CARLSON, BILL ERIC, TRS., ETAL – PARCEL MAP** – The applicants have filed for a 4 lot parcel map on approximately 30.37 total acres; located at 149 Hudson Aurora Road, Smith Valley (APN 10-481-16) (action will be taken) (PM-43-06) The recommendation for approval from the Smith Valley Advisory Council was read into the record. A letter from Lumos & Associates, dated October 6, 2006, was read into the record. Rob Loveberg, Planning Director, represented staff and stated that the applicant is proposing to dedicate a 50 foot right-of-way for Hudson Aurora Road. Eric Anderson, Bighorn Consulting, represented the applicant. Mr. Anderson stated that joint access is okay as suggested by staff. He continued that the water from the existing pond is to be used somehow for each of the parcels. Chuck Roberts asked if the easements should be ironed out now. Mr. Anderson said that easements will be added to the parcel map and presented to Lyon County for approval. Chuck Roberts thought the pond would just become a mosquito pond and not a good idea to leave it there. Paula Rosaschi said that the pond is there for irrigation and should remain where it is. Rob Loveberg said that it is wise to have a note on the map that the pond is for irrigation purposes only and not solely for the property owners use. Paula Rosaschi made a motion to **approve** the parcel map subject to the following conditions recommended by staff, and as amended by mutual agreement:

1. The applicant shall comply with all Federal, State, County and special purpose district regulations.
2. The applicant 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 map for recordation.
3. The applicant shall pay the actual costs for County Engineer plan and map checking 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 map recordation.

4. The applicant shall comply with Lyon County's 1996 drainage guidelines.
5. The applicant shall comply with all applicable fire code requirements to the satisfaction of the Smith Valley Fire Protection District.
6. The applicant shall comply with the road improvement standards set forth in Chapter 11.07.14 as they relate to the joint access easements for Parcels A & B and C & D, grading, alignment, and surfacing in the RR-3 zoning district including the design and construction of joint access easements as maximum 24 foot wide AC paved access from the edge of pavement on Hudson-Aurora Road to the westerly boundary of the 50 foot deep joint access easements.
7. The applicant shall offer for dedication one-half of the right-of-way for Albright Lane, 30 feet in width, along the section line within the subject parcel and provisions shall be made to permit the continuation of the ditch and maintenance easement until such time as the ditch is relocated and/or Albright Lane is improved
8. The applicant shall comply with Lyon County improvement requirements as set forth in Chapter 11.07 of the Lyon County Code.
9. The applicant shall obtain all necessary approvals and encroachment permits, and coordinate and comply with any requirements placed on this parcel map by the Lyon County Road Department regarding access, work within the road rights-of-way and repair of any road improvements necessary to provide access to the parcels from Hudson-Aurora Road.
10. The applicant shall prepare, and record as appropriate, an irrigation plan, adequate easements, maintenance and use agreements and CC&R's for the perpetuation of irrigation on the proposed parcels to the satisfaction of the Walker River Irrigation District, Lyon County Engineer and Lyon County Planning Director.
11. The applicant shall complete any and all required development improvements and facilities to the satisfaction of the Planning Director, County Engineer and Road Manager, as applicable, or an appropriate security must be provided and approved prior to map recordation. There may be temporary restrictions to obtaining building permits even with an acceptable security instruments depending on the County's approval of the various systems.
12. Provide written evidence demonstrating that the proposed parcels are suitable for individual sewer disposal systems (septic systems) prior to map recordation.
13. No lot shall be offered for sale or sold and no building permits shall be accepted for processing until the map has been approved and recorded.

14. The following items are required of all development:
  - a. All septic systems must be inspected and approved by the State Health Department or appropriate agency.
  - b. All construction shall comply with all applicable building and fire code requirements.
  - c. Building permits shall be issued in compliance with Titles 10 and 11 of the Lyon County Code.
  - d. Site development work will require a grading permit(s) in accordance with Title 11.07.14 (F).
  - e. Structures placed on these parcels shall adhere to the County's site and setback standards for the RR-3 zoning district as it applies to each parcel.
  - f. Distinct and legible "temporary" addresses are required of any structures under construction until such time as permanent address numbers are installed and posted.
  - g. 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.
15. All property taxes must be paid in full through the end of the fiscal year (June 30) and any applicable agricultural deferred taxes shall be paid in full prior to recordation of any final map.
16. The applicant shall comply with the final parcel map requirements as prescribed by NRS 278 and Title 11 of the Lyon County Code.
17. Required recording fees to be paid at time of recording map.
18. Any further division will be subject to the imposition of subdivision improvement standards as may be legally imposed at the time and the applicant shall place a note to this effect on the parcel map.
19. Approval of the tentative parcel map shall not constitute acceptance of the final parcel map. Approval of the tentative parcel map shall lapse unless a final parcel map based thereon is submitted within two (2) years from the date of such approval. No extension may be granted after receiving approval of the tentative parcel map.
20. The applicant shall pay this development's proportionate share of any development impact fees that may be instituted by Lyon County at the time that such fees may be adopted in accordance with Nevada Revised Statutes Chapter 278B entitled "Impact Fees for Developers".

21. The applicant shall provide the parcel map to the Lyon County GIS Coordinator in form and format compatible with the County geographical information system (GIS) pursuant to 11.05.09 of the Lyon County Code. 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.

22. Any conditions as set forth in a letter dated October 6, 2006, from Lumos & Associates. Chuck Davies seconded and the motion passed unanimously.

**29. QUASHNICK, TERRANCE L. & CAROL L. / BARMBY, JEFFREY R. &**

**KARYNN L. – PARCEL MAP** - The applicants have filed for a 4 lot parcel map on approximately 40.00 total acres; located at 44 Mason Pass Road, Mason Valley (14-281-01) (action will be taken) (PM-35-06) A letter dated October 6, 2006, from Lumos & Associates, was read into the record. Rob Loveberg, Planning Director, represented staff. Terry Quashnick, applicant, addressed the Planning Commission and stated his concerns with the staff conditions of approval. Mr. Quashnick asked for clarification of #6 which requires percolation (perc.) tests on each lot prior to the map recording. Mr. Loveberg responded that a perc. test should be performed on each proposed lot and evidence provided to prospective buyers that the lots are suitable for septic. Mr. Loveberg continued that the requirement for road improvements is only included in the conditions if the road requires improvement and added that the trucks from the Buckskin mine have degraded the condition of the roadway and the applicant is not responsible for the damage created by them. Paula Rosaschi made a motion to approve the parcel map subject to the following conditions recommended by staff, and as amended by mutual agreement:

1. The applicant shall comply with all Federal, State, County and special purpose district regulations.

2. The applicant 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 map for recordation.

3. The applicant shall pay the actual costs for County Engineer plan and map checking 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 map recordation.

4. The applicant shall comply with Lyon County's 1996 drainage guidelines.

5. The applicant shall comply with Lyon County improvement requirements as set forth in Chapter 11.07 of the Lyon County Code including, but not limited to:
  - a. The applicant shall comply with the road improvement standards set forth in Chapter 11.07.01 and 11.07.14 as they relate to on and off-site access, street grading, street alignment, surfacing and width in an RR-4 zoning district for access to the proposed parcels.
  - b. The applicant shall repair, to the satisfaction of the Lyon County road Manager, any deficiencies in Mason Pass Road from Luzier Lane to the northerly boundary of the subject parcel to meet the County's Plate 3 Gravel road standard.
  - c. The applicant shall provide evidence documenting that Mason Pass Road along the full frontage of the property meets the County's Plate 3 Gravel road standards, or improve Mason Pass Road along the full frontage of the subject parcel to the Plate 3 Gravel road standard.
6. Provide written evidence demonstrating that the proposed parcels are suitable for individual sewer disposal systems (septic systems) prior to map recordation.
7. All septic systems must be inspected and approved by the State Health Department or appropriate agency.
8. The applicant shall obtain all necessary approvals and encroachment permits, and coordinate and comply with any requirements placed on this subdivision by the Lyon County Road Department.
9. The applicant shall complete any and all required development improvements and facilities to the satisfaction of the Planning Director, County Engineer and Road Manager, as applicable, or an appropriate security must be provided and approved prior to map recordation. There may be temporary restrictions to obtaining building permits even with an acceptable security instruments depending on the County's approval of the various systems.
10. The applicant shall comply with all applicable building and fire code requirements.
  - a. No building permits shall be accepted for processing until the map has been approved and recorded.
  - b. Building permits shall be issued in compliance with Title 10 and 11 of the Lyon County Code.
11. Site development work will require a grading permit(s) in accordance with Title 11.07.14 (F).

12. Structures placed on these parcels shall adhere to the County's site and setback standards for the RR-4 zoning district as it applies to each lot.
13. Distinct and legible "temporary" addresses are required of any structures under construction until such time as permanent address numbers are installed and posted.
14. No lot shall be offered for sale or sold until the final parcel map has been approved and recorded.
15. 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.
16. All property taxes must be paid in full through the end of the fiscal year (June 30) and any applicable agricultural deferred taxes shall be paid in full prior to recordation of any final map.
17. The applicant shall comply with the final parcel map requirements as prescribed by NRS 278 and Title 11 of the Lyon County Code.
18. Required recording fees to be paid at time of recording map.
19. Any further division will be subject to the imposition of subdivision improvement standards as may be legally imposed at the time and the applicant shall place a note to this effect on the parcel map.
20. Approval of the tentative parcel map shall not constitute acceptance of the final parcel map. Approval of the tentative parcel map shall lapse unless a final parcel map based thereon is submitted within two (2) years from the date of such approval. No extension may be granted after receiving approval of the tentative parcel map.
21. The applicant shall pay this development's proportionate share of any development impact fees that may be instituted by Lyon County at the time that such fees may be adopted in accordance with Nevada Revised Statutes Chapter 278B entitled "Impact Fees for Developers".
22. The applicant shall provide the parcel map to the Lyon County GIS Coordinator in form and format compatible with the County geographical information system (GIS) pursuant to 11.05.09 of the Lyon County Code. 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.
23. Any conditions as set forth in a letter dated October 6, 2006, from Lumos & Associates. Ken Gardner seconded and the motion passed unanimously.

**30. WILLIAMS, JOHN LEONARD - DIVISION INTO LARGE PARCELS**

**TENTATIVE MAP WAIVER** - The applicant has filed to waive the tentative map requirements for a 4 lot, division into large parcels map on approximately 158.00 total acres; located at 25 East Pursel Lane, Mason Valley (APN 12-171-02) (action will be taken) (DLPMWA-44-06) Rob Loveberg, Planning Director, represented staff and stated that the applicant met the requirements for a waiver of the tentative map requirements. Paula Rosaschi made a motion to **approve** the Division into Large Parcels Tentative Map Waiver as presented. Ken Gardner seconded and the motion passed unanimously.

**31. WILLIAMS, JOHN LEONARD – DIVISION INTO LARGE PARCELS MAP** - The

applicants have filed for a 4 lot, division into large parcels map on approximately 158.00 total acres; located at 25 East Pursel Lane, Mason Valley (APN 12-171-02) (action will be taken) (DLPM-44-06) A letter dated October 9, 2006, from Lumos & Associates, agreeing with the conditions of approval as recommended by staff, was read into the record. Rob Loveberg, Planning Director, stated that this map does consist of nominal 40 acre parcels, which is consistent with the requirements for a Division into Large Parcels Map. Rick Christian, Denson Surveying, represented the applicant and stated that he had no objection to the recommended conditions of approval. Ray Johnson asked for clarification of an easement to parcel 3 & 4. Mr. Christian responded. Chuck Davies made a motion to approve the Division into Large Parcels Map subject to the following conditions of approval recommended by staff:

1. The applicant shall comply with all Federal, State, County and special purpose district regulations.
2. The applicant 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 map for recordation.
3. The applicant shall pay the actual costs for County Engineer plan and map checking 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 map recordation.
4. The final map shall identify the following:
  - a. All roads or easements that exist or as they may be proposed by the person who plans to divide the land;
  - b. Any easements for public utilities that exist or are proposed;

- c. Any existing easements for irrigation or drainage;
  - d. Any normally continuously flowing watercourses and any easements and rights-of-way or other property interests necessary to implement and maintain any water conveyance and delivery system required by any rule or regulation of the local Irrigation District; and
  - e. Any existing road or easement that the owner does not intend to dedicate.
5. Each lot must be accessible by road easement traversable by vehicles suited to the area.
  6. The form and content of the final map shall be in accordance with Title 11.06.04.
  7. The final map must show a certificate of the Walker River Irrigation District verifying that it has reviewed and approved the contents of the map.
  8. The applicant shall obtain all necessary approvals and encroachment permits, and coordinate and comply with any requirements placed on this subdivision by the Nevada Department of Transportation.
  9. The following items are required of all development and are provided for informational purposes:
    - a. All septic systems must be inspected and approved by the State Health Department or appropriate agency.
    - b. All construction shall comply with all applicable building and fire code requirements. Building permits shall be issued in compliance with Title 10 and 11 of the Lyon County Code.
    - c. Structures placed on these parcels shall adhere to the County's site and setback standards for the RR-5 zoning district as it applies to each parcel.
    - d. Distinct and legible "temporary" addresses are required of any structures under construction until such time as permanent address numbers are installed and posted.
    - e. No lot shall be offered for sale or sold until the final map has been approved and recorded.
    - 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.
  10. All property taxes must be paid in full through the end of the fiscal year (June 30) prior to recordation of any final map.
  11. Required recording fees to be paid at time of recording map.

12. The applicant shall provide the final map of division of land into large parcels to the Lyon County GIS Coordinator in form and format compatible with the County geographical information system (GIS) pursuant to 11.05.09 of the Lyon County Code. 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. Paula Rosaschi seconded and the motion passed unanimously.

**32. EALY, JAMES A. & KAREN N. – DIVISION INTO LARGE PARCELS MAP –**

The applicants have filed for a 16 lot, division into large parcels map on approximately 800.00 total acres; located off of Break-A-Heart Road, Stagecoach (APN'S 15-451-21 & 22) (action will be taken) (DLPM-45-06) A letter dated October 6, 2006, from Lumos & Associates, was read into the record. Rob Loveberg, Planning Director, represented staff, and stated that this is a tentative map for a Division into Large Parcels Map and that no waiver of the tentative map requirements has been requested. Mr. Loveberg continued that these parcels do not conform to the minimum parcel size required by the Lyon County Code for a Division into Large Parcels map and should be reconfigured to conform. Lumos' requirements are not typical for a Division into Large Parcels map and are excessive. Those conditions typically placed on this type of map are minimal. Dennis Smith, Western Engineering, represented the applicant, and stated that he objects to the comments from Lumos & Associates as they are rewriting FEMA requirements. This land is a full section of land though 4 of the parcels are slightly less than 40 acres in size due to the playa in the area and a survey concluded that this section is less than 640 acres therefore the smaller 40 acre parcels qualify as a 1/16<sup>th</sup> of an acre parcel, which is also a requirement of the Lyon County Code. Paula Rosaschi asked if they can proceed with this application if this is not agendized as a tentative map. Chuck Roberts stated that it was okay as they would be hearing a lesser process and that no one was under-notified. Everyone will be re-notified when the final map is presented. Al Holley, of Hodges Transportation, is concerned about Break-A Heart Road not being a county maintained right-of-way. Hodges performs maintenance on the roadway, at their own expense, for the ease of access for their employees. As the area density increases the problems with the road must be addressed. Rob Loveberg stated that, unfortunately, the NRS disallows the placement of conditions for road improvements on this type of map. Sherry Smith, an abutting property owner, stated that she was not aware that the applicant had access across her property and is

concerned with the liability of people using that roadway. Karen Ealy, applicant, stated that a permit was obtained from the Lyon County Road Department to create the roadway. Ray Johnson stated that he sees future problems with access if the land is to be parceled later and Lyon County would probably be asked to rectify the problem. A lengthy discussion followed regarding the access problems and the configuration of the lots. During this time the recording equipment malfunctioned and a small amount of the meeting was missed on the tape. Ray Fierro made a motion to **approve** the Tentative Division into large Parcels Map subject to the following conditions recommended by staff and as modified by mutual agreement:

1. The applicant shall comply with all Federal, State, County and special purpose district regulations.
2. The applicant 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 map for recordation.
3. The applicant shall pay the actual costs for County Engineer plan and map checking 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 map recordation.
4. The applicant shall provide evidence demonstrating legal access between Break-A-Heart Road and the subject parcels to the satisfaction of the Planning Director.
5. The final map shall dedicate right-of-ways, 60 feet in width, along all section lines to provide for future connectivity.
6. The final map shall identify the following:
  - a) All roads or easements that exist or as they may be proposed by the person who plans to divide the land;
  - b) Any easements for public utilities that exist or are proposed;
  - c) Any existing easements for irrigation or drainage; and
  - d) Any normally continuously flowing watercourses and any easements and rights-of-way or other property interests necessary to implement and maintain any water conveyance and delivery system required by any rule or regulation of the local Irrigation District; and
  - e) Any existing road or easement that the owner does not intend to dedicate.
7. Each lot shall contain an access road that is suitable for use by emergency vehicles.

8. The corners of each lot are set by a professional land surveyor.
9. The form and content of the final map shall be in accordance with Title 11.06.04.
10. The applicant shall obtain all necessary approvals and encroachment permits, and coordinate and comply with any requirements placed on this division of land into large parcels map by the Lyon County Road Department.
11. The following items are required of all development and are provided for informational purposes:
  - a) All septic systems must be inspected and approved by the State Health Department or appropriate agency.
  - b) All construction shall comply with all applicable building and fire code requirements. Building permits shall be issued in compliance with Title 10 and 11 of the Lyon County Code.
  - c) Structures placed on these parcels shall adhere to the County's site and setback standards for the RR-5 zoning district as it applies to each parcel.
  - d) Distinct and legible "temporary" addresses are required of any structures under construction until such time as permanent address numbers are installed and posted.
  - e) No lot shall be offered for sale or sold until the final map has been approved and recorded.
  - 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.
12. All property taxes must be paid in full through the end of the fiscal year (June 30) prior to recordation of any final map.
13. Required recording fees to be paid at time of recording map.
14. The applicant shall provide the final map of division of land into large parcels to the Lyon County GIS Coordinator in form and format compatible with the County geographic information system (GIS) pursuant to 11.05.09 of the Lyon County Code. 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.
15. The requirements noted in the letter dated October 9, 2006, from Lumos & Associates, shall be met. Chuck Davies seconded and the motion passed by majority vote (5 ayes, 1 nay). Paula Rosaschi was opposed and stated that she is concerned about the access problem.

### **33. SPECIAL USE PERMIT REVIEWS**

Ken Gardner made a motion to **extend** the following special use permits for one year as a consent agenda item, and subject to all the original conditions of approval, with the exception of item's 18, 19, 20 and 21. Paula Rosaschi seconded and the motion passed unanimously.

**ANDERSON, JO ANN A. / GREEN, RUTH G.** - Special use permit issued October 2001 for residential industry, to allow for the operation of a small mail order dental laboratory, which uses no harmful chemicals, on an approximate 15,000 square foot parcel; located at 1735 Tuscarora Street, Silver Springs (APN 18-191-05)

**EVANS, ROBERT E & LYNN D.** - Special use permit issued October 2001 to allow them for to foster dogs for the Lyon County Animal Shelter, on approximately 4.35 total acres; located at 1535 Cougar Street, Silver Springs (APN 17-443-09)

**HAAS, RICHARD & VICKI E** - Special use permit issued October 1986 for a wrecking yard on approximately 2.02 total acres; located at 11 Martin Drive, Mound House (APN 19-073-01)

**V & T MANAGEMENT (COMSTOCK ENTERPRISES #1)** - Special use permit issued October 1986 for a fill and topsoil operation located on approximately 51.04 total acres; located behind the old dump in Mound House (APN 16-411-20)

**V & T MANAGEMENT (COMSTOCK ENTERPRISES #2)** - Special use permit issued October 1986 for a gravel pit on approximately 173.47 total acres; located at 95 Industrial Parkway, Mound House (APN 16-411-06)

**V & T MANAGEMENT (COMSTOCK ENTERPRISES #3)** - Special use permit issued October 1986 for an aggregate processing operation on approximately 1.51 total acres; located at 10015 Highway 50 East, Mound House (APN 16-081-06)

**PAUGH, RONALD** - Special use permit issued October 1990 to utilize a mobile home for watchman's quarters all on 1.00 acre; located at 60 Industrial Parkway, Mound House (APN 16-164-14)

**WILSON, GARY & KATHY/WILSON, PAUL** - Special use permit issued October 1997 to utilize an existing mobile home for watchman's quarters in conjunction with a construction yard, storage, equipment, shop use on approximately 2 total acres; located at 34 Affonso Drive, Mound House (APN 16-195-17)

**CICHOWICZ, DEAN A.** - Special use permit issued October 2000 to continue operation of an existing junk/wrecking yard and to utilize the existing mobile home for watchman's

quarters all on approximately 2.02 total acres; located at 58 & 64 Kit Kat Drive, Mound House (APN's 16-245-03 & 16-245-05)

**SHELL, BRADLEY S & BRENDA I** - Special use permit issued October 2002 to construct mini-storage units, and to have outside R.V. and boat storage on approximately 7.20 total acres (excluding the one (1) residential acre; located at 8715 Scenic Avenue, Stagecoach (APN 19-382-07 - zoned C-2 & RR-1T) and 8765 U.S. Highway 50, Stagecoach (APN 19-382-06 – zoned C-2)

**WEBSTER, ANGELO & CHRISTINA / ACE MINI STORAGE, INC.** - Special use permit issued October 2000 to construct eight (8) mini storage buildings with outside storage for vehicles on approximately 2.81 total acres; located at 7003 Highway 50 East, Mark Twain area (APN 19-192-01)

**SUGARLOAF INVESTMENTS LLC/ V & T MANAGEMENT LLC** - Special use permit issued October 2005 for a combination of self storage, watchman's quarters and retail operation on approximately 8.517 total acre parcel; located off of Dayton Valley Road, Dayton (APN 16-271-33)

**SEUBERT, DONALD & SOPHIA/ SUEBERT FAMILY LIMITED PARTNERS** - Special use permit issued October 1991 for a sand and gravel operation, and modified October, 1994 to add an additional 7.5 acres, all on a portion of 98.54 total acres located off of Highway 339 and Nordyke Road, Mason Valley (APN 12-332-07); and on a portion of a 189.79 total acre parcel located at 800 Highway 339, Mason Valley (APN 12-332-05)

**GODDE, FORREST** - Special use permit issued October 1995 to utilize a mobile home for ranch help on approximately 885 total acres; located at 1075 Highway 208, Mason Valley (APN 12-401-10)

**SCATENA, LOUIS V.** - Special use permit issued October 1998 to utilize a mobile home for ranch help on approximately 399.53 total acres; all located at 1275 Highway 208, Mason Valley (APN 12-401-02)

**DESERT ENGINEERING / CHICO, JIM** - Special use permit issued October 1999 to operate a material site to process rock, sand and gravel on a portion of an approximately 115.20 total acre parcel; all located at 26 East Pursel Lane, Mason Valley (APN 12-161-07)

**SIMMONS, STANLEY & LEIA / WALKER RIVER RESORT OF NEVADA** - Special use permit issued October 1998 to offer a community clubhouse and recreational center including a sporting clays shooting course, fly fishing classes, basketball and volleyball courts, swimming pool and Jacuzzi and horseback riding on approximately 230 total

acres; all located at 251 Copperbelt Road, Smith Valley area (APN's 10-461-03 & 10-461-07)

**The following special use permits were acted on individually:**

**SMITH VALLEY BAPTIST CHURCH** - Special use permit issued October 2003 to construct and operate a Christian school on approximately 4.99 total acres; located at 888 Hudson Way, Smith Valley (APN 09-151-08) Paula Rosaschi asked how far along the church was in the construction process. A letter was read from the Pastor of the Smith Valley Baptist Church which answered the concern. Paula Rosaschi made a motion to extend the special use permit for one year, subject to all of the original conditions of approval. Ken Gardner seconded and the motion passed unanimously.

**TOYBOX ENTERPRISES, L.L.C.** - Special use permit issued November 1997 (October review) to build and operate a motor sports and recreation complex on approximately 343.59 total acres; all located at 1965 Highway 95A, South of Fernley (APN 21-551-03) Ken Gardner stated that the zoning on the first two items was listed incorrectly. Kerry Page noted that it had been corrected. Mr. Gardner continued that he had spoken with the Building Department Director and verified that this applicant is now in compliance with all building and Lyon County codes. Ken Gardner made a motion to **extend** the special use permit for one year, subject to all of the original conditions of approval. Paula Rosaschi seconded and the motion passed unanimously.

**TOYBOX ENTERPRISES, L.L.C.** - Special use permit issued October 1998 to include the following uses: sand drag strip, shooting range, paint-ball course, rifle and pistol range, gun club, shooting/target competitions, archery range, bicycle/skateboard/roller blade events and facilities, concerts/entertainment/shows and driving schools all on approximately 343.59 total acres; located at 1965 Highway 95A, South of Fernley (APN 21-551-03) Ken Gardner made a motion to **extend** the special use permit for one year, subject to all of the original conditions of approval. Paula Rosaschi seconded and the motion passed unanimously.

**TOYBOX ENTERPRISES, LLC** - Special use permit issued to utilize 6 commercial coaches in conjunction with the racing facility on approximately 618.72 total acres; located west of Highway 95A South, Fernley (APN 21-551-01, 02, 03 & 04) Ken Gardner made a motion to **extend** the special use permit for one year, subject to all of the original conditions of approval. Paula Rosaschi seconded and the motion passed unanimously.

**STAFF COMMENTS AND GENERAL DISCUSSION** (discussion only) It was discussed that no one has yet applied for the open seat on the Planning Commission for the Mason Valley area and Mr. Loveberg requested that the Planning Commission members encourage those members of the public that they know, to apply. Rob Loveberg stated that Ken Gardner has submitted a letter stating that he will not ask to be reappointed to the Planning Commission when his term is up in December of this year. Mr. Loveberg expressed his appreciation to have worked with Mr. Gardner during his time with Lyon County and thanked Ken for his efforts. Chuck Roberts asked if the Dayton Regional Advisory Council should be allowed to submit comments when they do not have a quorum present at their meetings. Ray Fierro asked if anything had been done about the time it takes Lumos & Associates to review plans. Rob Loveberg responded that he and the County Manager have discussed this issue with Chas. Macquarie of Lumos & Associates. Mr. Fierro then asked about the status of the Landscape and the Sign ordinances. Mr. Loveberg said that they are on the backburner for now as he has been very busy with more important issues, but he has not forgotten about them.

**MASTER PLAN** – Rob Loveberg said that on October 19, 2006, the Board of Commissioners and the Planning Commission will have a workshop as a kick-off for the Comprehensive Master Plan. Clarion Associates, the consultant recently hired to perform the research for the master plan, will provide a presentation on their process. Paula Rosaschi stated that the Smith Valley Master Plan Committee has disbanded and all requests will now go through the Smith Valley Advisory Board. All of their comments will be incorporated into the Lyon County Comprehensive Master Plan. The Smith Valley Master Plan can be viewed on the Smith Valley Advisory Council's website.

Chuck Roberts adjourned the meeting.

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Chuck Roberts, Chairman

ATTEST:

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Rob Loveberg, Planning Director

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Kerry Page, Planning Assistant