LYON COUNTY PLANNING COMMISSION
TUESDAY, MARCH 10, 2026
9:00 AM
LYON COUNTY ADMINISTRATIVE COMPLEX
27 S. MAIN STREET
YERINGTON, NV 89447

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Planning Commission meetings are open to the public and members of the public may attend in person and the meetings are also virtual and the public may attend via Virtual Zoom.

Public Comment: Lyon County allows the following alternatives for public comment. If you are attending the virtual Zoom meeting, public comment may be provided by raising your hand and requesting to provide public comment. This can occur in several ways, including by dialing *9 from your phone to raise your hand and request to speak for public comment. To unmute yourself, dial *6. You can also provide public comment for this meeting by sending an email to countyclerks@lyon-county.org, the day prior to the posted meeting date. Be sure to type, PUBLIC COMMENT, in the subject line.

Written public comments may also be mailed to the Lyon County Community Development Office at 27 S. Main Street, Yerington, Nevada 89447, but all public comments must be received prior to the date of the meeting if the comments are to be included in the supplemental materials. Any written public comment received the day of the meeting will be compiled and added as supplemental materials to the County's website and distributed to the Planning Commission within 24 hours after the meeting. Members of the Public may attend the meeting in person at the Greg Hunewill Lyon County Commission Chambers, 27 S. Main Street, Yerington, Nevada.

1. Roll Call

2. Pledge of Allegiance

3. Public Participation (no action will be taken on any item until it is properly agendized) - *Members of the public who wish to address the Planning Commission may approach the podium and speak on matters related to the Lyon County Planning Commission, but not on items appearing on the Agenda. Speakers are asked to state their name for the record and to sign and print their name on the form at the lectern. Comments are limited to three*

minutes per person or topic. The Commission reserves the right to reduce this three minute time limit, as well as limit the total time for public comment. If your item requires extended discussion, please request the Chair to calendar the matter for a future Planning Commission meeting. The Planning Commission will not restrict comments based on viewpoint. The same applies to public testimony on each Agenda item. The Chair may reopen public participation at any time during the meeting. No action may be taken upon a matter raised under this item of the Agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken.

4. Review and Adoption of Agenda (for possible action)

5. For Possible Action: Approval of Minutes

5.a For Possible Action: To approve the minutes from the February 10, 2026 meeting.

- February 10, 2026 Minutes

6. Advisory Board Reports

6.a For Discussion Only: Letter of Transmittal from the Smith Valley Citizens Advisory Board.

- Smith Valley Citizens Advisory Board

7. Public Hearing Items

7.a For Possible Action: To forward a recommendation to the Board of County Commissioners for the request from Mark Jones for a Conditional Use Permit for an Indoor Vertical Farm System on land zoned AG (Agriculture) located at 60 Artesia Road in Wellington on an approximately 21.60-acre parcel (APN 010-081-43); PLZ-2026-003.

- Staff Report
- Backup
- Public Comment
- Late Public Comment
- PowerPoint Presentation

7.b For Possible Action: To forward a recommendation to the Board of County Commissioners for the request from Nevada Cement Company LLC for Master Plan Amendments to change the designations from Employment and Resource to Industrial on three parcels that total approximately 462.27 acres in Fernley at 1290 W. Main Street and two unaddressed locations (APNs 021-042-01, 021-571-08 and 021-581-01); PLZ-2025-106.

- Staff Report
- Parcel Pictures
- Project Description

7.c For Possible Action: To forward a recommendation to the Board of County Commissioners for the request from Nevada Cement Company LLC for Zoning Map Amendments to change the zoning from the Title 10 district name of RR-5 (Fifth Rural Residential, 20-acre minimum) and M1 (General Industrial) on four parcels that total approximately 475.50 acres, located at 1290 West Main Street and three unaddressed locations in Fernley. (APNs 021-581-01, 021-571-08, 021-571-05 and 021-042-01); PLZ-2026-002.

- Staff Report
- Backup

8. Community Development Director

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

9. Commissioner Comments and Agenda Requests

10. Public Participation (no action will be taken on any item until it is properly agendized) *- Members of the public who wish to address the Planning Commission may approach the podium and speak on matters related to the Lyon County Planning Commission but not on items appearing on the Agenda. Comments are limited to three minutes per person or topic and will not be restricted based on viewpoint. No action may be taken upon a matter raised under this item of the Agenda until the matter itself has been specifically included on an Agenda as an item upon which action may be taken.*

11. ADJOURNMENT

Pursuant to NRS 241.020, the agenda has been posted at the following locations: Lyon County Administrative Complex (27 S. Main Street, Yerington, NV), the Lyon County Website: https://www.lyon-county.org, and the State Website: https://notice.nv.gov. Supporting documentation for the items on the agenda is available to members of the public at the County Manager's Office (27 S. Main Street, Yerington, NV), by phone (775)463-6531, or by email requests to countyclerks@lyon-county.org.

Lyon County recognizes the needs and civil rights of all persons regardless of age, race, color, religion, sex, handicap, family status, or national origin. In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternate means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible agency or USDA's TARGET Center at (202) 720-2600 (voice and T) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found on-line at http://www.ascr.usda.gov/complaint_filing_cust.html and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) Mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410; Fax: (202) 690-7442; or Email: program.intake@usda.gov

T.D.D. services available through 463-2301 or 463-6620 or 911 (emergency services) notice to persons with disabilities: members of the public who are disabled and require special assistance or accommodations at the meeting are requested to notify the Commissioners'/Manager's office in writing at 27 S. Main Street, Yerington, NV 89447, or by calling (775) 463-6531 at least 24 hours in advance.

Lyon County is an equal opportunity provider.

Agenda and Backup Material is Available at www.lyon-county.org

Lyon County Planning Commission Agenda Summary

Meeting Date: March 10, 2026

Agenda Item Number:
5.a

Subject:
For Possible Action: To approve the minutes from the February 10, 2026 meeting.

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS
- February 10, 2026 Minutes

LYON COUNTY PLANNING COMMISSION MEETING MINUTES

FEBRUARY 10, 2026

The February 10, 2026 meeting of the Lyon County Planning Commission was called to order by Commission Chairwoman Shannon Ceresola, 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; County Manager, Andrew Haskin; District Attorney, Steve Rye; Senior Planners Louis Cariola and Lisa Nash; and Administrative Assistant, Brandi Lathrop were present.

1. **Roll Call:** Members present: Commissioners Shannon Ceresola, Audrey Allan, Loretta Sell, Wendy Loomis, Mark Jones, Andrew Merritt and Katie Baker attended in chambers. A quorum was noted.

2. **Pledge of Allegiance**

3. **Public Participation -** None

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

Commissioner Allan motioned to adopt the agenda as presented.

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

There was no public comment.

5. **For Possible Action: Approval of Minutes**
   5.a. For Possible Action: To approve the minutes from the January 13, 2026 meeting.

Commissioner Loomis motioned to approve the minutes from the January 13, 2026 meeting.

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

There was no public comment.

6. **Advisory Board Reports** - None

7. **Public Hearing Items**

   7.a. For Possible Action: To forward a recommendation to the Board of County Commissioners for the request from GDA Degree Inc. for a Zoning Map Amendment to amend the Zoning Map split-zoned designations from the Title 10 districts of Limited Commercial District (C-1) and Fifth Rural Residential District (20 Acres) (RR-5) to the Title 15 district of Rural Residential, 20 Acre Minimum (RR-20), for an 18.00-acre parcel located at 20 Hoye Canyon Road in Smith Valley (APN 010-631-32), PLZ-2025-102.

Senior Planner Lisa Nash gave a presentation of the item. The Applicant requests a Zoning Map Amendment to amend the Zoning designation from the expired Title 10 districts of Limited Commercial District (C-1) and Fifth Rural Residential District (20 Acres) (RR-5) to the Title 15 district of Rural Residential, 20 Acre Minimum (RR-20) on one parcel approximately 18.00 acres in size. The property is currently split zoned, however the following Tentative Parcel Maps would bring this into compliance. The current zoning is not compatible with the Master Plan, but the proposed zoning is.

Commissioners and Senior Planner Lisa Nash discussed the split zoning and how the applicant would be bringing the parcel into compliance. Commissioner Jones had concerns over the future development of the property and if there is water available.

Public Comment – None

Commissioner Allan motioned to forward a recommendation of approval to the Board of County

Commissioners for the request from GDA Degree Inc. for a Zoning Map Amendment to amend the Zoning Map split-zoned designations from the Title 10 districts of Limited Commercial District (C-1) and Fifth Rural Residential District (20 Acres) (RR-5) to the Title 15 district of Rural Residential, 20 Acre Minimum (RR-20), for an 18.00-acre parcel located at 20 Hoye Canyon Road in Smith Valley (APN 010-631-32), PLZ-2025-102 based on the findings listed in the staff report.

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

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

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

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

7.b. For Possible Action: To approve the request from GDA Degree Inc. for a Tentative Parcel Map to merge and re-subdivide three (3) parcels into three (3) parcels with differing acreages, the smallest being 3.72 acres, located at 20 and 30 Hoye Canyon Road and 2805 Hwy 208 in Smith Valley (APNs 010-631-32, -33, and -37); PLZ-2025-107.

Senior Planner Lisa Nash gave a combined presentation of items 7.b. and 7.c. She discussed the Master Plan designation. The Zoning Map Amendment will be required to go to the Board of County Commissioners if approved and there is a condition of approval in the Staff Report that does not allow the applicant to record the Tentative Parcel Maps unless the Zoning Map Amendment is approved by the Board. The Tentative Parcel Maps are conditioned to be recorded together. With these Tentative Parcel Maps, all split zoning would be removed and each RR-5 zoned parcel would be over the required 20-acre minimum. All parcels would require a well and septic for future development.

Commissioners and Senior Planner Lisa Nash discussed the parcel access. Jerit Shuman, the applicant's representative, clarified that there is access to the parcels. If there is not a current easement for access, one will be created. They discussed the bridge access, the uses, and the project fixing current issues to bring the parcel into compliance.

Public Comment – Jim Dechambeau had comments around being unsure where the bridge is located on Hoye Canyon.

Robin Biggs had questions around access to water and expressed concern around natural vegetation being cleared from the property during future development.

Commissioner Jones motioned to approve the request from GDA Degree Inc. for a Tentative Parcel Map to merge and re-subdivide three (3) parcels into three (3) parcels with differing acreages, the smallest being 3.72 acres, located at 20 and 30 Hoye Canyon Road and 2805 Hwy 208 in Smith Valley (APNs 010-631-32, -33, and -37); PLZ-2025-107 based on the Conditions of Approval listed in the Staff Report.

1. The developer shall comply with all Federal, State, County and special purpose district regulations.
2. The developer shall make corrections of any engineering or drafting errors and other technical map corrections to the satisfaction of the County Engineer and Community Development Director prior to submitting the final parcel map for recordation.
3. The developer shall pay the actual costs for 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.

4. Dedication of water rights may be necessary to serve the newly created parcels. Prior to the recordation of a Final Map, the applicant shall relinquish any required and appropriate water rights to the State of Nevada.
5. Each residence/development on a separate lot will be required to have an individual system for sewage disposal and well. Verification of the availability of water and sewage disposal for each of the existing buildings currently on APN 010-631-37 will need to provided prior to recordation of the Final Parcel Maps.
6. 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.
7. 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.
8. The developer shall pay the required recording fees at time of final parcel map recordation.
9. 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.
10. The developer shall comply with Lyon County's storm drainage guidelines (revised 2024).
11. The applicant must work with WRID to create language for the Saroni Canal easement through these properties that will satisfy the property owner as well as the District and Canal Company. This language will be shared with all stakeholders for input. The existing WRID water cards that are associated with these properties, both belonging to Mr. Garms and Lyon County, will have to be changed to fit within the changed parcels.
12. 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.
13. If the Zoning Map Amendment application (PLZ-2025-102) associated with APN 010-631-32 is not approved by the Board of County Commissioners, the applicant cannot submit for a Final Parcel Map.
14. The Final Parcel Map for TPM No. 1 shall be recorded simultaneously with the Final Parcel Map for TPM No. 2. They may not be submitted separately.
15. 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 Sell seconded and the motion passed by unanimous vote (7 Ayes, 0 Nay, 0 Abstentions)

7.c. For Possible Action: To approve the request from GDA Degree Inc. for a Tentative Parcel Map to merge and re-subdivide four (4) parcels into four (4) parcels with differing acreages, the smallest being 3.96 acres, located at 20, 40, 50, and 80 Hoye Canyon Road in Smith Valley (APNs 010-631-34, -35, -36 and Parcel 3 from TPM 1); PLZ-2025-103.

Senior Planner Lisa Nash gave presentation of this item with item 7.b.

Public Comment – None

Commissioner Loomis motioned to approve the request from GDA Degree Inc. for a Tentative Parcel Map to merge and re-subdivide four (4) parcels into four (4) parcels with differing acreages, the smallest being 3.96 acres, located at 20, 40, 50, and 80 Hoye Canyon Road in Smith Valley (APNs

010-631-34, -35, -36 and Parcel 3 from TPM 1); PLZ-2025-103 based on the conditions listed in the Staff Report.

1. The developer shall comply with all Federal, State, County and special purpose district regulations.
2. The developer shall make corrections of any engineering or drafting errors and other technical map corrections to the satisfaction of the County Engineer and Community Development Director prior to submitting the final parcel map for recordation.
3. The developer shall pay the actual costs for 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.
4. Dedication of water rights may be necessary to serve the newly created parcels. Prior to the recordation of a Final Map, the applicant shall relinquish any required and appropriate water rights to the State of Nevada.
5. Each parcel will be required to have an individual system for sewage disposal and well with any future development.
6. 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.
7. 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.
8. The developer shall pay the required recording fees at time of final parcel map recordation.
9. 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.
10. The developer shall comply with Lyon County's storm drainage guidelines (revised 2024).
11. The applicant must work with WRID to create language for the Saroni Canal easement through these properties that will satisfy the property owner as well as the District and Canal Company. This language will be shared with all stakeholders for input. The existing WRID water cards that are associated with these properties, both belonging to Mr. Garms and Lyon County, will have to be changed to fit within the changed parcels.
12. 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.
13. If the Zoning Map Amendment application (PLZ-2025-102) associated with APN 010-631-32 is not approved by the Board of County Commissioners, the applicant <u>cannot</u> submit for a Final Parcel Map.
14. The Final Parcel Map for TPM No. 2 shall be recorded simultaneously with the Final Parcel Map for TPM No. 1. They may not be submitted separately.
15. Approval of the tentative parcel map shall not constitute acceptance of the final parcel map. **<u>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.</u>** No extension may be granted after receiving approval of the tentative parcel map.

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

7.d. For Possible Action: To forward a recommendation to the Board of County Commissioners

for the request from Microsoft Corporation for a Conditional Use Permit to construct a 345/120-kilovolt electrical substation, two high voltage power lines, and other associated infrastructure for the Nighthawk Substation over approximately 32.59 acres of five parcels with Neighborhood Commercial (NC) zoning located north of US Highway 50 in Silver Springs at 1200 W US Highway 50 (Portion of APN 015-141-13 and 018-551-03, 018-551-04, 018-552-01, 018-552-02); PLZ-2025-109.

Senior Planner Louis Cariola gave a presentation of the item. Microsoft requests approval for a Conditional Use Permit to construct an electrical power substation to support a data center campus under separate review. There is a Tentative Parcel Map under review with the Community Development Department that will create a single parcel for this project area once recorded. Senior Planner Louis Cariola is working on an ADR application for a Data Center for Microsoft. Silver Springs Mutual Water Company will provide water services, and Silver Springs GID will provide sewer service. Microsoft has been working with Lyon County for some time prior to getting to this point of the process. The applicant will be required to obtain approval from the Federal Aviation Authority. He discussed the reasons why the applicant chose this location for the project and the construction phase not requiring improvements to county roads. Staff recommends approval.

Staci Huggins with Wood Rodgers, the applicant's representative, gave presentation of the item. The substation is part of a much larger project area. She discussed the substation, what it is anticipated to look like, lighting, access, maintenance, and noise concerns. In the future, the substation could potentially provide backup service for the residents of Silver Springs. She also discussed Condition 2 listed in the Staff Report requiring the applicant to come before the Board again if there are any changes to the CUP. They request this to be modified to be reviewed by Staff for determination if they would need to go before the Board for review.

Commissioner's discussed public comment received, when the substation would be constructed, and limitations to development surrounding the project. Stacie Huggins stated construction to begin in 2028-2029. This project will tie into the Greenlink substations previously approved for NV Energy. There were questions around the access road maintenance and why it would be turned back into gravel, the only parts of the access road that will be turned back to gravel will be inside the property lines.

Commission Chairwoman Ceresola had questions around the language in the Conditions of Approval. Senior Planner Louis Cariola discussed Staff being in support of the amendments to Condition 2 as discussed. Community Development Director discussed minor changes being 10% or less, anything exceeding the 10% would be required to go before the Board for approval.

There was discussion around the zoning for neighboring properties and clarification on where the current and future projects would be located within the parcel.

Public Comment – Robin Biggs discussed the project location and had concerns around water. She also requested written public comments received to be read into record.

Community Development Director Gavin Henderson, clarified that public comment received would be included as backup.

Brent Lovett shares the east property line with the project location. He was under the impression this would be a commercial site for an office and expressed concern around the location of the project and the impact to his neighboring project.

Commission Chairwoman Ceresola called for a recess 10:26 a.m.

Commission resumed at 10:40 a.m.

Community Development Director Gavin Henderson discussed the applicant accepting conditions with no modifications.

Commissioner Jones abstained from voting on this item due to a conflict.

Commissioner Allan motioned to forward a recommendation of approval to the Board of County Commissioners for the request from Microsoft Corporation for a Conditional Use Permit to construct a 345/120-kilovolt electrical substation, two high voltage power lines, and other associated infrastructure for the Nighthawk Substation over approximately 32.59 acres of five parcels with Neighborhood Commercial (NC) zoning located north of US Highway 50 in Silver Springs at 1200 W US Highway 50 (Portion of APN 015-141-13 and 018-551-03, 018-551-04, 018-552-01, 018-552-02); PLZ-2025-109 based on the Conditions of Approval listed in the Staff Report.

1. The project activities shall be constructed and operated in accordance with the conceptual site plan and construction drawings as submitted and reviewed as part of this approval. Any further expansion will require modification of this Conditional Use Permit or an additional Conditional Use Permit and/or other approvals.
2. Any modification, expansion, intensification or material change in use or operation shall require an application for, and public hearings on, an amendment to the Conditional Use Permit use pursuant to Lyon County Code.
3. The applicant shall comply with all state, federal and local government regulations to the satisfaction of the appropriate agencies for the proposed uses. The applicant shall comply with all applicable Fire, building, zoning and improvement code requirements and obtain any necessary public inspections.
4. All construction documents, to include separate applications, must be submitted to Lyon County Utilities, Central Lyon Fire Protection District and Lyon County Building for review and approval to obtain a Building Permit.
5. The applicant is required to submit for a separate and independent Fire Plan review and will be required to comply with the 2024 Northern Nevada Code Amendments package and all applicable NFPA standards.
6. All contractors doing any construction, modifications, or remodel must be licensed in the State of Nevada.
7. The applicant shall maintain a Lyon County business license for the use while occupying the site.
8. The applicant shall receive approval from the Federal Aviation Administration (FAA) of a Form 7460-1 and supply it to the County prior to the issuance of Building Permits.
9. The applicant shall receive approval from the County Roads Department of an encroachment permit to pave access roads to the site prior to initiation of construction and grading on-site.
10. In accordance with the project description, the substation building pad shall be secured with a 14 foot tall CMU (Concrete Masonry Unit) wall.
11. 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 two-hour monitoring period from the property boundary. The Community Development Director reserves the right to 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.
12. Exterior site and building lighting shall be installed as to eliminate any nuisance to adjoining properties. No unshaded light sources shall be permitted.
13. The applicant shall comply with the Lyon County drainage guidelines (2024 updated edition) to the satisfaction of the County Engineer. The property owner shall be responsible for maintenance of all

roads, parking areas and drainage facilities within the parcel, as well as any storm water detention facilities.

14. 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 Merritt seconded and the motion passed by majority vote (6 Ayes, 0 Nay, 1 Abstentions-Commissioner Jones)

7.e. For Possible Action: To forward a recommendation to the Board of County Commissioners for the request from Microsoft Corporation for a Conditional Use Permit to construct a 120-kilovolt electrical substation and other associated infrastructure over approximately 18.70 acres of two parcels with Neighborhood Commercial (NC) zoning located north of US Highway 50 in Silver Springs at 1200 W US Highway 50 (Portion of APN 015-141-13 and 015-141-04); PLZ-2025-110.

Senior Planner Louis Cariola gave a presentation of the item. Microsoft requests approval for a Conditional Use Permit to construct an electrical power substation to support a data center campus under separate review. The project configuration is under review by staff for recordation. He discussed prior items that have come before the Board dating back to 2022 and the requirement for the applicant to obtain approval from the FAA. The substation will tie into NV Energy's Greenlink project. Staff recommends approval.

Commissioners and Senior Planner Louis Cariola discussed the visual mitigation measures. Stacie Huggins discussed what the project is anticipated to look like.

Stacie Huggins with Wood Rodgers, the applicant's representative, gave presentation of the item. This project will be fed from the Nighthawk Substation, from there it will power the future data center. The project meets the setbacks in County Code, there will be motion censored lighting, and no employees on site other than during construction or maintenance. Commissioner's had concerns around fencing and visual impacts. This included a discussion of the chain link fencing versus the walls proposed around the Nighthawk substation.

Public Comment – Brent Lovett with Mineral Heights Apartments discussed existing residential lots to the East and the incompatibility with the area.

Commissioner Merritt motioned to forward a recommendation of approval to the Board of County Commissioners for the request from Microsoft Corporation for a Conditional Use Permit to construct a 120-kilovolt electrical substation and other associated infrastructure over approximately 18.70 acres of two parcels with Neighborhood Commercial (NC) zoning located north of US Highway 50 in Silver Springs at 1200 W US Highway 50 (Portion of APN 015-141-13 and 015-141-04); PLZ-2025-110 based on the 14 Conditions of Approval listed in the Staff Report.

1. The project activities shall be constructed and operated in accordance with the conceptual site plan and construction drawings as submitted and reviewed as part of this approval. Any further expansion will require modification of this Conditional Use Permit or an additional Conditional Use Permit and/or other approvals.

2. Any modification, expansion, intensification or material change in use or operation shall require an application for, and public hearings on, an amendment to the Conditional Use Permit use pursuant to Lyon County Code.

3. The applicant shall comply with all state, federal and local government regulations to the satisfaction of the appropriate agencies for the proposed uses. The applicant shall comply with all applicable Fire, building, zoning and improvement code requirements and obtain any necessary public inspections.
4. All construction documents, to include separate applications, must be submitted to Lyon County Utilities, Central Lyon Fire Protection District and Lyon County Building for review and approval to obtain a Building Permit.
5. The applicant is required to submit for a separate and independent Fire Plan review and will be required to comply with the 2024 Northern Nevada Code Amendments package and all applicable NFPA standards.
6. All contractors doing any construction, modifications, or remodel must be licensed in the State of Nevada.
7. The applicant shall maintain a Lyon County business license for the use while occupying the site.
8. The applicant shall receive approval from the Federal Aviation Administration (FAA) of a Form 7460-1 and supply it to the County prior to the issuance of Building Permits.
9. The applicant shall receive approval from the County Roads Department of an encroachment permit to pave access roads to the site prior to initiation of construction and grading on-site.
10. The project area shall be fenced with at least six feet of chain link for security purposes.
11. 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 two-hour monitoring period. The Community Development Director reserves the right to 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.
12. Exterior site and building lighting shall be installed as to eliminate any nuisance to adjoining properties. No unshaded light sources shall be permitted.
13. The applicant shall comply with the Lyon County drainage guidelines (2024 updated edition) to the satisfaction of the County Engineer. The property owner shall be responsible for maintenance of all roads, parking areas and drainage facilities within the parcel, as well as any storm water detention facilities.
14. 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 Sell seconded and the motion passed by majority vote (6 Ayes, 0 Nay, 1 Abstentions-Commissioner Jones)

Commission Chairwoman called a recess at 11:06 a.m.

Commission resumed at 11:46 a.m.

7.f. For Possible Action: To forward a recommendation to the Board of County Commissioners for the request from Traditions North LLC for a Zoning Map Amendment to amend the Zoning Map split-zoned designations from the Title 10 districts of First Rural Residential District (1 Acre) (RR-1), First Estates Residential District (E-1), Single-Family Nonrural Residential District (NR-1), and General Commercial District (C-2), to the Title 15 district of Planned Unit

Development (PUD), generally located north of the intersection of Nevada Station and Rock Creek Parkways in Dayton on an approximately 230.76-acre parcel (APN 016-406-07), PLZ-2025-093.

Senior Planner Lisa Nash gave a combined presentation of items 7.f. and 7.g. She discussed the Master Plan designations and the PUD restricting this project to strictly residential uses and recreational uses allowed in open space. There will be 415 residences.

Commissioners and Senior Planner Lisa Nash discussed the commercial space not being included in this project and the findings listed in the Staff Report. Staff recommends approval for both items.

Carter Williams, the applicant's representative, gave a presentation of the item. He discussed collaboration with the Friends of the Sutro Tunnel, the applicant will be making a land donation which will be excluded from the PUD. The reduction of proposed homes provides the applicant more area for open space.

Citizens on Zoom were unable to hear the presentation, Carter Williams went through his presentation again.

Commissioners had discussion around the original plan and Chris Baker clarified that the original Traditions PUD had been dissolved.

Public Comment – Stephen Snow is in support of this project. He discussed the importance of this project to Dayton and to the Friends of the Sutro Tunnel.

Robin Biggs had questions around power, water, and how far the project is from the Sutro Tunnel.

Dan Birchfield, on behalf of the applicant discussed sewer and water being provided by Lyon County Utilities.

Commissioner Jones motioned to forward a recommendation of approval to the Board of County Commissioners for the request from Traditions North LLC for a Zoning Map Amendment to amend the Zoning Map split-zoned designations from the Title 10 districts of First Rural Residential District (1 Acre) (RR-1), First Estates Residential District (E-1), Single-Family Nonrural Residential District (NR-1), and General Commercial District (C-2), to the Title 15 district of Planned Unit Development (PUD), generally located north of the intersection of Nevada Station and Rock Creek Parkways in Dayton on an approximately 230.76-acre parcel (APN 016-406-07), PLZ-2025-093 based on the Findings listed in the Staff Report.

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

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

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

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

7.g. For Possible Action: To forward a recommendation to the Board of County Commissioners for the request from Traditions North LLC for a Planned Unit Development (PUD) for the Traditions North Residential Development. The project consists of 415 single-family residential units, open space, a neighborhood park, and pocket parks and is generally located north of the intersection of Nevada Station and Rock Creek Parkways in Dayton on an approximately 230.76-acre parcel (APN 016-406-07), PLZ-2025-094.

Senior Planner Lisa Nash gave a combined presentation of items 7.f. and 7.g.

Public Comment – None

Commissioner Loomis motioned to forward a recommendation of approval to the Board of County Commissioners for the request from Traditions North LLC for a Planned Unit Development (PUD) for the Traditions North Residential Development. The project consists of 415 single-family residential units, open space, a neighborhood park, and pocket parks and is generally located north of the intersection of Nevada Station and Rock Creek Parkways in Dayton on an approximately 220.76-acre parcel (APN 016-406-07), PLZ-2025-094 based on the Findings listed in the Staff Report.

A. In what respects the plan is or is not consistent with the statement of objectives of this chapter;

B. The extent to which the plan departs from zoning and planned unit development regulations otherwise applicable to the property, including but not limited to density, size and use, and the reasons such departures are or are not deemed to be in the public interest;

C. The purpose, location and amount of the open space in the planned unit development, the reliability of the proposals for maintenance and conservation of the open space and the adequacy or inadequacy of the amount and purpose of the open space as related to the proposed density and type of residential development;

D. A physical design of the plan and in the manner in which such design does or does not make adequate provision for public services, provide adequate control over vehicular traffic, parking requirements, and further the amenities of light and air, recreation and visual enjoyment;

E. The relationship, beneficial or adverse, of the proposed planned unit development to the neighborhood in which it is proposed;

F. In the case of a plan which proposes a development over a period of years, the sufficiency of the terms and conditions intended to protect the interest of the public and the residents of the planned unit development in the integrity of the plan.

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

7.h. For Possible Action: To forward a recommendation to the Board of County Commissioners for the request from Traditions North LLC for a Tentative Subdivision Map. The request is for 358 detached single-family residential units, including 116-acres of common area open space, parks, and trails, and is generally located north of the intersection of Nevada Station and Rock Creek Parkways in Dayton on an approximately 230.76-acre parcel (APN 016-406-07), PLZ-2025-095.

Senior Planner Lisa Nash gave a combined presentation of items 7.h and 7.i. This Tentative Parcel Map is for the first 358 parcels of the project. The land uses allowed will be very restrictive. The maximum allowed residences will be 415, with open space consisting of 43.3% of the project area. The applicant is required to meet the conditions of approval for the Tentative Parcel Map.

There was discussion around the Traffic Impact Study, and the Street Name Request having been reviewed by all necessary entities.

Carter Williams, the applicant's representative, gave a presentation of the item. He further discussed the land use plan and amendments to the Conditions of Approval. The applicant would like to make amendments to Conditions 8, 22, 26, and 28. Staff has agreed to the amendments of these Conditions.

Dan Birchfield, on behalf of the applicant, discussed conditions 23 and 24 needing additional discussion. They are requesting to continue the approval process while working with Staff on the Conditions language.

Senior Planner Lisa Nash clarified the changes being made to the Conditions of Approval. Staff requests condition 24 be removed, and read the language be added to condition 23.c.

Commissioners, Carter Williams, and Lisa Nash discussed the driveway slope maximum being 14%. Community Development Director Gavin Henderson clarified there is not a maximum. The applicant will try to keep driveway slopes as flat as possible in their final design, Staff agrees there should be some flexibility with this condition. Staff recommends the commission forward a recommendation of approval to the Board of County Commissioners with the proposed amendments.

Public Comment – Robin Biggs had questions around septic and water.

Senior Planner Lisa Nash clarified these lots will be connected to Lyon County Utilities.

Commissioner Loomis motioned to forward a recommendation of approval to the Board of County Commissioners for the request from Traditions North LLC for a Tentative Subdivision Map. The request is for 358 detached single-family residential units, including 116-acres of common area open space, parks, and trails, and is generally located north of the intersection of Nevada Station and Rock Creek Parkways in Dayton on an approximately 220.76-acre parcel (APN 016-406-07), PLZ-2025-095 subject to the 34 Conditions of Approval with the amendments staff has proposed.

1. Approval of the tentative map shall not constitute acceptance of the final map. **Approval of the tentative map shall lapse unless a final map based thereon is recorded within four (4) years from the date of such approval**, unless a provision for an extension of time has been granted. The Board of County Commissioners, with the recommendation of the Community Development Department, may grant to the developer a single extension of not more than two (2) years within which to record a final map after receiving approval of the tentative map.
2. The applicant shall comply with all Federal, State, County and special purpose district regulations.
3. The developer shall provide the proposed Covenants, Conditions and Restrictions ("CC&Rs"), landscape maintenance association/homeowners association agreements, easements and/or other legal instruments containing sufficient detail to constitute enforceable provisions necessary for operation and maintenance by the developer and his successors, and assignees as well as the individual subdivision lot property owners as the project is subdivided and the individual lots sold for all common areas and storm drainage facilities (easements, channels and basins) as well as any other provisions necessary for the subdivision as approved, for review by the Community Development Director, the Utilities Director, the County Engineer and District Attorney's Office. The approved legal instrument shall be signed and recorded prior to recordation of a final map or first in a series of final maps for the project.
4. Prior to issuance of any Final Map, the applicant shall submit for the County's approval a landscape/treatment development plan for all common areas on the site, for that phase.
5. The applicant shall provide the approved street-naming application (PLZ-2025-098) with all submittals of an application for a final map or first in a series of final maps.
6. A phasing plan must be submitted prior to the recordation of the first final map if the development is to be phased.
7. Before requesting a Will-Serve Letter for the final subdivision map, the developer must submit an LCUD application for water and sewer service and meet the requirements outlined in County Code, Title 9. The applicant shall provide written evidence (i.e. 'will-serve' letters) demonstrating that the proposed parcels are able to be served by municipal water and sewer systems prior to recordation of a final subdivision map or first in a series of final maps for this project.
8. The proposed project will consist of a gravity sewer collection system. If a lift station is proposed, the developer is required to meet the requirements of NAC445A.285 and WTS-21. Odor control mitigation for a lift station is required when there are any homes within 1000' of a lift station.
9. 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.

10. The applicant shall comply with the final subdivision map requirements as prescribed by NRS 278 and Title 15 of the Lyon County Code.
11. Required recording fees to be paid at time of recording map.
12. No lot shall be offered for sale or sold until the final subdivision map has been approved and recorded.
13. No building permits shall be accepted for processing until a final subdivision map has been approved and recorded.
14. The applicant shall make corrections of any engineering or drafting errors and other technical map corrections to the satisfaction of the County Engineer and Community Development Director prior to submitting the final subdivision map for recordation.
15. The applicant shall pay the actual costs for County Engineer plan and map checking in accordance with the adopted County fee resolution in effect at the time, and provide proof of payment of any Tentative Subdivision Map review fees to the Community Development Department prior to submission of the final subdivision map. 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 of any Final Subdivision Map review fees to the Community Development Department prior to recordation of the final subdivision map.
16. The applicant shall provide the final subdivision map to the Lyon County GIS Coordinator in form and format compatible with the County geographical information system (GIS) pursuant to 15.607.08(B) 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.
17. The applicant shall comply with County requirements, in accordance with Chapter 15.234 of the Lyon County Code, mandating that a site improvement permit(s) be obtained for any disturbance occurring on the subject site. The site improvement permit applications shall also include documentation of approval of a Stormwater Pollution Prevention Plan ("SWPPP") permit and a Surface Area Disturbance ("SAD") permit with the Nevada Department of Environmental Protection (NDEP).
18. Prior to issuance of any site improvement permit, the applicant shall pay all applicable inspection and plan-check fees and execute a site improvement agreement establishing the responsibilities for construction, inspection, and completion of all required improvements.
19. Prior to any construction of improvements, a preconstruction conference shall be held between the contractor/developer and the appropriate County inspection personnel and departments.
20. All retaining walls within the subdivision, whether located on individual lots or within common areas, shall be designed by a Nevada-licensed civil or structural engineer and constructed in accordance with the approved plans. Retaining walls exceeding four (4) feet in height, measured from the lowest finished grade, shall require a building permit and engineered design. Retaining walls shall be located entirely outside of public rights-of-way and public utility easements unless otherwise approved by the County. Responsibility for long-term maintenance of retaining walls shall be clearly identified on the final map, in the subdivision's recorded covenants, conditions, and restrictions (CC&Rs), or HOA Stormwater Facilities Operation and Maintenance (O&M) Provisions, as applicable.
    a. All building permits related to retaining walls shall be accompanied by a special inspection agreement.
21. The applicant shall comply with Lyon County requirements as set forth in Title 15 of the Lyon County Code including, but not limited to:

a. The developer shall obtain all necessary encroachment permits and approvals as well as coordinate and comply with the requirements of the Roads Department;

b. The developer shall design the street alignments in compliance with AASHTO standards to the approval of the director of the Roads Department;

c. The developer shall install all required signage, striping and traffic control improvements in compliance with Nevada Department of Transportation and Lyon County requirements;

d. The developer shall install street lighting in compliance with the requirements of the Roads Department;

e. The developer shall submit a detailed geotechnical report with the final map(s) for the project that includes roadway structural sections and the structural section calculations demonstrating that the proposed structural section is adequate to support the weight of the anticipated traffic;

22. A Traffic Impact Study (TIS) is required for the project and has been submitted as part of the tentative subdivision map application.

a. NDOT provided a Traffic Impact Study Acceptance Letter on January 30, 2026 for the Traffic Impact Study for Traditions North (GCW, November 12, 2025).

b. The following improvements are recommended as mitigations based on the traffic impact study:

1) Prior to reaching LOS E, construct an additional right-turn lane for the southbound Fortune Drive to US 50 movement to mitigate the cumulative developmental impacts of Traditions North and other projects north of US 50.

c. The project applicant shall contribute a pro rata share to the US 50/Fortune Drive southbound right-turn lane improvement cost. Based on Future Year traffic volumes identified in the Traffic Impact Study, when LOS F conditions are identified, the Traditions North project trips are anticipated to be 5 percent of the total southbound right-turn volume during the highest peak hour.

23. The applicant shall provide a final drainage design and modeling compliant with the North Dayton Valley Area Drainage Master Plan and Lyon County Drainage Guidelines (dated September 20, 2024) to the satisfaction of the County Engineer and Community Development Director prior to the issuance of a site improvement permit. Major drainage facilities for off-site and post development flows shall be constructed with the first phase of development, and subsequent phases shall include improvements that connect to and function independently of future facilities.

a. Prior to recordation of the final subdivision map, or the first map in a series, the applicant shall demonstrate that all easements necessary for the conveyance, detention, retention, attenuation, and discharge of stormwater have been identified and incorporated into the final map. Such easements shall be sufficient to ensure that stormwater is managed and conveyed to appropriate locations in accordance with the approved drainage plans and applicable County standards.

b. Prior to issuance of a site improvement permit for residential home construction within Traditions North, the applicant shall pay their proportionate share for the regional stormwater facilities per condition 20.g of the Traditions Village 2 tentative subdivision map.

c. The applicant shall demonstrate, through final drainage design and supporting hydrologic and hydraulic analyses, that stormwater discharge at the project boundary for the applicable design storm is at or below pre-development flow rates. All stormwater discharges shall be conveyed to a major drainage facility as defined in the County Drainage Guidelines, a natural watercourse, or within an approved drainage system. Sheet flow discharges beyond the project boundary shall not be permitted.

24. For lots where, rear yard slopes are designed at 3:1 slope or greater, the applicant shall submit a rear lot drainage channel and/or swale detail with the site improvement plans, subject to review and approval

by the County Engineer. The approved drainage design shall be reflected on individual lot plot plans submitted with each single-family residential building permit. The drainage facilities shall be designed to intercept, convey, and attenuate stormwater runoff prior to discharge to the public right-of-way or approved drainage facilities, prevent slope erosion, and ensure that stormwater runoff does not adversely affect adjacent or downstream lots.

25. Prior to issuance of site improvement permit, all graded slopes constructed at 2:1 or steeper shall be designed to be stabilized with Class 150 riprap, or an engineered equivalent approved by the County Engineer, to protect against erosion, slope failure, and sediment transport. Installation shall be in accordance with the approved grading and drainage plans and applicable County standards.

26. Prior to the issuance of a Certificate of Occupancy for any single-family residence, or for any phase of the project if constructed in phases, all required public and private improvements, infrastructure, and facilities serving a subdivision phase shall be fully constructed, installed, tested as applicable, and accepted to the satisfaction of the Community Development Director, County Engineer, County Road Superintendent, Utilities Director, Building Official, Central Lyon County Fire Protection District, and any other applicable County department or agency, or their authorized designees.

27. All residential driveways shall be designed and constructed to ensure safe vehicular access under all weather conditions. The maximum driveway slope shall not exceed 14 percent.

28. The applicant shall comply with all applicable building and fire code requirements.

29. The applicant is required to submit for a separate and independent Fire Plan review and will be required to comply with the 2024 Northern Nevada Code Amendments package and all applicable NFPA standards. Contact the CLCFPD Fire Prevention Division at (775) 246-6209 for more information and direction.

30. The water system must meet the requirements of the Lyon County Utilities Department and Central Lyon County Fire Protection District and be constructed in accordance with the following:

    a. The location of fire hydrants shall be determined by the Central Lyon County Fire Protection District.

    b. A minimum required fire flow is required for each fire hydrant as directed by the Central Lyon County Fire Protection District.

    c. Prior to any combustible materials being brought on site, all required fire hydrants are to be installed and fully operating.

31. Distinct and legible “temporary” addresses are required of any structures under construction until such time as permanent address numbers are installed and posted.

32. The applicant will maintain the property until the development is complete. This maintenance will include the semi-annual mowing of all weeds within the development boundaries and the removal of noxious weeds when they are identified.

33. The applicant shall post and maintain a rules and regulations sign at the entryways to the property until it is fully developed. The signs shall be intended for the subcontractors performing work and shall include:

    a. No loud music;

    b. No alcohol or drugs;

    c. Dispose of personal trash and site debris;

    d. Clean up any mud and or dirt that is deposited from the construction parcels onto the streets; and

    e. No burning of construction or other debris on the property.

34. All debris on construction sites must be contained and removed periodically as required for safety and cleanliness to the satisfaction of the Lyon County Community Development Department.

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

7.i. For Possible Action: To forward a recommendation to the Board of County Commissioners for the request from Traditions North LLC to Reserve Street Names for the Traditions North Residential Development for the proposed roadways to be generally located north of the intersection of Nevada Station and Rock Creek Parkways in Dayton on an approximately 230.76-acre parcel (APN 016-406-07), PLZ-2025-098.

Senior Planner Lisa Nash gave a combined presentation of items 7.h and 7.i.

Public Comment – None

Commissioner Loomis motioned to forward a recommendation of approval to the Board of County Commissioners for the request from Traditions North LLC to Reserve Street Names for the Traditions North Residential Development for the proposed roadways to be generally located north of the intersection of Nevada Station and Rock Creek Parkways in Dayton on an approximately 230.76-acre parcel (APN 016-406-07), PLZ-2025-098 subject to one condition.

1. The requested street names are approved unless it is determined that there are duplicate street names or that a name that would create a public safety hazard due to another similar existing street name(s). Should the requested street name be denied, the Planning Director is authorized to administratively process a request for a replacement street name, obtain review and comment from the Sheriff's Office, Central Lyon Fire Protection District, Road Department and any other appropriate agency, and approve a revised street name without the requirement of a public hearing before the Planning Commission and Board of County Commissioners.

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

7.j. For Possible Action: To forward a recommendation to the Board of County Commissioners for the request from Lux Solar Center, LLC for a Major Variance application to allow for a reduction in setbacks for an expansion to the existing Lux Solar Project approved in 2023, to construct and operate a photovoltaic (PV) solar energy facility, on land subject to Rural Residential, 20 Acre Minimum (RR-20) zoning located in the northern portion of the parcel at 55 Butte Way in Wabuska, Mason Valley on an approximately 280-acre portion of a 1,593-acre parcel (APN 014-091-20); PLZ-2025-096.

Senior Planner Lisa Nash gave a combined presentation of items 7.j. and 7.k. The applicant is requesting a Major Variance for setbacks due to the recent Code adoption. The nearest residence is 3,700 ft from the project location. The applicant has received a response from NDOT, a second response is expected prior to going forward to the Board of County Commissioners. A temporary traffic signal will be put in place during the 13 month construction phase.

Commissioners and Senior Planner Lisa Nash discussed this project being ongoing, but building has not begun.

Commission Chairwoman Ceresola called a recess and excused herself at 1:27 p.m.

Commission Vice Chair Mark Jones resumed the meeting at 1:33 p.m.

Staff recommends approval of both items as conditioned.

Public Comment – Robin Biggs discussed not being allowed to bring solar panels in from China, she has sent emails to public officials. She quoted an email response from State Senator Robin Titus.

Commissioner Merritt motioned to forward a recommendation of approval to the Board of County Commissioners for the request from Lux Solar Center, LLC for a Major Variance application to

allow for a reduction in setbacks for an expansion to the existing Lux Solar Project approved in 2023, to construct and operate a photovoltaic (PV) solar energy facility, on land subject to Rural Residential, 20 Acre Minimum (RR-20) zoning located in the northern portion of the parcel at 55 Butte Way in Wabuska, Mason Valley on an approximately 280-acre portion of a 1,593-acre parcel (APN 014-091-20); PLZ-2025-096 based on the 8 Conditions of Approval.

1. No change in the terms and conditions of the Major Variance, as approved, shall be undertaken without first submitting the changes to Lyon County Community Development and having them modified in conformance with Lyon County Code.
2. The applicant shall comply with all applicable Fire, building, zoning and improvement code requirements and obtain any necessary public inspections.
3. All construction documents and separate applications must be submitted to the Mason Valley Fire Protection District (MVFPD) and the Lyon County Building Department for review and approval to obtain a Site Improvement, Grading, or Building Permit.
4. The subject property is located within the flood zone A. In accordance with Lyon County Code Chapter 15.800.08(A), the Applicant shall obtain approval of a flood plain development permit prior to any development.
5. The proposed project shall conform to the site plans approved with this Major Variance and the concurrent application for a Conditional Use Permit (PLZ-2025-085).
6. The applicant shall comply with Lyon County's 2024 revised drainage guidelines to the satisfaction of the County Engineer prior to occupancy.
7. The Major Variance shall run concurrently with the Conditional Use Permit (CUP) (PLZ-2025-085) and be subject to all conditions of the CUP.
8. The substantial failure to comply with the conditions imposed on the issuance of this Major Variance or the operation of the proposed 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 proposed use may result in the institution of revocation proceedings. **The Major Variance shall run with the time established for the associated Conditional Use Permit (PLZ-2025-085).**

Commissioner Loomis seconded and the motion passed by majority vote (5 Ayes, 1 Nay-Commissioner Baker, 0 Abstentions; 1 Absent-Commissioner Ceresola)

7.k. For Possible Action: To forward a recommendation to the Board of County Commissioners for the request from Lux Solar Center, LLC for a Conditional Use Permit for an expansion to the existing Lux Solar Project approved in 2023, to construct and operate a photovoltaic (PV) solar energy facility, on land subject to Rural Residential, 20 Acre Minimum (RR-20) zoning located in the northern portion of the parcel at 55 Butte Way in Wabuska, Mason Valley on an approximately 280-acre portion of a 1,593-acre parcel (APN 014-091-20); PLZ-2025-085.

Senior Planner Lisa Nash gave a combined presentation of items 7.j. and 7.k.

Public Comment – None

Commissioner Loomis motioned to forward a recommendation of approval to the Board of County Commissioners for the request from Lux Solar Center, LLC for a Conditional Use Permit for an expansion to the existing Lux Solar Project approved in 2023, to construct and operate a photovoltaic (PV) solar energy facility, on land subject to Rural Residential, 20 Acre Minimum (RR-20) zoning located in the northern portion of the parcel at 55 Butte Way in Wabuska, Mason Valley on an approximately 280-acre portion of a 1,593-acre parcel (APN 014-091-20); PLZ-2025-085 based on

the 24 Conditions of Approval.

1. No change in the terms and conditions of the Conditional Use Permit (CUP), as approved, shall be undertaken without first submitting the changes to Lyon County Community Development and having them modified in conformance with Lyon County Code.
2. The Applicant shall comply with all applicable Fire, building, zoning and improvement code requirements and obtain any necessary public inspections.
3. All construction documents and separate applications must be submitted to the Central Lyon County Fire Protection District and the Lyon County Building Department for review and approval prior to obtaining a Building Permit.
4. All contractors doing any construction, modifications, or remodels must be licensed in the State of Nevada.
5. The Applicant shall maintain a Lyon County business license for the use while occupying the site.
6. The Applicant will be held to the decommissioning plan required as a part of the conditional use permit submittal materials in CUP (PLZ-2019-0054).
7. The project is within the jurisdiction of the Nevada Department of Transportation (NDOT) District II. The applicant is required to submit a Traffic Impact Study (TIS) to NDOT and Lyon County. The TIS will need to be reviewed and approved by NDOT and Lyon County to meet NDOT Access Management and other applicable standards before site improvement, grading, and building permits will be issued.
8. Prior to commencement of the use, the Applicant shall ensure the satisfactory completion of all required access, driveway and parking improvements to County and International Fire Code standards, as required by the Lyon County Planning Department, the Lyon County Road Department and Yerington/Mason Valley Fire Protection District.
9. The Applicant shall enter into a road maintenance agreement with the County for the maintenance and dust control of the West and East Sierra Way during the construction period of the project. Once the construction of the project is completed, the amount of traffic generated by the project is minimal and the road maintenance agreement may expire.
10. The applicant shall design, construct, and install all traffic mitigation improvements identified as necessary in the Nevada Department of Transportation (NDOT) and County-approved Traffic Impact Study (TIS). All such improvements shall be completed at the applicant's sole cost and expense, with no cost or financial responsibility to Lyon County. Construction of the improvements shall be subject to review and approval by NDOT and the County, and shall comply with all applicable standards, specifications, and permitting requirements.
11. The applicant shall be responsible for constructing or otherwise implementing any transportation improvements determined by Lyon County to be necessary to mitigate project-specific or cumulative traffic impacts that are not identified in the approved Traffic Impact Study and are not otherwise required by the Nevada Department of Transportation (NDOT). Such responsibility may be satisfied by constructing the required improvements directly or, where the improvements are constructed by another developer or entity, by participating in a County-approved reimbursement agreement to pay the applicant's proportional (pro rata) share of the costs per 15.120 of Lyon County Code. Lyon County may participate in the review, approval, and administration of any reimbursement agreement. Any improvements located within NDOT right-of-way shall be reviewed, approved, and permitted by NDOT and constructed in accordance with applicable NDOT standards and requirements.
12. West Sierra Way from US Hwy 95A to Butte Way shall be constructed with a minimum pavement section consisting of four (4) inches of asphalt concrete over eight (8) inches of Type II aggregate base, or an engineered equivalent pavement section, designed and constructed to the satisfaction of

the County Road Department. A geotechnical report, prepared by a licensed geotechnical engineer, shall be submitted for review and approval by the County prior to final design, providing recommendations for pavement section design, subgrade preparation, and compaction requirements. The pavement shall be constructed in accordance with the report's recommendations and County standards, and shall be fully inspected and accepted by the County prior to final approval.

13. The Applicant shall submit for a fire/life safety plan review to the Mason Valley Fire Protection District prior to the issuance of a site improvement permit/building permit for the project.

14. Any proposed onsite sewage disposal system must be approved by the Nevada Division of Environmental Protection and evidence of such approval must be provided to the Lyon County Planning Department prior to approval of any building permit for any sanitary facilities.

15. Any proposed water usage is subject to approval of the proposed use of water and/or all necessary water rights by the Nevada Division of Water Resources and submission of approval documentation to the Lyon County Planning Department.

16. The Applicant shall obtain the approval of the Walker River Irrigation District for a development/improvement plan, as required by the district, prior to application for and approval of any site improvement permit and/or building permits from Lyon County Community Development Department.

17. All outdoor lighting shall comply with the outdoor lighting performance standards of Chapter 15.357 of the Lyon County Code, shall include cut-off shields that direct the illumination down and reduce glare to the satisfaction of the Community Development Department.

18. The applicant shall comply with the Storm Drainage Guidelines for Lyon County, dated September 20, 2024 to the satisfaction of the County Engineer prior to issuance of a Site Improvement Permit, Grading Permit, and/or Building Permit. Drainage report and plans must be submitted concurrently with any Site Improvement Plans, Grading Plans, and/or Building Permit applications.

19. If the applicant proposes to place fill in wetlands or water features under the jurisdiction of the U.S. Army Corps of Engineers, the applicant shall obtain a "No Permit Required" letter, Jurisdictional Determination, Nationwide Permit, or other applicable federal authorization prior to commencing work. The applicant shall also coordinate with the State of Nevada to determine whether wetlands or water features under state jurisdiction are present and shall obtain any required state permits or approvals. No construction, grading, or fill activities shall occur within federally or state-regulated wetlands or water features until all applicable permits or authorizations have been obtained and copies provided to the County for review and verification.

20. Prior to issuance of a Floodplain Development Permit for any development involving the alteration or relocation of a watercourse, the applicant shall obtain and submit to the County Floodplain Administrator a Conditional Letter of Map Revision (CLOMR) approved by the Federal Emergency Management Agency (FEMA), or such other FEMA-approved map revision application or determination deemed applicable to the proposed development. Following completion of the authorized work, the applicant shall obtain and submit a Letter of Map Revision (LOMR), or other applicable FEMA approval or determination, documenting the as-built conditions. No grading, construction, or watercourse alteration shall occur until the required FEMA approval has been received and accepted by the County, and final FEMA documentation shall be provided prior to final inspection or project closeout, as applicable.

21. Any exterior signage will require a separate building permit, through the Lyon County Building Department.

22. 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 by 2030 and satisfy all conditions by 2032 will result in the expiration of the conditional use permit approval unless an extension is obtained in accordance with the provisions of 15.13.02 of the Lyon County Code.**

23. This conditional use permit shall run concurrently with the Major Variance application (PLZ-2025-096) and be subject to all conditions of the Major Variance.

24. **The Major Variance shall run with the time established for the associated Conditional Use Permit (PLZ-2025-085).**

Commissioner Merritt seconded and the motion passed by majority vote (5 Ayes, 1 Nay-Commissioner Baker, 0 Abstentions; 1 Absent-Commissioner Ceresola)

8. Community Development Director

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

Community Development Director Gavin Henderson did not have any comments or updates today.

9. Commissioner Comments and Agenda Requests

Commissioner Sell would like to see more community feedback from CABs. Commissioner Allan discussed the timing of the CAB meetings. Commissioner Jones had concerns about CAB members needing additional training. County Manager Andrew Haskin discussed the CAB training being scheduled in April, and CABs report directly to the Board of County Commissioners, not to the Planning Commission. Commissioner Jones also had comments around the setback requirements.

10. Public Participation - None

11. Adjournment at 1:47 p.m.

Lyon County Planning Commission Agenda Summary

Meeting Date: March 10, 2026

Agenda Item Number:
6.a

Subject:
For Discussion Only: Letter of Transmittal from the Smith Valley Citizens Advisory Board.

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS
- Smith Valley Citizens Advisory Board

izen Advisory Board
:tter of Transmittal

Meeting Date: 3-4-2026

Advisory Board: Smith Valley CAB

Please select which board this item is to be brought before:

Board of Commissioners X, (and/or) Planning Commission _____

Agenda Item:
14. Public Participation
> David Kerr – Discuss Cemetery Plaque

Recommended Motion and/or Report:
The board voted 4-0 to recommend accepting a donation from the local Clampers organization. The donation is of a plaque honoring our veterans and is to be placed on an existing stone at the flag at Hillcrest Cemetery in Smith Valley. The Clampers goal is to receive approval, have the plaque made and be able to install it for the Memorial Day celebration.

Advisory Board or Public Concerns:
The board and public all agreed that such a plaque is needed and would be a good thing to do.

Submitted By: Mark Phillips – Vice Chair SVCAB

IN MEMORY OF OUR

AMERICAN VETERANS

this is a memorial honoring our American Veterans who, Although SEPARATED by Generations, SHARED a Common undeniable goal -- to VALIANTLY protect our country's freedom.

the memories of these American Veterans will continue to LIVE on whenever and wherever democracy exists. the American Veterans -- FOREVER a symbol of Heroism, SACRIFICE, Loyalty, and Freedom.

- ONE NATION UNDER GOD -

18" X 32"
around or so

Lyon County Planning Commission Agenda Summary

Meeting Date: March 10, 2026

Agenda Item Number:
7.a

Subject:
For Possible Action: To forward a recommendation to the Board of County Commissioners for the request from Mark Jones for a Conditional Use Permit for an Indoor Vertical Farm System on land zoned AG (Agriculture) located at 60 Artesia Road in Wellington on an approximately 21.60-acre parcel (APN 010-081-43); PLZ-2026-003.

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS
- Staff Report
- Backup
- Public Comment
- Late Public Comment
- PowerPoint Presentation

LYON COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT
BUILDING • DEVELOPMENT ENGINEERING • PLANNING

27 S. MAIN STREET
YERINGTON, N2VADA 89447
(775) 463-6591
FAX: (775) 463-5305

34 LAKES BOULEVARD
DAYTON, NEVADA 89403
(775) 246-6135
FAX: (775) 246-6147

PLANNING COMMISSION

PLZ-2026-003

Proposed Action	Conditional Use Permit for a Vertical Farm System
Meeting Date	March 10, 2026
Property Owners	Mark H Jones and Sheryle L Jones
Applicant	Mark Jones
Representative	Brent Lovett
Community	Smith Valley
Location	60 Artesia Road
Parcel Number	010-081-43
Parcel Size	21.60-acre parcel
Master Plan	Agriculture
Current Zoning	Agriculture
Flood Zone(s)	X-Unshaded per FIRM 32019C0950E
Case Planner	Lisa Nash

REQUEST

The applicant requests a Conditional Use Permit (CUP) to operate a Vertical Farm System consisting of two (2) 100,000 square foot buildings to grow *"Clean Room Organic Foods"* on an approximately 21.60-acre parcel located 60 Artesia Road in Wellington.

PROJECT SUMMARY

The Conditional Use Permit (CUP) is for two (2) 200' x 500' x 34' Indoor Vertical Farm buildings with associated parking, drainage structures, and other infrastructure improvements. The operation proposes to run 24 hours a day, seven (7) days a week, with 12 to 15 employees per building per shift for a total of approximately 70 employees. The site is located at 60 Artesia Road in Wellington and is zoned AG (Agriculture).

RECOMMENDED MOTION

Staff recommends that the Planning Commission continues the request for the Conditional Use Permit. At this time, additional information, discussion and public review are necessary for a more thorough review of the proposed Conditional Use Permit. Lyon County Development Code Section 15.336.13.e has the following requirements that must be met before an application can go to a hearing.

If the Planning Commission agrees with this recommendation, the Commission should make appropriate findings and move to **continue** the Public Hearing with a specific time period for the applicant to provide additional specific information necessary for the analysis of the request. The Commission may wish to consider a motion similar to the following:

The Planning Commission finds that:

A. Additional information, discussion and public review are necessary for a more thorough review of the proposed Conditional Use Permit.

Based on the above findings and with the applicant's concurrence, I move that the Planning Commission continues the request from Mark Jones for a Conditional Use Permit for a Vertical Farm System on land subject to AG (Agriculture) zoning generally located at 60 Artesia Road in Wellington on a 21.60-acre parcel (APN 010-081-43), PLZ-2026-003 to the April 14, 2026 Planning Commission hearing.

ALTERNATIVES TO RECOMMENDATION OF CONTINUANCE

Alternative Motion for Denial

If the Planning Commission determines that they should recommend denial of the request for a Conditional Use Permit, then the Commission needs to make findings supporting a recommendation of denial. The Commissioners may wish to consider a motion similar to the following:

The Lyon County Planning Commission has considered:

15.230.06: FINDINGS:

When considering applications for a conditional use permit, the commission or Board, where applicable, must evaluate the impact of the conditional use on and its compatibility with surrounding properties and neighborhoods to mitigate potential impacts of the use at a particular location and make the following findings:

A. The proposed use at the specified location is consistent with the policies embodied in the adopted master plan and the general purpose and intent of the applicable district regulations;
B. The proposed use is compatible with the character and integrity of adjacent development and neighborhoods and includes improvements or modifications either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, or other similar adverse effects to adjacent development and neighborhoods;
C. The proposed use will not generate vehicular traffic which cannot be accommodated by the existing, planned or conditioned roadway infrastructure;
D. The proposed use incorporates roadway improvements, traffic control devices or mechanisms, or access restrictions to control traffic flow or divert traffic as needed to mitigate the development impacts;
E. The proposed use incorporates features to address adverse effects, including visual impacts and noise, of the proposed conditional use on adjacent properties;
F. The proposed conditional use complies with all additional standards imposed on it by the particular provisions of this chapter and all other requirements of this title applicable to the proposed conditional use and uses within the applicable base zoning district, including but not limited to, the adequate public facility policies of this title; and
G. The proposed conditional use will not be materially detrimental to the public health, safety and welfare, and will not result in material damage or prejudice to other properties in the vicinity.

After consideration of the above-listed findings, I move that the Planning Commission recommend denial to the Board of County Commissioners of the request from Mark Jones for a Conditional Use Permit for a Vertical Farm System on land subject to AG (Agriculture) zoning generally located at 60 Artesia Road in Wellington on a 21.60-acre parcel (APN 010-081-43), PLZ-2026-003.

Alternative Motion for Approval

If the Planning Commission determines that they will forward a recommendation of approval of the requested Conditional Use Permit application subject to the Conditions of Approval to the Board of County Commissioners, then the Planning Commission should make a motion similar to the following.

The Lyon County Planning Commission finds that:

A. The proposed use at the specified location is consistent with the policies embodied in the adopted master plan and the general purpose and intent of the applicable district regulations;

B. The proposed use is compatible with the character and integrity of adjacent development and neighborhoods and includes improvements or modifications either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, or other similar adverse effects to adjacent development and neighborhoods;

C. The proposed use will not generate vehicular traffic which cannot be accommodated by the existing, planned or conditioned roadway infrastructure;

D. The proposed use incorporates roadway improvements, traffic control devices or mechanisms, or access restrictions to control traffic flow or divert traffic as needed to mitigate the development impacts;

E. The proposed use incorporates features to address adverse effects, including visual impacts and noise, of the proposed conditional use on adjacent properties;

F. The proposed conditional use complies with all additional standards imposed on it by the particular provisions of this chapter and all other requirements of this title applicable to the proposed conditional use and uses within the applicable base zoning district, including but not limited to, the adequate public facility policies of this title; and

G. The proposed conditional use will not be materially detrimental to the public health, safety and welfare, and will not result in material damage or prejudice to other properties in the vicinity.

Based on the aforementioned Findings and the following 26 Conditions of Approval, I move that the Planning Commission forward a recommendation of approval to the Board of County Commissioners of the request from Mark Jones for a Conditional Use Permit for a Vertical Farm System on land subject to AG (Agriculture) zoning generally located at 60 Artesia Road in Wellington on a 21.60-acre parcel (APN 010-081-43), PLZ-2026-003.

CONDITIONS OF APPROVAL

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

2. The applicant shall comply with all applicable Fire, building, zoning and improvement code requirements and obtain any necessary public inspections. All construction documents and separate applications must be submitted to the Smith Valley Fire Protection District and the Lyon County Building Department for review and approval to obtain any required Mass Grading Permits.

3. The applicant is required to submit for a separate and independent Fire and Life Safety Plan review by the Smith Valley Fire Protection District (SVFPD). Contact the SVFPD at (775) 465-2577 for more information and direction if necessary. No building or site permits will be issued prior to obtaining approval of the Fire Plan review.

4. The proposed building shall meet all the requirements of the Lyon County Building Department and is subject to the following Conditions.

a. All grading, site improvement, utilities and structures must adhere to the current Nevada State Revised Statutes (NRS), Lyon County Title 15 & the 2024 Northern Nevada Amendments.
b. All structures must be designed to Lyon County specific design criteria or greater. This information may be found on the Lyon County website under the building department tab.
c. This project shall comply with the 2024 IBC & ICC A117 code for accessibility as applicable.
d. All work is to be performed by licensed professionals. All licensed professionals shall carry state and local licenses.
e. Applicant will need to provide an accurate occupancy count to required toilet count at the time of the building permit application.
f. Prior to requesting a building permit for this project, the applicant must submit an application and receive an approval letter and approved set of plans from the local Fire Department and submit these documents with the building permit application.
g. Submit a full and complete building permit application packet for review. The minimum requirements for this may be found on the Lyon County website under the building department tab.

5. The project is within the jurisdiction of the Lyon County Roads Dept. and is subject to the following Conditions.
   a. The applicant will need to apply for Encroachment Permits for all three accesses.
   b. All proposed approaches must be paved to Lyon County Road Department paved standards.
   c. Construction of driveways will be required to meet commercial standards.

6. Prior to the issuance of a Certificate of Occupancy, the Applicant shall ensure the satisfactory completion of all required access, driveway and parking improvements to County and International Fire Code standards, as required by the Lyon County Planning Department, the Lyon County Road Department and Smith Valley Fire Protection District.

7. The applicant shall acquire all Lyon County, state and federal permits necessary for the operation of the Vertical Farm operation and any accessory uses as well as obtain all of the necessary public inspections.

8. Prior to issuance of a site improvement permit, mass grading permit and/or building permit for the project, the developer shall submit documentation of approval by the Nevada Division of Environmental Protection (NDEP) Surface Area Disturbance permit and the Stormwater Pollution Prevention Plan (SWPPP) permit.

9. The applicant shall comply with the Storm Drainage Guidelines for Lyon County, dated September 20, 2024 to the satisfaction of the County Engineer prior to issuance of a Site Improvement Permit, Grading Permit, and/or Building Permit. Drainage report and plans must be submitted concurrently with any Site Improvement Plans, Grading Plans, and/or Building Permit applications.

10. Any proposed onsite sewage disposal system must be approved by the Nevada Division of Environmental Protection and evidence of such approval must be provided to the Lyon County Planning Department prior to approval of any building permit for any sanitary facilities. The existing on-site residential septic systems cannot be used for the Vertical Farming Operations.

11. Any proposed water usage is subject to approval of the proposed use of water and/or all necessary water rights by the Nevada Division of Water Resources and submission of approval documentation to the Lyon County Planning Department prior to approval of Site Improvement Permits, Grading Permits and/or Building Permits.

12. The Applicant shall work with the Walker River Irrigation District (WRID) to ensure that the easement for the Colony Ditch on the west side of this property is protected for access, operation, and maintenance. The drainage plan shall be reviewed and/or approved by WRID prior to issuance of a Site Improvement Permit, Grading Permit, and/or Building Permit.

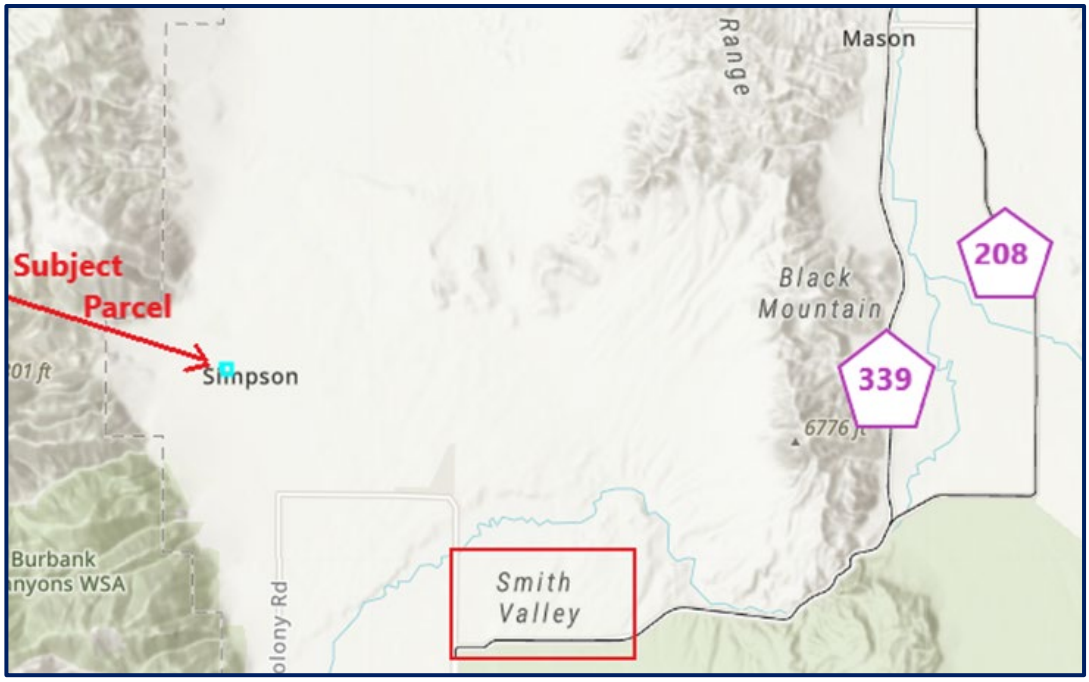
13. The applicant shall comply with the Performance Standards for Conditional Uses as listed in Chapter 15.330 and Chapter 15.336 and 15.337 of Lyon County Development Code.

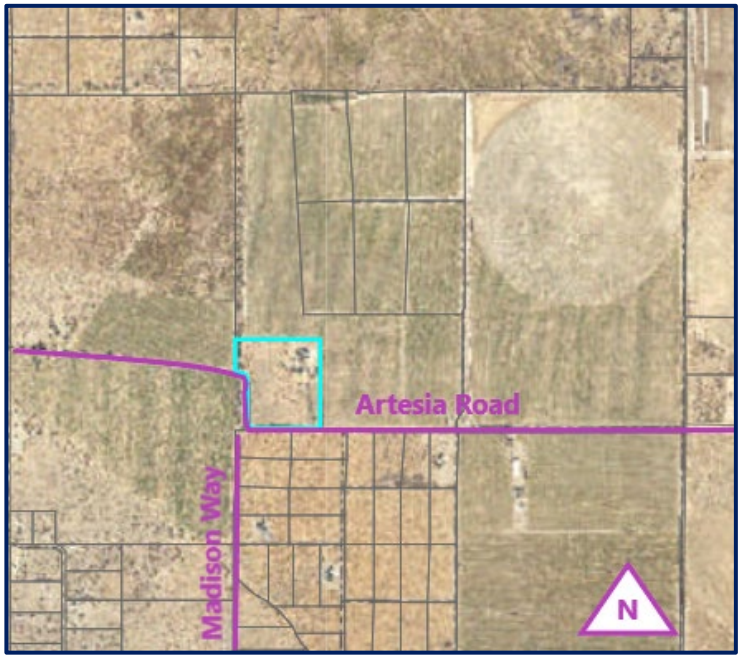
14. The applicant shall comply with the parking standards as set forth in Title 15, Chapter 15.401 to the satisfaction of the Community Development Director or their designee prior to issuance of the Certificate of Occupancy.
15. The applicant shall submit a landscape plan to comply with the landscape standards as set forth in Title 15, Chapter 15.402 to the satisfaction of the Community Development Director or their designee. This will include landscape buffers between the parking area along the south side of the property to screen headlights etc. from the adjacent residential parcels to the south.
16. Landscape and buffering plans must be submitted concurrently with any Site Improvement Plans, Grading Plans, and/or Building Permit applications.
17. Any exterior site and building lighting for the project shall incorporate cut-off shields or similar design features that prevent light and glare spillover onto adjacent properties and public rights-of-way to the satisfaction of the Community Development Director or their designee prior to the issuance of the Certificate of Occupancy.
18. Lighting plans must be submitted concurrently with any Site Improvement Plans, Grading Plans, and/or Building Permit applications.
19. The applicant shall comply with noise standards specified in Chapter 15.337.03(H). This includes ensuring the noise levels shall NOT exceed the maximum environmental noise level at the property lines when adjacent to a Residential Zone, which are daytime sixty-five (65) dBA and nighttime sixty (60) dBA.
20. The applicant shall comply with fly, vector and odor control as specified in Chapter 15.336.13(D)(3). A Fly, Vector and Odor Control Plan is required to be submitted prior to review of the CUP by the Planning Commission.
21. Unloading areas for the project shall be located at the rear of the facility.
22. The applicant shall comply with all applicable environmental and health laws and regulations concerning water quality, air quality, solid waste disposal, and wastewater management.
23. The applicant shall maintain a Lyon County business license for the use while occupying the site. The Business License shall not be approved by the Planning Department until all of these conditions are met.
24. All contractors doing any construction, modifications, or remodels must be licensed in Lyon County and the State of Nevada.
    a. A separate building permit will be required for any/all building and freestanding signs.
25. This approval does not authorize the cultivation, production, processing, or distribution of any substance designated or regulated under applicable State Statues, including but not limited to those defined in Nevada Revised Statutes Chapter 453 and Nevada Revised Statutes Chapter 557. Any proposal to establish or amend a use involving a substance classified or regulated under such statutes shall require the submittal and approval of a new Conditional Use Permit.
26. 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.**

BACKGROUND AND PARCEL INFORMATION

Location, Size and Topography

The subject parcel is located in Smith Valley, to the northeast of the intersection of Madison Way and Artesia Road at 60 Artesia Road. The primary uses in the area are agriculture and low density, single-family residences, which are typically on lots of at least 5 acres in size. State highways 339 and 208 are noted below for orientation.

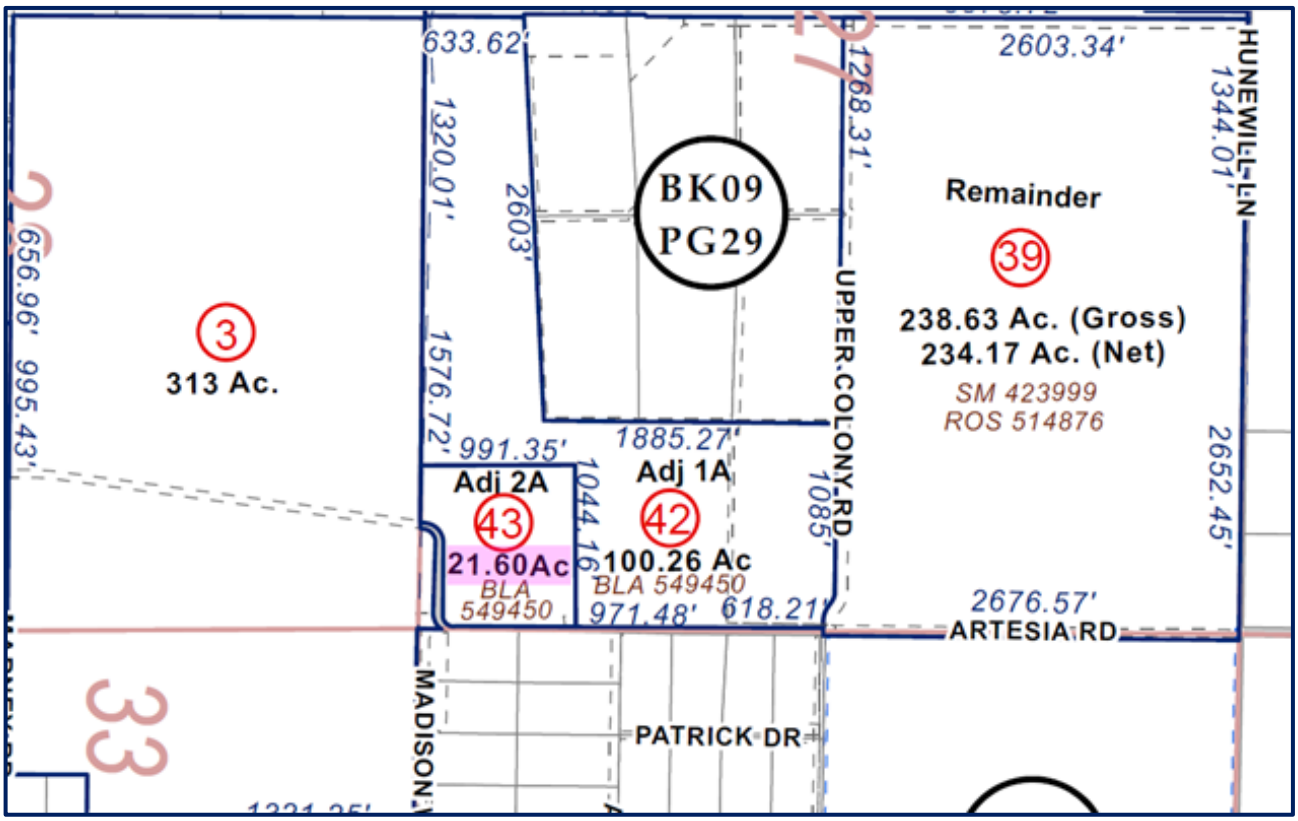




The parcel is 21.60 net acres in size per the County Assessor and is relatively flat. This parcel was recently part of a Zoning Map Amendment to change the designation from Fifth Rural Residential - 20 acre minimum (RR-5) to Agriculture (AG).

Existing Uses and Access

The site currently includes two single family residences, barns, and outbuildings. Per the Assessor's records, the primary structure is 5,283 square feet (sf) and the Accessory Dwelling Unit (ADU) is 1,542 sf. The site is currently accessed from Artesia Road at two locations, the southeast corner and at the curve in Artesia Road on the western boundary of the parcel. The assessor's map showing the parcel is shown below.



Public Facilities

The subject site is not located within a Utility District and is served by private wells and septic systems. Electricity is provided by NV Energy.

Site Photos

The images on the following page were provided by the applicant.

Looking West

Looking North

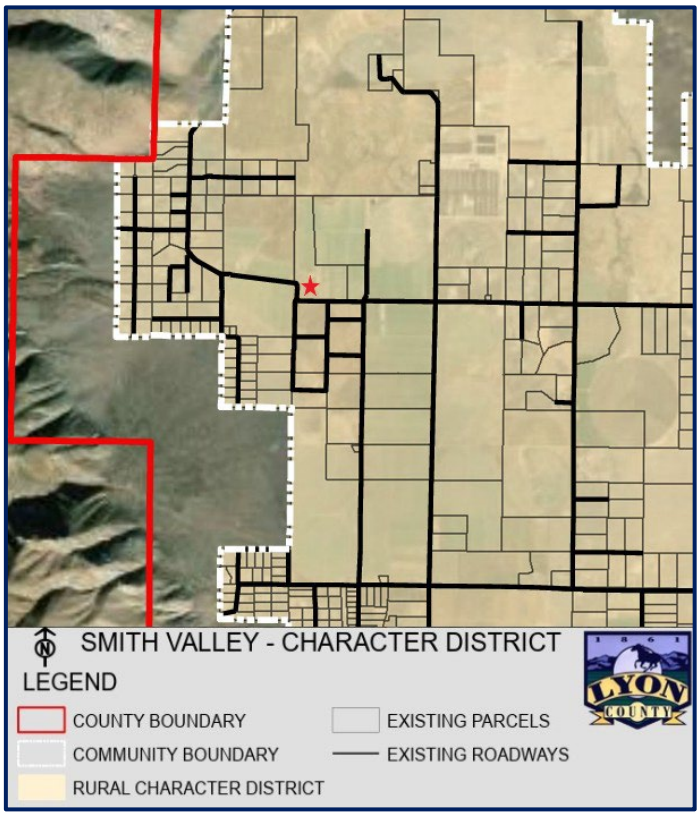
At Corner/Bend in Road Looking East

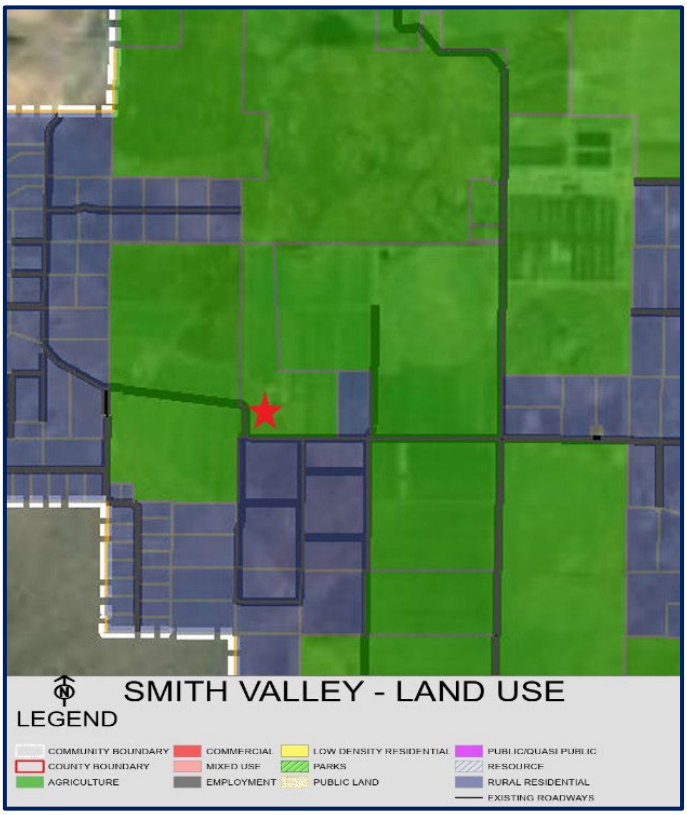
At 2nd Bend in Road Looking East

MASTER PLAN AND ZONING

Master Plan

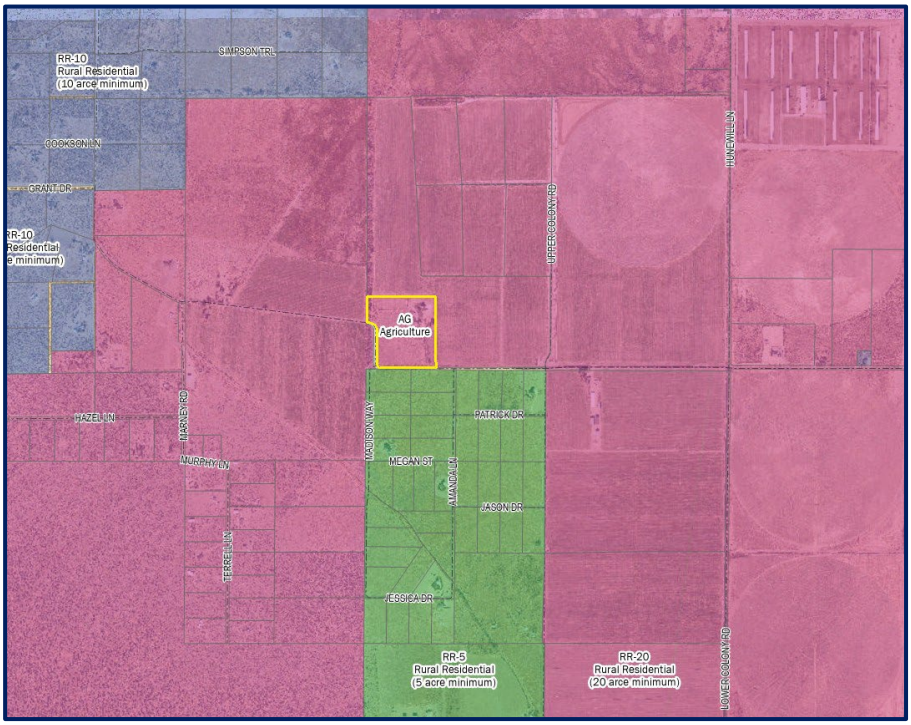
The site is located within the Rural Character District in Smith Valley. This area is typified by a lack of public utilities and by roadways with ditches for stormwater management. The Master Plan designation for the site is Agriculture, consistent with the existing use of residential and limited farming. This region of Smith Valley is designated as Agriculture, as shown north of the site, and Rural Residential, shown directly south of the site and to the east and west, per the 2020 Master Plan.





Zoning

The subject parcel is zoned AG (Agriculture) from the County's Development Code, Title 15. The image below displays the current zoning.



Zoning Map

STAFF REVIEW AND COMMENTS

The use of a Vertical Farming Operation is not a defined land use within Lyon County. The Applicant requested a Determination of Unlisted Use (PLZ-2025-101) and based on the process description provided by the Applicant, the proposed use was determined to be most similar to *Small Agricultural Production/Food Processing Facility*, as described in Lyon County Code 15.336.13. The Small Agricultural Production/Food Processing Facility use is an allowed use on AG land subject to a Conditional Use Permit per Lyon County Development Code.

It is the opinion of Staff at this time that the applicant has not provided sufficient operational details, plans and studies to recommend approval of the project. The following items need further clarification and details:

1. Owners, managers, management company(ies) or similar entities names, addresses and telephone numbers.
2. The type of food to be processed and a description of all processing operations. This would include plans for waste disposal handling and processing.
3. A detailed site plan showing location and dimensions of all structures, improvements, and confinement areas. The site plan should also show how the parking was calculated.
4. A Drainage Study/Plan in conformance with current Lyon County Design Criteria and Improvement Standards.
5. Fly, vector and odor control plan.
6. A transportation study and access management plan in conformance with current Lyon County Design Criteria and Improvement Standards and stamped by a licensed engineer in the state of Nevada. This should include the construction traffic and an expected duration of construction.
7. Operational details as to the type and quantity of chemicals to be stored on-site for the operation.
8. Water supply plan for the site. Will this include water storage for fire? A new well for the operations?
9. How is the proposed application addressing drainage from the proposed water use? There are potential issues if this drainage water is proposed to discharge into the Colony Ditch.
10. What will the energy demand for the project entail and will they include solar?
11. Inconsistencies in the height of the building needs to be reconciled.
12. Will there be backup generators for power outages?
13. Will there be rooftop air conditioners or other HVAC systems? If yes, is noise baffling provided?
14. Are there plans to try to preserve the old growth trees on the property?

PROJECT DESCRIPTION

<u>Applicants Narrative</u>

From the Applicant's request for a Determination of Unlisted Use:

The 100,000 square foot buildings will house 20 levels of pallet type stacking units for growing of leafy green vegetable type crops. The crops are grown under high power LED lighting and turned every 30 days. The crops will be accessed by staff on man lifts for the 20-foot high stacks.

Fresh water will be piped into the buildings and then circulated through the growing racks. The circulating water will be reclaimed, clarified and cleaned to then be fed back to the plants. Potable and non-potable water piping will be clearly labeled.

From the Applicant's Project Description:

Build (2) 200' x 500' x 32' Indoor Vertical Farm buildings on 22 acres located on Commercial Ag property located at 60 Artesia Rd, Wellington, NV 89444 to grow Clean Room Organic Foods.

The project objective is to implement successfully an innovative indoor multi-level LED-based vertical farming system and complex that will provide a sustainable crop production of a varied high quality fresh food supply year-round.

New Green specializes in the design / build and implementation of highly innovative, fully automated, environmentally responsible and economically viable indoor farming infrastructure. We design and build all components included in our system, from lighting to growing systems. All engineering efforts are geared toward ensuring and maximizing the system's performance, efficiency, flexibility and scalability.

The ingenious nature of the concept allows for a true 3-dimensional use of space that results to increase production density. New Green will create new jobs, opportunities and profits where there was once only a unused farm land, while being an environmentally responsible investment.

New Green Farms will build the first ever total clean room farming complex in Lyon County Nevada to supply our Organic foods to the Northern buyers located within 150 miles.

Our mission is to ensure to our buyers that the New Green products are truly organic, and to provide to the local community steady never-ending jobs in a green zerowaste environment.

We favor growing most of our plant crops indoors, eliminating completely the use of herbicides and pesticides. No more agricultural runoff. Year-round crop production. No more food miles. Healthy produce available next door to where we live, in our cities.

All this is made possible by the use of a unique photosynthetic lighting technology that provides every plant with the specific type and optimal amount of lighting required to grow to their full potential plus adding the computer water testing and supply systems that allow each type of plant to get the exact minerals needed to grow the perfect plant.

Operational details:

Number of employees: *12 to 15 per shift, per building.*

Hours of operation: *24 Hours per day.*

Power: *NV Energy, Existing on site.*

Water supply: *Ag Well, existing on site.*

Sewer: *Septic, Existing on site.*

Traffic expected: *15-30 cars per shift, plus 6 delivery box trucks.*

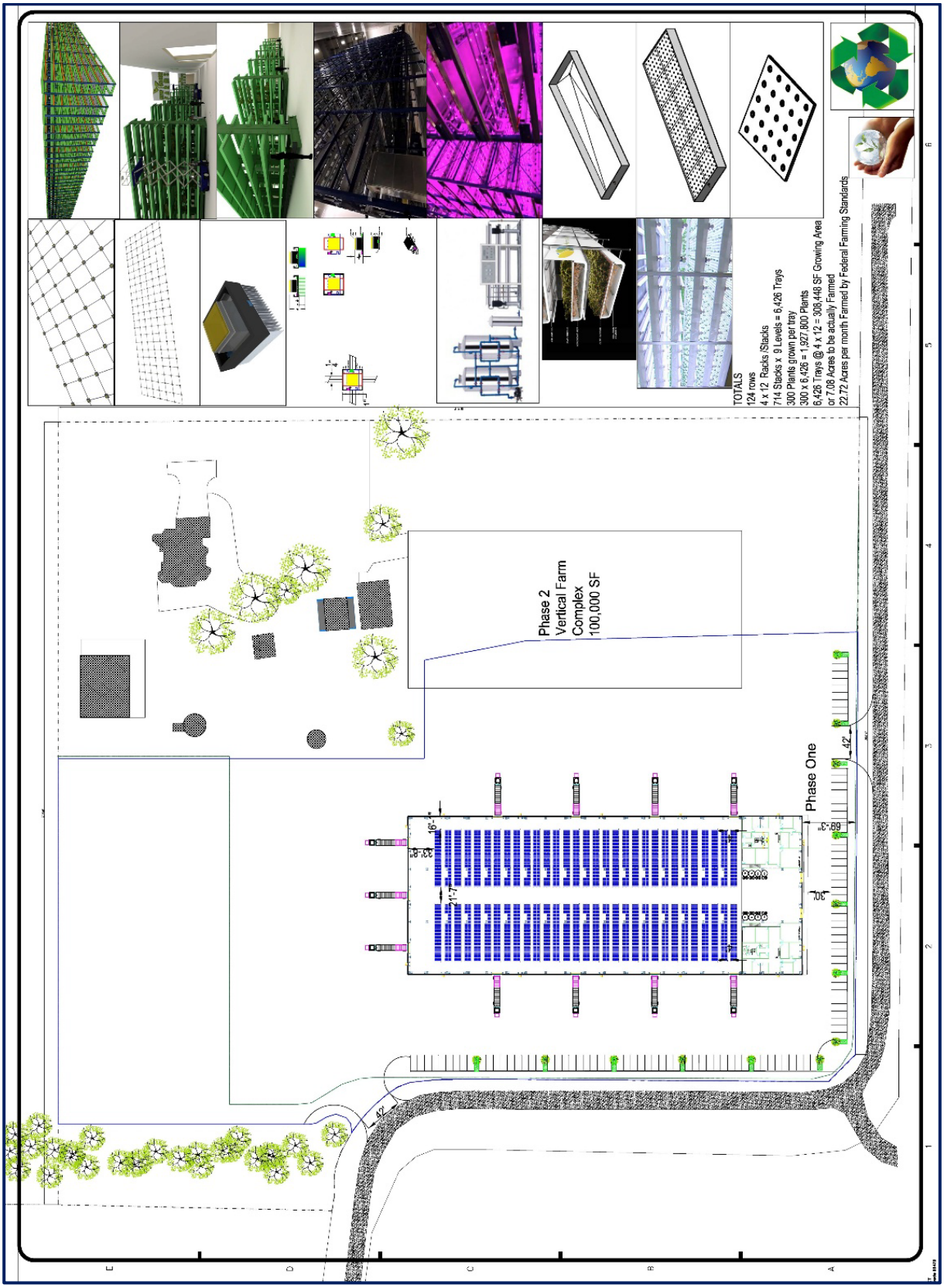
Phasing of buildings: *Building 1 upon approval, 2nd building in 30 months.*

Parking: *100 onsite parking plus truck parking.*

Fencing, screening etc: *As Needed.*

The applicant's conceptual site plan and Phase 1 building plan are shown on the following pages.

Conceptual Site Plan



Phase 1 Building Plan

Drainage
The applicant has stated that drainage will be managed by swales and may use drop boxes and piping if needed. Additional information is required to evaluate the conceptual drainage plans and the project will be required to meet the 2024 Drainage Guidelines adopted by Lyon County.

WRID must review and/or approve any future development plans for the project prior to issuance of a site improvement permit/building permit for the project. There are concerns that the Colony Ditch on the west side of this property be protected for access, operation, and maintenance. Also, it is not clear on how the proposed application will address drainage from the proposed water use. There are potential issues if this drainage water is proposing to discharge into the Colony Ditch.

The project will be required to meet the 2024 Drainage Guidelines adopted by Lyon County.

Traffic and Circulation Plan
The applicant has stated there will be 20 – 30 staff at any one time and expects no impacts. The applicant acknowledges that there may be an increase from additional equipment coming in, however has not quantified the impact. A transportation study and access management plan are required for this application.

Additionally, if the application is approved, the parking, pedestrian safety and traffic flow will be reviewed again during the site and building permit application process.

Parking
The applicant has shown that 100 parking spots will be provided for each building and the conceptual plan for parking is shown on the Phase 1 Building Plan on Page XX. The proposed parking provided by the applicant will need to be quantified to ensure the parking meets the Lyon County Code requirements.

Building
The applicant has proposed two (2) 100,000 square feet (sf) buildings. The floor plan indicates approximately 9,400 sf of office, lab areas, breakrooms, etc. in the corners of the south end of the building. The space between the two office areas will contain water tanks and filtration systems which will be accessed by the stairs and catwalks. The remainder of the building will be the approximately 90,000 sf production area. Each building will have 11 loading docks. The building materials allowed, allowable building sizes, occupancy use and whether the buildings are sprinklered would be reviewed during the building permit stage.

CONDITIONAL USE PERMIT

When considering applications for a CUP, staff, the Planning Commission, and the Board must evaluate the impact of the conditional use on, and its compatibility with, surrounding properties and neighborhoods in order to mitigate potential impacts of the use at a particular location and make the following findings from *Chapter 15.230.06: FINDINGS.* Each Finding is listed with the applicant's response and staff's comments.

FINDINGS

Finding A: The proposed use at the specified location is consistent with the policies embodied in the adopted master plan and the general purpose and intent of the applicable district regulations;

Applicant's Response
The policies laid out in the Master Plan for agricultural or rural areas should minimize its impacts on natural areas and on nearby ranching and agricultural operations.

New Green Farms will:

Minimize cut and fill for roads and site grading.

Use native plants for landscaping.

Steer development away from geologic features, such as rock outcroppings or steep slopes. The facility is located on flat terrain.

Use appropriate setbacks, and placement of structures that are compatible with adjacent agricultural activities.

New Green has designed the site to comply with the setback requirements and does not impede on the surrounding agriculture or ranching activities and is designed to not exceed the maximum height for this zone listed in Table 15.236-1.

Design buildings that reflect the architectural heritage of agriculture metal buildings.
Incorporate wildlife friendly fencing or "rural" open fencing rather than solid fencing.
Preserve existing ranch buildings and other features of the site, when appropriate.

Diverse Economic Base, the Project is dependent upon the current Agriculture operations. Therefore, this Project complements the existing agricultural operations of the area. In addition, the Project can also offer more employment opportunities for locals in the area.

Per Policy LU 4.1 Encourage the Continuation of an Agricultural Lifestyle in appropriate rural areas of the County, the Project has a symbiotic relationship with the existing farmers in the area. The Project also generates new income streams for the local community. In addition, the water is reclaimed and reused in the growing operations which helps preserve the water rights.

Per Policy LU 5.1 Encourage Resource-Sensitive Growth and Sustainable Design, the Project addresses the this by growing 3 to 10 times more food than would be allowed on flat ground. Water is also reclaimed during the process and is returned to the grow for use in operations.

The proposed use is consistent with the Master Plan designation of Commercial Agriculture and with the applicable goals and policies of the Master Plan.

Staff Comment

The use of Vertical Farming is not defined within Lyon County Development Code (LCC). Community Development was requested to do a Determination of Unlisted Use and after a comprehensive review of the LCC, the Director determined the use of Small Agricultural Production/Food Processing Facility was the closest use in LCC Code. It is recognized that the Small Agricultural Production/Food Processing Facility use (Chapter 15.336.13) does not exactly match the use. It does address many of the characteristics of the proposed operation, with the exception of the plant growing. The Director felt that the look, impact on the neighborhood, processing included in the operation, etc. made this the closest use in LCC at this time.

Policy LU 5.1 is supported by this project in terms of water recycling, however the power uses are still unknown. Staff doesn't support that it meets the intent of Policy LU 4.1 as it is not supporting the lower intensity residential and farming activities in the area. Additionally, Policy LU 1.1: Follow Development Patterns as Established in the Land Use Plan states *"Future development of Lyon County will be consistent with the Land Use Plan. The Land Use Plan will guide future growth and development by defining appropriate land use types, densities, and character in different locations including cities and towns, suburbanizing areas, rural areas, farm and ranch land, hillsides, and public lands."* The proposed use does not appear to be consistent with the Land Use Plan as it appears to be a more industrial, higher intensity use than the surrounding agricultural uses.

From our research, Vertical Farming is a mainly industrial process and has been used around the country in urban and highly suburbanized areas. It has been successfully used in urban areas where there was access to adequate road and power infrastructure and were in close vicinity to their customers.

Staff feels additional information is required about the action requirements for roads, power, water, etc. are needed before this finding can be met.

Finding B. The proposed use is compatible with the character and integrity of adjacent development and neighborhoods and includes improvements or modifications either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, or other similar adverse effects to adjacent development and neighborhoods;

Applicant's Response

The proposed Vertical Farming facility is compatible with the surrounding development. This, and many other properties surrounding it are already used for agricultural/commercial purposes.

The Project is co-located at an existing Agriculture operation and would not be expanding outside the current boundaries, thus, not impeding surrounding agricultural land and/or neighborhoods.

Construction and Maintenance

The construction of the facility will be in compliance with all local rules and regulations. All construction work is done on site and typically takes about 45 weeks. The crew size will range from ten to twenty individuals. Traffic and neighbors will not be meaningfully impacted if at all.

Noise

No additional noise is expected, as the work is done inside the building, the noise from typical farming will actually be reduced.

Visual Impact

The project is typical for metal farm buildings as seen in the surrounding areas.

Lighting

The building lighting will focus down as not to pollute the night sky.

Staff Comment

The use as described by the applicant is not entirely compatible with the surrounding development. It is an increase in intensity of use with the increased traffic for both construction and then the 24/7 operation. The size and appearance of the buildings is more like warehouse buildings that are typically found in industrial zoned areas along major roadways.

The Conditions of Approval do address the applicant's requirements to address the adverse impacts of noise, light, traffic and visual impacts, however the applicant has provided little information to support how the conceptually propose to address these concerns.

Finding C. The proposed use will not generate vehicular traffic which cannot be accommodated by the existing, planned or conditioned roadway infrastructure;

Applicant's Response

The Project will utilize the existing site via Artesia Rd. The facility will have 20 to 30 staff at any one time. The Project would not require modifications to the existing road infrastructure to facilitate operation of the facility. During construction, there may be more equipment brought in on the existing roadways but will be temporary and limited. Extra personnel needed for the construction of the project (i.e. craft) will probably be shuttled in to reduce traffic and impacts to the roads. This Project will not substantially alter existing vehicular traffic as part of operations.

Staff Comment

The applicant is required to provide a Transportation Study and Access Management Plan prior to the project being heard by the Commission. Without the study, Staff feels additional information is required for to meet this finding.

Finding D. The proposed use incorporates roadway improvements, traffic control devices or mechanisms, or access restrictions to control traffic flow or divert traffic as needed to mitigate the development impacts;

Applicant's Response

The proposed facility will not impact traffic flow or require public roadway improvements.

Staff Comment

The staff comment provided for Finding C applies to this condition as well. The impacts and plans to mitigate effects from construction traffic need to be addressed.

Finding E. The proposed use incorporates features to address adverse effects, including visual impacts and noise, of the proposed conditional use on adjacent properties;

Applicant's Response

The design and implementation of this facility aligns with the conditions outlined in 15.230.06{8} and best fit for the existing Agriculture community and effectively mitigate any potential visual impacts on adjacent properties as they are also Agriculture in nature.

The Project Heights will not impact visually to the surrounding area. Noise impacts will also be minimal since the work is performed indoors and the noise from operation cannot be heard when approaching the site and is indistinguishable from the existing Agriculture operations.

Staff Comment

The proposed building heights of 32 to 34 feet will have a visual impact on the neighboring properties directly to the south of the site. The applicant has not provided any mitigations that would minimize the visual impacts. Additionally, there are outstanding questions on the cooling and heating planned, as well as the location of any required HVAC equipment. Staff requests additional information as to design and operational plans and proposed mitigation of adverse impacts.

Finding F. The proposed conditional use complies with all additional standards imposed on it by the particular provisions of this chapter and all other requirements of this title applicable to the proposed conditional use and uses within the applicable base zoning district, including but not limited to, the adequate public facility policies of this title; and

Applicant's Response

This project has been carefully designed to comply with all applicable standards set forth in the County's Land Use and Development Code.

Agricultural related commercial and limited industrial uses and other limited commercial and tourist commercial uses compatible with the agricultural use of the land and rural character are allowed currently on this site.

The Project complies and is compatible with the conditional use of the proposed vertical farm and complements the existing Agriculture operations by providing an alternative method of farming to allow more growth for less funds while water reclamation helps retain any water rights they currently have. This is also in alignment with the Land Use Goals {Policy LU 1.1) by keeping with the current rural requirements and uses of the property.

Staff Comment

Staff has included recommended Conditions of Approval that should address the proposed use and some of the potential impacts.

The Mason Valley Fire Protection District will provide fire and emergency medical services.

The Lyon County Sheriff's Office will provide law enforcement services.

The Community Development Director will approve light, noise and landscape/buffering mitigation plans.

Finding G. The proposed conditional use will not be materially detrimental to the public health, safety and welfare, and will not result in material damage or prejudice to other properties in the vicinity.

Applicant's Response

Commercial Vertical Agriculture facilities are highly regulated for health and safety through the U.S. Department of Agriculture (USDA). Therefore, the proposed facility poses no detriment to public health, safety, or welfare, and it is not injurious to property or improvements in the vicinity. The facility provides an important public benefit through improved connectivity for the community and other commercial farmers.

The Project is subject to additional various regulatory programs designed to protect public safety, the environment, and the local community which includes the following:

- *NV DEP Chemical Accident Prevention Program {CAPP)*
- *NV DEP Air Permit Program*
- *EPA Risk Management Plans*
- *Occupational Safety and Health Association (OSHA)*

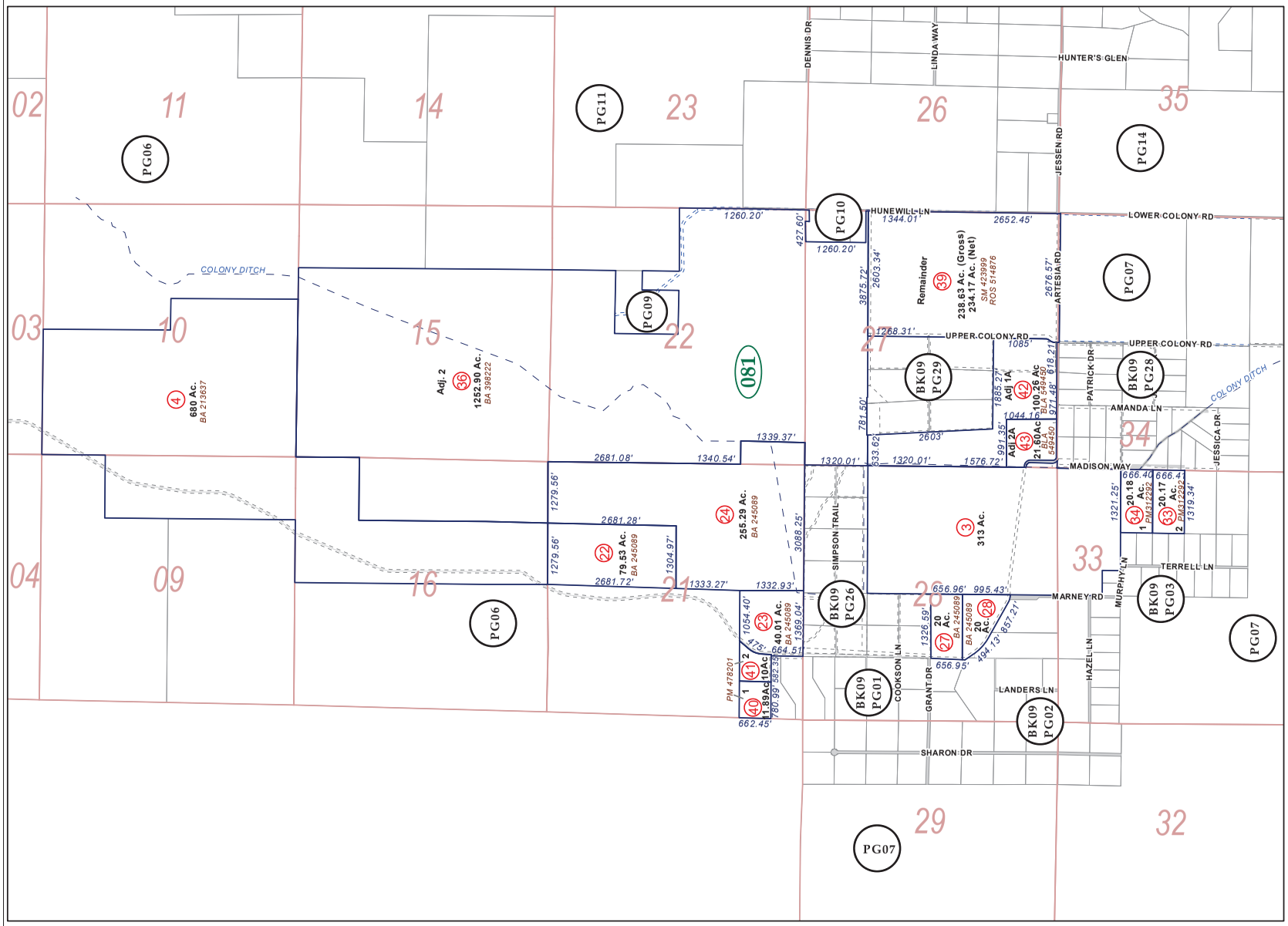
This CUP will permit the County, the State, and the applicant to all demonstrate compliance with applicable regulations that work to ensure the safety and welfare of Lyon County residents.

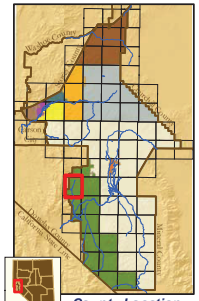
Staff Comment

The proposed use with a CUP is allowed within the zoning on this parcel, per the Director's Determination of Unlisted Use. If approved, the project will require approval by the Fire Protection District, Roads Department and other agencies before the use will be permitted to operate. Compliance with LCC section 15.336.13, which addresses odors, noise, and light impacts to neighboring properties, is required. Even as conditioned and with the information available at this time, staff feels additional information is required before a recommendation of approval can be made.

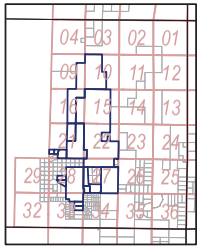
Portion Sections 9, 10, 15, 16, 21, 22, 27, 28, 33, 34, T12N-R23E, MD&M

10-08





County Location Map



Location Map

Map Elements

- 1/4 Corner Section
- Section Ties
- 300' Dimensions
- 1 Parcel Lot
- 3 Parcel Number
- 0.13 Ac. Acreage of Parcel
- PM 136149 Recorded Map Image
- Parcel Boundaries
- 411 Block Number
- BK12 PG06 Parcel Book & Page Number
- PG24 Page Number

Cities & Townships

- Dayton
- Dayton Valley
- Fernley
- Mark Twain
- Mason Valley
- Mound House
- Silver City
- Silver Springs
- Smith Valley
- Stagecoach
- Yerington

Scale: 1" = 1200'
Revised: April 26, 2017

NOTE: This is for assessment use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon. Use of this plat for other than assessment purposes is forbidden unless approved by the Lyon County Assessor's Office.

Preliminary Site Plan. The intent of the site plan is to show the uses and structures existing and proposed for the parcel. It is recommended that the plan show the items listed below; however, the more information that the applicant provides will allow for a more thorough design review.

A. Gross square footage of existing and proposed structures
B. Site Access
C. Streets - Location and cross-sections Gross square footage of existing and proposed structures
D. Preliminary Drainage
E. Preliminary Utilities

REV.	DATE	BY:	REVISION:

THE CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND DEPARTURES, ERRORS TO BE REPORTED TO COMMENCING WORK. THESE PLANS AND SPECS REMAIN THE PROPERTY OF THE ARCHITECT AND MUST BE RETURNED AND SPECS REPRINT FURNISHED BY EFAA JPE AND SHALL REMAIN THE PROPERTY OF EFAA JPE. THESE PLANS ARE PRELIMINARY AND USED AT THEIR PLANS AND TO BE CONSIDERED PRELIMINARY AND USED AT THEIR OWN RISK. THESE PLANS ARE PROPRIETARY AND MUST BE RETURNED TO BE RETURNED OR SUITABLY ACCOUNTED FOR TO EFAA JPE ON REQUEST. THESE PLANS ARE PROPRIETARY AND MUST BE RETURNED TO EFAA JPE. WRONG WRAT SO EVER, IS STRICTLY PROHIBITED EXCEPT WITH WRITTEN PERMISSION OF EFAA JPE AND THE ARCHITECT UNDER THEIR COMMON LAW COPYRIGHT AND OTHER PROPERTY RIGHTS IN THESE OPINIONS, IDEAS, DESIGNS AND PLANS.

NEW GREEN FARMS

LYON CONSTRUCTION

5015 Onyx Street
SILVER SPRINGS, NEVADA 89429
775-505-4611 - (866) 430-6834(FAX)
Brentlovett267@gmail.com

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SITE PLAN

NEW GREEN FARMS
60 ARTESIA RD

SMITH VALLEY NEVADA - LYON COUNTY NEVADA

DESIGNED BY: Brent Lovett
DRAWN BY: Brent Lovett
CHECKED BY: Brent Lovett
DATE ISSUED: JAN 15 2025
JOB NUMBER: 2025-0069
SCALE: as noted

THESE PLANS ARE PREPARED & SUBMITTED BY THE CONTRACTOR AS AN EXEMPTION TO NRS 624.3018(1)(b) UNDER THE CONTRACTORS LICENSE CATEGORY AUTHORIZED UNDER NRS 624.
BUILDERS NCL #: _____
PLANS PREPARED BY: Brent E. Lovett

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SHEET #
A0-21

Brent E. Lovett
5015 ONYX STREET
Silver Springs, Nevada 89429
O: 775-505-4611
F: 866-430-6834

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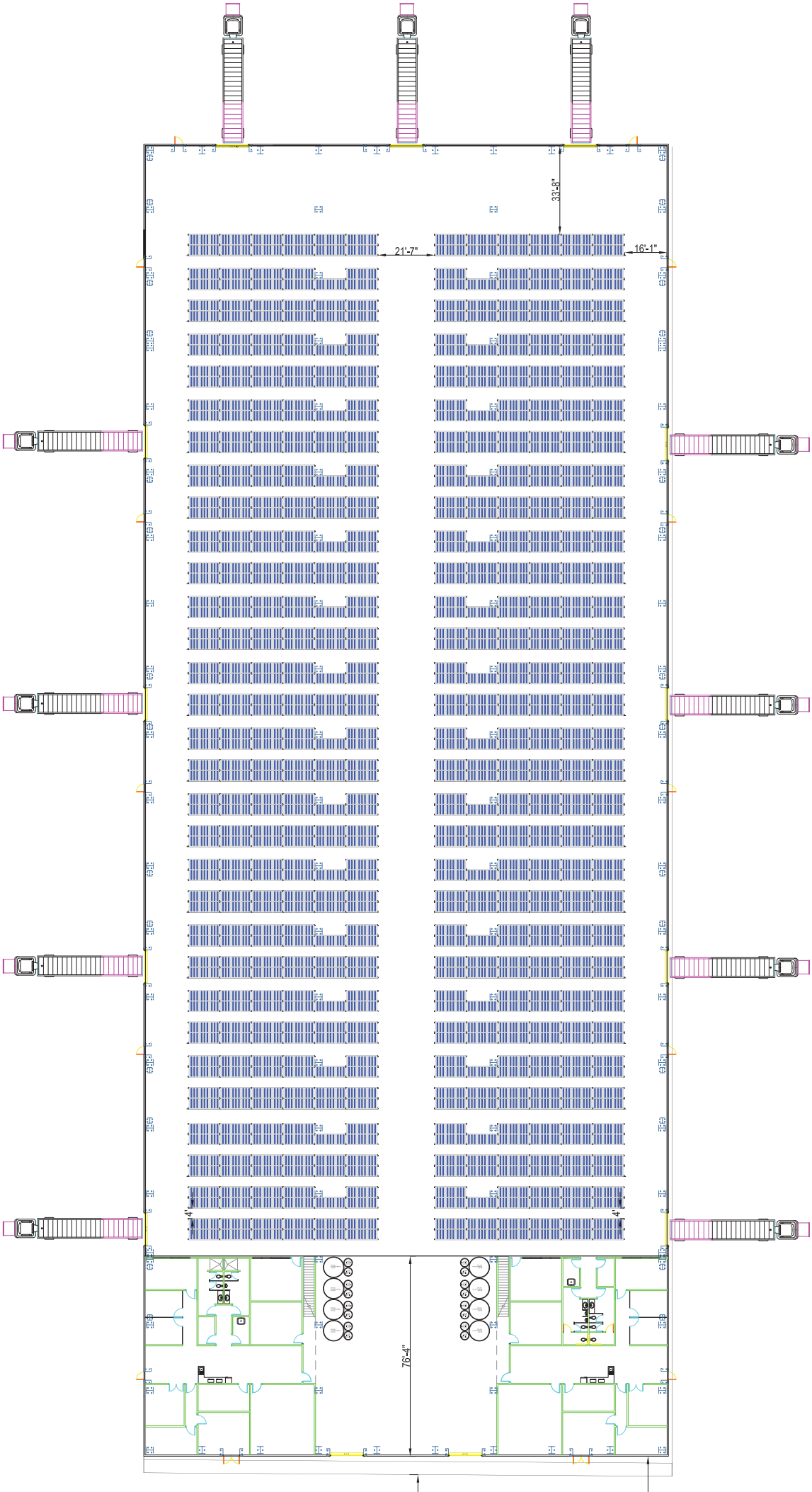
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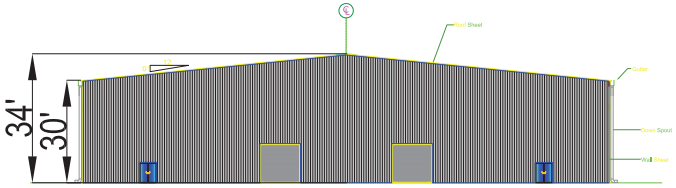
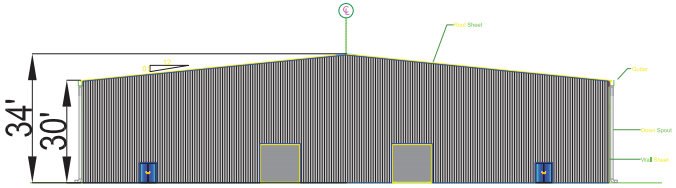
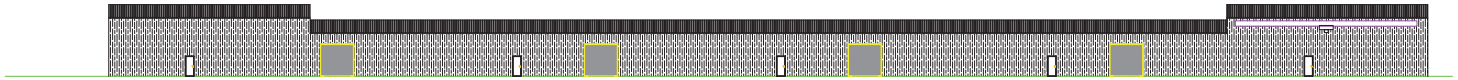
21'-7"
16'-1"
4'
4'
76'-4"



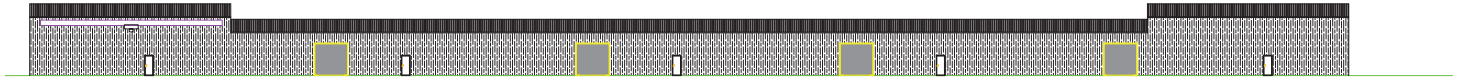
North Elevation



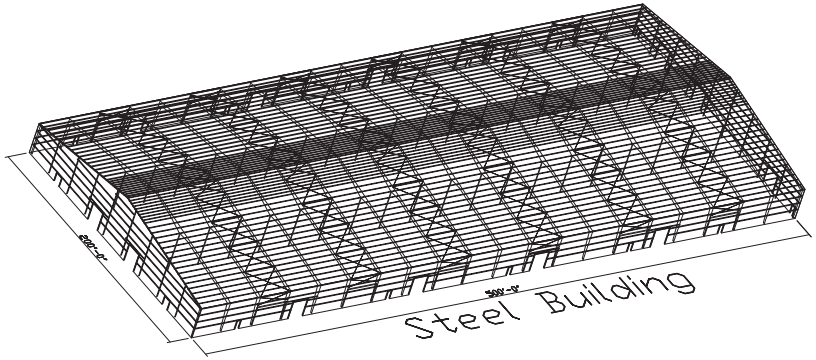
South (Front) Elevation



East Elevation



West Elevation



REV.	DATE	BY:	REVISION:

THE CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ALL ERRORS TO BTAD PRIOR TO COMMENCING WORK. THESE PLANS ARE TO BE CONSIDERED PRELIMINARY AND USED AS A GUIDE AND COPIES THEREOF FURNISHED BY BTAD ARE AND SHALL REMAIN THE PROPERTY OF BTAD. THEY ARE TO BE RETURNED OR SUITABLY ACCOUNTED FOR TO BTAD ON REQUEST. THESE PLANS ARE TO BE CONSIDERED PRELIMINARY AND USED AS A GUIDE. WHAT SO EVER, IS STRICTLY PROHIBITED EXCEPT WITH WRITTEN CONSENT OF BTAD. BTAD RETAINS ALL COMMON LAW, STATUTORY AND OTHER RESERVED RIGHTS IN THESE CONSTRUCTION DOCUMENTS.

NEW GREEN FARMS

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ELEVATIONS

NEW GREEN FARMS
60 ARTESIA RD

SMITH VALLEY NEVADA - LYON COUNTY NEVADA

DESIGNED BY: Brent Lovett
DRAWN BY: Brent Lovett
CHECKED BY: Brent Lovett
DATE ISSUED: JAN 15 2025
JOB NUMBER: 2025-0069
SCALE: as noted

THESE PLANS ARE PREPARED & SUBMITTED BY THE CONTRACTOR AS AN EXEMPTION TO NRS 629.300 FOR WORK UNDER THE CONTRACTORS LICENSE AUTHORITY AUTHORIZED UNDER NRS 624.
PN LICENSE NO. #_____
PLANS PREPARED BY: Brent E. Lovett

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SHEET #
A0-4

Brent E. Lovett
5015 ONYX STREET
Silver Springs, Nevada 89429
O. 775-505-4611
F. 888-420-6834

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Project Description Justification.

Build (2) 200’ x 500’ x 32’ Indoor Vertical Farm buildings on 22 acres located on Commercial Ag property located at 60 Artesia Rd, Wellington, NV 89444 to grow Clean Room Organic Foods.

The project objective is to implement successfully an innovative indoor multi-level LED-based vertical farming system and complex that will provide a sustainable crop production of a varied high quality fresh food supply year-round.

New Green specializes in the design / build and implementation of highly innovative, fully automated, environmentally responsible and economically viable indoor farming infrastructure. We design and build all components included in our system, from lighting to growing systems. All engineering efforts are geared toward ensuring and maximizing the system’s performance, efficiency, flexibility and scalability.

The ingenious nature of the concept allows for a true 3 dimensional use of space that results to increase production density. New Green will creates new jobs, opportunities and profits where there was once only a unused farm land, while being an environmentally responsible investment.

New Green Farms will build the first ever total clean room farming complex in Lyon County Nevada to supply our Organic foods to the Northern buyers located within 150 miles.

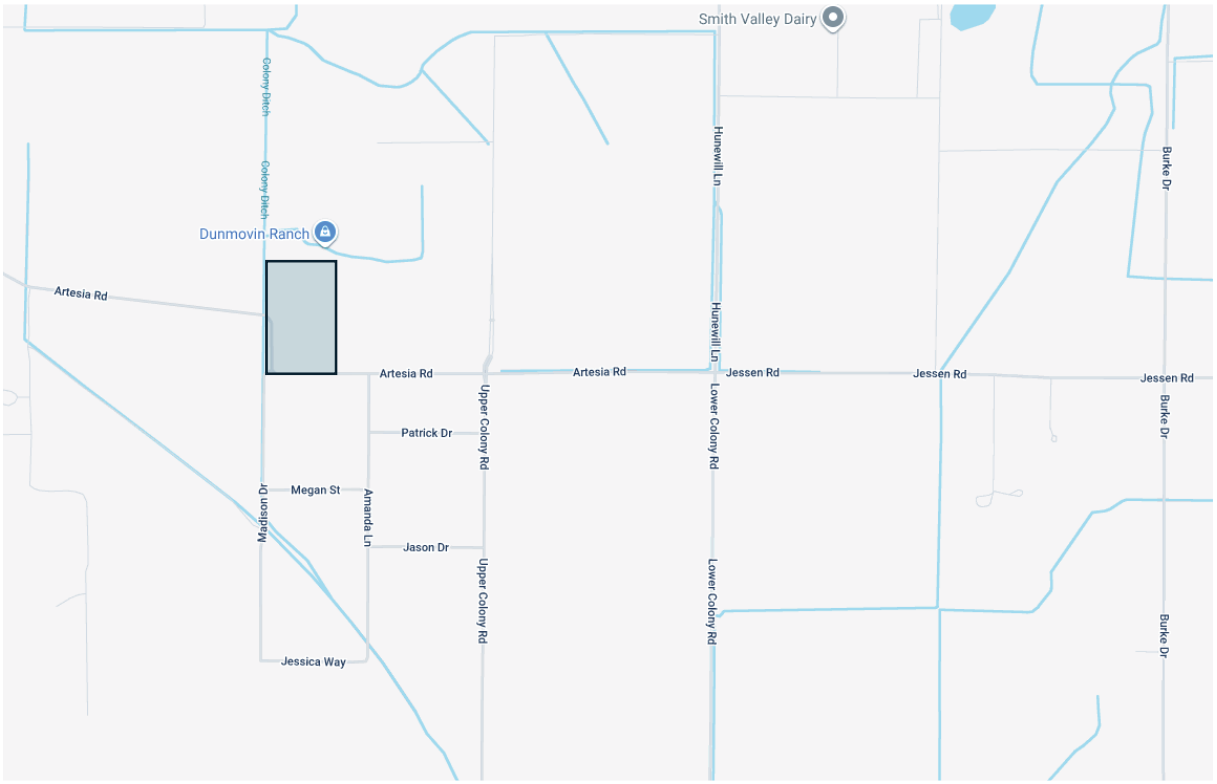
Our mission is to ensure to our buyers that the New Green products are truly organic, and to provide to the local community steady never-ending jobs in a green zero-waste environment.

New Green Farms…..We favor growing most of our plant crops indoors, eliminating completely the use of herbicides and pesticides. No more agricultural runoff. Year-round crop production. No more food miles. Healthy produce available next door to where we live, in our cities.

All this is made possible by the use of a unique photosynthetic lighting technology that provides every plant with the specific type and optimal amount of lighting required to grow to their full potential plus adding the computer water testing and supply systems that allow each type of plant to get the exact minerals needed to grow the perfect plant.

Vicinity Map.

60 Artesia Rd, Wellington, NV 89444



Photographs

Looking West

Looking North

At Corner / Bend in Road Looking East

At 2nd Bend in Road Looking East

AMANDA LN
ARTESIA RD
MADISON WAY

Conditional Use Permit Applicant Findings per Chapter 15.230.06

Conditional Use Permit

When considering applications for a CUP, staff, the Planning Commission, and the Board must evaluate the impact of the conditional use on, and its compatibility with, surrounding properties and neighborhoods in order to mitigate potential impacts of the use at a particular location and make the following findings from Chapter 15.230.06:

REQUEST

The Applicant is requesting a Conditional Use Permit (CUP) for a new (2) 200' x 500' x 32' Indoor Vertical Farm buildings on 22 acres located on Commercial Ag property located at 60 Artesia Rd, Wellington, NV 89444 to grow Clean Room Organic Foods.

Property Owner: Mark & Sheryl Jones

Applicant: New Green Farms

Location: 60 Artesia Rd, Wellington, NV 89444

Parcel Number: 010-081-43

Parcel Size: 21.60 acres

Current Master Plan designation(s): 698: Agricultural Deferred with Multiple Residences Rural Character District Commercial Agriculture.

Proposed Master Plan designation(s): 698: Agricultural Deferred with Multiple Residences Rural Character District Commercial Agriculture.

Current Zoning designation(s): 698: Agricultural Deferred with Multiple Residences Rural Character District Commercial Agriculture.

Proposed Zoning designation(s): 698: Agricultural Deferred with Multiple Residences Rural Character District Commercial Agriculture.

Road/street surface of frontage/access: 1,574 feet of road frontage on Artesia Road

Project Description

Build (2) 200' x 500' x 32' Indoor Vertical Farm buildings on 22 acres located on Commercial Ag property located at 60 Artesia Rd, Wellington, NV 89444 to grow Clean Room Organic Foods.

The project objective is to implement successfully an innovative indoor multi-level LED-based vertical farming system and complex that will provide a sustainable crop production of a varied high quality fresh food supply year-round.

Conditional Use Permit Applicant Findings per Chapter 15.230.06

New Green specializes in the design / build and implementation of highly innovative, fully automated, environmentally responsible and economically viable indoor farming infrastructure. We design and build all components included in our system, from lighting to growing systems. All engineering efforts are geared toward ensuring and maximizing the system's performance, efficiency, flexibility and scalability.

The ingenious nature of the concept allows for a true 3-dimensional use of space that results to increase production density. New Green will create new jobs, opportunities and profits where there was once only a unused farm land, while being an environmentally responsible investment.

New Green Farms will build the first ever total clean room farming complex in Lyon County Nevada to supply our Organic foods to the Northern buyers located within 150 miles.

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All this is made possible by the use of a unique photosynthetic lighting technology that provides every plant with the specific type and optimal amount of lighting required to grow to their full potential plus adding the computer water testing and supply systems that allow each type of plant to get the exact minerals needed to grow the perfect plant.

Operational details:

Number of employees:	12 to 15 per shift, per building.
Hours of operation:	24 Hours per day.
Power:	NV Energy, Existing on site.
Water supply:	Ag Well, existing on site.
Sewer:	Septic, Existing on site.
Traffic expected:	15-30 cars per shift, plus 6 delivery box trucks.
Phasing of buildings:	Building 1 upon approval, 2nd building in 30 months.
Parking:	100 onsite parking plus truck parking.
Fencing, screening etc:	As Needed.

Conditional Use Permit Applicant Findings per Chapter 15.230.06

The proposed Conditional Use Permit is:

CUP Requested Findings per Chapter 15.230.06

Finding A: The proposed development is consistent with the goals and policies embodied in the adopted master plan and the general purpose and intent of the applicable zoning district regulations:

Applicant's Response

The policies laid out in the Master Plan for agricultural or rural areas should minimize its impacts on natural areas and on nearby ranching and agricultural operations. New Green Farms will:

Minimize cut and fill for roads and site grading.

Use native plants for landscaping.

Steer development away from geologic features, such as rock outcroppings or steep slopes. The facility is located on flat terrain.

Use appropriate setbacks, and placement of structures that are compatible with adjacent agricultural activities.

New Green has designed the site to comply with the setback requirements and does not impede on the surrounding agriculture or ranching activities and is designed to not exceed the maximum height for this zone listed in Table 15.236-1.

Design buildings that reflect the architectural heritage of agriculture metal buildings.

Incorporate wildlife friendly fencing or "rural" open fencing rather than solid fencing.

Preserve existing ranch buildings and other features of the site, when appropriate.

Diverse Economic Base, the Project is dependent upon the current Agriculture operations. Therefore, this Project complements the existing agricultural operations of the area. In addition, the Project can also offer more employment opportunities for locals in the area.

Per Policy LU 4.1 Encourage the Continuation of an Agricultural Lifestyle in appropriate rural areas of the County, the Project has a symbiotic relationship with the existing farmers in the area. The Project also generates new income streams for the local community. In addition, the water is reclaimed and reused in the growing operations which helps preserve the water rights.

Per Policy LU 5.1 Encourage Resource-Sensitive Growth and Sustainable Design, the Project addresses the this by growing 3 to 10 times more food than would be allowed on flat ground. Water is also reclaimed during the process and is returned to the grow for use in operations.

The proposed use is consistent with the Master Plan designation of Commercial Agriculture and with the applicable goals and policies of the Master Plan.

Finding B: The proposed development is compatible with the character and integrity of adjacent development and neighborhoods and includes improvements or modifications either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, or other similar adverse effects to adjacent development and neighborhoods;

Applicant's Response

The proposed Vertical Farming facility is compatible with the surrounding development. This, and many other properties surrounding it are already used for agricultural/commercial purposes.

The Project is co-located at an existing Agriculture operation and would not be expanding outside the current boundaries, thus, not impeding surrounding agricultural land and/or neighborhoods.

Construction and Maintenance

The construction of the facility will be in compliance with all local rules and regulations. All construction work is done on site and typically takes about 45 weeks. The crew size will range from ten to twenty individuals. Traffic and neighbors will not be meaningfully impacted if at all.

Noise

No additional noise is expected, as the work is done inside the building, the noise from typical farming will actually be reduced.

Visual Impact

The project is typical for metal farm buildings as seen in the surrounding areas.

Lighting

The building lighting will focus down as not to pollute the night sky.

Finding C: The proposed development will not generate vehicular traffic which cannot be accommodated by the existing, planned or conditioned roadway infrastructure;

Applicant's Response

The Project will utilize the existing site via Artesia Rd. The facility will have 20 to 30 staff at any one time. The Project would not require modifications to the existing road infrastructure to facilitate operation of the facility. During construction, there may be more

equipment brought in on the existing roadways but will be temporary and limited. Extra personnel needed for the construction of the project (i.e. craft) will probably be shuttled in to reduce traffic and impacts to the roads. This Project will not substantially alter existing vehicular traffic as part of operations.

Finding D: The proposed development incorporates roadway improvements, traffic control devices, mechanisms or access restrictions to control traffic flow or divert traffic as needed to mitigate the development impacts;

Applicant's Response

The proposed facility will not impact traffic flow or require public roadway improvements.

Finding E: The proposed development incorporates features to address adverse effects, including visual impacts, of the proposed development on adjacent properties;

Applicant's Response

The design and implementation of this facility aligns with the conditions outlined in 15.230.06{8} and best fit for the existing Agriculture community and effectively mitigate any potential visual impacts on adjacent properties as they are also Agriculture in nature.

The Project Heights will not impact visually to the surrounding area. Noise impacts will also be minimal since the work is performed indoors and the noise from operation cannot be heard when approaching the site and is indistinguishable from the existing Agriculture operations.

Finding F: The proposed development complies with all additional standards imposed on it by the particular provisions of this title, the Lyon County Design Criteria and Improvement Standards and all other requirements of this title applicable to the proposed development and uses within the applicable base zoning district, including but not limited to, the adequate public facility policies of chapter 110 of this title;

Applicant's Response

This project has been carefully designed to comply with all applicable standards set forth in the County's Land Use and Development Code

Agricultural related commercial and limited industrial uses and other limited commercial and tourist commercial uses compatible with the agricultural use of the land and rural character are allowed currently on this site.

Conditional Use Permit Applicant Findings per Chapter 15.230.06

The Project complies and is compatible with the conditional use of the proposed vertical farm and complements the existing Agriculture operations by providing an alternative method of farming to allow more growth for less funds while water reclamation helps retain any water rights they currently have. This is also in alignment with the Land Use Goals {Policy LU 1.1) by keeping with the current rural requirements and uses of the property.

Finding G: The proposed development will not be materially detrimental to the public health, safety, and welfare, or result in material damage or prejudice to other properties in the vicinity. (Ord. 603, 11-1-2018)

Applicant's Response

Commercial Vertical Agriculture facilities are highly regulated for health and safety through the U.S. Department of Agriculture (USDA). Therefore, the proposed facility poses no detriment to public health, safety, or welfare, and it is not injurious to property or improvements in the vicinity. The facility provides an important public benefit through improved connectivity for the community and other commercial farmers.

The Project is subject to additional various regulatory programs designed to protect public safety, the environment, and the local community which includes the following:

- NV DEP Chemical Accident Prevention Program {CAPP)
- NV DEP Air Permit Program
- EPA Risk Management Plans
- Occupational Safety and Health Association (OSHA)

This CUP will permit the County, the State, and the applicant to all demonstrate compliance with applicable regulations that work to ensure the safety and welfare of Lyon County residents.

Gmail

Lisa Nash <lnash@lyon-county.org>

PLZ-2026-003 New Green Farms

Brent Lovett <brentlovett267@gmail.com> Sat, Feb 21, 2026 at 2:38 PM
To: Lisa Nash <lnash@lyon-county.org>
Cc: "Sir Mark H. Jones" <inag11@aol.com>, Gavin Henderson <ghenderson@lyon-county.org>, Raymond Brown <rbrown@lyon-county.org>

> Good Morning Lisa:

See the following in response to your questions:

> - On the Floor Plan exhibit, what are the rooms at the south end of the buildings?

Offices and Lab area.

> - Are they offices, storage, breakroom, etc?

Yes, See Plan

> - Please provide the square footage for the office or other use space in the buildings as well as the production area square footage.

4600 SF on each side
Production area = 90,000 sf

> - Parking - do you have parking calculations?

100 Parking spaces per phase.

> - Site Plan - Where is the parking on site?

See attached site plan

> - Site Plan - What are the driveways widths and can they be shown on the site plan?

42 Foot wide, see attached site plan.

> - Site Plan - Drainage, it is not clear how it will work on the site. Will there be swales or other conveyances to get the drainage from the southeast portion of the site to the On Site Drainage Capture.

Yes, will use a swales as a system, may also use drop boxes and piping if needed.

> - Site Plan - Is the On Site Drainage Capture intended to be a basin, detention or retention? Above or below ground?

Onsite drainage will be kept onsite. As civil has not been complate yet, we assume it will be sunken retention basin, rock walls and base, for slow recharge to water table.

> - Site Plan - There are stairs shown, what are they going to? If there is a second floor, we need that floor plan too.

The stairs are along side of the water tanks, filtration systems, which need access to the tops of the tanks, and catwalks.

> - Site Plan - Can you explain the operations and how the loading docs will work? There are a lot of them for just a few trucks a day. Are they raised loading bays?

We show 11 truck bays per building / phase.
As you harvest crops, you do so working from one side of the building, to the other side over a 30 day period. You need truck bays close to the area being harvested.

Most are not raised bays, just the 3 bays at the end of the building (North) are raised.

Thank you for your time today.
Sending you Amazing Energy.

Brent Lovett
Imagineer

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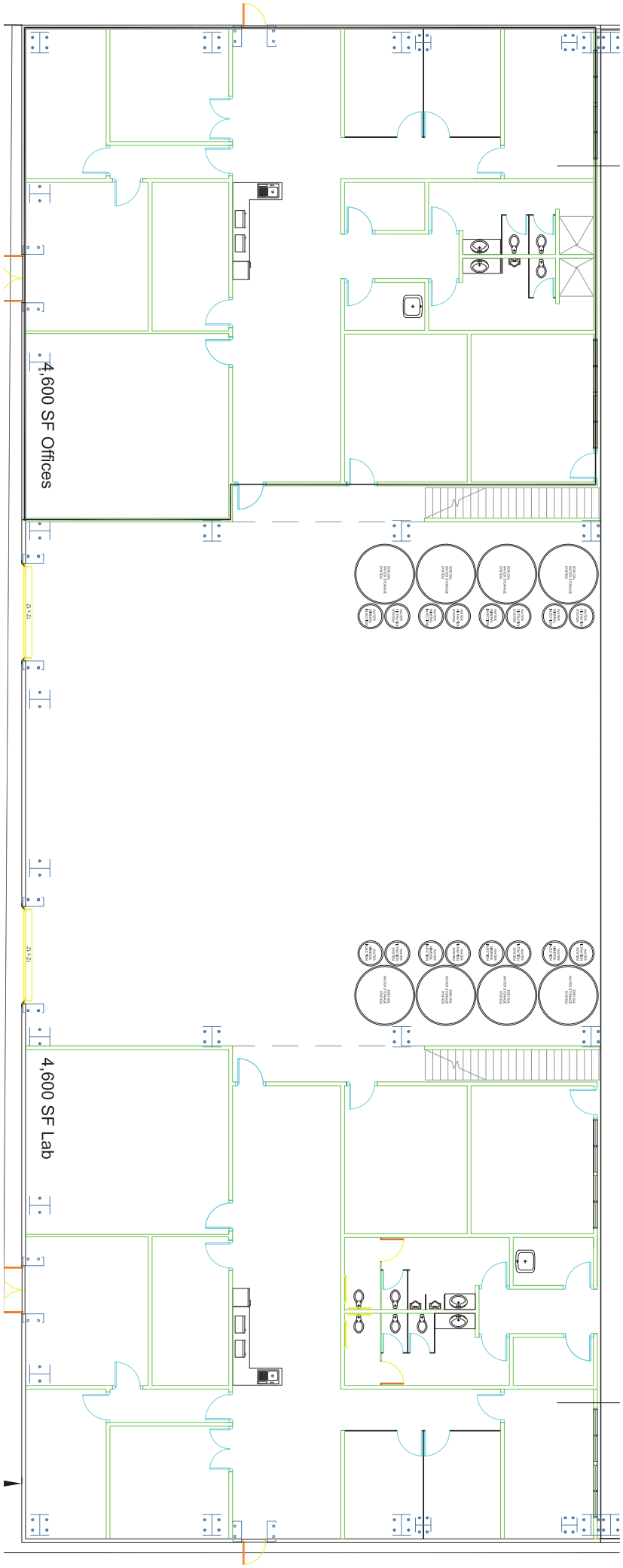
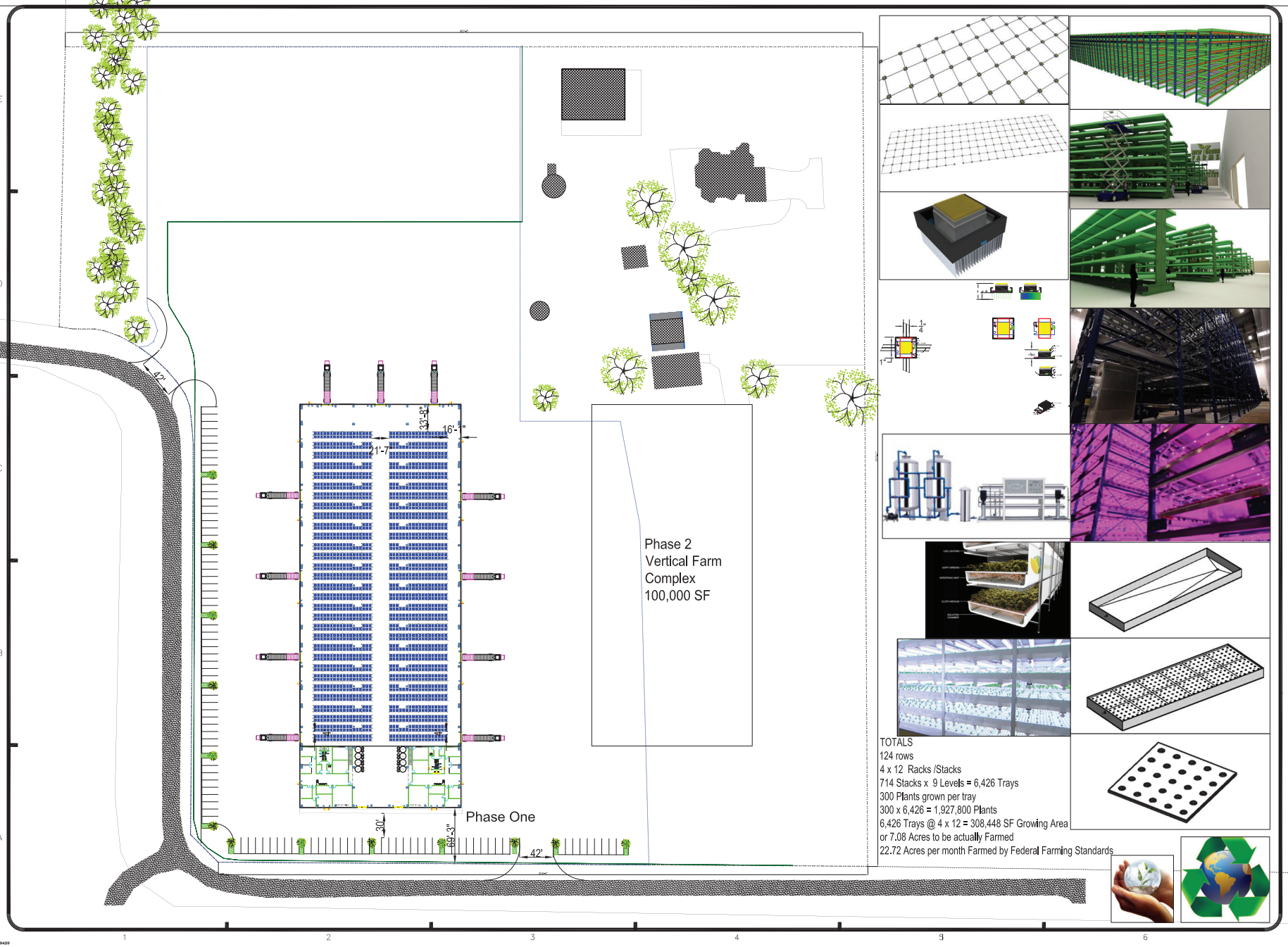
2 attachments

Site Plan 2 26.pdf
3054K

Office Plan.pdf
108K


4,600 SF Offices
4,600 SF Lab



REV.	DATE	BY:	REVISION:

THE CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ALL ERRORS TO THE ARCHITECT/ENGINEER BEFORE PROCEEDING. DRAWINGS ARE NOT TO BE SCALED. ALL DRAWINGS, SPECIFICATIONS AND ARRANGEMENTS ARE THE PROPERTY OF THE ARCHITECT/ENGINEER. ETAG SOLE PROPERTY, UNTIL SIGNED BY THE ARCHITECT/ENGINEER. THE OWNER/BUILDER/CONTRACTORS RISK. THESE DOCUMENTS ARE TO REMAIN THE PROPERTY OF THE ARCHITECT/ENGINEER. THE OWNER REQUEST ANY USE OF THIS DRAWING IN WHOLE OR IN PART BY ANY OTHER PARTY WILL BE ACCEPTED ONLY WITH THE ARCHITECT/ENGINEER WRITTEN CONSENT. IF ETAG HEREBY EXPRESSLY RESERVES ITS COMMON LAW COPYRIGHT AND OTHER PROPERTY RIGHTS IN THESE CONSTRUCTION DOCUMENTS.

NEW GREEN FARMS

LYON CONSTRUCTION
5015 Onyx Street
SILVER SPRINGS, NEVADA 89429
775-505-4611 - (888) 420-6834(FAX)
Brentlovett267@gmail.com

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SITE PLAN

NEW GREEN FARMS
60 ARTESIA RD
SMITH VALLEY NEVADA - LYON COUNTY NEVADA

DESIGNED BY: Brent Lovett
DRAWN BY: Brent Lovett
CHECKED BY: Brent Lovett
DATE ISSUED: JAN 15 2025
JOB NUMBER: 2025-0069
SCALE: as noted

THESE PLANS ARE PREPARED & SUBMITTED BY THE CONTRACTOR AS AN EXAMPTION TO NRS 624.220 & 624.3126 UNDER THE CONTRACTORS LICENSE CATEGORY AUTHORIZED UNDER NRS 624.
BUILDERS NCL #_____
PLANS PREPARED BY: Brent E. Lovett

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SHEET #
A0-21

Brent E. Lovett
5015 ONYX STREET
Silver Springs, Nevada 89429
O. 775-505-4611
F. 888-420-6834

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Gmail

Lisa Nash <lnash@lyon-county.org>

proposed commercial project on 60 Artesia

michelle beach <michellebeachrealtor@gmail.com> Mon, Dec 22, 2025 at 12:21 PM
To: ghenderson@lyon-county.org, lcariola@lyon-county.org, lnash@lyon-county.org, sjuntunen@lyon-county.org, planning@lyon-county.org

Hello,

I just left you a voicemail. Many neighbors and I are very concerned about the proposed commercial indoor farming endeavor applied for at 60 Artesia. This is not an alfalfa farm- that we all love and know. This is a huge, commercial, and industrial proposal.

We are concerned about many things. Some of these concerns involve the increased traffic flow of large, heavy vehicles on our small town roads, the utility infrastructure- with the increased demand of electricity and water, the 3 story building blocking our treasured views, and the lighting necessary that will disturb our night sky valley. Not to mention the plummet in our property values.

Would you please let me know the best ways for us neighbors to appropriately share our concerns.

Thank you so much.

Respectfully.

michelle beach
REALTOR®
S.0203880
dre #2114496
951-204-1619

Gmail joanne lawson <jlawsonrph@gmail.com>

Fwd: PUBLIC COMMENT for vertical farm project

Smith Valley Cab <svcab@lyon-county.org> Mon, Feb 2 at 3:32 PM
To: Joanne Lawson <jlawsonrph@gmail.com>, Tom Renner <tom_tosca@msn.com>, Mark Phillips <mrphillips63@gmail.com>, Keri Kidder <walkerwellingtonllc@gmail.com>, Rusty Williams <nevada_rusty@outlook.com>

---------- Forwarded message ---------
From: **Angie Proffer** <angieproffer@gmail.com>
Date: Tue, Feb 3, 2026 at 6:29 AM
Subject: PUBLIC COMMENT for vertical farm project
To: <svcab@lyon-county.org>

Smith Valley CAB members,

My husband and I would like to share our concerns against the proposed vertical farming project at 60 Artesia. We have 40 acres and love being in the middle of all the alfalfa fields. This proposal is not the agricultural we expect, and nothing like the farming this valley is accustomed to. This vertical farm proposal will negatively stand out in our neighborhood in more ways than one, and approval would set a precedent in our valley with the potential of many more of these humongous monstrosities coming into our peaceful quiet neighborhoods.

There are so many issues that concern us regarding this proposal and here are a few:
- Increased traffic, causing noise to our quiet neighborhoods and also harmful to our wildlife;
- Large, heavy vehicles damaging our small roads;
- The increased demand on our utility infrastructure (with the extra use of electricity and water needed), our current canal water allocations are already running and trending at a deficit. How will this 3 story farm impact our allocations? Do we have a way to calculate acre feet allocation in a 3 story building? We hope the allocation of water per acre feet is not multiplied by 3 stories?
- The multiple 3-story buildings (standing out like a sore thumb) will obstruct our amazing views

- The extra lighting necessary to run this 24/7 business will pollute our dark/night sky valley policy.

We are 100% against this project moving forward and ask that you do not give the CUP that is necessary to move forward.

We moved to this area because of the beauty and simplicity of this valley and ask that you board members help protect our valley and not allow this project to proceed.

Thank you,

Angie & Scott Proffer
687 Upper Colony Rd, Wellington, NV

Fwd: Concerned Letter for Feb 4 meeting

Smith Valley Cab <svcab@lyon-county.org> Tue, Feb 3 at 3:27 PM
To: Joanne Lawson <jlawsonrph@gmail.com>, Tom Renner <tom_tosca@msn.com>, Mark Phillips <mrphillips63@gmail.com>, Keri Kidder <walkerwellingtonllc@gmail.com>, Rusty Williams <nevada_rusty@outlook.com>

---------- Forwarded message ---------
From: **michelle beach** <michellebeachrealtor@gmail.com>
Date: Wed, Feb 4, 2026 at 5:05 AM
Subject: Concerned Letter for Feb 4 meeting
To: svcab@lyon-county.org <svcab@lyon-county.org>

Asked to be read at meeting.

Concerned Citizens,

As local residents who live near 60 Artesia, we are writing to express our grave concerns regarding the proposed large-scale commercial development at 60 Artesia.

We value this valley for its peace, wildlife, and rural character. The qualities that make this a desirable place to live—including our local farms, quiet atmosphere, and the safety of children playing in the neighborhood—are all in jeopardy if this project is approved.

We are specifically concerned about the following impacts:
- Increased traffic and road safety on small country roads
- Environmental impact and water usage
- Strain on utility infrastructure
- Sound and light pollution
- The visual impact of three-story buildings in a residential area
- Negative effects on property values
- The precedent for further commercial expansion

A small country road within a residential neighborhood is not the appropriate location for a project of this large scale. We urge you to consider these impacts and protect the integrity of our valued community.

Sincerely,

Phil and michelle beach

20 Megan St.
Respectfully.

michelle beach
REALTOR®
CA DRE #2114496
NV # S.0203880
951-204-1619
Intero Real Estate Services
image.png

Feb. 16, 2026

From: Judith Harker, 47 Terrell Lane, Wellington, NV 89444
To: Lisa Nash, Lyon County Planning Department
Re: Conditional Use Permit Application for 60 Artesia Rd, Wellington NV 89444
Parcel Number: 010-081-43

I am very concerned about the feasibility of this application. I am a strong supporter of agriculture in Lyon County and I hope that innovative approaches to farming can be part of our agricultural future. However, there are a number of inconsistencies and problems with this application, which the Planning Department should be aware of and should require the applicant to address before Planning Department makes a decision on approval or denial of the CUP application. This is a unique facility. As far as I know, no similar vertical farming facilities exist elsewhere in Lyon County. County staff have no comparable facilities against which to evaluate the present application. Therefore, the applicant should provide as complete and clear a plan as possible, one that addresses all relevant issues, including long-term financial feasibility.

Inconsistencies with the Project Description Justification:

The description states "fully automated indoor farming infrastructure", which implies use of robotics. Yet this will be a source of "steady never-ending jobs".

Customers will be supplied "within 150 miles", yet the description claims "no more food miles. Healthy produce available next door to where we live, in our cities." Clearly this was written for a facility that is not in Smith Valley, nor Lyon County.

They state that "New Green Farms will build the first ever total clean room farming complex in Lyon County." However, the eleven loading bays per building are open to the outside, and are not isolated from the growing areas. No provisions for usual clean room precautions are evident in the present site description or building elevations. Much more information and more detailed operational procedures are needed before this claim can be justified.

The height is stated as 32'. Elevation drawings list 34' for the southern elevation. The east and west elevations show a lower height for the central part of the building, but the height is not shown. More and correct information is needed on the site drawings. Further the snow load for a 2' rise in 100' from exterior wall to center peak needs careful engineering that is not evident in the current documentation.

Additional problems with the CUP application:

The 10" existing well in the southeast corner of the site may be on and owned by the adjacent property. That agricultural well irrigates the alfalfa field to the east of the applicant's parcel. As I understand it, the transformers on the power pole closest to the well provide power to that well, and

not to the applicant's site. If the applicant plans to drill an additional agricultural well for this venture, the location of the new well should be far enough away from the existing well that the drawdown of the new well does not impair the performance of the existing well.

I do not have the expertise to estimate the power requirements for a facility of this size. However, I am sure they are of sufficient magnitude to require an evaluation from NV Energy and an assurance that the current transmission lines are sufficient to accommodate the demands of this facility as well as the residences and farms that are also served by those NV Energy lines. This is a 24-hour, year-round operation that will increase local peak energy demands for AC during summer heat events and for heating during freezing weather.
Backup generator power must also be available to ensure against massive crop loss (from excessive summer heat, or freezing) during power outages. Estimates for the size and type of the generator facility must be included. Such generators are noisy and noise impact must be presented, as well as the frequency with which those generators are tested.

Finding B: The applicant claims little or no noise because the operations are inside the building. However, AC compressors are external and their size and noise must be evaluated. The applicant mentioned using swamp coolers. However, swamp coolers add to internal humidity and are probably not practical. High humidity in the enclosed plant growing environment is a major problem and humidity reduction is essential to eliminate fungus and other diseases in lettuce and strawberries. Either AC or swamp coolers will need large scale fans to move and circulate air, which will also add to operational noise.

Finding C and D: A traffic study should be required, especially for construction traffic as well as 24-hour traffic during normal operations. The ingress/egress to the facility is on a narrow S-curve on Artesia Road and visibility is very poor around the second part of the curve. The road surface is already in fair to poor shape, with crumbling shoulders and a section of uneven surface on the westbound lane at the first curve of the 'S'. Road improvements should be considered as a requirement.

Thank you for your time and consideration.

Sincerely,
Judith Harker

Gmail

Lisa Nash <lnash@lyon-county.org>

MARK JONES CUP - INDUSTRIAL GROW IN SMITH VALLEY

Kimbaleee <kim.d.herb@gmail.com> Tue, Feb 3, 2026 at 7:22 AM
To: lnash@lyon-county.org

Hi Lisa - we are unable to make the SVAB or BOCC meeting dates but want our voice heard. As citizens of Smith Valley & land owners near Mark Jones' property at 60 Artesia, we are VEHEMENTLY AGAINST any changes in zoning and AGAINST EVERYTHING Mr. Jones has proposed for his project. This is a very sneaky way of going about getting his zoning changed to what amounts to an INDUSTRIAL GROW IN A RESIDENTIAL NEIGHBORHOOD. There are so many reasons for this to never see the light of day including but not limited to water sources, traffic, light pollution, noise pollution, crime, lack of infrastructure to support a project of this stature. PLEASE advise Lyon County BOCC that we in SV NEVER WANT TO SEE THIS PROJECT OR ANY OTHER PROJECT LIKE THIS in our Valley. Thank you for the opportunity. Kim & Eric Herb, 44 Grand View Ln, Wellington NV 89444.

Gmail

Lisa Nash <lnash@lyon-county.org>

60 Artesia Road

1 message

Julie Maza <j.cerini@gmail.com> Sun, Jan 11, 2026 at 9:26 AM
To: lnash@lyon-county.org

Nick and Julie Maza
90 Amanda Lane
Wellington, NV 89444

January 11, 2026

Ms. Lisa Nash
Senior Planner
Lyon County Planning Department
27 South Main Street
Yerington, NV 89447

Dear Ms. Nash,

We are Nick and Julie Maza, homeowners at 90 Amanda Lane in Smith Valley, directly across from the property proposed for development at 60 Artesia Road. We moved to Smith Valley approximately a year and a half ago from an urban area specifically because of the quiet, rural, agricultural character of this community. We are writing to formally oppose the Conditional Use Permit (CUP) application for the proposed 200,000-square-foot facility.

While we support appropriate agricultural uses in Smith Valley, the scale and intensity of this proposal appear industrial in nature and raise serious concerns regarding compatibility with nearby homes, public safety, and the adequacy of existing infrastructure. Based on the information currently available, we do not believe the required findings for CUP approval can be made without substantial additional analysis.

First, the size and configuration of the proposed buildings are unprecedented in this area. Two enclosed structures of this magnitude and height do not reflect the character or expectations of surrounding agricultural and residential properties. Approval of such a use would represent a significant departure from established land-use patterns and set a precedent that is difficult to reverse.

Traffic and road safety are also major concerns. Preliminary estimates suggest a substantial increase in daily vehicle trips, yet no independent traffic impact study has been provided. Artesia Road lacks basic safety features and includes sharp curves with limited visibility near the site. Without a formal analysis and identification of required improvements, it is unclear how public safety can be assured.

Fire protection and emergency response present another unresolved issue. Smith Valley does not have fire hydrants serving this area, and emergency services are provided by volunteer departments with limited apparatus. Given the height, size, and continuous operation of the proposed structures, the County should require an independent fire safety and emergency deployment study by a qualified third-party consultant to evaluate whether existing resources are adequate and to identify any necessary mitigation measures before any CUP is considered.

The project also raises concerns related to noise, lighting, and mechanical equipment. Site plans indicate extensive mechanical systems likely to operate around the clock. No baseline studies or enforceable mitigation plans have been provided to demonstrate compliance with County performance standards or to protect nearby homes from noise and light impacts. These issues cannot be addressed through assumptions and should be supported by objective data.

Additionally, there has been no disclosure of the project's electrical demand or confirmation that existing utility infrastructure can support an operation of this scale. Potential needs for new transformers, substations, or backup generators—and their associated impacts—remain unknown. Similarly, while the proposal references the use of reclaimed water, no detailed water supply or water balance analysis has been provided to demonstrate long-term feasibility in an area where water availability is a critical concern.

Finally, there is no discussion of what would occur if the facility were to cease operation in the future. Without conditions addressing decommissioning, site remediation, or financial assurances, nearby homeowners could be left with a large, unused industrial structure that is incompatible with the surrounding community and detrimental to property values.

We did not move to Smith Valley with the expectation that industrial-scale facilities would be introduced adjacent to existing homes without rigorous review, objective studies, and enforceable protections. We respectfully request that the County require comprehensive third-party analyses addressing traffic, fire protection, utilities, noise, lighting, and water supply before advancing this application, and that decision-makers carefully evaluate whether the legal findings required for CUP approval can reasonably be made.

Thank you for your time and consideration. Please keep us informed of all hearings and opportunities for public comment. We intend to remain actively engaged in this process.

Sincerely,

Nick Maza
Julie Maza

Gmail

Lisa Nash <lnash@lyon-county.org>

Fwd: CUP Mark H Jones

Nick Maza <nicholesmaza@gmail.com> Wed, Feb 25, 2026 at 8:05 PM
To: lnash@lyon-county.org

From: Nick Maza <nicholesmaza@gmail.com>
Date: February 25, 2026 at 6:46:22 PM PST
To: countyclerks@lyon-county.org
Subject: CUP Mark H Jones

Nick and Julie Maza
90 Amanda Lane
Wellington, NV 89444

Date: *2/25/2026*

Lyon County Planning Commission
c/o Lyon County Planning Department
27 South Main Street
Yerington, NV 89447

Re: 60 Artesia Road – Fire Protection, Emergency Response, and Nevada State Fire Code Compliance

Dear Members of the Lyon County Planning Commission:

We are Nick and Julie Maza, homeowners at 90 Amanda Lane in Smith Valley. We previously submitted a letter on January 11, 2026 outlining concerns with the Conditional Use Permit (CUP) application for the proposed facility at 60 Artesia Road.

Now that this proposal is an agenda item before the Planning Commission, we respectfully submit this follow-up to highlight specific **fire protection, life-safety, and Nevada State Fire Code compliance issues** that have not yet been addressed and are essential to a complete and defensible review.

1. Automatic Fire Suppression Requirements in Rural Areas

Under Nevada Administrative Code Section 477.920, a new commercial building over 5,000 square feet **must be equipped with an automatic fire suppression system** (e.g., sprinklers) if the community does *not* have adequate water supply or an "organized fire department capable of producing a fire flow of not less than 500 gallons per minute for 30 minutes," or if there is no fire apparatus access road.

Smith Valley is not served by hydrants, and emergency response is provided by volunteer departments with limited apparatus. This raises the question: **has the applicant demonstrated how the project would meet NAC 477.920 fire suppression requirements** given current infrastructure limitations?

2. Fire Flow, Water Supply & Hydrant Infrastructure

The Nevada State Fire Marshal and adopted fire codes require an approved water supply capable of providing the *required fire flow* for fire protection at commercial sites. In neighboring jurisdictions (e.g., Clark County Fire Code amendments), reclaimed or effluent reuse water is *not considered an approved fire supply* unless it meets very specific potable water quality standards and is approved by the fire code official.

It remains unclear:

- What fire flow rate is required for a building of this size and occupancy classification;

- Whether any on-site hydrants will be installed;
- Whether the proposed reclaimed water supply will be acceptable for fire suppression **under Nevada fire code**.

Without answering these questions, it is impossible to evaluate whether the facility can meet minimum life-safety requirements.

3. Fire Department Response Capability and Deployment Study

NAC 477.920's definition of an "organized fire department" includes the ability to deliver at least **500 gallons per minute (gpm) for 30 minutes** via pump/tanker operations. If Smith Valley's volunteer fire departments cannot reliably meet this fire flow on short notice due to apparatus limitations or distance, this could trigger the requirement for suppression systems and/or infrastructure improvements.

To date, no third-party **fire department deployment or response capability study** has been presented. We respectfully request that the County require such an analysis *before* moving forward with CUP consideration.

4. Elevator, Rescue, and Means of Egress Requirements

Nevada Revised Statutes (NRS) 477.150 requires buildings where human occupancy is permitted above the first floor to be equipped with fire sprinklers and elevator systems capable of being recalled automatically in the event of fire, along with other safety provisions related to evacuation routes and detection systems.

It is unclear whether the proposed three-story facility will include:

- An elevator sized to accommodate a gurney for emergency medical rescue;
- Stair and access designs that allow safe evacuation and emergency access from upper floors.

These are **not optional design details** — they are critical life-safety elements required under Nevada fire code for occupied structures above ground level.

5. Hazardous Materials and Storage Conditions

While a vertical farming operation may not immediately appear to involve hazardous materials, many commercial agricultural operations utilize fertilizers, CO_2 systems, and other potentially hazardous substances. Nevada fire code and model fire codes regulate the **storage, quantity limits, and handling** of combustible or hazardous materials based on occupancy type and quantity thresholds.

We ask the Commission to clarify:

- Whether materials potentially classified as hazardous under fire code will be stored onsite;
- What specific controls and permitting will be required under state fire code and fire marshal regulations;
- Whether an operational permit will be obtained for any regulated materials prior to occupancy.

Conclusion and Request

Approving a CUP for a facility of this scale — particularly in an area without hydrant infrastructure and where emergency response is volunteer-based — without a formal fire code compliance demonstration, independent deployment study, and clear fire suppression infrastructure plan would be premature.

We respectfully request that the Planning Commission require the applicant to provide:

- A Nevada State Fire Marshal–approved fire code analysis showing compliance with applicable NAC/NRS requirements;
- A third-party fire department deployment and response study;
- Documentation of water supply and hydrant/fire suppression system design that meets adopted fire code standards.

These are objective, fact-based studies, not subjective opinions, and are necessary to make the required findings for CUP approval.

Thank you for your consideration.

Respectfully submitted,
Nick and Julie Maza

Gmail

Lisa Nash <lnash@lyon-county.org>

Commercial farm proposal at 60 Artesia

Angie Proffer <angieproffer@gmail.com> Mon, Dec 22, 2025 at 3:54 PM
To: Lnash@lyon-county.org, planning@lyon-county.org
Cc: Scott P <scottproffer@gmail.com>

Hello Ms Nash,

My husband and I are very concerned about the commercial indoor farming business proposal at 60 Artesia. We recently moved here and love being in this rural area with all the agriculture, alfalfa farms, but this proposal is not anything like the farming we are accustomed to; this is a huge, commercial, and industrial proposal not suited for this agricultural / residential area we are living around.

There are so many issues that concern us regarding this proposal:
- Increased traffic;
- Large, heavy vehicles on our small roads;
- The increased demand on our utility infrastructure (with the extra use of electricity and water needed), our current canal water allocations are already running and trending at a deficit. How will this 3 story farm impact our allocations? Do we have a way to calculate acre feet allocation in a 3 story building? We hope the allocation of water per acre feet is not multiplied by 3 stories.
- The multiple 3-story buildings (standing out like a sore thumb) will also obstruct our amazing views
- The extra lighting necessary to run this 24/7 business will absolutely pollute our dark/night sky valley policy.

We are 100% against this and do not feel our neighborhood is the right place for this project. We moved to this area because of the beauty and simplicity of the valley and ask that Lyon County protect our valley and not allow this project to proceed.

Thank you,

Angie & Scott Proffer
687 Upper Colony Rd, Wellington, NV 89444

Gmail

Lisa Nash <lnash@lyon-county.org>

60 Artesia Rd. Wellington, Nv.

Kyle Runge <rungekyle5@gmail.com> Wed, Jan 7, 2026 at 11:11 AM
To: lnash@lyon-county.org
Cc: "lcariola@lyon-county.org" <lcariola@lyon-county.org>, "sjuntunen@lyon-county.org" <sjuntunen@lyon-county.org>, "ghenderson@lyon-county.org" <ghenderson@lyon-county.org>

Dear Lisa, and all involved.

I am contacting you about mine and all my neighbors' concerns in Pinion Ranch and its surrounding neighborhoods about the agriculture project at 60 Artesia Rd. {known as the Dunmovin Ranch}
I am a retired correctional officer from San Quentin State Prison. The reason I chose Nevada and especially Smith Valley was for the tranquility and safety of the area. I chose it for the dark skies, no traffic, no crime and the generosity of the people living here.
Now that may all be taken away with the construction of a three story building, an immense increase in traffic and overbearing lighting.
My house is only a quarter mile from the Dumovin Ranch. I would have to endure the sound of large trucks coming and going 24 hours a day, also the many employees for three shifts a day, loud HVAC systems and intense lighting, not only into my windows but taking away from the dark skies that provide a spectacular view of the Milky Way and all the planets.{See attached photo} taken from my front yard.
Please take into consideration the impact this will have on the whole valley. Taking away the reason so many have moved here, instead of the greed of one person.
Thank You,

Kyle and Darlene Runge
50 Amanda Ln.
Wellington, Nv.

IMGP9063.jpg
1773K

20260225 Letter to Lisa Nash, Lyon County Senior Planner

Dear Ms. Nash,

The following comments and questions pertain to the CUP (Conditional Use Permit) application submitted by (or on behalf of) Mark and Sheryl Jones of 60 Artesia Rd, Wellington, NV 89444, Parcel 010-081-43 in preparation for the SVCAB (Smith Valley Citizens Advisory Board) meeting of March 4, 2026. I will present my key points as an executive summary with references to backup information and calculations.

Executive Summary

Daily vehicular traffic: (24 hours) during the operation of this facility, based upon a summation of trips in or out of the gate: 180 employee passenger vehicle trips plus 22 product delivery truck trips for a total of 202 vertical farm related vehicles. Compare this against a current traffic baseline of 261 vehicles per day. This brings the total traffic to 463 vehicle trips and represents an increase of 77% (ref. Page 4)

Construction vehicular traffic: The applicant states as one of his goals the minimization of cut and fill for roads and site grading. Given the existing natural slope which leads to an elevation difference of 7.25 feet in the 500 foot south to north length of these buildings, a minimum of 1,910 truck + trailer loads of fill material will be required, with much more likely. Building slabs and footings will require a minimum of 336 mixer truckloads of concrete. There will be hundreds of truckloads of structural steel, roof trusses, corrugated metal for walls and roofing and many truckloads of vertical racks, lighting equipment for the plants and mechanical system components. (ref. Page 4)

Electrical power consumption: The existing agricultural electrical service on the property provides power to an agricultural well which is rated at approximately 100 KW. The applicant claims that this electrical service will be sufficient to power the needs of the facility. Calculations indicate that 65 megawatts will be required. This is 650 times the current load represented by the existing well pump. (ref. Page 5)

Cooling requirements: When questioned about Air Conditioning Requirements, the applicant stated at the CAB meeting that no air conditioning would be required and that what small amount of cooling would be needed could be provided by two small evaporative coolers. Calculations indicate that waste heat from the LED lighting and human activity will amount to 41,135,400 BTU/hr. (ref. Page 5)

Sewer: The applicant claims that the existing septic system will be sufficient to handle the waste from the vertical farming system. No specifications have been provided; therefore there is no substantive basis for this claim.

Water: The applicant claims that he has sufficient water rights to provide for this operation. No details have been provided.

Water recycling: The applicant claims that water will be treated and recycled, but no details are provided.

Height of buildings: Multiple sources state the height of the buildings as 32 feet. Some say 34 feet. Sloping ground could add 7.25 ft. Solar panels on building roofs as called out on previous documents will add additional height. (ref. Page 6)

Concerns brought forth in the Feb 4 SV CAB meeting were met by the applicant with dismissals, platitudes and generalities. The applicant's reluctance or inability to respond to technical questions with clear, scientifically based answers raises a red flag with respect to approval of this application. For the benefit of all involved parties, a thorough and professional engineering analysis is necessary.

Conditional Use Permit Applicant Findings per Chapter 15.230.06

Operational Details (provided by the applicant):

- Number of employees: 12 to 30 per shift, per building (accepted as stated)
- Hours of operation: 24 Hours per day (accepted as stated)
- Power: NV Energy, Existing on site (grossly inadequate,) (ref. Page 4)
- Water supply: AG well , existing on site (details required)
- Sewer: Septic, Existing on site (details required)
- Traffic expected: 15-30 cars per shift , plus six delivery box trucks (inaccurate)
- Phasing of buildings: Building 1 upon approval , 2nd building in 30 months
- Parking : 100 onsite parking (spaces?) plus truck parking
- Fencing, screening, etc: As needed.

Applicant's Responses to Findings

Finding A, Applicant's Response:

The applicant claims that his project is in conformance with the Master Plan (Lyon County inferred) for agricultural or rural areas and on nearby ranching and agricultural operations. Conspicuously missing within supporting text and photographs is any mention of how his project will affect the residential property located directly to the south of his property. Elsewhere, he claims that he will use appropriate setbacks, and placement of structures that are compatible with adjacent agricultural activities. Here again, while agricultural properties are addressed, there is no mention of impact to residential properties.

The applicant claims that he will use native plants for landscaping while his satellite image based plot plan clearly shows that many large century plus old trees are in conflict with the location of the new buildings. Greater efforts should be made with respect to building placement to preserve mature trees.

Finding B, Applicant's Response:

The applicant claims that "the proposed Vertical Farming facility is compatible with the surrounding development." This is a highly subjective statement and is demonstrably false on many levels. These will be the largest steel buildings in Smith Valley. They will be producing low level noise, light pollution and traffic around the clock.

Construction and Maintenance: The applicant states that "traffic and neighbors will not be meaningfully impacted if at all." In consideration of the many thousands of truckloads of earthen fill material, concrete, structural steel, steel trusses, corrugated steel for walls and roofing, and materials for growing racks, electrical and lighting systems, this statement cannot be taken as accurate.

Visual Impact: The applicant claims that the project is typical for metal farm buildings as seen in surrounding areas. In reality, most of the steel buildings in the surrounding areas are 5,000 square feet or smaller. The proposed buildings are 100,000 square feet, 20 times larger than anything nearby. And there are two of them. These buildings will be clearly visible for miles in multiple directions.

Lighting: The applicant says that the (exterior) lighting will focus down as not to pollute the night sky. The Smith Valley Dairy made similar claims and the results are far from satisfactory. It is hoped that a more effective approach will be taken. Current lighting on 60 Artesia allows very bright lights to project for miles to the west, south and east. Specific language limiting light pollution should be standardized and attached to all industrial scale CUPs and made conditional to approvals and renewals.

Finding C, Applicant's response: The applicant's response is basically summarized by his closing statement, "This project will not substantially alter existing vehicular traffic as part of operations." As a matter of fact, the operational phase of this project will increase traffic on Artesia Road from an average baseline of 261 (data taken from NDOT survey, October 16-19, 2024) to approximately 463, an increase of 77%. The current traffic on this portion of Artesia Road is sufficient to have substantially damaged the shoulder of the asphalt pavement which is narrow enough that vehicles traveling in opposite directions are often "hanging a wheel" onto the shoulder to provide a comfortable separation. Increased traffic will undoubtedly worsen this situation.

Finding D, Applicant's response: "The proposed facility will not impact traffic flow or require public roadway improvements." This statement is demonstrably false as is covered under Finding C above. Even based solely upon the existing traffic on this segment of Artesia Road, a center stripe should be applied. Visibility along this stretch of roadway is adversely impacted by a dense growth of vegetation on the applicant's property to the west side of Artesia Road. (Please note that the property line falls to the west of the irrigation ditch.)This should be addressed before embracing additional traffic and should be included in the CUP as a condition for approval and renewal.

Finding E, Applicant's Response: " The design and implementation of this facility aligns with the conditions outlined in 15.230.06{8} and best fit for the existing Agriculture community and effectively mitigate any potential visual impacts on adjacent properties as they are also agriculture in nature." This statement completely ignores the residential properties to the south, directly across Artesia Road. "The Project Heights will not impact visually to the surrounding area. Noise impacts will also be minimal since the work is performed indoors and the noise from operation cannot be heard when approaching the site and is indistinguishable from the existing Agriculture operations." In truth, these buildings set a new precedent for square footage and height in Smith Valley.

Finding F, Applicant's Response: The applicant claims that the project "complements the existing agriculture operations by providing an alternative method of farming to allow more growth for less funds while water reclamation helps retain any water rights they currently have. This is also in alignment with the Land Use Goals {Policy LU 1.1) by keeping with the current rural requirements and uses of the property." This is an unsubstantiated platitude. The applicant fails to identify any substantive advantage that this project brings to neighboring existing agriculture and completely ignores the disadvantageous effects upon neighboring residential properties.

Finding G, Applicant's Response: The applicant claims that "the proposed facility …..is not injurious to property or improvements in the vicinity." This statement completely ignores the visual and noise impact and consequential negative effect on property values for neighboring residential properties. *I am sorry; but redundant, inaccurate statements require redundant refutations.*

Basis of estimate

The following parameters are derived from information provided directly from the applicant via the CUP permit, verbally at the February 4, 2026 SV CAB meeting or calculated through analysis of those sources of information.

Daily vehicular traffic: The applicant claims that there will be 15 employees per shift per building, running three shifts, 24 hours per day. This will potentially lead to roughly 60 private vehicles on the property at shift change. The stated plan for a 100 space parking lot will provide 40 extra spaces even at peak levels during shift change. Is there an explanation for the extra-large parking lot? Some of the information provided by the applicant has stated that there will be as many as 40 trucks per day; other information indicates 22 box trucks (supported by the 11 loading doors on each building.) This conflict needs to be addressed. A traffic survey of Artesia Road conducted by NDOT between October 16 and 19, 2024 shows an average daily vehicle count of 261. The traffic relating to this proposed facility will bring that number to 463, an increase of 77%.

Grading and construction traffic: The applicant claims that the project will minimize cut and fill for roads and site grading and that it is located on flat terrain. While it is flat in a planar sense, it is by no means level. In fact, the buildings are oriented with their long axis parallel to the primary south to north slope of the land. Elevation measurements taken from the public right of way to the west of the building location reveal that in the 500 foot length of the building, the land slopes to the north with a 7.25 foot elevation loss. This will require moving enormous amounts of material to achieve level building pads. Providing level pads for these buildings will require moving a minimum of 26,851cubic yards [7.25' (mean elevation loss) ÷ 2 (volumetric factor for prism) X 500' (S to N length) X 200' (E to W width) X 2 (buildings) ÷27 (conversion of cubic feet to cubic yards)] of material for the two buildings. This conservative calculation assumes zero importation of sub-base material and leaves the south ends of the buildings more than three feet below natural ground contour and the north end of the buildings more than three feet above natural ground contour. A much more likely scenario is that after providing a level surface by the previously mentioned process, the building pads will be built up slightly above natural ground contour on the south end, which will require the importation of 30,556 cubic yards [7.25'

(original elevation loss)÷2 (to bring level pad to elevation of south end) +.5 (slight elevation above native grade) X 500'(S to N length) X 200' (E to W width) X 2 (buildings) ÷ 27 (conversion of cubic feet to cubic yards). At sixteen cubic yards per truck/trailer load, this represents 1,910 truck and trailer loads. This calculation makes no attempt to address fill material which might be structurally required after a soils report. In addition to the above analysis, large additional quantities of fill material will undoubtedly need to be imported to match the exterior approaches to the buildings to the final interior floor elevation for truck loading purposes. (recall the 7.25' height differential between the north ends of the buildings and natural grade which exists across the entire E-W width of the lot.)

Noise: During the construction phase of this project, there will be a great deal of noise generated by earth moving, compaction, steel work and a wide variety of sources. The neighboring residents deserve an honest estimate of construction duration and a quantitative analysis of the volume of material to be excavated. At this point, the only mention of construction duration is that the construction of the second building will begin 30 months after the first building is approved. This infers that there could be a 5 year construction period for the two buildings.
In reference to the operational phase, the applicant states that "no additional noise is expected, as the work is done inside the building, the noise from typical farming will actually be reduced. " While this may be true in a sense, he completely fails to address the noise from HVAC and water recovery and handling systems. At the February 4, 2026 SV CAB meeting, the applicant attempted to dismiss HVAC noise as insignificant, saying that cooling will be handled by "a small evaporative cooler on each building." Let's examine that premise: Active human workers generate 400-600 BTU/hr per person of waste heat. With 15 workers per building, that is 6,000 to 9,000 BTU/hr. LED lighting generates 2.0 BTU/hr per watt. According to various sources, growing leafy green vegetables like lettuce requires approximately 20 watts per square foot. Growing fruiting crops requires around 40 watts per square foot. If we average these two numbers to account for lettuce in Bldg. 1 and strawberries in bldg. 2, we come up with 30 watts per square foot. The applicant maintains that the buildings will be adequately cooled by a small evaporative cooler. This is not even remotely realistic considering the 41,135,400 BTU/hr that must be dissipated. The system will require fans, compressors and pumps, all contributing to a 24 hour per day noise output. This mechanical systems noise, while perhaps not loud, will be absolutely incessant.

Electrical and cooling load calculations: The applicant makes the blanket statement that electrical power is from "NV Energy, Existing on site." The only evidence that is readily visible to support this claim is the electrical service to a well pump located at the SE corner of the property. It is not clear that this well and pump belong to the applicant, in spite of their being on his property. This service appears to be for roughly 100 Kilowatts and is inadequate for the needs of the vertical farming proposal as indicated by the following analysis:
LED grow lighting square footage estimate (per building): (derived from dimensions on floor plan)
Standard growing rack length (E-W) 200' (bldg. width E-W) -22' (ctr. aisle) - (2x16'outer aisles) ÷2 = 72'
Standard growing rack depth; 2 shelves X 4' (estimated shelf depth) = 8' (total shelf depth E-W).
Standard growing rack surface area 72' (length) X 8' (depth) =576 sq. ft.
Notch in rack (presumed for forklift parking and charging) (4' X 12') = 48 sq.ft
Notched growing rack surface area (576 sq. ft. – 48 sq.ft.) = 528 sq. ft.
Notched growing racks per building = 30 (racks) X 528 sq.ft.= 15,840 sq. ft. per layer
Standard growing racks per building = 32 (racks) X 576 =18,432 sq. ft. per layer
Total growing rack surface per layer = 15840 sq. ft. + 18432 sq. ft. = 34,272 sq. ft. per layer

Total growing surface per building; (20 layers X 34,272 sq ft per layer) = 685,440 square feet
With 20 layers of vertical farming per building at 30 watts per sq. ft. 685,440 sq.ft X 30 watts per square foot = **20,563,200 watts per building.**
Waste heat to be disposed of = 20,563,200 w X 2 BTU/hr (typical waste heat per watt) = 41,126,400BTU/hr of waste heat per building.
Adding the human generated heat load is insignificant but 41,126,400+9000= 41,135,400 BTU/hr
The applicant said at the February 4, 2026 SV CAB meeting that he can take care of cooling requirements with one small evaporative cooler per building.
This analysis indicates that that approach would be grossly unrealistic. So, if we need to dissipate 41,135,400 BTU/hr of waste heat at a conversion factor of 0.293, we need 41,135,400 X 0.293 = an additional **12,052,672** watts for air conditioning.

At this point, we have electrical loads of 20,563,200 watts for lighting and 12,052,672 watts for cooling. I will make no attempt to estimate electrical loads for water handling or for charging forklifts and other miscellaneous loads, but remember, this analysis is for only one building, so for the total load, we have 20,563,200 w (lighting load) + 12,052,672 w (cooling load) = 32,615,872 w X 2 (2nd bldg.) = **65,231,744watts**. That is **65 megawatts**, undoubtedly the largest single load in Smith Valley, possibly even the largest in southern Lyon County. This electrical load is large enough to likely require a substation and switch yard, (not reflected on plot plan) representing a significant capital investment that will hopefully be covered by the proposed enterprise and not be imposed on the community and general rate payers.

Building Height: These buildings are either 32ft or 34ft tall, depending on which drawing or text takes precedence. That height is not taking into consideration the natural slope of the land, so it could be as much as 41ft above natural grade on the north end. The applicant subsequently stated at the CAB meeting that there would be no solar panels (which report prevails?). I know of no other buildings in Smith Valley that are this tall, so they will definitely have a visual impact to the surrounding area. The extreme height of these buildings should be of concern to the Smith Valley Fire Department, which, I have been told, does not have equipment capable of effectively fighting fires in structures of this size.

This report is as accurate as I am able to make it. There is a significant absence of details for this project, so estimates have had to serve in place of better information. It is my intention that this report will serve as a “wake up call” to bring in a team of more qualified engineers to review my calculations and evaluate the applicant’s plans and claims. Apart from the financial cost to the applicant, the community will be deeply affected if this project would be built and subsequently fail. 200,000 square feet of vacant commercial buildings will leave a long term blight here in Smith Valley.

Respectfully submitted,

Matt Swain,
Materials Research Engineer (retired) Lockheed Martin Skunk Works
33 Terrell Lane
Wellington, NV 89444

5 Jan 2026

Mr Haskin

You are receiving this copy of our property plan opposal to ensure it goes to the correct office. We see several legal violations with this plan.

Thank you for your assistance,

Shell Zoppettini

Y232489

January 5, 2026

Lyon County Community Development Department

Attention: Ms. Lisa Nash, Senior Planner

RE: New Green Farms Vertical Farming – Proposed Plan
60 Artesia Road, Smith Valley (APN: 010-018-43)

Dear Ms. Nash,

This letter is being sent to you as the current Senior Planner for the Community Development department. If you are not the correct person to review opposition for this plan, please advise me who the correct individual is to receive this information to avoid delay.

We the undersigned are in opposition to this proposed plan for the owner of 60 Artesia Road to build two large commercial agriculture buildings for commercial business purposes. After review of the proposed plan site and proposed commercial business plan we oppose with the following concerns:

1. This proposed plan will be built in two phases on a 22 acre parcel. On the west side property line there is old growth trees and on the east side entry road there is old growth trees. The trees on the east side are proposed to be removed. These trees in the past and currently are the habitat home for protected Eagles, Owls, Hawks and other predators. Removal of the east side property trees and disruption of the west side of the said property trees is a violation of the Federal Migratory Bird Treaty Act (16 USCm 703-711) and the State of Nevada Policy to protect and preserve protected birds such as Eagles (bald and golden) Owls (several types in the area) Hawks (numerous types in the area) and other protected predatory birds (magpies, vulture, crows etc.) It is the obligation and responsibility of the Federal, State and county organizations to preserve and protect wildlife from excessive commercialization in rural areas.
2. There will be also be additional noise and light pollution with a 24/7 commercial business that will disrupt the habitat for the protected birds and local wildlife both day and night. This fragmentation will make it harder for the protected birds to find food, mate, nest, or thrive.
3. This proposed plan to build two large commercial buildings is clearly in violation of the Lyon County Agriculture zoning code section 15.310.01 subsection (F), section (f) 2, which states "Accessory Dwelling units of no more than one unit per 20 gross acres," will be built on a 20 acre site with the exception for "the purpose of housing employees and family members engaged in agricultural pursuits." The proposed two phase plan is for two commercial buildings on 22 acres.
4. The term of Traditional Farming was used in the planning letter. This proposed plan is a commercial based business and not a traditional farming plan. There will be two large commercial buildings on a 22 acre parcel, not traditional plants planted in soil. This parcel had alfalfa growing on it until approximately 2020. The above noted protected birds would use these alfalfa fields to hunt for rodents, which kept the rodent population down. Any further disruption to the protected birds and wildlife on this property could be devastating.

5. This proposed 22 acre plan on 60 Artesia Road is adjacent to a 220 plus acre residential area that has been in existence since 2008, long before the purchase of this lot in 2019 and discontinuation of traditional farming, in approximately 2020 on this site. A 24/7 commercial business will have lighting 24 hours a day, thus causing a negative impact on the residential area with light pollution. A 24/7 commercial business will have increased vehicle and machine noise, thus causing additional noise pollution causing a negative impact on the residential area.
6. There will be increased traffic on Artesia, which adjacent to this site has two 90 degree road curves on a rural road that is already dangerously narrower than that of an average county paved road. The county does not even put a middle stripe on the road due to it being so narrow. The increased traffic will affect the lives of the residential area and surrounding population.

Traditional farming land use regulations are to protect the land from excessive urbanization and industrialization. Large commercial business buildings delineate from traditional farming, harm the wildlife population and have negative environmental effects on the surrounding area.

For the above reasons, we oppose this plan and this plan does not meet all the current Lyon County property rules and regulations. We ask that this plan be rejected for these reasons.

If you have any additional questions, please contact us. Thank you for your assistance with this issue,

Shell Zappettini _____ January 5, 2026

Robert Zappettini _____ January 5, 2026

35 Megan Street
Wellington, Nevada 89444-6200
(775) 721-1127 or (775) 885-0192

izen Advisory Board
:tter of Transmittal

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Meeting Date: 3-4-2026

Advisory Board: Smith Valley CAB

Please select which board this item is to be brought before:

Board of Commissioners X, (and/or) Planning Commission X

Agenda Item:
8 For Possible Action
> Forward a recommendation to the Lyon County Board of County Commissioners regarding a CUP for a project at 60 Artesia Rd. (Mark Jones & Business Partner) Vertical Farming on master plan Aug and zoning AG. They will take Q&A from attendees and board.

Recommended Motion and/or Report:
The board had a motion to approve which was not approved. The board then had a motion to decline which was met with a 2-2 vote. Mark Phillips, who was the no vote in both cases, was in favor of a continuance for more information to determine if this project should not be considered as industrial application which would not fit the ag zoning for the area.

Advisory Board or Public Concerns:
There was record attendance at this meeting. Mark Jones and his partner presented limited information and then took some business-related questions during the public comment section. There was an overwhelming majority of the public that expressed many concerns about the project and its impact on the nearby residential areas. The board encourages the BOCC to listen to the audio recordings from this meeting as well as last month's meeting 2-4-26 for more opinions. The board has also received many letters and emails expressing dissatisfaction with this project. Some have been addressed to the BOCC already and others have only made it to the SVCAB. These can be provided as well if desired.

Submitted By: Mark Phillips – Vice Chair SVCAB

Mail to: Lyon County Managers Office, 27 S. Main Street, Yerington, NV 89447
Email to: mtapia@lyon-county.org

Gmail

Brandi Lathrop <blathrop@lyon-county.org>

Public comment

2 messages

Sarah Montgomery <smontgomery5716@gmail.com> Tue, Mar 3, 2026 at 12:10 PM
To: lnash@lyon-county.org
Cc: countyclerks@lyon-county.org

To whom it may concern:

I am writing as a Smith Valley resident regarding the proposed vertical farming project at 60 Artesia Road. I have serious concerns about the building placement, traffic impacts, emergency response capacity, and overall infrastructure suitability along Artesia Road.

Building Placement and Visibility

Based on the conceptual site plan, the first 200' x 500' x 32' building appears to be positioned in the southwest corner of the property, directly adjacent to the two 90-degree turns on Artesia Road. Those turns are already hazardous. Placing a three-story structure at that corner would significantly reduce sightlines and function as a visual barrier at a critical point in the roadway.

This is particularly concerning given the proposed 24/7 operation, three daily shifts, and truck departures between 7:00–8:00 a.m. which is the same time many residents commute. Reduced visibility combined with increased commercial traffic creates an obvious and preventable safety risk.

Additionally, deer frequently cross after the second 90-degree turn (perpendicular to this property). Obstructed sightlines in that area will likely increase wildlife-vehicle collisions.

Traffic Volume and Road Capacity

The proposal indicates:

- 15–20 trucks per day per building
- Approximately 20 employees per building
- 24/7 operations

When buildings are constructed, this could mean up to 30–40 truck trips daily, in addition to employee traffic. Artesia Road is not an industrial corridor. It is a rural road that serves as the only access to Highway 208 for this side of the valley (near the terminus of Artesia).

It is regularly used by school buses, volunteer fire responders, work trucks with trailers, and at least one semitruck that travels beyond the paved portion toward the Artesia Lake area. The road was not designed for sustained commercial traffic at this intensity.

I respectfully request that a formal, independent traffic impact study be required and that it specifically evaluate sightlines at the two 90-degree turns, peak-hour conflicts, and cumulative impacts when buildings operate simultaneously.

Emergency Response and Fire Protection

Each building would be approximately 100,000 square feet with multi-level stacking farming systems, high-powered LED lighting, lift equipment, water circulation systems, and rooftop solar. A structure of that size and complexity warrants careful review.

Has the local fire protection district confirmed it has the equipment, water capacity, and staffing to respond to a fire of this scale?
Have potential electrical loads, suppression systems, and any water treatment components been evaluated?

These are not minor agricultural structures. They are large, enclosed, industrial-style facilities operating 24/7.

Infrastructure and Compatibility

While the Determination letter states that impacts will be evaluated during the Conditional Use Permit process, it also concludes that existing infrastructure appears adequate. From a resident's perspective, that conclusion does not reflect the practical limitations of Artesia Road or the safety realities at those turns.

I am not opposed to agriculture or economic development. However, the scale, intensity, and traffic associated with this proposal are materially different from traditional agricultural uses typical of Smith Valley.

I respectfully ask that the Board:

1. Require a comprehensive traffic impact study specific to Artesia Road.
2. Obtain formal input from the local fire protection district regarding emergency readiness.
3. Evaluate alternative building placement that preserves sightlines at the two 90-degree turns.
4. Ensure meaningful public input during the Conditional Use Permit process.

This side of the valley has limited ingress and egress. Safety, emergency response access, and long-term infrastructure capacity deserve careful consideration before approval.

Thank you for your time and thoughtful review.

Sincerely,

Sarah and James Montgomery
Smith Valley Residents

Brandi Lathrop <blathrop@lyon-county.org> Tue, Mar 3, 2026 at 1:11 PM
To: Sarah Montgomery <smontgomery5716@gmail.com>
Cc: lnash@lyon-county.org, countyclerks@lyon-county.org

Your comments have been received and will be available for the meeting as late backup.
[Quoted text hidden]
--
Thank You
Brandi Lathrop
Administrative Assistant
(775) 463-6592 x1481
blathrop@lyon-county.org

Comments Regarding Proposed Industrial Facility at 60 Artesia Road, Wellington, NV 89444

Date: February 28, 2026

To: Lisa Nash, Lyon County Planning

CC: Lyon County Commissioners, Smith Valley Community Advisory Committee; District Attorney Stephen B Rye, County Manager Andrew Haskin, Sheriff Brad Pope, SVFPD Board of Directors, Nevada Senator Robin L. Titus, Nevada Assemblymember Gregory S. Koenig, Joe Crawford, NDOW Advisory Board for Lyon County.

RE: Proposed Conditional Use Permit for New Industrial Facility at 60 Artesia, Wellington Nevada

Summary:

I am very concerned about the planned facility at 60 Artesia in Smith Valley, and I believe that Lyon County should not issue a conditional use permit for this venture until detailed plans are issued and many significant questions and issues be addressed. The immediate neighborhoods contain over 100 properties with values exceeding $50 million, adding nearby properties pushes that number much higher. Lyon County should carefully consider the impact on those landholders and Smith Valley at large. The precedent of establishing large industrial facilities in rural areas of Lyon County should not be made.

Introduction:

My name is Tim Montgomery, and I reside at 17 Terrell Lane, Wellington NV 89444. I have become aware of a proposal to build a large industrial facility at 60 Artesia Road near my family home.

This is my second letter regarding this project, and the pending Conditional Use Permit.

My background is: Degreed Electrical Engineer (California State University at Long Beach), career in aerospace and defense systems, with significant experience in power, instrumentation, systems engineering and analysis (certification University of California at Irvine plus Boeing, Lockheed, Ford Motor Company corporate certifications).

I attended the Smith Valley Community Advisory Board meeting on February 4th, 2026, and listened to the questions / answers (which I did not think appropriate). I was also disappointed that the amendment of the SVCAB agenda to add this item seemed very improper – The citizens did not have adequate time to review materials and formulate responses.

The applicant provided very little if any substantial information, and his answers to questions were incomplete, vague and otherwise unhelpful.

Comments Regarding Proposed Industrial Facility at 60 Artesia Road, Wellington, NV 89444

In the absence of concrete information for consideration other than the following – none of which constitutes a 'plan':

- Lyon County Community Development Department letter dated December 3, 2025 "RE: New Green Farms Vertical Farming Determination of Unlisted Use 60 Artesia Road, Smith Valley".
- "Backup New Green Farms" document (as an engineer I consider this nothing more than a sketch or cartoon).
- Responses to questions at the SVCAB.

It is difficult to adequately analyze the subject to date. However, based on what has been presented the applicants statements on impact of this facility on our neighborhood, there are several points that Lyon County should be looking for as the application process progresses.

There are, by my count, more than 100 nearby properties that will be impacted by this facility with an aggregate value of more than $50,000,000; substantially more if areas to the east and south are taken into account. I believe it is incumbent on Lyon County to carefully examine this permit for the sake of the impacted owners and Smith Valley at large. The tasks / questions that should be considered, at a minimum, include:

1. **New traffic study including impact on the road immediately adjacent to the facility.**
    a. The road is not a standard road wide enough for two trucks to pass in both directions and striped - does it need to be?

    b. It is noted that the condition of this road is currently not excellent – the shoulder boundaries of the asphalt are deteriorating, the surface is uneven and possibly unstable. Will this road be upgraded prior to operation of this facility?

    c. There is a double 90 degree turn (including one that is blind) adjacent to the facility, does this pose a safety issue?

    d. How will increased traffic impact surrounding roads, Lower Colony, Upper Colony, Jessen, etc.?

    e. Will there be any safety impacts to school buses using this same road?

    f. Will there be any safety impacts on pedestrians, bicyclists, people on horseback or other recreational vehicle traffic using this same road?

2. **NV Energy must analyze potential power loading problems including peak loads of the facility vs the surrounding residential and agricultural loads on that same branch.** It is obvious that the electrical load of this facility will be

significant, even if the facility installs rooftop solar panels. A rough estimate for peak load on the power line at this property and feeding the surrounding houses is something like 1 megawatt. The peak load for this facility alone could exceed 10 megawatts (estimate calculations available on request – 4 pages).

a. Will rate payers bear the brunt of any line / infrastructure upgrades?

b. Will there be a possibility that decreased power reliability for local residents and previously established agricultural loads (alfalfa field well pumps, et al).

3. **A detailed third party noise assessment must be undertaken.** This will require detailed designs showing what air handling equipment will be required for this facility with fact based analysis that includes number of plants, square footage of operations, heat loads from lighting, humidity control, seasonal heat load variations, etc. Background noise in this area may be as low as 25dB at various times of day. A conservative quick analysis shows possible noise levels exceeding 70dB for this facility (every 10dB increase is a doubling of noise level, so 16+ times more noise than current background in this area).

   a. What will the actual noise levels be from plant equipment, air handling, compressors, etc.?

   b. What will be the impacts of additional noise sources such as truck noise (including truck air conditioning units), forklift noise including backup alarms, noise from loading / unloading operations?

   c. Will a complete and thorough noise baseline be established for both day and night operations? This should take into consideration the background noise levels of summer conditions when hay farming is active as well as winter conditions when hay farming is idle.

4. **An analysis of increased load on Smith Valley Volunteer Fire Department, and additional Lyon County departments that may be called upon in case of need.**

   a. Will specialized training and equipment be required?

   b. What hazards are anticipated that could result in requests for aid from local emergency services?

   c. Will the Nevada State Fire Marshall be consulted on the plans for this facility? Who certifies compliance with Nevada Fire Codes?

   d. Is sufficient water volume and pressure available on site to fight any potential fire?

5. **An analysis of projected increased workload on Lyon County sheriff services should be carried out prior to this facility becoming operational.**
    a. Will increased traffic enforcement be required locally?
    b. A lot of people that are not likely local residents will be suddenly thrust into the neighborhood. Is there an increased potential for crime problems in the neighboring areas?
6. **Lyon County should have a specific plan for code / conditional use permit conditions compliance.**
    a. Will Lyon County to be willing to impose fines or shut this facility down if the CUP conditions are not being met?
    b. What is the Lyon County process for monitoring CUP compliance aside from local resident complaints?
7. **There should be a detailed impact of possible groundwater contamination from discarded / filtered waste products, fertilizer, pesticides or any other industrial chemical used - oils, greases, etc.**
    a. Will the applicant be required to engage a third party contractor to perform this study?
    b. Will the State of Nevada review this study or perform an independent study of the potential for hazards?
    c. Will there be any impact to air quality / air safety related to this facility?
8. **A detailed assessment of quality of life impacts to all residents in the area, including but not limited to the neighborhoods of Piñon Estates, Marney, Terrell, Hazel, Grant, Sharon, Artesia, and Simpson. In addition, potential impacts to property values in these neighborhoods should be considered.**
    a. Will this assessment include surveys, questionnaires, and physical evaluations?
    b. What will the impact of the buildings be on overall views of the neighboring residences, and what are Lyon County regulations in this regard?
    c. Will an analysis of impacts to property values of neighboring parcels and homes be performed?
    d. Will the county decrease the assessed value of property near this facility once built?

9. **This facility and business model seems risky, as there does not seem to be a like facility in size anywhere in the County, State, United States.**
    a. Will bonds for remediation be necessary if this operation becomes defunct and / or bankrupt?
10. **There could be impact to local wildlife, with birds of prey (including bald eagles and golden eagles that are frequently seen on and near this property), songbirds, deer being killed by trucks, owl habitats impacted by lighting, impacts associated with water recycling systems.**
    a. Will there be a full analysis of possible local species impacts?
    b. Will there be an impact to the nearby Artesia Lake State Wildlife Management Area, and will the entities responsible for this area be consulted?
    c. This property is adjacent to Colony Ditch, which is a water flow path into the marsh surrounding Artesia Lake State Wildlife Management Area. Could potential contamination of Colony Ditch pose a threat to that area?
11. **Evaluation of impacts to the night sky, types of lighting used, lumen output, lighting design to minimize dark sky contamination should be considered. This should include impacts during dust conditions.**
    a. How are lighting impacts addressed in the Conditional Use Permit?
    b. Does the State become involved when dark sky areas are impacted by industrial operations?

The proposed facility is fundamentally incompatible with the rural, agricultural character of Smith Valley and our neighborhood. Large industrial buildings, constant truck traffic, noise, lighting, and operational activity will permanently alter the quiet, scenic environment that defines this community. As an avid astrophotographer, birdwatcher, and wildlife photographer with published work, I am particularly concerned about the degradation of conditions that make these pursuits possible here. My family and I have invested our entire life savings in our home here; any significant decline in property values or quality of life would represent a severe personal and financial hardship.

A project of this scale should be located in a designated industrial zone (such as Fernley), not in the heart of a rural residential and agricultural valley.

I respectfully urge the Lyon County Planning Department, Board of Commissioners, and Smith Valley Community Advisory Board to: • Require all of the independent studies listed above, • Hold a properly noticed public hearing with full opportunity for citizen comment, and • Deny the Conditional Use Permit unless every potential impact can be

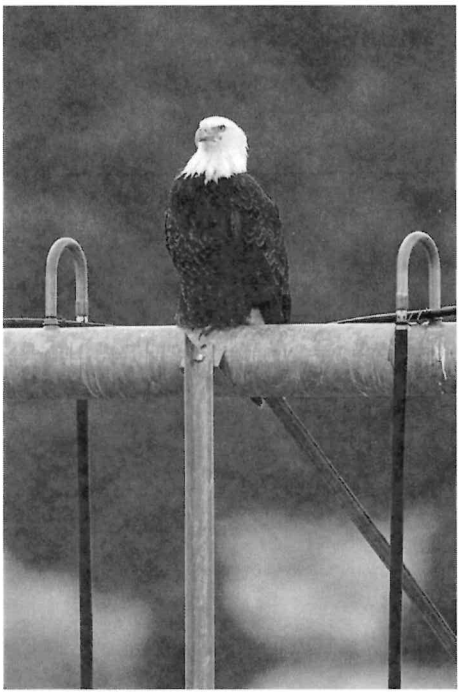
fully mitigated to the satisfaction of the affected residents and the County. I could envision a coalition of local landowners to consider other avenues if proper consideration and diligence is not undertaken.

Thank you for your careful attention to this matter and for your service to the citizens of Lyon County. I am available at any time to answer questions or provide additional information and look forward to your response.

Sincerely,

Tim Montgomery

Golden Eagle Feeding Approximately 50 Feet From Proposed Facility Property Line, 2/9/26



This Bald Eagle was Seen 50 Feet From Proposed Facility Property Line, 2/9/26, Trying to Take the Golden Eagle's Catch.

Gmail

Brandi Lathrop <blathrop@lyon-county.org>

Mark Jones's vertical farming project in Smith Valley

'Kyle Hamilton' via County Clerks <countyclerks@lyon-county.org> Thu, Mar 5, 2026 at 12:59 PM
Reply-To: Kyle Hamilton <k.hamilton44@icloud.com>
To: countyclerks@lyon-county.org

For the planning commission:

I don't live near this project but I have an interest in it, mainly because of Mark Jones and his partner's reputations. I do not find their presentations credible, objective, or honest. There are many unanswered questions. There are no solid facts to back up community queries, just their belligerence and deflecting. Simple internet fact-checking reveals that their claims are false.

I hope that you thoroughly research this project. I am all for continued agriculture in this valley; what I don't want is for the county and Smith Valley to suffer fiscal losses from a pipe dream or a scam operation of any kind.

Respectfully submitted,

Kyle Hamilton
Sent from my iPhone

Lyon County Planning Commission
c/o Lyon County Planning Department
27 South Main Street
Yerington, NV 89447

Re: New Green Farms Vertical Farming – Proposed Plan
60 Artesia Road, Smith Valley (APN: 010-018-43)

My name is Shell Zappettini, I live at 35 Megan Street in Wellington, Nevada and thank you for allowing my input at this Planning Board meeting, on March 10, 2026, in the Lyon County building.

The proposed plan for 60 Artesia Road states in the documents filed it is called a Vertical Farming project, yet in fact this project is two very large Industrial Commercial Business buildings, a project that should be located in an industrial business complex, near a major city for greater efficiency in delivery, not in a rural agricultural and residential area.

This project proposes two very large 100,000 square foot buildings and each building is made of metal siding. These buildings will be multi story at approximately 32' each. These are not the traditional agriculture buildings or greenhouses or even crops planted in the soil, similar to the crops that are normally located in Traditional Rural agricultural areas.

The submitted documents note this is a new to the area type of business and there are no other businesses like it in the area. The other vertical farming businesses in the state of Nevada claim they are permanently closed and out of business.

If you research vertical farming you will see that it has been tried all over the world, yet this type of farming has failed dramatically. The information notes that 85-90% of these vertical farms have failed and the companies have had to file for bankruptcy. The primary failure and bankruptcy reason noted in these cases were low crop yields and high operational costs. (see additional Note at end of statement)

The Pinion Ranch Estates is a residential area adjacent to the 60 Artesia proposed plan. This area consists of 220 acres divided into 40 residential lots plus 4 20 acre lots adjacent to these lots. There are currently 20 homes in this area directly adjacent from the proposed plan. The closest home to the plan is <u>one tenth of a mile</u>, directly across the street. The home furthest away in this subdivision is <u>seven tenths of a mile</u> away from the proposed plan. <u>Thirteen</u> of the homes are within a <u>half mile</u> from the proposed project. By the way, strangely, none of the photographs presented by the owner to the Planning Department plan revealed the visual proximity of the proposed project to these homes and neighborhood. Why not show photos of the entire area to reflect the true picture of the adjacent area?

All the homes in the adjacent area and the future homes will be directly impacted by these Industrial Commercial Business buildings. There will be loud construction noise for several years. There will continue to be constant loud noise when this project begins their business. There will be noise from the building HVAC system. There will be noise from the people and vehicles coming and going all hours of the day and night, 24 hours a day, seven days a week. <u>Obviously,</u> this is not what the county had in their

plan for a Rural Character and Traditional farming community according to the Vision, goals and mission statement in the Lyon County master plan. Why then would they approve this?

Property values will diminish. Why would anyone else move here and pay property taxes, knowing that they will have to listen to the Industrial HVAC system across the street or within a short distance from these buildings? Noise travels in Smith valley. The noises from the dairy can be heard at homes over three and a half miles away. They can be heard even further away by others. This Industrial Commercial business plan is not a Rural Community fit for numerous reasons.

Who in this room would vote for this outrageous Industrial Commercial Business multi story, multi-monolithic metal buildings, project that is subjectively called similar to "Traditional farming" project without a Feasibility study, a surety bond, a financial review, an environment impact study, a noise impact study, an engineering plan that includes not only the viability of the building to withstand the extreme wind and the soil movement, a road impact study and a energy use study?

Why should the property rights of the majority mean nothing to this one property owner? Do we not live in a Democratic Republic, where the voices of the majority should be heard? The rights of the property owners who will be directly impacted; as well as, those property owners nearby should also have a vote to allow this project or not. Existing homes collectively are more valuable for their property taxes than for a business that will pay no property taxes.

The Lyon County Master plan vision notes numerous times the need to maintain the Rural Character of the area when decisions on new development occur in order to (I quote from the Master Plan directly on pg. 1.6) "help to maintain and enhance the qualities that make Lyon County a great place in which to live, work and recreate." (pg. 1.6) And I would like to add to this statement, to raise children, to live a rural community life and to retire in a peaceful community.

In conclusion, I would like to request Mark Jones recuse himself from the decision making process in his position as Vice Chair on the Lyon County Planning commission, due to his conflict of interest as the primary individual on this plan request. I would also like to request Wendy Lommis recuse herself form the decision making process in her position on the planning commission due the Landlord (M. Jones) tenet (W. Lommis) relationship due to the possible or implied undue influence he may have over her.

Thank you for your consideration with these extreme critical issues in reference to this project that will forever inflict a irreversible negative visual and noise impact; as well as, the prejudice harm to the collective property rights of the numerous individuals living in the adjacent neighborhood and the local rural agricultural community.

Note:

For failure examples these are only a few examples: AeroFarms-2023 VA, Bowery Farming-2024 PN, Plenty Unlimited farming-CA 2025, AppHarvest-2023 CA, Iron Ox-2021 CA, Calive Farming LLC-2015 CA, Rapid Grow farming LLC-2024 CA, Oasis Biotech farming-2021 NV, Kalera 2003 FL, and there are numerous more.

For fear of retribution from Mr Jones, I am submitting this letter anonymously.

There are too many concerns and unknowns regarding the proposed project at 60 Artesia to approve it.

- Traffic studies need to be done as it appears that traffic will increase by 50-75% from a 2024 NDOT study on Artesia and Lower Colony.
- The energy demand per building could be equivalent to 1800 additional homes. Our grid could not handle that. Energy studies should be required.
- Stating that this will be a 24/7 operation - no other business in the valley is 24/7
- This is an industrial project and does not belong in Smith Valley next to residences.
- Reduction of neighboring residents view shed
- Noise from HVAC,dehumidifiers, generators, trucks, fork lifts, 3 shifts of employees, traffic
- Security lighting will affect our dark skies
- Odors from venting, which will be needed
- Two 100,000 sqft building would be a blight in the area
- Potential decrease in home values surrounding the project
- In case of a fire, does our fire department have resources to fight it or the training to deal with the chemicals they will be using?
- Neither partner has a background in agriculture
- Very high rate of vertical farming business failures - including prominent companies
- Proposed solar panels would be facing residential homes
- Additional commercial septic would be required
- Concern for residential neighbors wells with the installation of a new ag well
- Business partner most likely would **not** be able to obtain financing as a felon convicted of bank fraud
- A feasibility study should be required on the project. The ROI is too high to be legitimate for growing lettuce and strawberries
- Very high carbon footprint due to extreme energy use
- High operational costs and inability to produce a wide variety of food at a reasonable cost
- Drawings submitted are very vague. Now it might be a cement tilt up building.
- Could not answer basic questions regarding project
- If you google New Green Farms - there is no such business. How can that be if they have 18 vertical farming locations in the US and Canada?
- No contingency plan if the project fails
- Neighborhood vehemently opposes the project, not one positive comment.

Mr Jones, as a sitting planning commissioner, and a candidate for BOCC, has actively been trying to dissuade his neighbors telling them it is a "done deal" and that they don't need to participate in CAB, planning or BOCC meetings. This is unacceptable and should disqualify him from both positions. Court records out of Yerington show that he was admonished by a judge

Matt Swain

A meaningful analysis of this project requires quantitative answers. The community deserves these answers to determine how this project will affect them.Concerns brought forth in the Feb 4 SV CAB meeting were met by the applicant with dismissals, platitudes and generalities. The applicant's reluctance or inability to respond to technical questions with clear, scientifically based answers raises a red flag with respect to approval of this application. For the benefit of all involved parties, a thorough and professional engineering analysis is necessary.

Daily vehicular traffic: (24 hours) during the operation of this facility, based upon a summation of trips in or out of the gate: 180 employee passenger vehicle trips plus 22 product delivery truck trips for a total of 202 vertical farm related vehicles. Compare this against a current traffic baseline of 261 vehicles per day. This brings the total traffic to 463 vehicle trips and represents an increase of 77%

Construction vehicular traffic: The applicant states as one of his goals the minimization of cut and fill for roads and site grading. Given the existing natural slope which leads to an elevation difference of 7.25 feet in the 500 foot south to north length of these buildings, a minimum of 1,910 truck + trailer loads of fill material will be required, with much more likely. Building slabs and footings will require a minimum of 336 mixer truckloads of concrete. There will be hundreds of truckloads of structural steel, roof trusses, corrugated metal for walls and roofing and many truckloads of vertical racks, lighting equipment for the plants and mechanical system components.

Electrical power consumption: The existing agricultural electrical service on the property provides power to an agricultural well which is rated at approximately 100 KW. The applicant claims that this electrical service will be sufficient to power the needs of the facility. Calculations indicate that 65 megawatts will be required. This is 650 times the current load represented by the existing well pump and likely the largest single electrical load in Smith Valley.

Cooling requirements: When questioned about Air Conditioning Requirements, the applicant stated at the CAB meeting that no air conditioning would be required and that what small amount of cooling would be needed could be provided by two small evaporative coolers. Calculations indicate that waste heat from the LED lighting and human activity will amount to 41,135,400 BTU/hr.

Sewer: The applicant claims that the existing septic system will be sufficient to handle the waste from the vertical farming system. No specifications have been provided; therefore there is no substantive basis for this claim.

Water: The applicant claims that he has sufficient water rights to provide for this operation. No details have been provided.

Water recycling: The applicant claims that water will be treated and recycled, but no details are provided.

Height of buildings: Multiple sources state the height of the buildings as 32 feet. Some say 34 feet. Sloping ground could add 7.25 ft. Solar panels on building roofs as called out on previous documents will add additional height.

Smith Valley Citizen Advisory Board - Mar. 4, 2026

CUP Vertical Farm Project

According to Chapter 15.230.06 under CUP approval finding Guidelines... **Section B, E and G cannot be met:**

Section B. Findings not met
The current development proposal of two ***three-story*** commercial buildings totaling 200,000 square feet, is adjacent to a majority of RR5 properties which we call our neighborhood. This three-story plan is **not compatible with the character and integrity of our adjacent neighborhood or** with anything in the area.
Also, It **Will impact traffic, noise, odors, and be a visual nuisance** in the neighborhood due to excessive increases from employees, delivery trucks, service vehicles, operating equipment, lights, exhaust, etc.

Section E. Findings not met
There is no way to address the **adverse effects and visual impacts** of this three-story 200,000 square-foot building to blend into our adjacent neighborhood.

Section G. Findings not met
The proposed three story 200,000 square-foot building **will be materially detrimental to our adjacent neighborhood.** If these excessively large structures are built, our home values will decrease, and if this vertical farm project fails, the neighborhood may be left with two huge buildings decaying or worse a new Marijuana farm may take over.

In researching the vertical farm business the failure rate is ridiculously high. So besides the fact that the ROI on this $44 million investment in Smith Valley does not make business sense, the criteria mentioned above in section B, E and G does not meet the CUP requirements and this plan should be denied.

Scott & Angie Proffer
687 Upper Colony Rd

We are out of town and are unable to be at this meeting or the meeting on the 10th. Our concerns are that a 24/7 business will create noise 24 hours a day, substantial amount extra traffic on our roads, the loss in home values from the Housing development that is directly across the street from the proposed buildings, the impact it will have on our electrical grid, our ground water and our wildlife. We like many of the residents moved to the valley to escape the city life and allowing a 24/7 business to operate does not seem to be what is best for the community as a whole. This information is not new to Mark as he is our friend and we have spoken about this, especially our concern for the future of our home values as we have put a substantial amount of money and work into improving our home and our land.

Thank you for your consideration,
The Garners Scott and Kelly

Chapter 15.230.06

When considering applications for a conditional use permit, the commission or Board, where applicable, must evaluate the impact of the conditional use on and its compatibility with surrounding properties and neighborhoods to mitigate potential impacts of the use at a particular location and make the following findings:

A. The proposed development is consistent with the goals and policies embodied in the adopted master plan and the general purpose and intent of the applicable zoning district regulations;

B. The proposed development is compatible with the character and integrity of adjacent development and neighborhoods and includes improvements or modifications either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, or other similar adverse effects to adjacent development and neighborhoods;

C. The proposed development will not generate vehicular traffic which cannot be accommodated by the existing, planned or conditioned roadway infrastructure;

D. The proposed development incorporates roadway improvements, traffic control devices, mechanisms or access restrictions to control traffic flow or divert traffic as needed to mitigate the development impacts;

E. The proposed development incorporates features to address adverse effects, including visual impacts, of the proposed development on adjacent properties;

F. The proposed development complies with all additional standards imposed on it by the particular provisions of this title, the Lyon County Design Criteria and Improvement Standards and all other requirements of this title applicable to the proposed development and uses within the applicable base zoning district, including but not limited to, the adequate public facility policies of chapter 110 of this title;

G. The proposed development will not be materially detrimental to the public health, safety, and welfare, or result in material damage or prejudice to other properties in the vicinity. (Ord. 603, 11-1-2018)

105

Gmail

Lisa Nash <lnash@lyon-county.org>

60 Artesia Rd.

Kyle Runge <rungekyle5@gmail.com> Thu, Mar 5, 2026 at 9:22 AM
To: lnash@lyon-county.org

Good morning Lisa,
Here are the pictures looking south from Mark Jones property at 60 Artesia
These were taken from in front of the property where they would be building, you can see the many houses that would be directly affected.
The others are from in front of his driveway, which is only a few yards from the building site. As you can see there are two houses a few feet across the street.
One photo is looking down Amanda Ln. where I and a few others live about a quarter mile away.
The other photos are of the many trees he will be removing, as you can see there is a nest and is a perching area for Bald Eagles, Owls and many species of Hawks.
Thank You for your time and consideration for me and all my neighbors.

8 attachments

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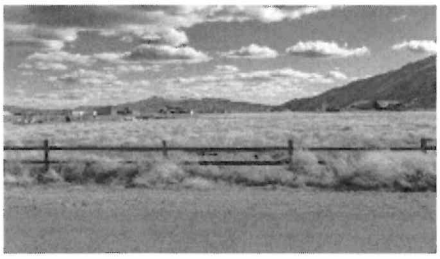

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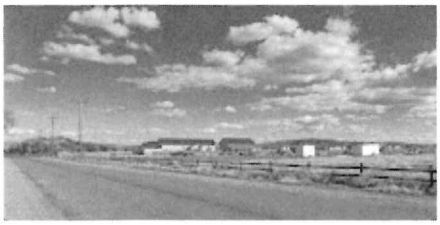

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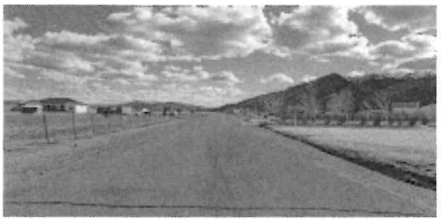

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image7.jpeg
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Gmail

Lisa Nash <lnash@lyon-county.org>

Vertical farming proposal for 60 Artesia, Smith Valley

Carol Krawchuk <carolkrawchuk@icloud.com> Thu, Mar 5, 2026 at 8:20 PM
To: lnash@lyon-county.org

My husband and I are very much against this project from going in for several reasons.

We moved to this valley several years ago as we fell in love with the peace and quiet that it provides. We feel that this type of project does not fit in this valley. There are several questions that remain unanswered and many lies that have been given to us in the last month

Here are some of the many concerns.

Noise pollution. When I asked Mark Jones about the type of system that will be used to cool the buildings last month at the meeting, he said it would be two small swamp coolers with very little noise. Incorrect, at this months meeting the owner of the project indicated there would be several specialized systems to take care of the buildings needs. Our home is located a very short distance as the crow fly's. Also with their plan to run three shifts, the noise created by employees arriving, equipment operating outside etc will be an impact to the surrounding residents.

Traffic.. there will be a substantial increase to the traffic within the valley.

Water: At last months meeting Mark Jones stated he already had a well that would supply the project, another lie. At last nights meeting we were told a well is yet to be drilled.

These are just a few of the impacts to our valley. I am not opposed to this type of project if it was put 8n an industrial area. It does not belong in our valley. The zoning that is in place was not meant to be used in this way.

I want to register our opposition to this project.

Thank You,

David and Carol Krawchuk
21 Hazel Lane
Wellington (Smith Valley)

Sent from my iPad

108

Gmail

Lisa Nash <lnash@lyon-county.org>

Vertical farming project Smith Valley

1 message

Christine williams <hallgirl5161952@gmail.com> Thu, Mar 5, 2026 at 2:35 PM
To: lnash@lyon-county.org

To Whom It May Concern,

I am writing as a resident of the Pinon Estate neighborhood, located directly across from the proposed project on Artesia. I am formally stating my strong opposition to this development. This project will negatively impact our quality of life through increased traffic and will likely decrease our home values.

I have attended the last two meetings at the Smith Library. Based on these interactions, I found the conduct of Mark Jones to be unprofessional, and his claims of wanting to be a "good neighbor" do not seem sincere. Furthermore, his partner provided very little information, and I have been unable to find any evidence during my research to support their claim of having completed eighteen similar projects.

I implore the planning commission to thoroughly review these concerns and deny the application.

Sincerely,

Christine Williams

Gmail

Lisa Nash <lnash@lyon-county.org>

CUP Application for 60 Artesia Road

1 message

Cathy Eckart <bonbini3@hotmail.com> Thu, Mar 5, 2026 at 1:00 PM
To: "lnash@lyon-county.org" <lnash@lyon-county.org>

March 5, 2026

Dear Ms. Nash,

Below is a copy of the letter I sent to each individual Lyon County Commissioner regarding the CUP for 60 Artesia Road in Smith Valley, Nevada. I would like this letter entered into the record.

Thank you,

Cathy Eckart
bonbini3@hotmail.com

Cathy Eckart
463 Upper Colony Road
Wellington, NV 89444

February 9, 2026

Dear Commissioner,

I am writing to express my concerns regarding the proposed New Green commercial indoor vertical farm or CEA (controlled-environment agriculture) initiative planned for 60 Artesia Road in Smith Valley. While I recognize the importance of agricultural innovation and economic development, I believe a project of this scale could significantly affect our area's environment, local infrastructure and character as well as long-term viability for such a project.

First, our community is primarily rural and home to many retirees who value a quiet, small-town atmosphere. A commercial structure of this size could alter the character of our area,

introducing 24-hour traffic, noise, and light pollution that may disturb nearby residents.

Second, I am concerned about potential environmental effects including increased energy usage. An internet search about VIG systems/controlled-environment agriculture indicates high operational costs (energy and capital), low profitability, and technical limitations.

This proposed project raises serious questions that must be addressed before proceeding.

Is there a *successful* model of the same size, scope and in a similar area that can be reviewed? There seems to be nothing comparable in the greater Northern Nevada area.

Will renewable energy be used?

What crops will be grown? Typically, leafy greens, cannabis, medicinal plants seem to be the plants of choice for this type of operation. However, growing lettuce, for example, cannot easily be done at a competitive price.

Who/what is the market for the products grown? Restaurants? Grocery stores? It seems Smith Valley is pretty far away from a viable market. Similar facilities in Las Vegas are near the strip and 3000 restaurants!

How will the products be packaged and shipped? What is the plan for "cold chain management"?

Are there any issues with ground or surface water rights?

Where will employees come from? They must be trained in "clean room" protocols. Will they be H2A workers who will need housing? Will *any* employees require housing? How will employee turnover be addressed? Currently, existing businesses in our area have difficulty finding reliable employees for any positions.

Will Upper Colony Road be used to access the site as well as Lower Colony Road?

Is there a dismantle plan should the business fail?

Food safety is essential. How will the facility be regulated *in actuality*? What regulations exist for this type of facility for which there are limited models in Nevada and none in

Northern Nevada. How "highly regulated" are these facilities in our area? Who has the expertise and experience in our area to regulate such a facility?

Here is what the internet has to say:

The biggest drawback to vertical farming is its extreme energy dependency for lighting and climate control, leading to high operational costs and making it economically unviable for many crops, primarily restricting it to high-value, low-light plants like leafy greens and herbs, and hindering its ability to address major food security issues. This energy demand, combined with high startup costs for technology and infrastructure, often results in a challenging business model that struggles to compete with traditional agriculture.

New "green" farming initiatives—primarily vertical farms, controlled-environment agriculture (CEA), and some sustainable/organic methods—face significant, well-documented challenges that have led to a recent industry shakeout, including bankruptcies of major players like AeroFarms, Bowery Farming, and AppHarvest.

While these farms aim to be more sustainable and productive, they struggle with high costs and technical limitations. The primary problems include:

1. **Extreme Operational Costs (Energy & Capital)**
   - **High Energy Consumption:** Vertical farms, in particular, rely on LED lighting, HVAC systems, and automated technology to replicate the sun and climate. These energy demands are immense, leading to massive, unsustainable electricity bills.
   - **High Initial Investment:** Building and equipping vertical farms requires significant capital for specialized equipment like hydroponic or aeroponic systems.
   - **Low Profitability:** Due to high operating expenses (opex) and initial capital costs, many indoor farms cannot compete with traditional agriculture on price.
2. **Production and Technical Limitations**
   - **Limited Crop Variety:** Vertical farms are currently best suited for a small selection of crops—mostly leafy greens and herbs—because they struggle with larger crops that require more energy and space.
   - **Pest and Disease Management:** Indoor environments, despite being controlled, can create perfect conditions for pests like aphids, thrips, and spider mites. Without natural predators, these can be difficult to manage, and some, like BrightFarms, have faced issues with contamination (e.g., Listeria, Salmonella).
   - **Technical Complexity:** These farms act as "giant clean rooms," requiring specialized staff, and the technology is still in the early stages, lacking standardized industry methods.

3. **Business and Market Failures**
   - **Over-Expansion and Over-Promise:** Many companies scaled up too quickly, relying on venture capital rather than establishing sustainable, profitable business models.
   - **"Tech" vs. "Farm" Identity:** Many firms were managed as technology companies rather than agricultural ones, failing to properly understand the nuances of growing food at scale.
   - **Market Position:** Products from these farms often carry high prices, limiting their consumer base to niche, "elite" markets.

4. **Environmental and Social Considerations**
   - **High Carbon Footprint:** Because they require so much electricity, the environmental benefit of these farms is sometimes questioned, especially if they are not powered by renewable energy.
   - **Worker Conditions:** While they reduce the need for backbreaking labor, some indoor farms still require significant manual labor, which can be affected by high turnover or the need for skilled technicians.
   - **Urban Land Use:** While they can make use of empty city buildings, using high-value urban real estate for farming can be considered inefficient in terms of "highest and best use" of land.

5. **Regulatory and Transition Problems**
   - **Certification and Costs:** For organic or sustainable farms, the cost of certification is high.
   - **Incentive Gaps:** Governments often still provide stronger subsidies for conventional, industrial agriculture, making it harder for sustainable methods to gain traction.

In summary, while indoor and vertical farms have reduced water usage and eliminated some pesticides, they are currently struggling to survive due to massive energy consumption, high operational costs, and the inability to produce a wide variety of food at a competitive cost.

Here is another perspective from the internet:

Commercial vertical agriculture facilities are primarily regulated through a patchwork of local zoning, building codes, and food safety standards, often treating them as a mix of industrial manufacturing and agriculture. Key regulatory areas include zoning variances for non-traditional locations, strict food safety hygiene protocols, and compliance with environmental, water, and energy regulations.
Key aspects of regulating vertical farming include:

- **Zoning and Land Use:** Because vertical farms often operate in urban areas not traditionally zoned for agriculture, they must navigate zoning laws, often requiring "use variances" to operate in areas like former industrial buildings.

- **Food Safety Regulations:** Operations must adhere to strict, often Good Agricultural Practices (GAP) and Hazard Analysis Critical Control Point (HACCP) standards, including worker hygiene (gloves, hairnets), tool sanitization, and strict, cold-chain management for produce (e.g., keeping leafy greens below 41°F).
- **Building and Environmental Standards:** Facilities are regulated based on water usage, lighting energy consumption, and environmental health, often requiring air emission permits for large-scale operations.
- **Federal Oversight:** The USDA supports these operations through the Office of Urban Agriculture and Innovative Production, while the FDA may oversee food safety for packaged produce.

Commercial vertical agriculture facilities in Nevada are regulated through a combination of state-level agricultural, environmental, and, if applicable, cannabis-specific regulations, along with local zoning and building codes. Key oversight comes from the Nevada Department of Agriculture (NDA), Nevada Division of Environmental Protection (NDEP), and municipal jurisdictions.

Key Regulatory Areas

- **Licensing and Registration:** The NDA regulates the sale of seeds and fertilizers. Commercial fertilizer registration is required, along with quarterly tonnage reporting. Seed dealers must be licensed, with some exemptions for small-scale operations.
- **Environmental Protection:** The NDEP manages permits for potential water pollution control, which may apply to large-scale indoor operations.
- **Pest Control:** Regulations (NAC 555) apply to the use of pesticides and pest control in agricultural settings.
- **Zoning and Building Codes:** Local jurisdictions often classify vertical farms as commercial or industrial rather than traditional agriculture, complicating approval, increasing costs, and requiring compliance with specific building codes.
- **Special Considerations:** If the vertical farm grows cannabis, it is subject to strict, separate oversight by the Nevada Cannabis Compliance Board, including requirements that plants are not visible to the public and that the facility controls odors.

Common Challenges

Operators often face hurdles with local governments that are not accustomed to indoor, high-density farming, leading to potential misclassification of the facility type and increased scrutiny regarding equipment standards.

Commercial vertical agriculture in Nevada is concentrated in the Las Vegas valley, focusing on hydroponic, indoor farming to produce herbs, lettuces, and microgreens while reducing water usage. Key facilities include Oasis Biotech in Las Vegas and Frontier Farms in Henderson, which utilize controlled environment agriculture to serve local markets.

These facilities primarily use LED lighting and hydroponic systems to grow crops in a controlled, indoor environment. Regulation is evolving to focus on performance-based standards (noise, traffic, water usage) rather than just traditional zoning categories.

Please carefully consider what is being asked. Does it solve a problem? Does it fit the location? Is it good for the community? Is it supported by the community?

Sincerely,

Cathy Eckart

115

Gmail

Lisa Nash <lnash@lyon-county.org>

60 Artesia

COLE VLOT <colevlot@aol.com> Fri, Mar 6, 2026 at 12:56 PM
To: lnash@lyon-county.org

Good afternoon Lisa. This is Cole Vlot my family and I own the farmland surrounding Mark Jones's property as well as the ag well and Nv energy transformers located on his property. We've unfortunately had to go to court with Mark Jones many times in regards to our well located at 60 artesia. As you begin to decide how best to move forward with your decision on his project we just want to make sure that our well and our NV Energy transformers ARE NOT AND WILL NEVER BE USED BY MARK JONES. He has been unbelievably hostile to myself and my employees over the years when we go to access our well (I.e. civil standbys documented by the sheriffs dept) and I do not want to have those problems resurface. This project is lacking many vital things such as a permit from the NDWR to drill a new well on his property for the project as well as a study to ensure that the current power grid in smith valley will be able to take care of his power demands. One last thing to possibly look into is does he own enough primary groundwater rights to sustain this project. According to mark he owns 20.9 acre feet of primary groundwater. This water will then take a 25-40% haircut by the state when he converts it to commercial/industrial water as required for any primary water right that does not percolate back into the ground via irrigation. That would leave him with a maximum of 15.67 acre feet of usable ground water which as a farmer I'm pretty confident in saying this does not seem even remotely close to the amount of water he will need to produce leaf greens at this scale. My hope is the county would slow this project down until Mark can prove that the project is actually viable and that he has all of his power, water and other major items such as an actual engineered set of plans for the buildings ironed out and approved. It seems as if there's a lot more to this story and still many many unknowns.
Sincerely,
Cole Tyler Vlot
SV Farms LLC

Gmail

Lisa Nash <lnash@lyon-county.org>

CUP 60 Artesia Rd

Aradwms <aradwms@aol.com> Fri, Mar 6, 2026 at 2:32 PM
To: "lnash@lyon-county.org" <lnash@lyon-county.org>

My wife and I strongly object to this proposed commercial development immediately adjacent to our homes.

We have lived in Smith at this address for over 15 years. We elected to move here from Reno mainly due to the quality of life and open spaces that the valley offers. We did this knowing that we were surrounded by agricultural zoning that was almost exclusively farming. This was very much part of the appeal. Now, years later, others have purchased homes that share our view of the Valley. Many have invested nearly a million dollars to purchase and more to improve their properties.

These are our main concerns and reasoning for our objections. Many others have written and added additional comments.

The size and scale of these structures is unprecedented in Smith and perhaps Lyon County. We are talking about nearly two football fields, three stories high EACH. These are massive buildings that are in no way compatible with the surroundings. The visual impact will overwhelm the surrounding neighborhood. These are structures more compatible with industrial/manufacturing that would be common in industrial parks and not residential neighborhoods.

The economic impact to our properties will be significant. Property values will degrade and future home sales/resales will decline not only due to the visual but also the traffic, noise, and lighting that will affect the quality of life. The very reason for living in our area will be lost.

Vertical Farming has a very high failure rate based on statistics easily obtained through the internet. What will become of these structures should the business fail? Perhaps the owners will state that they would tear down and remove the buildings but what funds would be available? The alternative is a permanently blighted property further degrading property appeal.

My wife and I are concerned that the zoning definitions for agriculture may not be compatible with Vertical Farming. Perhaps this type of business is better defined or addressed as industrial/manufacturing? A plant is developed in an artificial environment using lighting and water pools, not soil, for growth in building structures that are similar in scale to other industrial properties.

We appreciate your time and attention.

David/Christine Williams
15 Jessica Dr

Gmail

Lisa Nash <lnash@lyon-county.org>

Vertical Farming proprosal

1 message

D Iverson <ddrivy@aol.com> Sat, Mar 7, 2026 at 8:47 PM
To: lnash@lyon-county.org

Rick and Debbie Iverson are NOT in favor of Mark Jones Vertical farm that he wants to build. We want our quite peaceful neighborhood to stay the same and do not want some business bringing in trucks, employees driving and loud noise in our neighborhood. There's a place for something like this and it's not Smith valley in a residential area.

Thank you,

Debbie & Rick Iverson

On Sat, Mar 7, 2026 at 2:56 PM Julie Costa <99juliecosta@gmail.com> wrote:
Dear Lisa Nash,

As a resident on Upper Colony Rd, one mile from proposed vertical agriculture project proposed by Mark Jones, I feel there needs to be further research into the impact of this project on the community and the people proposing this project.

Viability of vertical agriculture project:
I feel it necessary to request financial records of the investor Brent Lovett's current operations indicated in the North-east of the US and Canada. At first glance and after brief research, vertical agriculture projects have not shown sustainability. The up-front costs of the project are so great, it takes decades to recoup those costs, let alone to operate a 24/7 business. His present operations financial reports would give a good indication of project profitability.

Impact to community:
The 24/7 operation will require heating and air conditioning which will cause constant noise to the neighboring residents. Not to mention traffic and the lack of housing for employees. Also, what happens to this massive project if it fails.

Background of individuals involved in project:
Brent Edward Lovett was convicted in 2013 for bank fraud and spent 8 years in prison. A quick search on the Nevada Secretary of State website states that his prior owned businesses, Bay Resorts International and Equity Resource Inc, licenses have been permanently revoked. He is listed as the officers/directors of both. (see attached FBI report)

Mark Jones is a candidate for Lyon County Commissioner. This leads me to question why he is running and possible conflict of interest.

As a resident of Smith Valley, and after brief research of the people and project, I urge you to, at least, do further financial background research on vertical agriculture. There are still a lot of unanswered questions regarding this project that the involved parties have been unwilling to answer.

I do not feel that the industry or people involved are a good fit for our community.

Thank you for your consideration.

Julie Costa
679 Upper Colony Rd
Wellington Nevada
99 and counting llc
775-720-3655

Gmail

Lisa Nash <lnash@lyon-county.org>

60 Artesia Comments

1 message

Leslie Sonne <lesliefsonne@gmail.com> Fri, Mar 6, 2026 at 11:59 AM
To: Lisa Nash <lnash@lyon-county.org>

Ms. Nash,

I am still reading and digesting the materials for the upcoming Planning Commission Meeting on the proposed CUP at 60 Artesia, Wellington, and plan to submit more detailed comments on Monday or speak at the meeting on Tuesday.

However, I saw that you mentioned several times in your report that this project appears to be more of an industrial nature than the surrounding agricultural uses. This is something many in Smith Valley have been saying since hearing of the project and the vague plans associated with the application. I wanted to get my comments specific to this issue to you in advance of the meeting on Tuesday.

A quick Google search this morning on vertical farms showed that they appear to generally be located in industrial settings/zoning. In my search, I did not find one that appeared to be in an area zoned solely for agriculture. (It was just a quick search, so I am not saying those do not exist, but if they do, they must be much farther down the Google list and/or maybe they are of much smaller scale).

The three I quickly found are listed below. I offer the information with the request that there be a review and further discussion of the current designation of "Determination of Unlisted Use" with the use (as provided by the Applicant) to be most similar to "Small Agricultural Production/Food Processing Facility" before moving forward with any discussion on a Conditional Use Permit. Since the use of a Vertical Farming Operation is not a defined land use within Lyon County, I think that it is critical that there be further research and discussion before finalizing the correct land use designation.

While I understand that the applicant's property is zoned for Agriculture, and he is telling people that the project can't be denied, I believe research will show that he brought an Industrial project to the table, and as such, the project should be denied since the property is not zoned Industrial.

Thank you for your time.

Leslie Sonne
Wellington, NV

NW Farms

- Was a prominent vertical hydroponic farming company located in the Lacey Business Park at 2831 Commerce Pl Dr NE, Lacey, WA 98516.

Key Details About NW Farms (Lacey):

- **Operation:** It was considered the largest vertical farm in the Northwest, operating inside a 25,000-square-foot warehouse in a Lacey business park.
- **Produce & Technology:** The farm grew six types of lettuce, herbs, and berries, using hydroponic, pesticide-free methods that were three times faster than traditional farming (20-day growth cycle).
- **Status:** The location is listed as **permanently closed**.

About Lacey Business Park:

- The facility was located in the **Meridian Campus**, a 28-acre master-planned industrial park in northeast Lacey near I-5.
- The area is characterized by industrial, commercial, and, formerly, high-tech indoor farming.

Plenty

- The Plenty strawberry farm in Virginia is located in the **Meadowville Technology Park** in Chesterfield County, Virginia.
- Because it is an indoor, vertical farming operation housed in a controlled environment (often described as an industrial park warehouse or facility), it operates under **industrial/technology park zoning** rather than traditional agricultural zoning.

Key Details About the Property:

- **Location:** 9401 Courthouse Road, Chesterfield County, VA (part of the Meadowville Technology Park).
- **Facility Type:** Controlled Environment Agriculture (CEA) / Vertical Farming.
- **Site Size:** The campus is planned for up to 120 acres.
- **Usage:** The facility operates with 30-foot vertical towers to produce strawberries in a specialized indoor setting.
  - The site was chosen for its proximity to major infrastructure, including Interstates 85 and 95.

Oasis Biotech

- 215,000-square-foot industrial property for an indoor vertical farm facility that was located at 6225 Annie Oakley Drive in Las Vegas

Key Details About the Property:

- **Property Type:** Industrial/Distribution.
- **Size:** Approximately 215,000 square feet
- **Status:** Listed as closed

Gmail

Lisa Nash <lnash@lyon-county.org>

Proposed CUP 60 Artesia Rd, Wellington

Patti Vollmer <pvollmer112@gmail.com> Fri, Mar 6, 2026 at 11:50 AM
To: "lnash@lyon-county.org" <lnash@lyon-county.org>
Cc: Patti Vollmer <pvollmer112@gmail.com>

Good morning,

I am writing to you today to express my very strong opposition to the proposed $44 million project at 60 Artesia Road, Wellington, NV. This project consists of 2 huge buildings for the supposed purpose of vertical growing of leafy greens and strawberries to be sold to high end restaurants. Below are the reasons why I am opposed to this project:

- Size. Each building will be 200 feet by 500 feet and 34 feet high. Although the footprint of each building is huge, it wouldn't be a big deal if it was one story high, but each will be 3 stories high. Attached is a drawing to scale showing the size of the footprint, in relationship to a football field. These buildings are so large that they are way outside the norm of any other building in Smith Valley, creating an eye sore for all near and far. There is no amount of landscaping that can make these buildings fit in.
- Legitimacy of the business plan.
  - Historically, 85-90% of vertical growing projects fail. If they fail, what will become of these gigantic buildings? If converted to marijuana, they likely have a greater chance of being successful, but then we have a huge marijuana factory in our valley.
  - They plan to have vans shipping the greens to upscale restaurants, which are well over an hour away from Wellington. Is there truly that amount of demand for organic leafy greens?
  - The buyer of the property says he has many vertical growing operations, and says they are all successful, although he couldn't remember how many he has (maybe 18?) and several are in Canada. His story doesn't make sense...and he was clearly just throwing out numbers that can into his head at the March 4 meeting.
  - Lack of planning. They don't know how much they'll be producing from these factories, they don't know what electrical needs they'll have, they don't know if they're going to be steel or tilt up buildings, they don't know what systems they will use to treat the air (humidity, cool, heat, etc.) inside, etc. How can the buyer say he has built and operated vertical farms before when he doesn't know how to build these two factories?
- Traffic, noise, lighting. The 24 hour operation of these factories with 70 employees and 15 delivery vans will cause additional traffic, accidents, and problems for Lower Colony Road, Artesia Road, 208, and 395. The noise created by these factories is unknown, but with all the people coming and going, air management, and construction will most certainly create a lot of noise. The lighting of the property will be tremendous and disrupt the night skies.
- Electricity needs. With Smith Valley already challenged by fairly frequent interruptions in power, this massive project will put further pressure on a barely adequate electricity grid.
- Water needs. Water is already a challenge for those of us in the valley and is expected to become worse. The demands for water by these factories will create more problems.

They say they are within their rights to build these factories in the rural Smith Valley. I cannot believe that factories of this size can be allowed under code! What if they wanted to build a 10 story vertical farming factory, would that be allowed because it is considered "agriculture"?

I understand change will happen to the valley over time. It is natural. What sets this project WAY outside of a natural growth pattern is the sheer size of these factories, the huge use of water and electricity beyond capacities, the impact on traffic, noise, and ruin of the natural beauty of the valley.

I attended the February 4, 2026 and March 4, 2026 Community Advisory Board meetings. At both meetings the room was filled beyond capacity with at least 50-60 people in opposition to this project. Mark Jones and his partner (buyer) had no answers to the questions proposed. They couched each reply with "we think" or "we expect" or "that's up to engineering" - they have no firm knowledge of what this project entails. This makes no sense give their supposed experience with vertical agriculture. It makes you wonder what is their real plan? And if they build these factories and they fail, then what? They should have to pull them down and the property remediated.

At the end of the Community Advisory Board March 4, the four members of the CAB expressed their support, or non-support of this project. Two were opposed to the project, two were supportive with their final comment being that the board supports the project. This was shocking and disappointing as those two were the only people out of 50-60 people there that supported it. How is it they can simply ignore the community's clear message of opposition?

I'm hoping that this letter will inform you that the community is CLEARLY against this project.

Thank you for your consideration.

Warm Regards,

Patti Vollmer
257 Artesia Road
Wellington, NV 89444

200 x 500

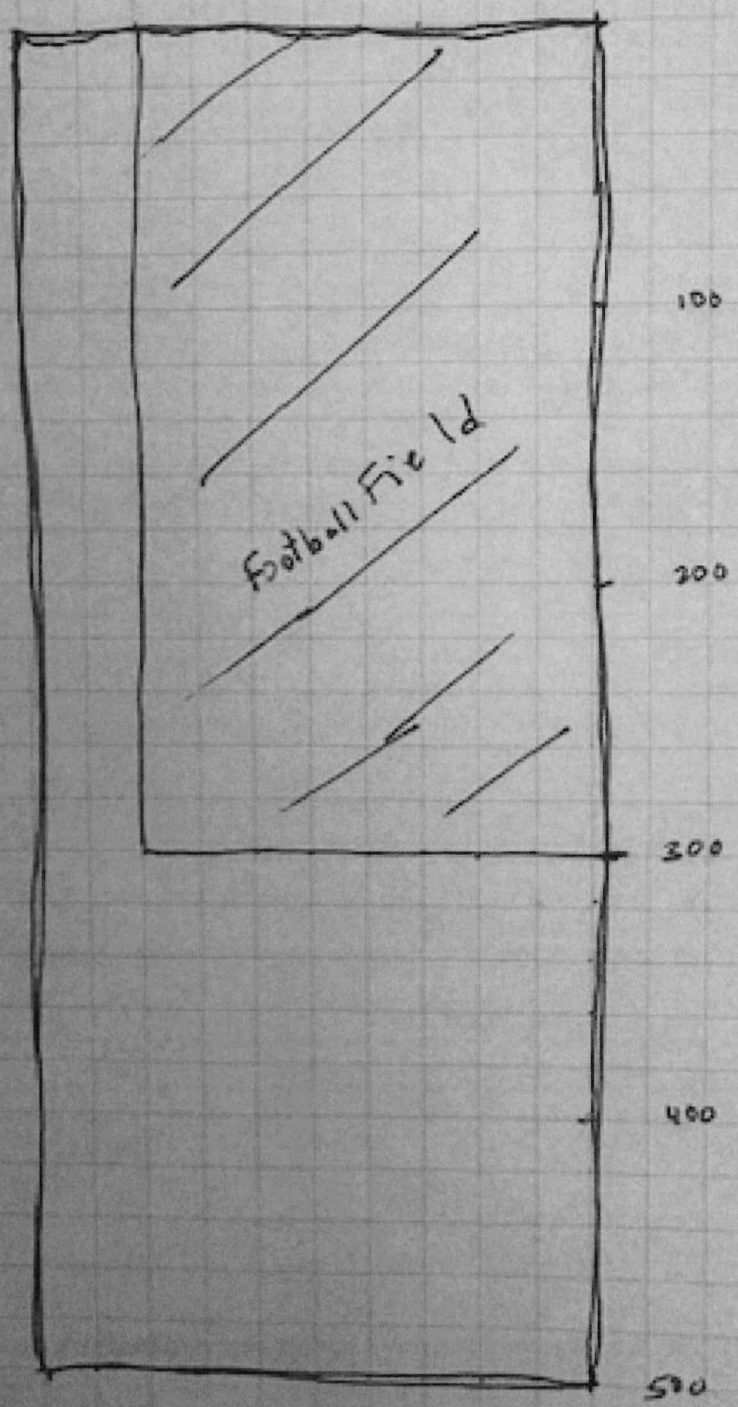
1 SQARE = 20ft

JAN FEB MAR APR MAY JUN JUL AUG SEP OCT NOV DEC

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17

18 19 20 21 22 23 24 25 26 27 28 29 30 31

Football = 160 x 300



Gmail

Lisa Nash <lnash@lyon-county.org>

Vertical Farm Project

Shawna Smith <shawnalsmith332@gmail.com> Fri, Mar 6, 2026 at 10:11 AM
To: lnash@lyon-county.org

Hello Lisa,

I have the following questions regarding the Vertical Farm Project in Wellington Nevada. They are not in any special order.

1. How will it affect our water supply?
2. Will the power source be enough?
3. How will it affect the community? Ex. Property value, energy prices.
4. I'm concerned about traffic safety on the sharp corner of Artesia and Madison.
5. Will it really create sustainable jobs?
6. I believe this is really important and not addressed. Is the investor trust worthy? He has been incarcerated for fraud before. Is there a risk of these buildings being left standing empty, Jobs lost and blocking view for motorist in the future?

A concerned Citizen,
Blessings
Shawna

Gmail

Brandi Lathrop <blathrop@lyon-county.org>

Public Comment 60 Artesia

1 message

Stacey <staceyverboom@gmail.com>
To: countyclerks@lyon-county.org

Sun, Mar 8, 2026 at 12:14 PM

Mike and Stacey Verboom
15 Wellington Cutoff
Wellington, NV 89444

March 7, 2026

Lisa Nash
Senior Planner
Lyon County Community Development Department

Re: Proposed Vertical Farm – 60 Artesia Rd, Wellington, NV 89444

Dear Ms. Nash,

We are writing to share our concerns regarding the conditional use permit application for the proposed vertical farm development at 60 Artesia Road in Wellington, Nevada. According to the application, the project would involve the construction of two 100,000 square-foot, three-story buildings intended to grow lettuce and strawberries using indoor vertical farming methods.

While we support agriculture and innovation in food production, we have concerns about whether this project is appropriately classified and sited within a property currently zoned Commercial Agriculture, particularly given the scale and operational intensity described in the proposal.

Based on the information available, the facility would operate 24 hours a day, seven days a week, employing approximately 70 workers across multiple shifts. Indoor vertical farming facilities of this size rely heavily on artificial lighting, environmental control systems, pumps, cooling systems, and other energy-intensive equipment. These characteristics are fundamentally different from traditional agricultural operations typically associated with agricultural zoning.

In addition, the surrounding area functions as a rural residential and agricultural neighborhood, with nearby ranches and homes. A large-scale facility operating around the clock, with shift changes, deliveries, lighting, and mechanical systems, may introduce impacts that are not consistent with the character of the surrounding area.

First, there are significant unknowns regarding the electrical demand required to operate two buildings of this size. Indoor vertical farming typically requires extensive artificial lighting and climate control systems. Facilities of this scale often have power demands comparable to a small industrial plant. We have not seen information explaining how this demand will impact the existing electrical grid serving the Wellington area, and it is likely that significant power infrastructure upgrades will be required to support a project of this scale.

Second, the water demand associated with a project of this scale remains unclear. While the application may reference water recycling systems, the total volume of water required to support continuous crop production in two 100,000 square-foot facilities could be substantial. Ranchers and agricultural producers in the surrounding area depend on limited water resources, and it is important to understand how this project could affect those supplies.

Third, the proposed operation would introduce continuous indoor and outdoor lighting, as well as increased vehicle and truck traffic associated with employee shifts and product delivery. A facility operating twenty-four hours a day may result in significant light pollution, nighttime activity, and traffic that are not typical for agricultural uses in the area.

Although our home is located approximately 10 miles from the proposed site, and we recognize that residents closer to the property will experience the most direct impacts from light, noise, and traffic, we are concerned about the precedent this project could establish. Approval of a project of this size under an agricultural designation may open the door for additional large-scale indoor production facilities or other industrial-style developments to be proposed in areas currently zoned for agriculture.

Based on the operational characteristics described in the application, this project appears to function more like an industrial food production facility than traditional agriculture. For this reason, we question whether the proposed use is consistent with the intent of the Commercial Agriculture zoning designation, particularly when considering compatibility with surrounding rural residential and agricultural uses.

We respectfully request that Lyon County carefully evaluate:

The appropriate zoning classification for large-scale indoor vertical farming facilities

Whether a 24-hour, 70-employee indoor production facility is compatible with surrounding rural residential and agricultural uses

The electrical infrastructure requirements and potential impacts on the local power grid, including power demand comparable to a small industrial plant

The water demand and potential impacts on existing agricultural water users

The traffic, lighting, and noise impacts associated with a continuous 24-hour operation

The environmental impacts of any required backup power systems, including potential diesel generators, fuel storage, noise, and emissions

Whether the scale and operational characteristics more closely resemble industrial food production rather than agricultural use

The precedent that approval of this project could set for future industrial-scale development in agriculturally zoned areas

We appreciate the opportunity to submit these comments and ask that they be included in the public record for this application. Thank you for your time and consideration as the county evaluates this proposal.

Sincerely,

Mike Verboom
Stacey Verboom

15 Wellington Cutoff
Wellington, NV 89444

Gmail

Brandi Lathrop <blathrop@lyon-county.org>

Fwd: 60 Artesia - Public Comment

Lisa Nash <lnash@lyon-county.org> Mon, Mar 9, 2026 at 3:08 PM
To: Brandi Lathrop <blathrop@lyon-county.org>

Can add this one in for me?

Thanks

Lisa Nash
Senior Planner
Lyon County Planning Department
Office: (775) 463-6592 ext 2475
lnash@lyon-county.org

---------- Forwarded message ---------
From: **joanne lawson** <jlawsonrph@gmail.com>
Date: Mon, Mar 9, 2026, 2:41 PM
Subject: 60 Artesia - Public Comment
To: Lisa Nash <lnash@lyon-county.org>

Dear Ms. Nash,

The proposed project at 60 Artesia raises significant concerns for our community, and I do not believe the necessary findings can be met, even with a continuance.

While I support agriculture in our community, this is an industrial endeavor that is not appropriate for this location. As a 24/7/365 industrial operation, it is incompatible with the rural residential areas directly across the street and nearby, and does not support the lower-intensity residential and farming character of the area. A project of this nature should be situated in an industrial or light-industrial zone.

The power requirements for a vertical farm of this size (100,000 sq. ft. per building) are unprecedented. Even with solar offsets, the demand for each building could equal the power needed for 1,800 homes.

Additionally, according to a 2024 NDOT traffic study, traffic on Artesia and Lower Colony could increase by 75% or more. The proposed access points on a curve in the road and the potential for these large buildings to obstruct driver visibility are further safety concerns. The constant noise, traffic, lighting, and power consumption make this an unviable location.

Finally, the overall feasibility of the project warrants scrutiny. The applicants have cited a $44 million cost, yet it is unclear how this will be funded given that traditional lending may not be an option. Furthermore, while the partner claims "New Green Farms" operates approximately 18 vertical farms in the U.S. and Canada, there appears to be no record of them. These discrepancies are significant red flags.

For these reasons, I respectfully ask that this project be denied.

Sincerely,

Joanne Lawson

Gmail

Brandi Lathrop <blathrop@lyon-county.org>

Conditional Use Permit for 60 Artesia Rd

2 messages

Luke Evans <hawk2k@gmail.com> Tue, Mar 10, 2026 at 7:32 AM
To: countyclerks@lyon-county.org

Letter to Lisa Nash, Lyon County Senior Planner.

Dear Ms. Nash,

I am sure you have received other letters with much more detail than I could contribute, but I wanted to add my voice to oppose the industrial farming being proposed at 60 Artesia Ln, by Mark Jones.

A lot of basic information seems to be missing for this project, and instead there are assurances that everything will be fine. But this is an industrial operation, running 24hours a day, that is being proposed right next to our neighborhoods.

Please vote against this project.

Thank you,
Luke Evans
1 Murphy Ln,
Wellington, NV 89444

Brandi Lathrop <blathrop@lyon-county.org> Tue, Mar 10, 2026 at 8:20 AM
To: Luke Evans <hawk2k@gmail.com>
Cc: countyclerks@lyon-county.org

Your comments have been received and will be available for the meeting this morning.
[Quoted text hidden]
--
Thank You
Brandi Lathrop
Administrative Assistant
(775) 463-6592 x1481
blathrop@lyon-county.org

Mark Cushman
P.O. Box 177
Wellington, NV 89444
mark.cushman@biopureproducts.com

3-9-2026

Lyon County Planning Commission
c/o Lyon County Community Development Department
27 S. Main Street
Yerington, Nevada 89447

Re: Formal Public Comment – Conditional Use Permit Application
APN 010-081-43 | 60 Artesia Road | Proposed "New Green Farms" Vertical Farm Complex

Dear Chair and Members of the Planning Commission:

I respectfully submit this formal public comment regarding the Conditional Use Permit (CUP) application for the proposed two-building, approximately 200,000 square foot indoor "Vertical Farm Complex" on APN 010-081-43.

After detailed review of the submitted materials, I have serious concerns that the application, as currently presented, does not provide sufficient evidence to support the required findings under **Lyon County Code Title 15 (Land Use and Development Code)**, particularly the Conditional Use Permit findings set forth in **Chapter 15.336**. The proposal appears incomplete in several material respects and does not adequately demonstrate compliance with applicable zoning, design review, drainage, infrastructure, and public safety standards.

Below are specific concerns tied directly to applicable Lyon County Code provisions.

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1. Failure to Adequately Support Required CUP Findings

Lyon County Code §15.336 – Conditional Use Permits

Under **§15.336**, the Planning Commission must make affirmative findings that the proposed use:

- Is consistent with the Master Plan
- Is compatible with surrounding uses

- Will not be detrimental to public health, safety, or welfare
- Will not adversely affect adjacent properties
- Will be adequately served by infrastructure and public facilities
- Complies with all applicable development standards

The current submittal provides largely conclusory statements rather than technical evidence supporting these required findings.

---

2. Compatibility and Scale – §15.336 Findings B & G

The proposed development consists of two 100,000 square foot structures, each approximately 32 feet in height, operating 24 hours per day with multiple employee shifts and delivery vehicles.

While labeled as "agricultural," the operational intensity (continuous operations, employee parking, truck deliveries, mechanical equipment) more closely resembles light industrial activity. No comparative scale analysis, massing study, or visual simulations have been provided demonstrating compatibility with surrounding rural properties.

Under **§15.336**, the Commission must determine that the use is harmonious and compatible with surrounding land uses and will not adversely affect adjacent properties. Without visual impact analysis, nighttime lighting study, or operational intensity analysis, the required compatibility findings cannot be supported.

---

3. Lighting Impacts – Lyon County Development Standards

Lyon County Code contains exterior lighting standards within Title 15 that require lighting to minimize glare, prevent light trespass, and protect adjacent properties.

The application states that lighting will be directed downward; however:

- No photometric plan has been submitted
- No fixture specifications are provided
- No illumination levels at property lines are documented
- No shielding or cutoff compliance documentation is included

For a 24-hour facility in a rural area, failure to submit a photometric study prevents verification of compliance with Lyon County exterior lighting standards and undermines the required §15.336 finding that the project will not adversely affect nearby properties.

---

4. Noise – Public Health and Welfare Concerns

§15.336 Findings G

The applicant asserts that no additional noise is expected because activities occur indoors. However, facilities of this size typically include:

- Rooftop HVAC units
- Exhaust fans and pumps
- Loading and delivery activity
- Forklifts and backup alarms
- 24-hour employee shift traffic

No acoustic analysis, equipment decibel data, or modeled property-line noise levels have been provided. In the absence of a noise study, the Commission cannot determine compliance with public welfare standards or make the required §15.336 finding that the project will not be detrimental to surrounding properties.

---

5. Traffic and Access – Incomplete Infrastructure Evaluation

§15.336 Findings C & D

The proposal describes multiple employee shifts and delivery trucks but does not include a traffic impact study. There is no documentation addressing:

- Daily trip generation
- Peak shift changes
- Truck turning radii
- Driveway sight distance
- Potential roadway improvements

Under §15.336, the Commission must find that the use will be adequately served by public roads and infrastructure. Without a traffic study, there is insufficient evidence to support that finding.

---

6. Stormwater and Drainage – Lyon County Drainage Guidelines

Lyon County has adopted drainage design standards requiring developments to properly manage stormwater runoff and demonstrate capacity for both minor and major storm events.

The site plan references drainage capture areas but includes:

- No hydrologic calculations
- No detention sizing analysis
- No peak flow calculations
- No 100-year storm conveyance documentation

Given approximately 200,000 square feet of roof area plus paving, the increase in impervious surface will significantly alter runoff characteristics. Without engineered drainage documentation consistent with County guidelines, the Commission cannot make a finding of compliance with development standards as required under §15.336.

---

7. Water Supply, Septic Capacity, and Fire Flow

§15.336 Findings F & G

The application states that water will be provided by an existing agricultural well and wastewater handled via septic. However, no engineering documentation has been submitted demonstrating:

- Projected daily water demand
- Septic design capacity calculations
- Reserve leach field area
- Wastewater characterization
- Fire flow availability

A 200,000 square foot, 24-hour facility may exceed typical agricultural domestic usage patterns. Lyon County Code requires that adequate public facilities and services be available prior to approval. Without engineering documentation and verification from appropriate agencies, this requirement has not been met.

Additionally, no fire protection plan, hydrant layout, or fire flow analysis has been provided. Rural parcels relying on wells may not meet required fire suppression standards. This omission directly impacts public safety findings under §15.336.

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8. Design Review Requirements

Lyon County Code Chapter 15.344 – Design Review

Under **§15.344**, new commercial or industrial structures exceeding 4,999 square feet are subject to Design Review standards.

This proposal involves two 100,000 square foot buildings. The current submittal does not provide:

- Detailed architectural materials
- Landscaping plans meeting buffering requirements
- Screening of mechanical equipment
- Comprehensive lighting plans
- Detailed circulation analysis

Without full compliance documentation under Chapter 15.344, approval of the CUP would be premature.

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9. Zoning Classification Clarification

The application references "Zoning designation(s): 698," which appears to correspond to an assessor property use code rather than a zoning district classification under Title 15.

Prior to approval, the County must clearly identify:

- The actual zoning district
- Whether indoor vertical farming of this scale is permitted or conditional in that district

- Whether industrial-scale operations are consistent with the zoning intent

Failure to properly verify zoning classification could result in approval inconsistent with Title 15.

Conclusion and Formal Request

Based on the deficiencies outlined above, the application does not currently provide sufficient evidence for the Planning Commission to make the required findings under **Lyon County Code §15.336**.

At minimum, the applicant should be required to submit:

1. A formal traffic impact study
2. A photometric lighting plan
3. A noise impact analysis
4. Engineered drainage calculations
5. Water demand and septic engineering documentation
6. Fire flow and emergency access analysis
7. Full compliance documentation under Chapter 15.344 (Design Review)
8. Verified zoning district confirmation

Until these materials are submitted and reviewed, I respectfully request that the Planning Commission **deny the application or continue the matter** pending full compliance with Lyon County Code requirements.

Thank you for your careful consideration and commitment to protecting the health, safety, and welfare of Lyon County residents.

Respectfully submitted,

Mark Cushman
775-340-7303

Matt Swain, 33 Terrell Lane, Wellington Nevada 89444

The 60 Artesia Road vertical farm proposal lies in the northwest corner of Smith Valley. This is a very quiet corner of the valley with virtually no through traffic. The ambient noise level is very low, with geese, cows, dogs and human voices often discernible even though they are coming from well over a mile away.

Into this very quiet environment, we are considering the introduction of a 200,000 square foot industrial facility. The synthetic environment within this facility is dependent upon an electrical power consumption of likely over 60 megawatts. The laws of physics dictate that that power will ultimately be converted into heat and must be expelled from the facility by means of an industrial scale Heating, Ventilation and Air Conditioning System comprised of fans, compressors, condensers, pumps and cooling towers, each of which will make its contribution to develop a dull roar that will be present 24 hours a day, year round.

The applicant insists that this is an agricultural facility, but agriculture has been a part of this valley for over 150 years and has never before been a source of round the clock noise. This noise will significantly alter the character of the environment, especially for those living within residential zoned properties within a mile of the facility.

This facility is wholly unsuitable for anything other than an industrial zone and must therefore be rejected for this property at 60 Artesia Road.

If the applicant insists upon building this facility within Lyon County, there are many areas within industrial zones where it would be a much better fit.

Community Development Department

Mark Jones, New Green Farms CUP

PLZ-2026-003

Planning Commission

March 10, 2026

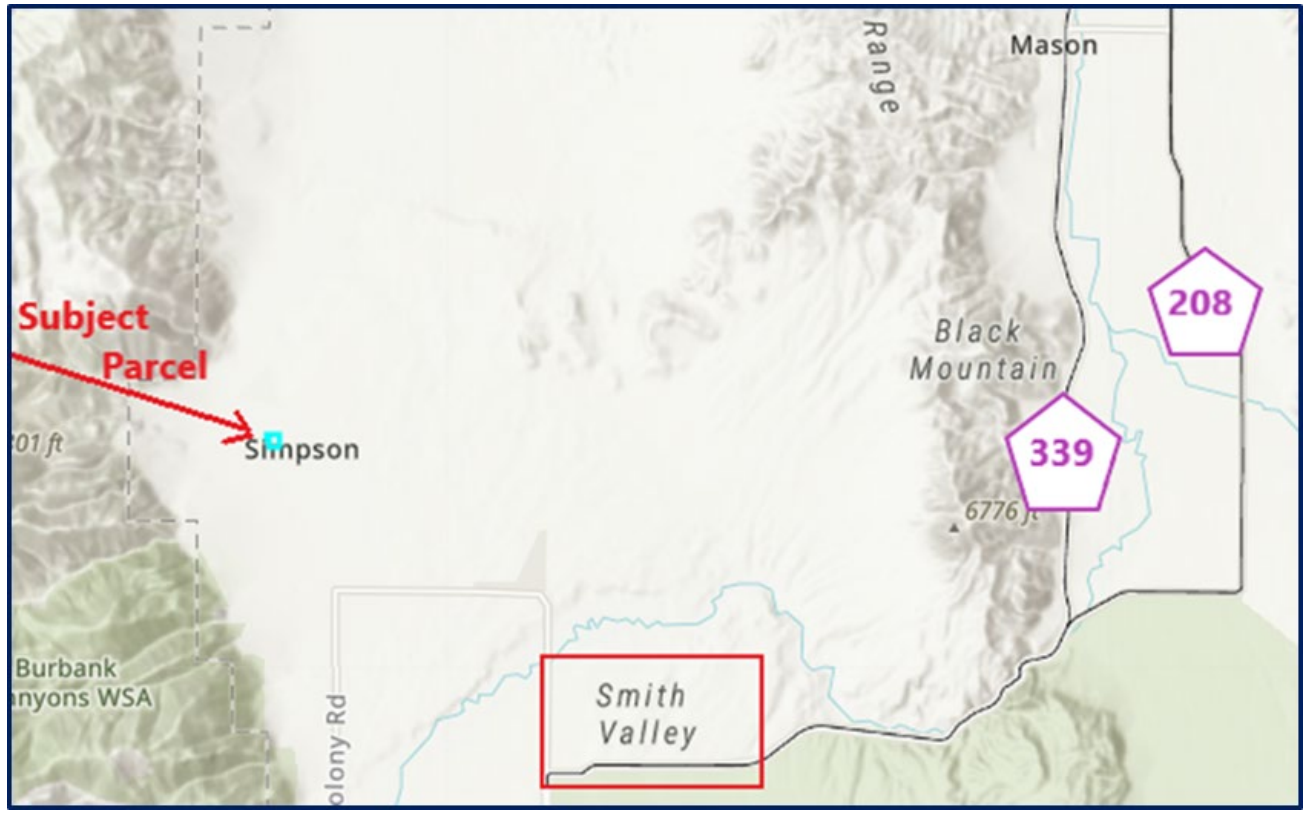
Location Map and Project Summary

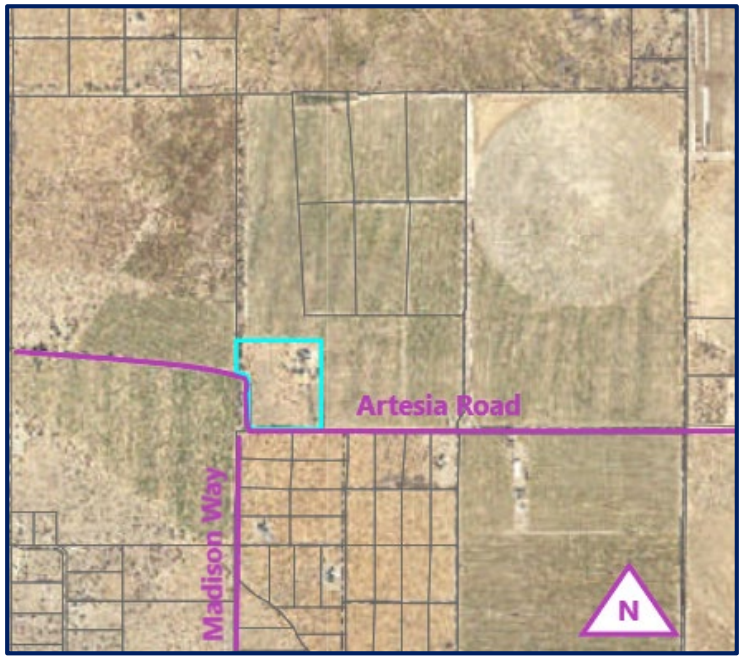
APNs:
010-081-43

Location:
60 Artesia Road

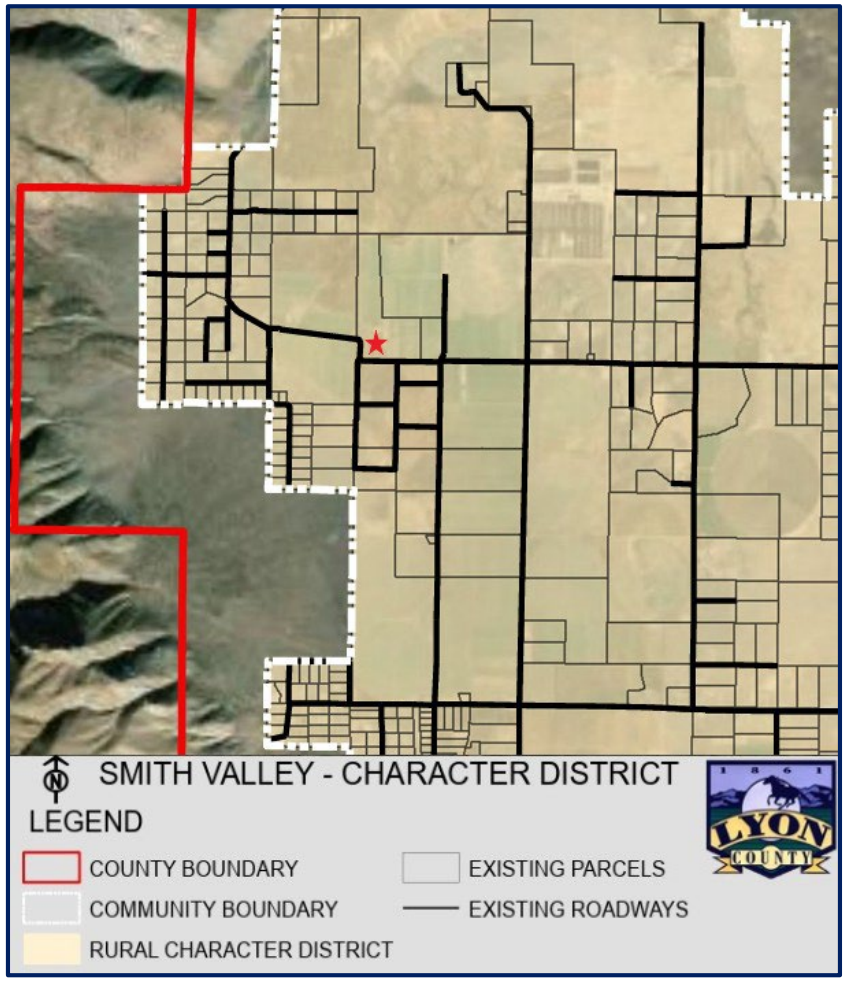
Total Area:
21.60-acre parcel

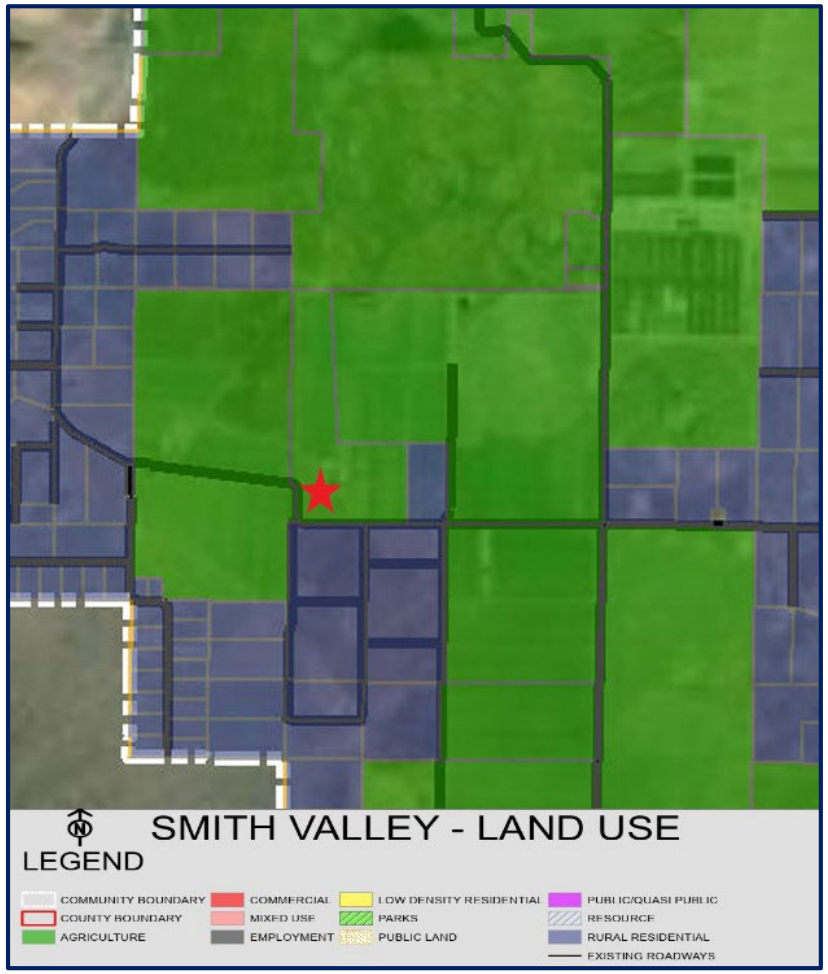
Current Site Use:
The site is currently occupied by two residences and outbuildings in the NE corner of the site.



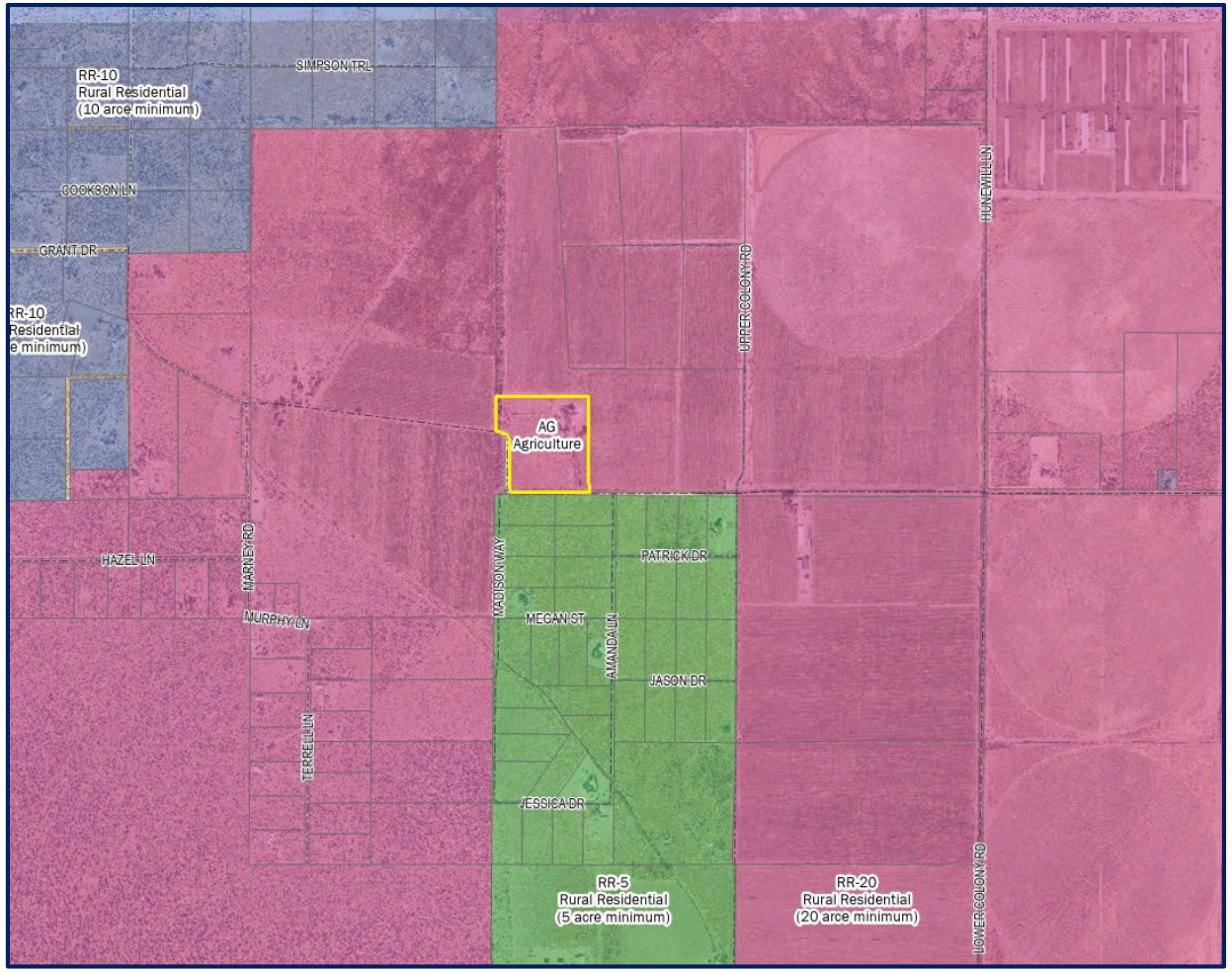


Master Plan - Agriculture





Zoning – Agriculture (AG)



- The subject parcel is zoned AG (Agriculture) per the current code, Title 15.
- The site was granted the zone changed from RR-5 (Fifth Rural Residential- 20 acre minimum – Title 10) to Agriculture (Title 15) in August of 2024 (PLZ-2024-011).
- The surrounding properties are RR-5 (20-acre minimum) and RR-3 (5-acre minimum).

Determination of Use

Table 2: Land Use Table

	Title 10 Zoning (Consistent Title 15 Designation)	Title 15 Zoning	Density Range/Size	Description/Characteristics	Examples of Uses
Agriculture	RR-5 (RR-20)	AG	1 DU per 20 acres (0.05DU/acre)	Private property under irrigated cultivation or irrigated pasture generally larger than 40 acres. Residential uses may be clustered or transferred away from agricultural lands to conserve large intact agricultural lands. Agricultural related commercial and limited industrial uses, and other limited commercial and tourist commercial uses compatible with the agricultural use of the land and rural character.	Irrigated land used in the production of crops and pasture, and having requisite water rights.
	RR-5 (RR-20)	NIA	1 DU per 20 acres (0.05DU/acre)	Private properties used for non-irrigated livestock grazing or feeding, or non-irrigated lands used in conjunction with a developed ranching or farming operation that are generally larger than 40 acres. Residential uses may be clustered or transferred away from agricultural lands to conserve large intact agricultural lands. Agricultural related commercial and limited industrial uses, and other limited commercial and tourist commercial uses compatible with the agricultural use of the land and rural character.	Grazing land, feed-lot, hay stacking yard

* Planned Unit Development (PUD) is a land use designation designed to provide an overall planning and design approach for a single use development or a development incorporating a mix of uses. PUD allows for deviation from a strict application of dimensional and use limitations of the zoning district or districts in order to provide flexibility for landowners to creatively plan for the overall development of their land to achieve a more desirable environment than would be possible through strict application of the standard requirements of the zoning district. Chapter 15.349 of the Land Use and Development Code includes detailed PUD information.

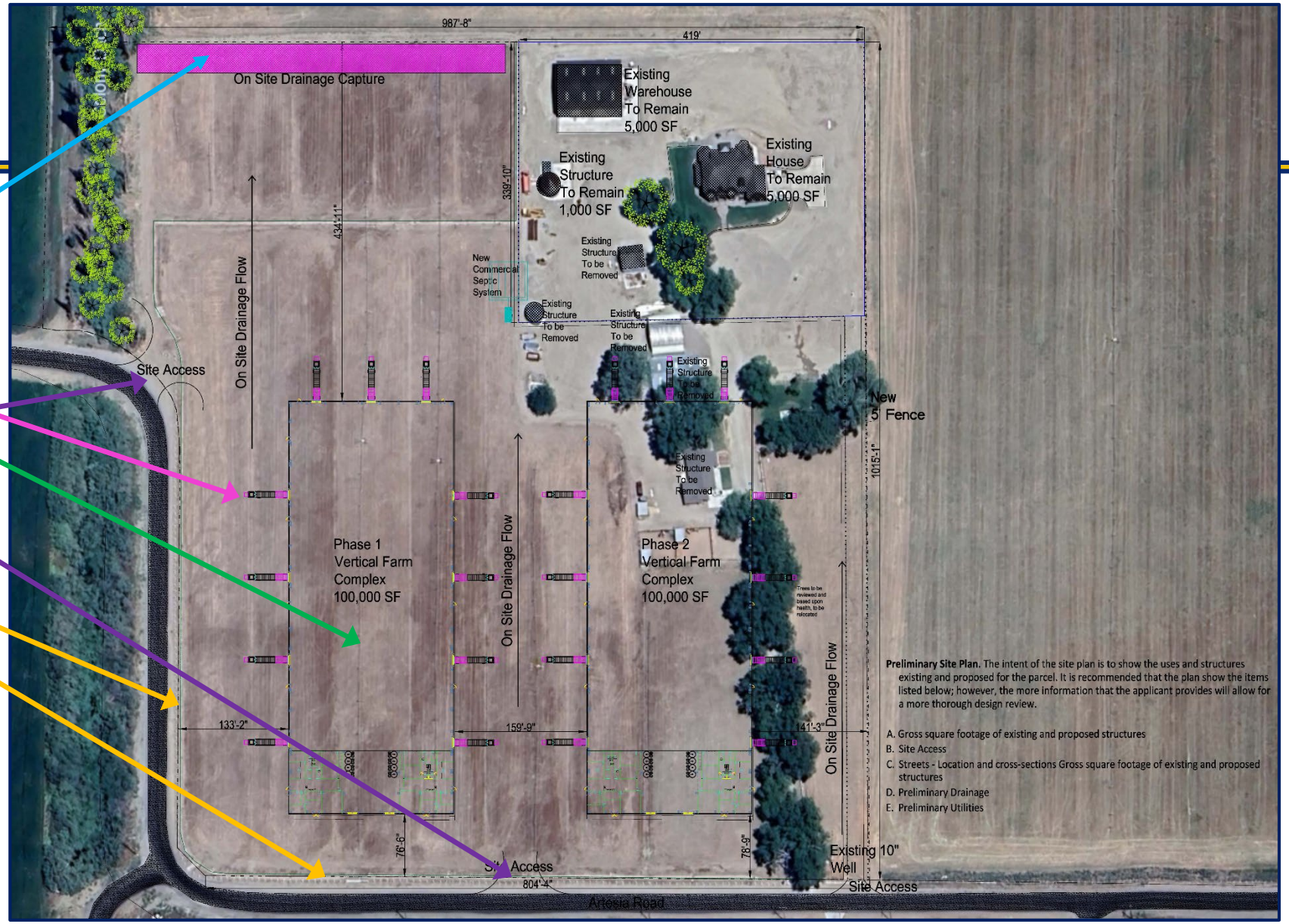
- Vertical Farming is not an established use in Lyon County.
- The Applicant requested a Determination of Unlisted Use (PLZ-2025-101) and based on the process description provided by the Applicant, the proposed use was determined to be most similar to Small Agricultural Production/Food Processing Facility, as described in Lyon County Code 15.336.13.
- The Small Agricultural Production/Food Processing Facility use is an allowed use on AG land subject to a Conditional Use Permit per Lyon County Development Code.

Community Development Department

Site Plan

Site Details:

- On-Site Drainage Area
- Loading Docks
- Phase 1 building with offices/labs on south end
- Site Entrances/Exits
- Parking

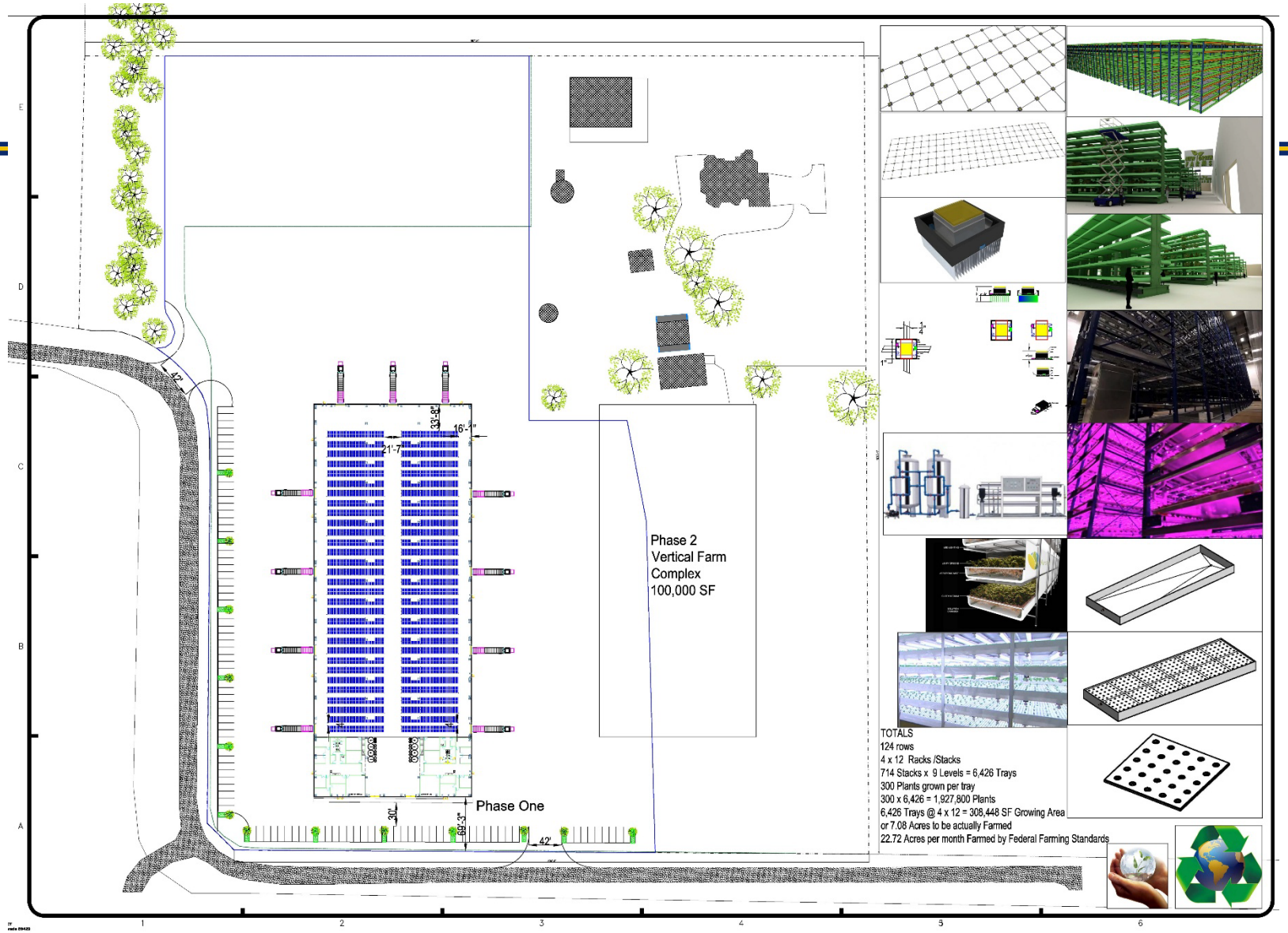


Community Development Department

Phase 1 Plan

Phase 1 Details:

- 100,000 square foot building
- Approx. building dimensions of 500’x200’ x 32-34’ in height
- Operations 24/7/365
- 12-15 staff per shift
- 100 vehicle parking spaces plus truck parking (not shown)
- Drainage plans to run to the north boundary of the property, sunken retention basin with recharge to groundwater
- Driveways and aisles to be paved
- 11 truck bays per building
- HVAC, Mechanical systems unknown



Lyon County Planning Commission Agenda Summary

Meeting Date: March 10, 2026

Agenda Item Number:
7.b

Subject:
For Possible Action: To forward a recommendation to the Board of County Commissioners for the request from Nevada Cement Company LLC for Master Plan Amendments to change the designations from Employment and Resource to Industrial on three parcels that total approximately 462.27 acres in Fernley at 1290 W. Main Street and two unaddressed locations (APNs 021-042-01, 021-571-08 and 021-581-01); PLZ-2025-106.

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS
- Staff Report
- Parcel Pictures
- Project Description

LYON COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT
BUILDING * DEVELOPMENT ENGINEERING * PLANNING
CODE ENFORCEMENT * ECONOMIC DEVELOPMENT
27 SOUTH MAIN STREET, YERINGTON, NV 89447
PHONE: 775-463-6592 FAX: 775-463-5305
WEBSITE: www.lyon-county.org

PLANNING COMMISSION

PLZ-2025-106

Proposed Action	Master Plan Map Amendment
Meeting Date	March 10, 2026
Property Owners	Nevada Cement Company
Applicant	Jared Kupcak
Community	Fernley
Location	1290 W. Main Street and north of US Highway 80, east of West Main Street
Parcel Numbers	021-042-01, 021-581-01, and 021-571-08
Parcel Size	Approximately 462.27 acres
Current Master Plan	Employment and Resource
Proposed Master Plan	Industrial
Applicable Zoning	HI-S (Heavy Industrial-Suburban) and RR-20 (Rural Residential – 20 acre minimum)
Case Planner	Louis Cariola

REQUEST

Nevada Cement Company requests a Master Plan Amendments to change the designations from Employment and Resource to Industrial on three parcels that total approximately 462.27 acres (APNs 021-042-01, 021-571-08 and 021-581-01); PLZ-2025-106.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission forward a recommendation of approval of the Master Plan 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 Master Plan Map Amendment request cannot be conditioned.

RECOMMENDED MOTION

If the Planning Commission determines that they will forward a recommendation of approval of the requested Master Plan Amendment application to the Board of Commissioners, then the Planning Commission should make a motion similar to the following.

The Planning Commission finds that:

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

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

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

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

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

Based on the aforementioned Findings, I move that the Planning Commission forward a recommendation of approval to the Board of County Commissioners for the request from Nevada Cement Company LLC for Master Plan Amendments to change the designations from Employment and Resource to Industrial on three parcels that total approximately 462.27 acres (APNs 021-042-01, 021-571-08 and 021-581-01); PLZ-2025-106.

Alternatives to Approval

Alternative Motion for Continuance

If the Planning Commissioners determine that there is insufficient information with which to make a decision on the Master Plan Amendment application before them and that additional information, discussion and public comment are necessary to have a more complete and thorough review of the proposed project, then the Planning Commission should make the appropriate findings and move to continue the Public Hearing for the Master Plan Amendment application to a future date with concurrence from the applicant.

If so, then the Planning Commission may wish to consider a motion similar to the following:

The Lyon County Planning Commission finds that:

A. Additional information, discussion, and public review are necessary for a more thorough review of the proposed Master Plan Amendment application.

Based on the aforementioned finding, and with the applicant's concurrence, the Planning Commission continues the request from Nevada Cement Company LLC for Master Plan Amendments to change the designations from Employment and Resource to Industrial on three parcels that total approximately 462.27 acres (APNs 021-042-01, 021-571-08 and 021-581-01); PLZ-2025-106 for ___ days.

Alternative Motion for Denial

If after review and public comment the Planning Commission determines that they should recommend denial of the Master Plan Amendment application, then the Planning Commission may wish to consider a motion similar to the following:

The Lyon County Planning Commission has considered:

15.210.03: FINDINGS:

When making an approval, modification or denial of an amendment to the master plan land use map or text, the commission and the Board shall, at a minimum, consider each of the following and base approval, modification, or denial based on the combined weight of the findings. Each finding shall be supported by a statement of evidence, facts and conclusions.

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

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

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

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

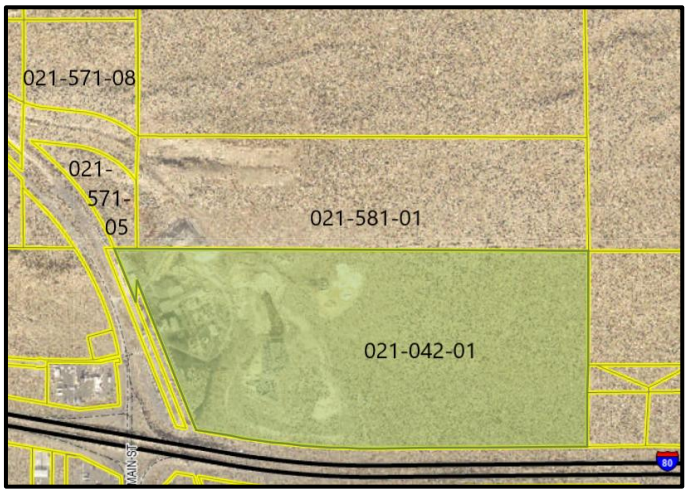
J. The proposed amendment will promote the desired pattern for the orderly physical growth of the County, allows infrastructure to be extended in efficient increments and patterns, maintains relatively compact development patterns, and guides development of the County based on the consideration of natural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

After consideration of the above-listed Findings, the Lyon County Planning Commission has determined that the Amendment would <u>not</u> be in conformance with the above-listed considerations and <u>recommends denial</u> for the request from Nevada Cement Company LLC for Master Plan Amendments to change the designations from Employment and Resource to Industrial on three parcels that total approximately 462.27 acres (APNs 021-042-01, 021-571-08 and 021-581-01); PLZ-2025-106.

BACKGROUND INFORMATION

Location, Size, and Use

The subject parcels are located in Fernley, north of US Highway 50 and east of West Main Street in Fernley. The existing NV Cement plant is located on one of the subject parcels as highlighted below, at 1290 W. Main Street. The Lyon County boundaries with Storey County and Washoe County are partially displayed.



Attachment 1 includes photos of the subject parcels provided by the applicant.

The subject parcels' Assessor's Parcel Numbers (APNs) and sizes per the County Assessor are as listed below. The total area is approximately 462.27 acres.

021-042-01	267.40 acres
021-581-01	160.00 acres
021-571-08	34.87 acres

A fourth parcel, APN 021-571-05, is depicted above for reference because it is part of a second application under concurrent review by the County for a Zoning Map Amendment (PLZ-2026-002). The four parcels are all owned by NV Cement Company.

Background and Previous Reviews

NV Cement Company is intending on expanding their existing plant at 1290 W. Main Street (APN 021-042-01) to the north on APN 021-581-01. On September 16, 2025, NV Cement and the County held a Roundtable meeting where the applicants discussed their expansion plans and the County reviewed the existing Master Plan and Zoning designations. It was determined that the Master Plan Amendment reviewed in this report, and the Zoning Map Amendments reviewed concurrently via PLZ-2026-002, would be necessary before the County could review development proposals. Two other parcels (APNs 021-571-08 and 021-571-05) also owned by NV Cement are under consideration in these applications in preparation for future plans. They likewise require amendments. As a result, were the amendments to be approved, all four parcels will have the same designations and consistent development standards. As such, the applicant has decided to include all four parcels in these applications. Only APNs 021-581-01 and 021-571-08 are part of both applications.

The applicant provided the following project description for their future development proposals. It is important to note that no development can be approved with a Master Plan Amendment or with a Zoning Map Amendment. The information below is only provided as a means of identifying the reason for the requested amendments. Future development will require project-specific review and entitlements. At that time, the County would coordinate with the City of Fernley to ensure that appropriate buffers and mitigations are included in any development approvals. For this application, the County contacted the City requesting their input. The City's Planning Department informed the County that their North Area Plan includes alignments for future regional roadways through portions of the subject parcels. The City will expect that future development proposals are appropriately conditioned in order to ensure that the contemplated connections in the North Area Plan are maintained through the granting of appropriate easements.

NV CEMENT PROJECT DESCRIPTION

Nevada Cement Company is investigating a modernization project to construct a new cement plant north of the existing cement plant. At this time, it is expected that the majority of the new plant would be located in Parcel 021-581-01 (Master Plan is designated as Resource), a 160-acre parcel to the north of the main plant parcel 021- 042-01 (Master Plan is designated as Employment). Nevada Cement also owns two parcels to the west and northwest of the aforementioned parcels (021-571-05 at 13.2 acres & 021-571-08 at 34.9 acres), which are designated Industrial in the Master Plan. At this time, no modification to the two smaller parcels is planned with the modernization project. Nevada Cement is requesting to have the Master Plan designation of parcels 021-042-01 and 021-581-01 changed to Industrial. A model of the plant overlaying the 160-acre parcel is shown below in Figure 1. The vicinity map is also shown below as Figure 2. The County information for all four parcels is shown as Figures 3-6. Figures 7 & 8 show the project model along with a satellite image of the current area for the proposed project.

In a separate application to be filed in January, Nevada Cement is also requesting zoning changes to each of the parcels to HI-S Heavy Industrial.

NOTE: The image that follows is only part of the NV Cement project description: the entire Description is included as Attachment 2 of this report.

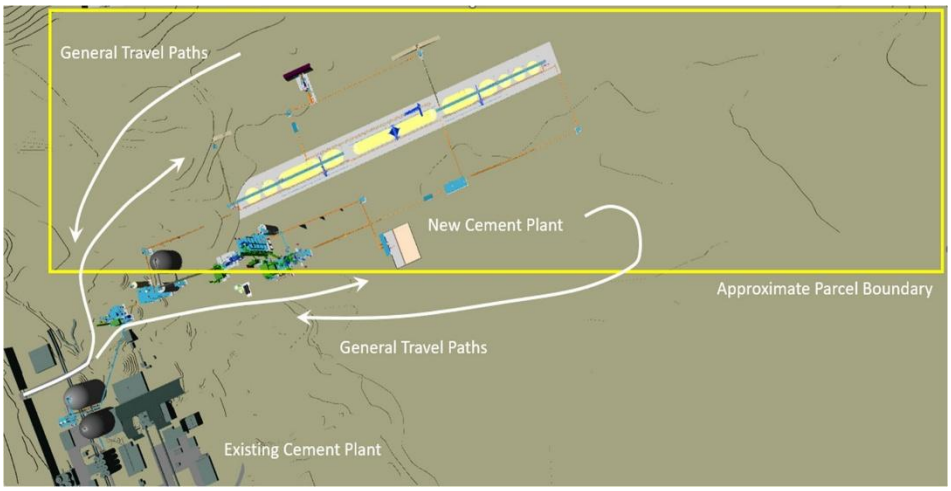


Figure 1 Approximate Location of New Cement Plant, Existing Plant and Parcel 021-581-01

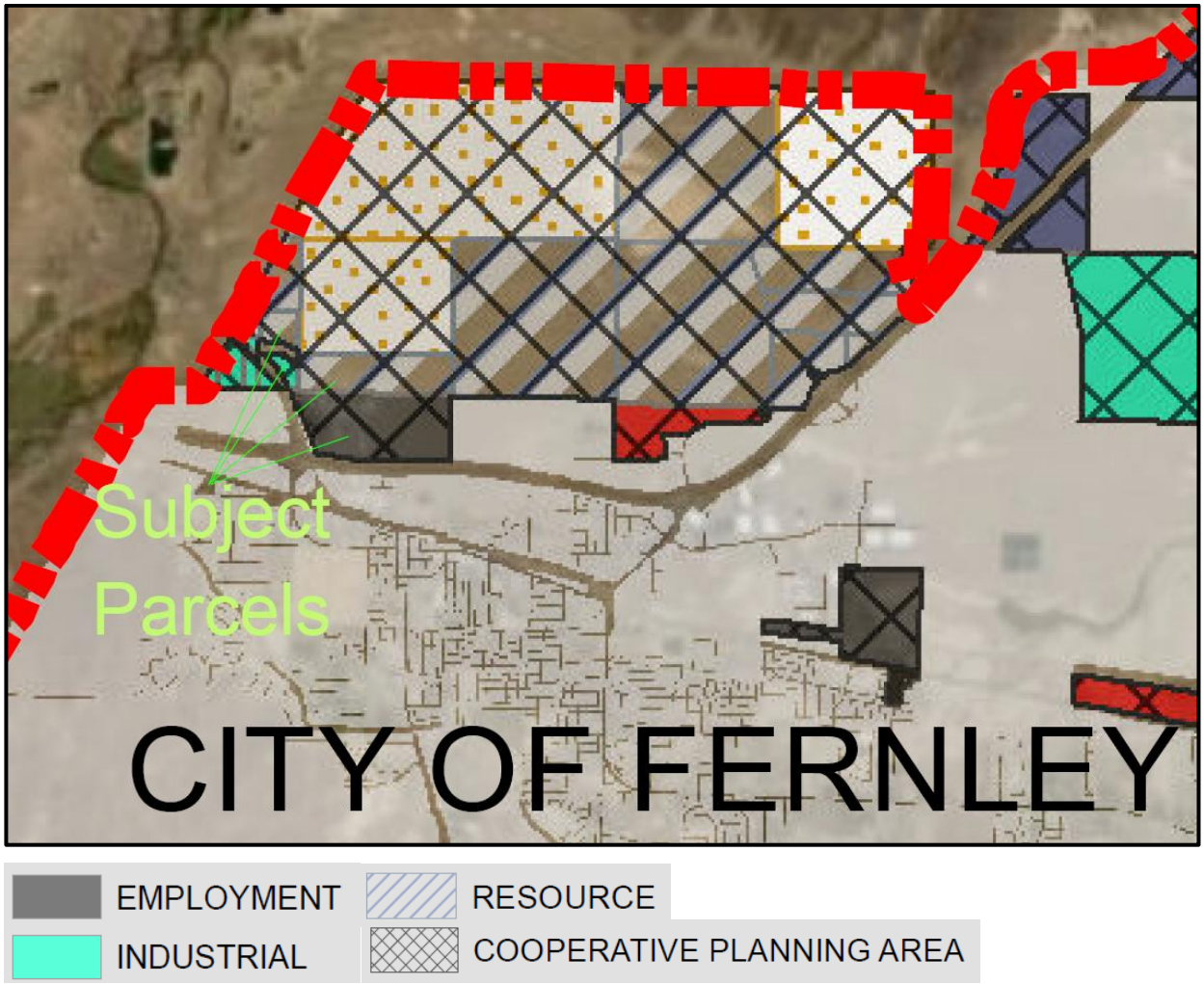
MASTER PLAN AND ZONING

Master Plan

The subject parcels are within the City of Fernley but within the County's General Northerly Master Plan (MP) Map adopted with the 2020 Master Plan. The sites are within the Cooperative Planning Area with the City and the existing MP designations for the 3 subject parcels are Employment (APN 021-042-01) and Resource.

The proposed Master Plan designation is Industrial for the three subject parcels.

Note: APN 021-571-05 is already designated as Industrial per the Master Plan and requires no amendment



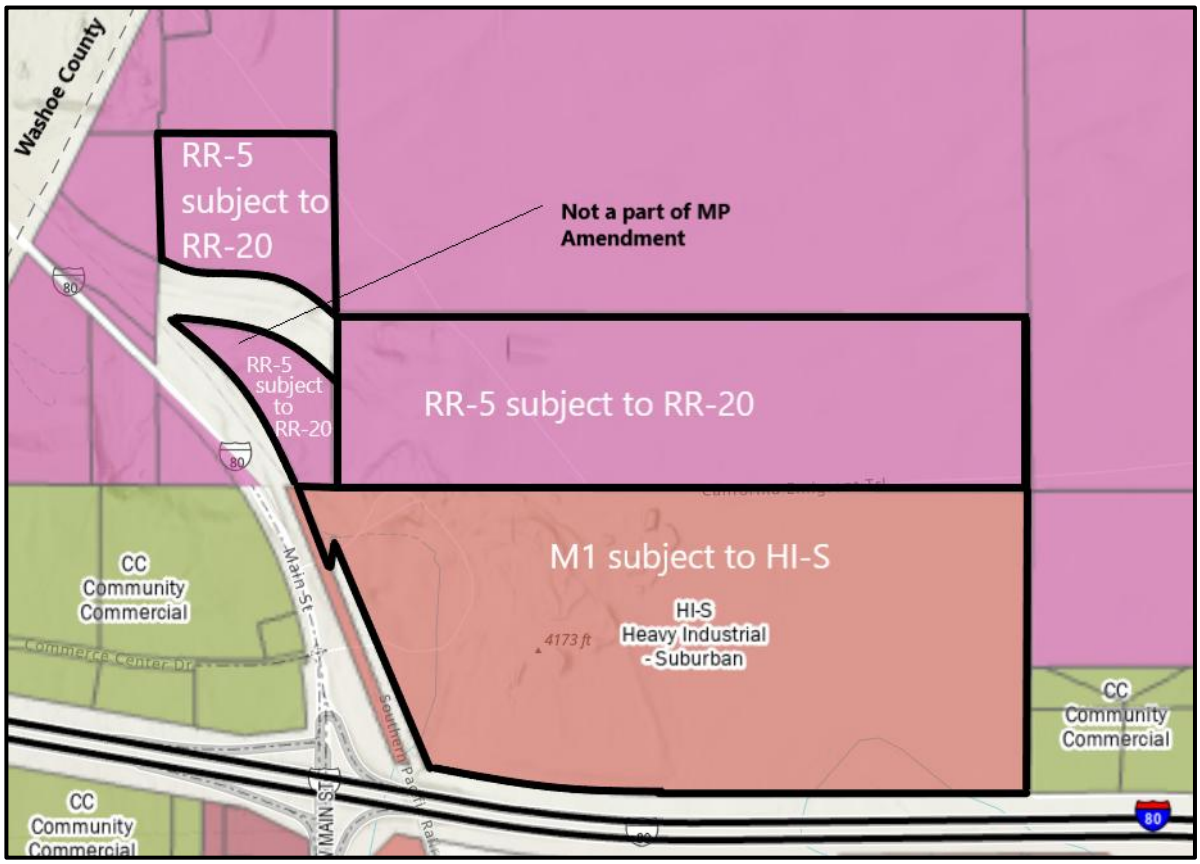
Zoning

The zoning district names for the subject parcels are from the County's expired development code, Title 10. Per the Zoning Consistency Matrix, adopted as Appendix A in 2018 with adoption of the County's current code, Title 15, the applicable zoning districts are as listed below. The Matrix "converts" the zoning names and designates the applicable development standards.

021-042-01	M1 subject to HI-S (Heavy Industrial – Suburban)
021-581-01	RR-5 subject to RR-20 (Rural Residential, 20-acre minimum)
021-571-08	RR-5 subject to RR-20 (Rural Residential, 20-acre minimum)
*021-571-05	RR-5 subject to RR-20 (Rural Residential, 20-acre minimum)

* - not a part of Master Plan Amendment

This image is from the County's GIS application and displays the district names converted to the applicable Title 15 district name.



Note: Per PLZ-2026-002, all the parcels will be proposed for a zoning amendment to HI-S

STAFF REVIEW AND COMMENTS

Proposed Master Plan Amendments are first reviewed by staff and the Planning Commission, who then make recommendations to the Board of County Commissioners. The Board makes the final vote on whether or not to approve the request. Chapter 15.210.03 of LCC states the findings that when considering approval of a Master Plan Amendment. Each Finding is listed with the applicant's response in italics and then staff's comments.

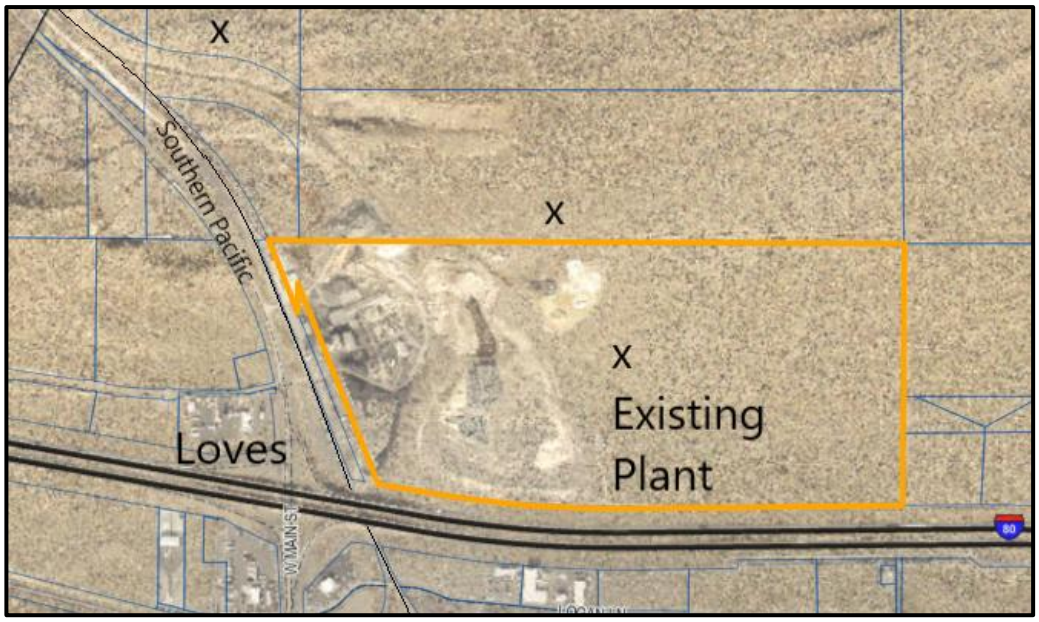
Finding A: The applicant has demonstrated that the amendment is in substantial compliance with and promotes the master plan goals, objectives and actions.

Applicant's Response

Based on the classification of neighboring parcels (Employment, Industrial), the Master Plan amendment to Industrial would match the Master Plan goals of this area for manufacturing.

Staff Comment

The region of the subject parcels, just north of Highway 80 and across W. Main Street from a Love's Travel Stop, is dominated by large scale industrial and commercial development, most notable being the existing NV Cement plant. A Southern Pacific Railroad line runs adjacent to the sites with direct spurs connecting the plant. There are no residential developments adjacent to the subject parcels.



Expansion of the plant to the north where the current operations already utilize the parcel represents appropriately compact development patterns and demonstrates compliance with the following Goals and Policies from the Master Plan.

- Policy LU 1.1: Follow Development Patterns as Established in the Land Use Plan
- Policy LU 1.4: Locate industrial development as designated on County- wide Land Use Plan or determined by criteria
- Policy LU 3.1: Diverse Economic Base
- Policy LU 3.2: Business and Industry Locations that are Consistent with Future Land Use Plan

Recognizing the location of the proposed amendments relative to the maps, Goals, and Policies of the Master Plan allows staff to make this Finding in the affirmative.

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

Applicant's Response

The existing plant is on a parcel for Employment, and some neighboring parcels, including others under NCC ownership are Industrial, so a Master Plan amendment to Industrial would match the plan for this general area.

Staff Comment

The locations of the subject parcels in an industrial and commercial area, north of the Highway and adjacent to a railroad, makes the proposed amendments logical. There are no known plans for residential development adjacent to the subject parcels and the proposed amendments will create homogenous MP designations for all four of the NV Cement parcels noted in this report. The MP requested designation of Industrial will then permit the concurrent request for HI-S zoning for all four parcels, making future development predicable because all the land will be subject to the same development standards.

The proposed amendment is a logical extension of the Industrial designation and this Finding is met in the affirmative by staff.

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

Applicant's Response

The Master Plan amendment would make the adjacent parcel to NCC's existing manufacturing facility suitable for a zone amendment to allow for a modern manufacturing facility, which would be a more desirable use of the land subject to the amendments.

Staff Comment

As stated in the Staff Comments to Findings above, the subject parcels are located in a region of Lyon County that is recognized as appropriate for the type of development and uses proposed (but not approved though this request). Both the amendment requests are necessary in order to facilitate proper designations for future development and represent a logical utilization of land. This Finding is met in the affirmative by staff.

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

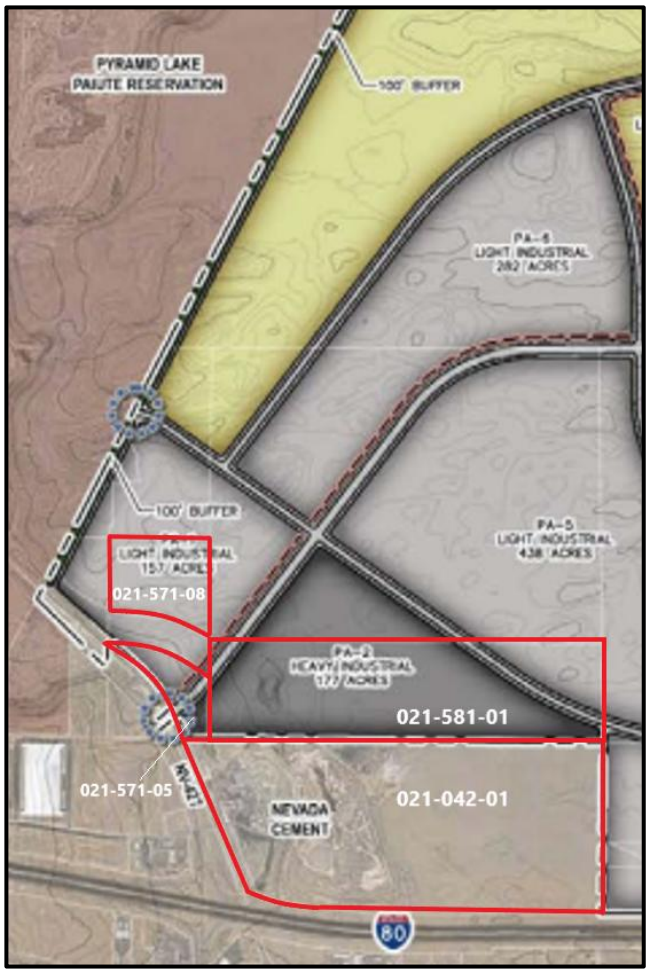
Applicant's Response

The proposed amendment will allow for a modern manufacturing facility, with even less impact on the environment (public health). The City of Fernley Master Plan also includes light and heavy industrial designations for surrounding areas, thus aligning with the goals of the City's Master Plans for this area.

Staff Comment

As stated above, staff feels the requested change is appropriate for the region. The City of Fernley's North Area Plan, as depicted in the following cropped image, denotes industrial designations in the area.

Excerpt of the City of Fernley North Area Plan



No adverse impacts to the public health, safety or welfare are recognized and the potential benefits to the region related to an increased tax base and employment are projected to be significant provided the intended development is realized. This Finding is met in the affirmative by staff.

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

Applicant's Response

The surrounding area is undeveloped, therefore development of the surrounding area would not be impeded by the proposed amendment.

Staff Comment

The requested amendments are consistent with the County's MP and the City's long term growth designations for the region. The existing plant should expand from it's current location, preserving compact development patterns that place less burden on public services and natural resources. This Finding is met in the affirmative by staff.

Parcel Pictures - NCC Master Plan Amendment Application

Plant Parcel – 021-042-01

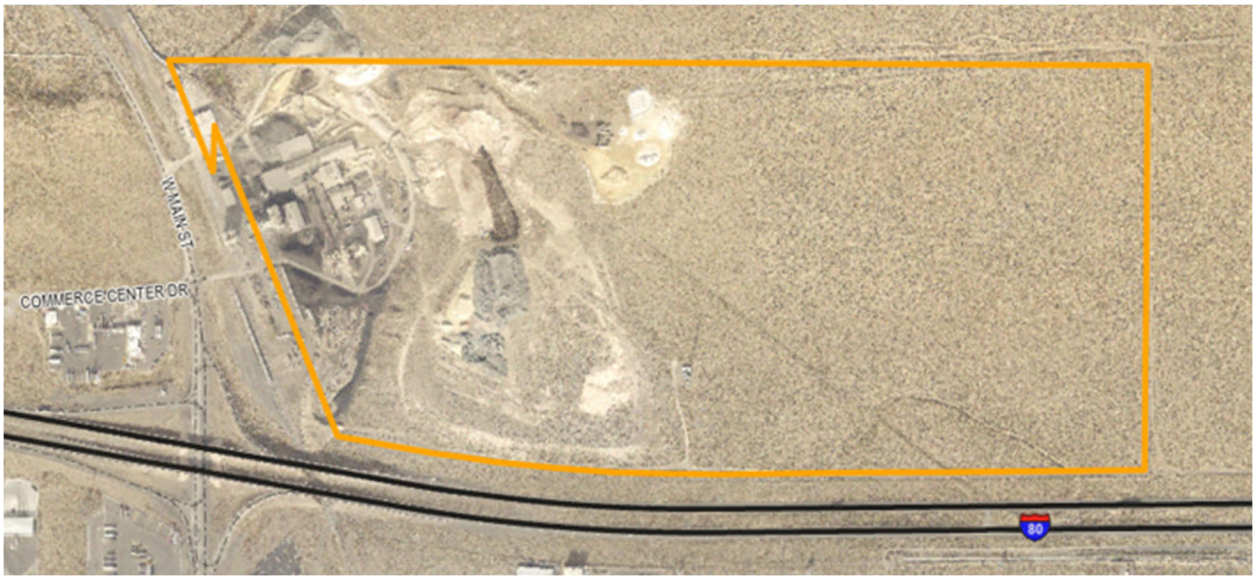


Figure 1 – Parcel Map from Lyon County Website

Figure 2 – View from Cement Silos Looking Due East

Figure 3 – View from Cement Silos Looking Southeast

Figure 4 – View from Cement Silos Looking at West End of Parcel

North 160-Acre Parcel – 021-581-01

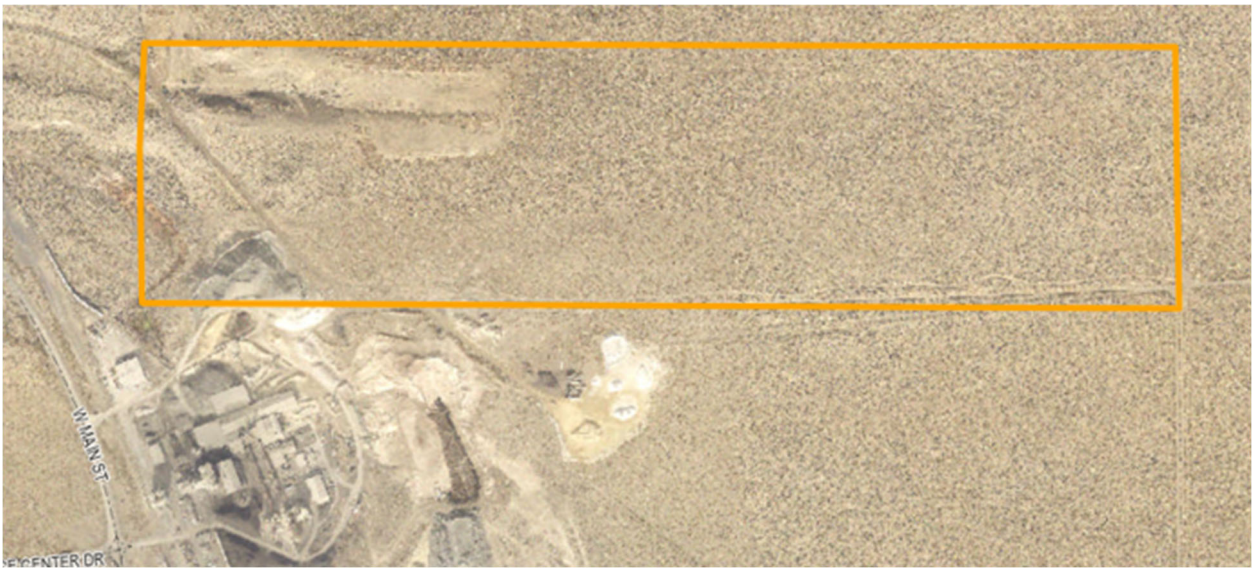


Figure 5 – Parcel Map from Lyon County Website

Figure 6 – View from Tour Location (Southwest Area) Looking at East End

Figure 7 – View from West End Looking East

Figure 8 – View from Cement Silos Looking at East End (Plant Parcel in Foreground)

West 13.2-Acre Parcel – 021-571-05

Figure 9 – Parcel Map from Lyon County Website

Figure 10 – View from North Boundary Looking Southwest

Figure 11 – View from East Boundary Looking Northwest

Figure 12 – Close-up View Looking Northwest

Northwest 34.9-Acre Parcel – 021-571-08

Figure 13 – Parcel Map from Lyon County Website

Figure 14 – View from Cement Silos of West Parcel 021571-08 in Foreground, & 021-571-05 in Background

Figure 15 – View from Center East Boundary Looking South at South Corner

Figure 16 – View from Center East Boundary Looking North at Northeast Section

Figure 17 – View from Center East Boundary Looking West at West Side of Parcel

Nevada Cement Company

Lyon County Master Plan Amendment Application

Project Description, Vicinity Map & Site Plan

Nevada Cement Company is investigating a modernization project to construct a new cement plant north of the existing cement plant. At this time, it is expected that the majority of the new plant would be located in Parcel 021-581-01 (Master Plan is designated as Resource), a 160-acre parcel to the north of the main plant parcel 021-042-01 (Master Plan is designated as Employment). Nevada Cement also owns two parcels to the west and northwest of the aforementioned parcels (021-571-05 at 13.2 acres & 021-571-08 at 34.9 acres), which are designated Industrial in the Master Plan. At this time, no modification to the two smaller parcels is planned with the modernization project. Nevada Cement is requesting to have the Master Plan designation of parcels 021-042-01 and 021-581-01 changed to Industrial. A model of the plant overlaying the 160-acre parcel is shown below in Figure 1. The vicinity map is also shown below as Figure 2. The County information for all four parcels is shown as Figures 3-6. Figures 7 & 8 show the project model along with a satellite image of the current area for the proposed project.

In a separate application to be filed in January, Nevada Cement is also requesting zoning changes to each of the parcels to HI-S Heavy Industrial.

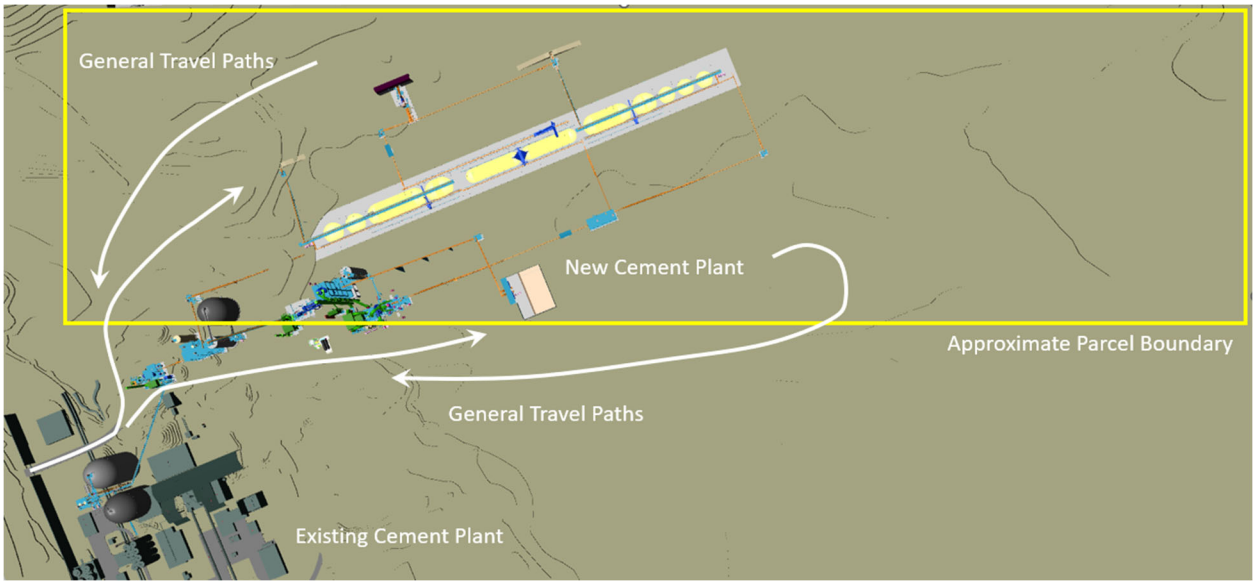


Figure 1 Approximate Location of New Cement Plant, Existing Plant and Parcel 021-581-01

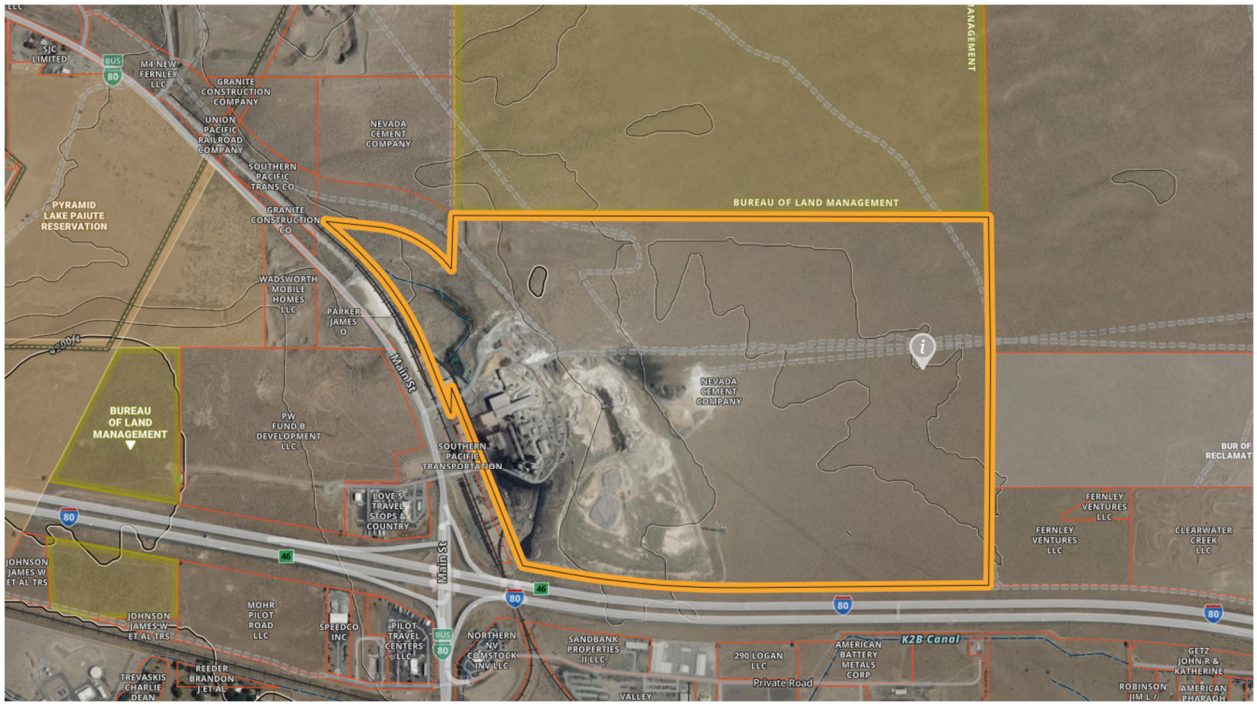


Figure 2 Vicinity Map

The figures below are taken from the Lyon County records website, and contain the location, acreage and zoning information for each parcel.

Parcel 021-042-01

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Owners

NEVADA CEMENT COMPANY
1290 W MAIN ST
FERNLEY, NV 89408-0000

Parcel Summary

Location	1290 W MAIN ST FERNLEY, NV
Use Code	720: Communication, Transportation, and Utility Property of an Interstate or Intercounty Nature, Not Used
Tax District	6.1: North Lyon Fire - Non City
Acreage	267.4000
Exemptions	361.077: POLLUTION CONTROL DEVICES
Plat Maps	021-04.2.pdf (235kb) 021-04.pdf (850kb)

Keyline Description

11-20-24 FR N 1/2

Click map to navigate

View in full-page map

Land Lines

Code	Description	Zone	Front	Depth	Units	Unit Type	Rate	Acreage	Sq Ft	Total Adj	Value
720	Communication, Transportation, and Utility Property of an Interstate or Intercounty Nature, Not Used in Operations (Locally Assessed)	M1			267.40	RATE	$7,200.00	267.40	11,647,944	1.00	$1,925,280

Figure 3 Main Plant Parcel 021-042-01

Parcel 021-581-01

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Owners

NEVADA CEMENT COMPANY
1290 W MAIN ST
FERNLEY, NV 89408-0000

Parcel Summary

Location	NV
Use Code	120: Vacant - Single Family Residential
Tax District	6.2: Fernley General County
Acreage	160.0000
Plat Maps	021-58.pdf (462kb)

Keyline Description

6-20-25 LOTS 8-23

Land Lines

Code	Description	Zone	Front	Depth	Units	Unit Type	Rate	Acreage	Sq Ft	Total Adj	Value
120	Vacant - Single Family Residential	RR5			160.00	RATE	$1,800.00	160.00	6,969,600	1.00	$288,000

Figure 4 Plant Modernization Parcel 021-581-01

Parcel 021-571-05

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Owners

NEVADA CEMENT COMPANY
1290 W MAIN ST
FERNLEY, NV 89408-0000

Parcel Summary

Location	NV
Use Code	120: Vacant - Single Family Residential
Tax District	6.2: Fernley General County
Acreage	13.2300
Plat Maps	021-57.pdf (214kb)

Keyline Description

3-20-24 FR E2 SE4

Land Lines

Code	Description	Zone	Front	Depth	Units	Unit Type	Rate	Acreage	Sq Ft	Total Adj	Value
120	Vacant - Single Family Residential	RR5			1.00	SITE	$66,000.00	13.23	576,298	1.00	$66,000

Figure 5 West Adjacent Plant Parcel 021-571-05

Parcel 021-571-08

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Return to Search · New Search · Previous Parcel · Next Parcel

Owners

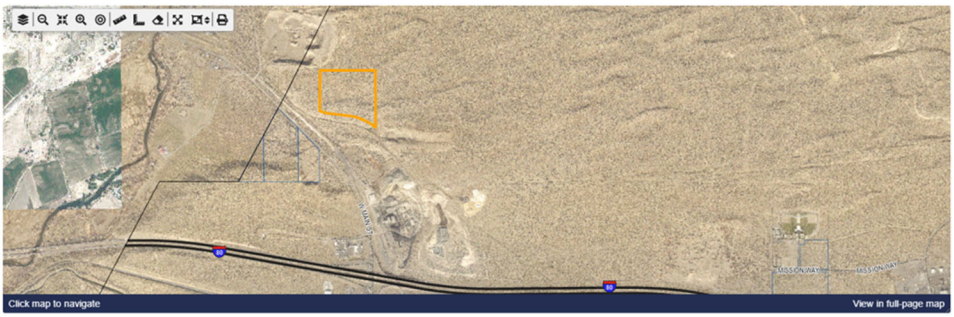
NEVADA CEMENT COMPANY
1290 W MAIN ST
FERNLEY, NV 89408-0000

Parcel Summary

Location	NV
Use Code	120: Vacant - Single Family Residential
Tax District	6.2: Fernley General County
Acreage	34.8700
Plat Maps	021-57.pdf (214kb)

Keyline Description

3-20-24 FR E2 SE4
Annexed into Lyon County 10/1/2005 SEC/LOT: 3 TWN/BLK: 20
RANGE: 24 ACRES: 34.87



Land Lines

Code	Description	Zone	Front	Depth	Units	Unit Type	Rate	Acreage	Sq Ft	Total Adj	Value
120	Vacant - Single Family Residential	RR5			1.00	SITE	$84,000.00	34.87	1,518,937	1.00	$84,000

Figure 6 Northwest Adjacent Plant Parcel 021-571-08

Figure 7 below shows the new plant model in relation to the existing plant and Highway 427 to the far left. Figure 8 shows the satellite view of the same location for comparison.

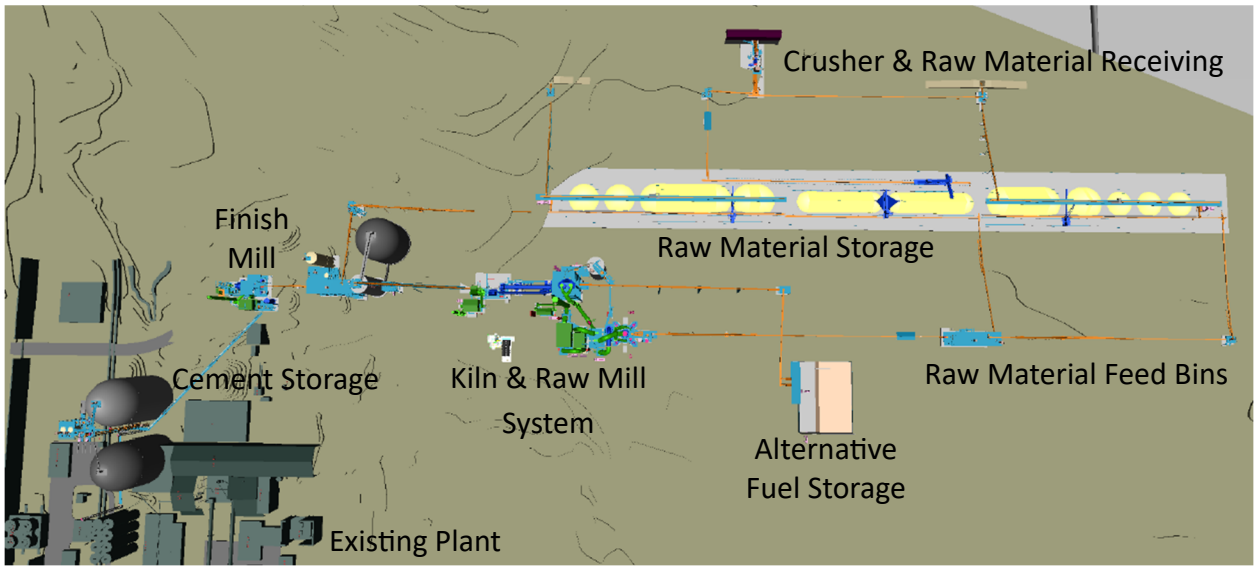


Figure 7 Model of new plant, with Hwy 427 and the existing plant to the lower left

Figure 8 Satellite view of new plant location, with Hwy 427 and existing plant to the left

Lyon County Planning Commission Agenda Summary

Meeting Date: March 10, 2026

Agenda Item Number:
7.c

Subject:
For Possible Action: To forward a recommendation to the Board of County Commissioners for the request from Nevada Cement Company LLC for Zoning Map Amendments to change the zoning from the Title 10 district name of RR-5 (Fifth Rural Residential, 20-acre minimum) and M1 (General Industrial) on four parcels that total approximately 475.50 acres, located at 1290 West Main Street and three unaddressed locations in Fernley. (APNs 021-581-01, 021-571-08, 021-571-05 and 021-042-01); PLZ-2026-002.

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS
- Staff Report
- Backup

LYON COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT
BUILDING * DEVELOPMENT ENGINEERING * PLANNING
CODE ENFORCEMENT * ECONOMIC DEVELOPMENT
27 SOUTH MAIN STREET, YERINGTON, NV 89447
PHONE: 775-463-6592 FAX: 775-463-5305
WEBSITE: www.lyon-county.org

PLANNING COMMISSION

PLZ-2026-002

Proposed Action	Zoning Map Amendment
Meeting Date	March 10, 2026
Property Owners	Nevada Cement Company
Applicant	Jared Kupcak
Community	Fernley
Location	1290 W. Main Street and north of US Highway 80, east of West Main Street
Parcel Numbers	021-042-01, 021-581-01, 021-571-05 and 021-571-08
Parcel Size	Approximately 475.50 acres
Current Master Plan	Employment and Resource
Proposed Master Plan	Industrial (per separate application PLZ-2026-106)
Applicable Zoning	HI-S (Heavy Industrial-Suburban) and RR-20 (Rural Residential – 20 acre minimum)
Proposed Zoning	Heavy Industrial - Suburban
Case Planner	Louis Cariola

REQUEST

The Applicant requests a Zoning Map Amendment to amend the Zoning designation from the Title 10 district names of RR-5 (Fifth Rural Residential, 20-acre minimum) and M1 (General Industrial) to Heavy Industrial-Suburban (HI-S) on four parcels that total approximately 475.50 acres parcel in Fernley located at 1290 West Main Street and generally north of US Highway 50 (APNs 021-581-01, 021-571-08, 021-571-05 and 021-042-01); PLZ-2026-002.

STAFF RECOMMENDATION

Staff recommends 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.

RECOMMENDED MOTION

If the Planning Commission determines that they will forward a recommendation of approval of the requested Zoning Map Amendment application to the Board of Commissioners, then the Planning Commission should make a motion similar to the following.

The Planning Commission finds that:

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.

Based on the aforementioned Findings, I move that the Planning Commission forward a recommendation of approval to the Board of County Commissioners for the request from Nevada Cement Company for Zoning Map Amendments to change the zoning from the Title 10 district names of RR-5 (Fifth Rural Residential, 20-acre minimum) and M1 (General Industrial) on four parcels that total approximately 475.50 acres in Fernley (APNs 021-581-01, 021-571-08, 021-571-05 and 021-042-01); PLZ-2026-002.

Alternatives to Approval

Alternative Motion for Continuance

If the Planning Commissioners determine that there is insufficient information with which to make a decision on the Zoning Map Amendment application before them and that additional information, discussion and public comment are necessary to have a more complete and thorough review of the proposed project, then the Planning Commission should make the appropriate findings and move to continue the Public Hearing for the Zoning Map Amendment application to a future date with concurrence from the applicant.

If so, then the Planning Commission may wish to consider a motion similar to the following:

The Lyon County Planning Commission finds that:

A. Additional information, discussion, and public review are necessary for a more thorough review of the proposed Master Plan Amendment application.

Based on the aforementioned finding, and with the applicant's concurrence, the Planning Commission continues the request from Nevada Cement Company for Zoning Map Amendments to change the zoning from the Title 10 district names of RR-5 (Fifth Rural Residential, 20-acre minimum) and M1 (General Industrial) on four parcels that total approximately 475.50 acres in Fernley (APNs 021-581-01, 021-571-08, 021-571-05 and 021-042-01); PLZ-2026-002 for ___ days.

Alternative Motion for Denial

If after review and public comment the Planning Commission determines that they should recommend denial of the Zoning Map Amendment application, then the Planning Commission may wish to consider a motion similar to the following:

The Lyon County Planning Commission has considered:

15.210.03: FINDINGS: Double check this reference and the findings. I think there are only three findings for a ZMA

When making an approval, modification or denial of an amendment to the master plan land use map or text, the commission and the Board shall, at a minimum, consider each of the following and base approval, modification, or denial based on the combined weight of the findings. Each finding shall be supported by a statement of evidence, facts and conclusions.

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;

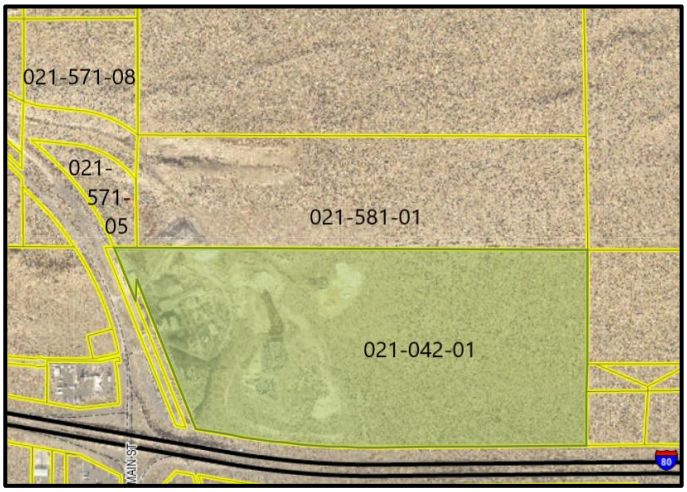
C. That the proposed amendment is compatible with the actual or master planned adjacent uses.

After consideration of the above-listed Findings, the Lyon County Planning Commission has determined that the Amendment would <u>not</u> be in conformance with the above-listed considerations and <u>recommends denial</u> for the request from Nevada Cement Company for Zoning Map Amendments to change the zoning from the Title 10 district names of RR-5 (Fifth Rural Residential, 20-acre minimum) and M1 (General Industrial) on four parcels that total approximately 475.50 acres in Fernley (APNs 021-581-01, 021-571-08, 021-571-05 and 021-042-01); PLZ-2026-002.

BACKGROUND INFORMATION

Location, Size, and Use

The subject parcels are located in Fernley, north of US Highway 50 and east of West Main Street in Fernley. The existing NV Cement plant is located on one of the subject parcels as highlighted below, at 1290 W. Main Street. The Lyon County boundaries with Storey County and Washoe County are partially displayed.



Attachment 1 includes photos of the subject parcels provided by the applicant.

The subject parcels' Assessor's Parcel Numbers (APNs) and sizes per the County Assessor are as listed below. The total area is approximately 475.50 acres.

021-581-01	160.00 acres
021-571-08	34.87 acres
021-571-05	13.23 acres
021-042-01	267.40 acres

The four parcels are all owned by NV Cement Company.

Background and Previous Reviews

NV Cement Company is intending on expanding their existing plant at 1290 W. Main Street (APN 021-042-01) to the north on APN 021-581-01. On September 16, 2025, NV Cement and the County held a Roundtable meeting where the applicants discussed their expansion plans and the County reviewed the existing Master Plan and Zoning designations. It was determined that the Zoning Map Amendments reviewed in this report, and Master Plan Amendments reviewed concurrently via PLZ-2025-106, would be necessary before the County could review development proposals. Two other parcels (APNs 021-571-08 and 021-571-05) also owned by NV Cement are under consideration in these applications in preparation for future plans. They likewise require amendments. As a result, were the amendments to be approved, all four parcels will have the same designations and consistent development standards. As such, the applicant has decided to include all four parcels in these applications. Only APNs 021-581-01 and 021-571-08 are part of both applications.

The applicant provided the following project description for their future development proposals. It is important to note that no development can be approved with a Master Plan Amendment or with a Zoning Map Amendment. The information below is only provided as a means of identifying the reason for the requested amendments. Future development will require project-specific review and entitlements. At that time, the County would coordinate with the City of Fernley to ensure that appropriate buffers and mitigations are included in any development approvals. For this application, the County contacted the City requesting their input. The City's Planning Department informed the County that their North Area Plan includes alignments for future regional roadways through portions of the subject parcels. The City will expect that future development proposals are appropriately conditioned in order to ensure that the contemplated connections in the North Area Plan are maintained through the granting of appropriate easements.

NV CEMENT PROJECT DESCRIPTION

Nevada Cement Company is investigating a modernization project to construct a new cement plant north of the existing cement plant. At this time, it is expected that the majority of the new plant would be located in Parcel 021-581-01 (Master Plan is designated as Resource), a 160-acre parcel to the north of the main plant parcel 021- 042-01 (Master Plan is designated as Employment). Nevada Cement also owns two parcels to the west and northwest of the aforementioned parcels (021-571-05 at 13.2 acres & 021-571-08 at 34.9 acres), which are designated Industrial in the Master Plan. At this time, no modification to the two smaller parcels is planned with the modernization project. Nevada Cement is requesting to have the Master Plan designation of parcels 021-042-01 and 021-581-01 changed to Industrial. A model of the plant overlaying the 160-acre parcel is shown below in Figure 1. The vicinity map is also shown below as Figure 2. The County information for all four parcels is shown as Figures 3-6. Figures 7 & 8 show the project model along with a satellite image of the current area for the proposed project.

In a separate application to be filed in January, Nevada Cement is also requesting zoning changes to each of the parcels to HI-S Heavy Industrial.

NOTE: The image that follows is only part of the NV Cement project description: the entire Description is included as Attachment 2 of this report.

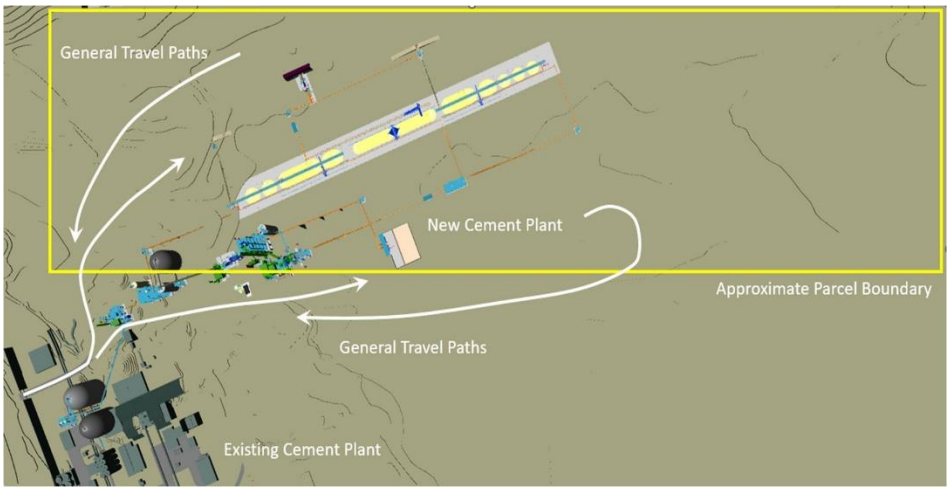
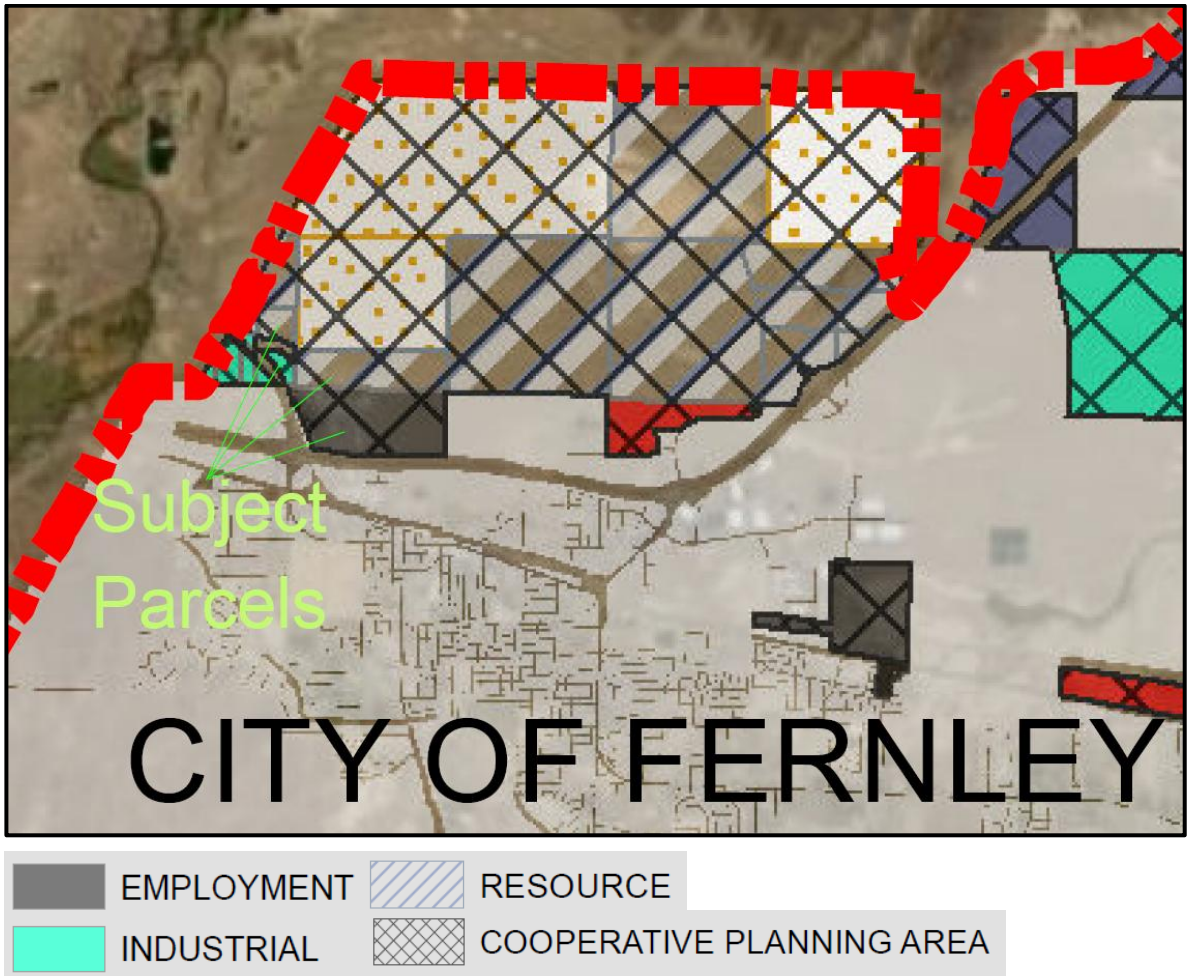


Figure 1 Approximate Location of New Cement Plant, Existing Plant and Parcel 021-581-01

MASTER PLAN AND ZONING

The subject parcels are within the City of Fernley but within the County's General Northerly Master Plan (MP) Map adopted with the 2020 Master Plan. The sites are within the Cooperative Planning Area with the City and the existing MP designations for 3 of the subject parcels are Employment (APN 021-042-01) and Resource.

The proposed Master Plan designation per PLZ-2025-106 is Industrial for three of the four subject parcels. APN 021-571-05 is already designated as Industrial per the Master Plan and requires/required no amendment.



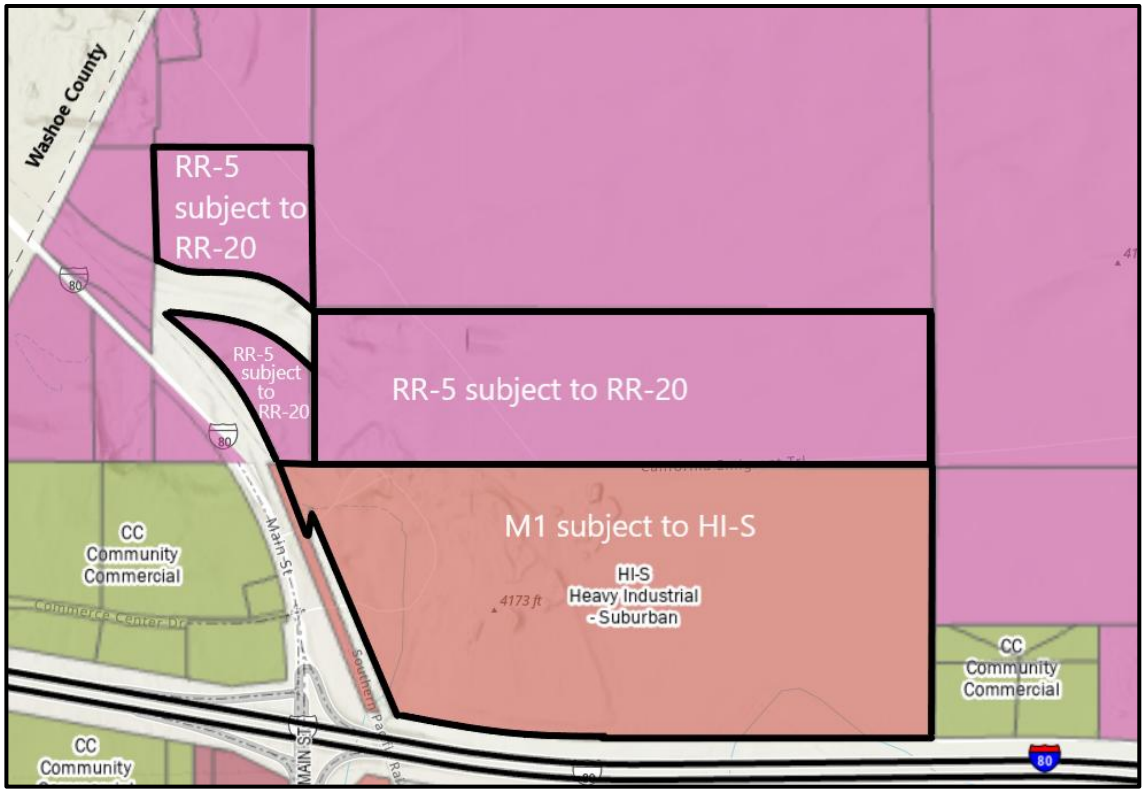
Zoning

The zoning district names for the subject parcels are from the County's expired development code, Title 10. Per the Zoning Consistency Matrix, adopted as Appendix A in 2018 with adoption of the County's current code, Title 15, the applicable zoning districts are as listed below. The Matrix "converts" the zoning names and designates the applicable development standards.

021-581-01	RR-5 subject to RR-20 (Rural Residential, 20-acre minimum)
021-571-08	RR-5 subject to RR-20 (Rural Residential, 20-acre minimum)
021-571-05	RR-5 subject to RR-20 (Rural Residential, 20-acre minimum)
*021-042-01	M1 subject to HI-S (Heavy Industrial – Suburban)

* -The existing plant at APN 021-042-01 holds a zoning district name of M1, but this district is an expired name and as a result, per the Zoning Consistency Matrix, the parcel is already subject to HI-S standards. Staff included this parcel in the requested zoning amendments for sake of consistency with the intent of assigning all four parcels the same zoning on the Assessor's listings and in title reports.

This image is from the County's GIS application and displays the district names converted to the applicable Title 15 district name.



The proposed Zoning is HI-S for all four parcels. This will only be allowable if the Master Plan Amendment proposing Industrial for 4 of the 3 subject parcels is approved via review of PLZ-2025-106.

Per Title 15, the allowed uses in the HI-S district are as listed below, with "C" indicating that approval of a Conditional Use Permit being required for the use to commence. The applicant's plant expansion would fall under the "Heavy Manufacturing" use, requiring an Administrative Design Review by staff.

Watchman's Quarters	Archery Range-indoor

Public Safety Facility
General Aviation Airport
Shooting Range-indoor
Fossil /Alternative Energy Generation – **C**
Wood Treatment – **C**
Aggregate/Gravel Extraction – **C**
Auto/ Truck/ Motorcycle Repair Shop
Geothermal/ Solar Generating Systems - C
Medical or Dental Office up to 25,000 sf
Medical or Dental Office over 25,000 sf **– C**
Energy Storage Systems – **C**
Small Poultry/Meat Processing **– C**
Equipment Rental
Equipment Rental
Bar / Restaurant with drive thru – **C**
Hazardous Waste Processing – C
Medical Marijuana cultivating/processing/testing
Milk Processing - C
Power Transmission Lines **– C** if not in Utility corridor

Archery Range-outdoor - **C**
Paintball Facility
Food Trucks/Courts -Temp Permit
Power Substations - **C**
Ag Equipment / Sales-Service
Asphalt Batch Plant - **C**
Truck Stop
Self Storage / RV Storage
Convenience Store with Petroleum **-**
Convenience Store without Petroleum
Building Materials Sales-Storage -**C**
Power Substations - **C**
Contractor / Trade Yard
Assembly / Heavy and Light
Brewery
Outdoor Processing - **C**
Tank Farm, over 100,000 gallons - **C**
Warehouse/Distribution
Heavy/Light Manufacturing

STAFF REVIEW AND COMMENTS

The proposed zoning map amendments for the subject parcels are first reviewed by staff and the Planning Commission, who make recommendations to the Board of Commissioners. The Board makes the final vote on whether or not to approve the request.

FINDINGS FOR REVIEWING A ZONING MAP AMENDMENT REQUEST

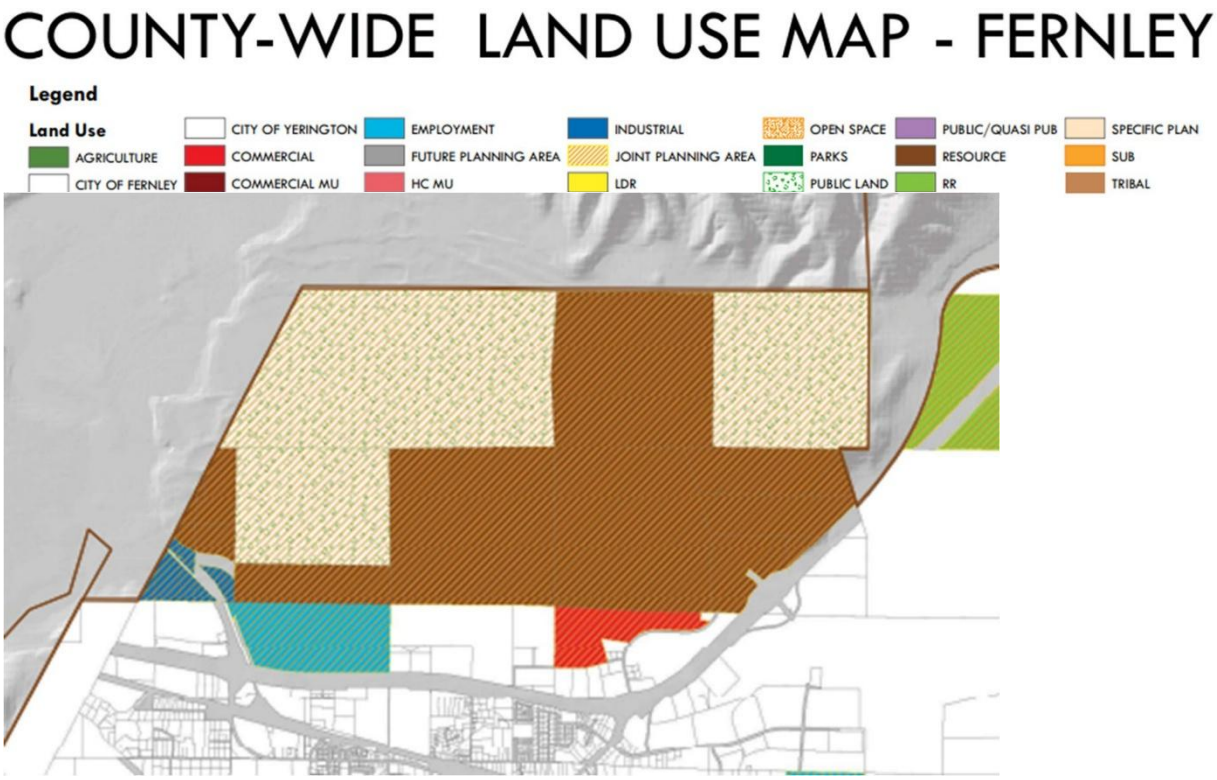
Chapter 15.220.05 of Lyon County Code states that when considering approval of a zoning map amendment, three Findings must be considered and supported by a statement of evidence, facts and conclusions. Staff has included those three Findings in **bold type** below. Each Finding is listed with the applicant's response in *italics* and then staff's comments.

Finding 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.

<u>Applicant's Response</u>

- *Policy LU 1.1: Follow Development Patterns as Established in the Land Use Plan*

  The Lyon County land use map for Fernley indicates land use for the parcels surrounding the Nevada Cement parcels as Industrial and Resource to the northwest, Resource to the northeast and Open Space (BLM) to the north.

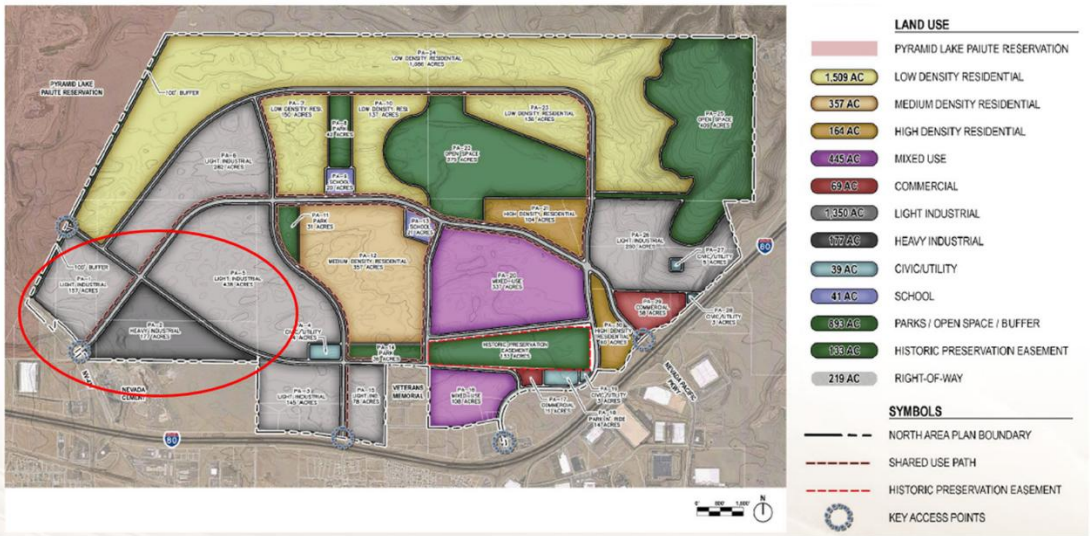


Nevada Cement Company, in a separate application, has requested the Master Plan designations for its four parcels in the plant area to be changed to Industrial. One NCC parcel is already designated as Industrial, and parcels across Highway 427 from NCC are also designated Industrial. All other parcels in the area are designated as Resource or Public Land (BLM).

The City of Fernley's latest Land Use Plan for the parcels adjacent to NCC are designated as Light Industrial.

Based on the available Land Use and Master Plans, a zone change to HI-S is consistent with the planned land use and the Master Plan of adjacent areas.

Figure 12. North Area Plan Land Use Map



Based on the available Land Use and Master Plans, a zone change to HI-S is consistent with the planned land use and the Master Plan of adjacent areas.

- *Policy LU 1.4: Locate industrial development as designated on County- wide Land Use Plan or determined by criteria*

This policy seeks to avoid locating industrial uses in areas that will not adversely impact existing residential areas, there are no existing residential areas in the vicinity of the parcels subject to the proposed zoning changes.

- *Policy LU 3.1: Diverse Economic Base*

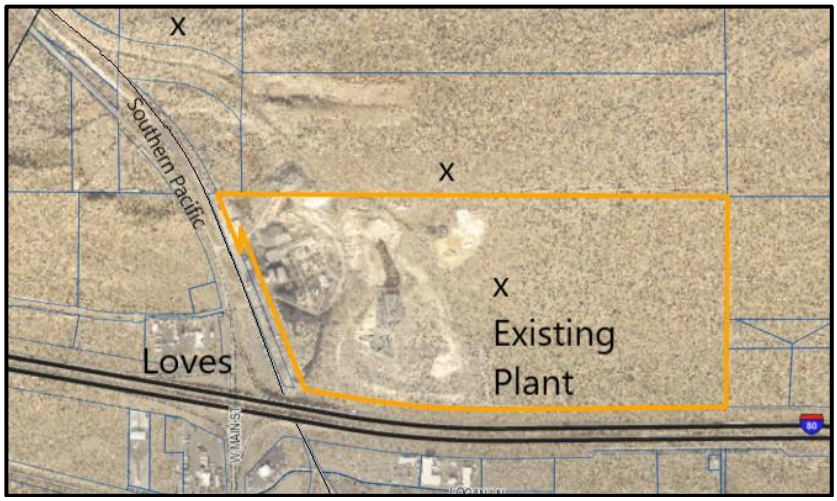
The zoning change will facilitate the continuation of a diverse base of jobs and economic diversification away from residential areas and near major highways to minimize traffic through the Fernley city areas.

- *Policy LU 3.2: Business and Industry Locations that are Consistent with Future Land Use Plan*

The zoning changes should avoid conflicting land uses in the area.

Staff Comment

The applicant's response to Finding A includes an image from the 2010 Master Plan and the statements, Goals, and Policy quotations are supported by staff. The region of the subject parcels, just north of Highway 80 and across W. Main Street from a Love's Travel Stop, is dominated by large scale industrial and commercial development, most notable being the existing NV Cement plant. A Southern Pacific Railroad line runs adjacent to the sites with direct spurs connecting the plant. There are no residential developments adjacent to the subject parcels.



Expansion of the plant to the north where the current operations already utilize the parcel represents appropriately compact development patterns and demonstrates compliance with the following Goals and Policies from the Master Plan.

- Policy LU 1.1: Follow Development Patterns as Established in the Land Use Plan
- Policy LU 1.4: Locate industrial development as designated on County- wide Land Use Plan or determined by criteria
- Policy LU 3.1: Diverse Economic Base
- Policy LU 3.2: Business and Industry Locations that are Consistent with Future Land Use Plan

The surrounding zoning designations do include the County's assignment of applicable RR-20 zoning, but that designation is not consistent with the underlying Master Plan of the surrounding properties per the County's MP and the City's North Area Plan designations which are industrial in nature.

<u>Excerpt of the City of Fernley North Area Plan</u>

Recognizing the location of the proposed amendment relative to the maps, Goals, and Policies of the Master Plan allows staff to make this Finding in the affirmative.

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

Applicant's Response

Facilities for the existing plant site will continue to be serviced with well water for water supply and several septic systems for sewage. This will also be the case with any new facilities placed on the plant parcels.

Fire protection for the existing plant and any new facilities will continue to be provided by the North Lyon County Fire Department.

Police service for the existing plant and any new facilities will continue to be provided by the Lyon County Sheriff's Department.

Staff Comment

The subject parcels are served by wells with City sewer service. As stated by the applicant, emergency response services are readily available and the location of the sites includes near access to a US Highway, local roadways, and a rail line. This Finding is met in the affirmative by staff.

Finding C: That the proposed amendment is compatible with the actual or master planned adjacent uses.

Applicant's Response

The Master Plan for the surrounding areas indicates Industrial to the west, Resource to the northwest and northeast, and Open Space (BLM) to the north. The actual use is warehousing to the west, aggregate mining to the northwest, and the remaining surrounding lands are undeveloped. Based on this, the proposed zoning changes requested to HI-S would avoid conflict with any residential areas.

Staff Comment

As stated above, staff feels the requested change is appropriate for the region. The City of Fernley's North Area Plan, as depicted in the following cropped image, denotes industrial designations in the area. The existing NV Cement plant already operates and expansion to their adjacent property is appropriate and compatible with neighboring site. This Finding is met in the affirmative by staff.

PLZ-2026-002

Attachments

See the Attachments for NV Cement's request for a Master Plan Amendment / PLZ-2025-106

Lyon County Planning Commission Agenda Summary

Meeting Date: March 10, 2026

Agenda Item Number:
8.a

Subject:
For Discussion Only: Community Development Director comments and updates.

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation: