LYON COUNTY PLANNING COMMISSION  
TUESDAY, MARCH 14, 2023  
9:00 AM  
LYON COUNTY ADMINISTRATIVE COMPLEX  
27 S. MAIN STREET  
YERINGTON, NV 89447  

Join Zoom Meeting  
https://us02web.zoom.us/j/81073362959?pwd=RGZYczBsN2h4RzJHVJElhRdVE2QT09  
Meeting ID: 810 7336 2959  
Passcode: 471259  
One tap mobile  
+17193594580,,81073362959#,,,,*471259# US  
Dial by your location  
+1 408 638 0968 US (San Jose)  

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 Shannon Juntunen at sjuntunen@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.
AGENDA

(Action will be taken on all items unless otherwise noted)
(No action will be taken on any item until it is properly agendized).

To avoid meeting disruptions, please place cell phones and beepers in the silent mode or turn them off during the meeting.

The Board reserves the right to take items in a different order to accomplish business in the most efficient manner. Items may be combined for consideration and items may be pulled or removed from the agenda at anytime.

Restrictions on comments by the general public: Any such restrictions must be reasonable and may restrict the time, place and manner of the comments, but may not restrict comments based upon viewpoint.

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
   5.a. For Possible Action: To elect a new Planning Commission Chair for 2023.

6. For Possible Action: Approval of Minutes
   6.a. For Possible Action: To approve the minutes from the February 14, 2023 meeting.
       - February 14, 2023 Minutes

7. Presentation and Reading of Miscellaneous Correspondence

8. Advisory Board Reports
9. Public Hearing Items

9.a. For Possible Action: To approve a request from Welch 1998 Revocable Trust for a Tentative Parcel Map to subdivide an approximately 60.018-acre parcel into three (3) parcels, the smallest being 20.006 acres, located to the east of Blue Bird Way, approximately 1,320 feet to the south of the intersection of Blue Bird Way and Jessen Road in Smith Valley (APN 010-181-14) PLZ-2023-001.
   - Staff Report
   - Backup

9.b. For Possible: To forward a recommendation to the Board of Commissioners for a Zoning Map Amendment request from Microsoft Corporation to change the zoning on five (5) parcels comprising approximately 30.88 acres in Silver Springs from RVP (Recreational Vehicle Park District), MHP (Mobile Home Park District) and C-1 (Limited Commercial District) to NC (Neighborhood Commercial) in accordance with the existing Master Plan designation of Commercial (APNs: 018-551-03, 081-551-04, 018-552-01, 018-552-02, & 015-141-04) PLZ-2023-002.
   - Staff Report
   - Backup
   - Advisory Board letter of transmittal

9.c. For Possible Action: CONTINUED from the February 14, 2023 meeting-To forward a recommendation to the Board of Commissioners for a Conditional Use Permit request from Blackcomb Property Group, LLC to allow a Self-storage/RV Storage facility in the CC (Community Commercial) zoning district on one three-acre parcel generally located to the southwest of the intersection of Dayton Valley Road and Como Road, west of the Carson River and U.S. Highway 50, at 222 Dayton Valley Road in Dayton (APN 006-091-10) PLZ-2022-213.
   - Staff Report
   - Backup
   - Advisory Board Letter of Transmittal

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

10. Public Participation (no action will be taken on any item until it is properly agendized)

11. Action Items

12. Board Member Comments

13. Future Agenda Items

14. Public Participation (no action will be taken on any item until it is properly agendized)

ADJOURN TO RECONVENE AS THE LYON COUNTY PLANNING COMMISSION

15. Staff Comments and Commissioner Comments

15.a. For Possible Action: Staff update on recent County Commissioner actions.
16. 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.

17. ADJOURNMENT

This agenda has been posted in accordance with the open meeting law at the Lyon County Administrative Complex.

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 14, 2023

Agenda Item Number:
5.a

Subject:
For Possible Action: To elect a new Planning Commission Chair for 2023.

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS

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Lyon County Planning Commission Agenda Summary

Meeting Date: March 14, 2023

Agenda Item Number:
6.a

Subject:
For Possible Action: To approve the minutes from the February 14, 2023 meeting.

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS
  ● - February 14, 2023 Minutes
LYON COUNTY PLANNING COMMISSION MEETING MINUTES  
February 14, 2023

The February 14, 2023 meeting of the Lyon County Planning Commission was called to order by Commission Vice-Chairwoman, Audrey Allan, at approximately 9:00 a.m. in the LYON COUNTY ADMINISTRATIVE COMPLEX, 27 S. MAIN STREET, YERINGTON, NV 89447

1. Roll Call

Members present: Commissioners Loretta Sell, Audrey Allan, Connie Kuzmicki, Michael Carlson and Greg Clausen attended in person at the Lyon County Administrative Complex. Commissioner Shawn Keating attended the meeting via Zoom.

Attending staff: District Attorney, Steve Rye; Senior Planners Louis Cariola, and Bill Roth; Planning Technician, Kerry Page and Administrative Assistant, Shannon Juntunen, attended in person.

2. Pledge of Allegiance – Led by Commissioner Carlson

3. Public Participation – There was none.

4. Review and Adoption of the Agenda

Commissioner Sell motioned to adopt the agenda as presented. Commissioner Carlson seconded, the motion passed by a unanimous vote (6 Ayes; 0 Nay; 0 Abstentions)

5. For Possible Action: Approval of Minutes

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

Commissioner Sell motioned to approve the minutes from the January 10, 2023, meeting as amended. Commissioner Clausen seconded, the motion passed by unanimous vote (6 Ayes; 0 Nay; 0 Abstentions)

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

7. Advisory Board Reports- There were none

8 Public Hearing Items

8.a. For Possible Action - To approve a request from Debra L. Newton for a Tentative Parcel Map to subdivide an approximately 80.41-acre parcel into two (2) parcels, the smallest being 20.16 acres, located to the northeast of the intersection of Crosby Lane and Smith Gage Road, northwest of State Route 208, at 16 Crosby Lane in Smith Valley (APN 010-371-03) PLZ-2022-208.

Senior Planner, Bill Roth summarized the staff report. The applicant’s request for a Tentative Parcel Map (TPM) to subdivide an approximately 80.41 acre lot into two new parcels is in conformance with the Master Plan goals and policies and Zoning designation requirements. Staff is recommending approval based on the recommended findings and 16 conditions of approval.

Commissioner Sell asked Rick Christian, Denson Surveying, if he was aware of the Smith Valley Advisory Board’s recommendation to continue this item. Mr. Christian said he was not aware of their request. There was concern of an irrigation ditch not being noted on the Tentative Map, which Mr. Christian addressed and was not aware of any other concerns.

Public Comment- There was none

Commissioner Sell motioned to approve to the request from Debra L. Newton for a Tentative Parcel Map on approximately 80.41-acre parcel into two (2) parcels; located at 16 Crosby Lane, Smith, (APN 010-371-03) PLZ-2022-208, based on the findings and subject to the following 16 conditions of approval;

1. The developer shall comply with all Federal, State, County and special purpose district regulations.
2. Any future development will require connection to the public right-of-way and an encroachment permit from the Lyon County Roads Department will be required.

3. The developer shall make corrections of any engineering or drafting errors and other technical map corrections to the satisfaction of the County Engineer and Planning Director prior to submitting the final parcel map for recordation.

4. 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.

5. 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.

6. 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.

7. The developer shall pay the required recording fees at time of final parcel map recordation.

8. 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.

9. The developer shall comply with Lyon County’s storm drainage guidelines (revised September 2018).

10. The developer shall comply with Lyon County improvement requirements as set forth in Chapter 15.03.03 of the Lyon County Code.

11. The developer shall comply with the requirements of the Smith Valley Fire Protection District (SVFPD) including, but not limited to conformance with the 2018 editions of the International Fire Code (IFC) and International Wildland-Urban Interface Code (IWUIC) including the 2018 Northern Nevada Amendments to both the IFC and IWUIC as applicable to the satisfaction of the Smith Valley Fire Protection District.

12. The developer shall provide documentation of the relinquishment of water rights necessary to insure an adequate water supply for residential use of the newly created parcels to the satisfaction of the State Division of Water Resources (DWR) prior to recordation of the final parcel map.

13. The final parcel map will comply with the current Lyon County standards requiring a 7.5-foot public utility easement along the front property lines and 5-foot public utility easement along all side property lines for the proposed parcels prior to recordation.

14. The following items are required of all development:
   a. All construction shall comply with all applicable building and fire code requirements.
   b. Building permits shall be issued in compliance with Title 15 of the Lyon County Code.
   c. Site development work will require a site improvement permit(s) in accordance with Title 15.234 unless directly associated with a single family residential building permit.
   d. Structures placed on these parcels shall adhere to the County’s site and setback standards for the zoning district as it applies to each parcel at the time of development.
   e. Distinct and legible “temporary” addresses are required of any structures under construction until such time as permanent address numbers are installed and posted.
   f. All debris on construction sites must be contained and removed periodically as required for safety and cleanliness to the satisfaction of the Lyon County Building Department.
g. Prior to any combustible materials being brought on site, street name signage shall be installed, if applicable, and emergency vehicle access has been installed to the satisfaction of the Smith Valley Fire Protection District.

15. Any further division may be subject to the imposition of subdivision improvement standards as may be legally imposed at the time. The developer shall place a note to this effect on the final parcel map prior to recordation.

16. Approval of the tentative parcel map shall not constitute acceptance of the final parcel map. Failure to submit a complete final parcel map and pay the required fees within one (1) year from the date of approval shall render the tentative parcel map approval as expired. No extension may be granted after receiving approval of the tentative parcel map.

Commissioner Carlson seconded, the motion passed unanimously (6 Ayes; 0 Nay; 0 Abstentions)

8.b. For Possible Action: To forward a recommendation to the Board of Commissioners for a Conditional Use Permit request from Lux Solar Center, LLC, to allow a commercial solar generation facility in the RR-20 (Rural Residential 20 acre minimum) and LI-R (Light Industrial - Rural) zoning districts on four parcels generally located between the Union Pacific Railroad tracks and Sierra Way in Wabuska, north Mason Valley (APNs 014-091-02/-03/-20/-21) PLZ-2022-210.

Senior Planner, Bill Roth summarized the staff report. The proposed project involves the construction and operation of a commercial solar power generating facility over an approximately 1,140-acre area within a four(4)-parcel site totaling 2,462 acres. The subject property is located between the Union Pacific Railroad tracks and Sierra Way in Wabuska, north Mason Valley. A CUP (PLZ-19-0054) was approved for the same project in 2019 but has since expired because grid infrastructure upgrades by NV Energy (NVE), upon which the proposed facility is reliant, have been delayed until 2028. The Applicant now seeks a CUP with the same project description and the same conditions of approval as the previously approved CUP but with initiation of the project required no sooner than 2030 to ensure the necessary NVE upgrades are in place. Staff is recommending approval based on the recommended Findings and 16 conditions of approval.

Commissioner Kuzmicki asked if a reclamation bond is part of the decommissioning plan. Senior Planner, Bill Roth, said he was not sure and that the applicant’s representative could better answer that question.

Commissioner Clausen had a question regarding the time frame in which a Conditional Use Permit is good for. Senior Planner, Bill Roth stated it defaults to the code which says 2 years unless otherwise specified. The previously approved CUP did not have a specified time frame so it expired after 2 years. In this case an extended time frame is stated in the Conditions of Approval to ensure the necessary NVE upgrades are in place. Commissioner Clausen asked District Attorney, Steve Rye, if that is his understanding. He responded it is his understanding of the code.

Applicant’s representative, Thomas Gentry, gave a brief overview of the company’s history. They are rated one of the top ten in the world for renewable energy. They are seeking approval of a new CUP due to expiration of the previous one. He went on to say there is not a Reclamation Bond in place as part of the Decommissioning Plan at this time, however, they are willing to include one if that is requested as an added condition.

Public Comment- There was none

Commissioner Clausen motioned to forward a recommendation of approval to the Board of County Commissioners for a Conditional Use Permit issued to Lux Solar Center, LLC for a Commercial Solar
Generation Facility located in Wabuska, North Mason Valley on APNs 014-091-02/-03/-20/-21, PLZ-2022-210. Based on the findings listed in the staff report and subject to the following 16 conditions of approval:

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

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

3. 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. Prior to commencement of the use, the Applicant shall provide to the Lyon County Planning Department evidence of the issuance of an encroachment permit and satisfactory completion of all improvements required by the Nevada Department of Transportation, or documentation that no new encroachment permit and/or improvement are required.

7. 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.

8. The Applicant shall enter into a road maintenance agreement with the County for the maintenance and dust control of the Sierra Way improved right-of-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.

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

10. Any proposed onsite sewage disposal system must be approved by the Nevada Division of Environment 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.

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.

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

13. 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 Planning Department.

14. The Applicant shall comply with Lyon County’s 2018 drainage guidelines, as revised to the approval of the County Engineer.
15. Any exterior signage will require a separate building permit, through the Lyon County Building Department.

16. The substantial failure to comply with the conditions imposed on the issuance of this conditional use permit or the operation of the conditional use in a manner that endangers the health, safety or welfare of Lyon County or its residents or the violation of ordinances, regulations or laws in the conditional use may result in the institution of revocation proceedings. **Failure to initiate the conditional use permit 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.**

Commissioner Sell seconded, the motion passed **unanimously** (6 Ayes; 0 Nay; 0 Abstentions)

**8.c. For Possible Action:** To forward a recommendation to the Board of Commissioners for a Conditional Use Permit request from Lyon County School District to allow the addition of two office buildings in the RR-5 (Rural Residential 5 acre minimum) zoning district on one parcel located to the west of the intersection of Spruce Avenue and Ramsey Weeks Cutoff, south of U.S. Highway 50 in Silver Springs (APN 018-356-01) and a shared parking area on two parcels (APNs 018-356-01 and 018-356-02) PLZ-2022-197.

Senior Planner, Bill Roth summarized the staff report. The applicant’s proposal includes the construction of two modular office buildings on 3570 W. Spruce Avenue (APN 018-356-01) and a shared parking area with 3655 W. Spruce Avenue (018-356-02), in the Silver Springs area. There are existing LCSD offices already located at 3655 Spruce Avenue (APN: 018-356-02). The proposed buildings at 3570 Spruce Avenue would be 3,600 square feet and 1,440 square feet in size, 5,040 square feet total, and would be used for administrative offices and staff training purposes that are associated with the adjacent LCSD educational facility. The proposed shared parking area would provide 31 parking spaces for the proposed buildings and the two existing administrative buildings on the adjacent LCSD site. The applicant’s request is in conformance with the Master Plan and the Zoning designation standards. Staff is recommending approval.

Commissioner Carlson asked if the existing two (2) modular buildings on the property will be removed. Senior Planner, Bill Roth, responded there are no plans to remove the existing buildings at this time

**Public Comment**-

Lorraine Delatorre, Stagecoach resident, expressed safety concerns with the intersection of Ramsey Weeks and Spruce and impact on road conditions. She suggested looking at improvements for safety at that intersection.

Commissioner Sell motioned to forward a recommendation of **approval** to the Board of County Commissioners for the Conditional Use Permit request from Lyon County School District to allow the addition of two office buildings in the RR-5 (Rural Residential 5 acre minimum) zoning district on one parcel located to the west of the intersection of Spruce Avenue and Ramsey Weeks Cutoff, south of U.S. Highway 50 in Silver Springs (APN 018-356-01) and a shared parking area on two parcels (APNs 018-356-01 and 018-356-02) PLZ-2022-197. Based on the findings listed in the staff report and 8 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 to obtain a Building Permit.

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

5. Exterior lighting for the office buildings and the parking area shall be downward facing and shielded such that light is not shed onto adjacent properties and public rights-of-way.

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

7. The applicant shall record a cross-access easement or other mechanism to ensure that both subject parcels (APNs 018-356-01 and 018-356-02) have access rights for the shared parking area and driveway, to the satisfaction of the Community Development Director.

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

Commissioner Carlson seconded, the motion passed **unanimously** (6 Ayes; 0 Nay; 0 Abstentions)

8.d. **For Possible Action:** To approve a request from DG Locust Grove Circle K, LLC for a Tentative Parcel Map to subdivide an approximately 28.99-acre parcel into four (4) parcels, the smallest being 1.43 acres, located to the northeast of the intersection of U.S. Highway 50 and State Route 439 at 3200 Opal Avenue in Silver Springs (APN 015-181-03) PLZ-2022-209.

Senior Planner, Bill Roth, summarized the staff report. The applicant’s request for a Tentative Parcel Map (TPM) to subdivide an approximately 25.73 acre lot to create four new parcels is in compliance with the Master Plan and Zoning designation standards. There was an Administrative Design Review approved in 2022, for a truck stop with a convenience store, fast food and casino. The Tentative Parcel Map will support future development of the site.

There was public comment sent via email, expressing concerns regarding water and access. Senior Planner, Bill Roth, said there is a condition of approval that addresses water and sewer connection which must be fulfilled before recordation of the Final Parcel Map.

Commissioner Kuzmicki asked if the state is going to allow the applicant to install a commercial septic to serve the Truck Stop and future uses since they are not in the service district for municipal sewer.

Applicant’s representative, Vince Griffith, said the applicant will be required to install sewer pipe that connects to the existing municipal service, it will not be on septic.

Commissioner Allan asked about access for people turning left onto HWY 50. Senior Planner, Bill Roth said the Administrative Design Review shows access off the frontage road.

**Public Comment-** There was none

Commissioner Sell motioned to **approve** the request from DG Locust Grove Circle K, LLC for a Tentative Parcel Map to subdivide an approximately 28.99-acre parcel into four (4) parcels; located at 3200 Opal
Avenue, Silver Springs (APN 015-181-03) PLZ-2022-209, based on the findings listed in the staff report and subject to the following 18 conditions of approval.

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

2. Any future development will require connection to the public right-of-way and an encroachment permit from the Lyon County Road Department or the Nevada Department of Transportation, as applicable, will be required.

3. The developer shall make corrections of any engineering or drafting errors and other technical map corrections to the satisfaction of the County Engineer and Planning Director prior to submitting the final parcel map for recordation.

4. 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.

5. 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.

6. 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.

7. The developer shall pay the required recording fees at time of final parcel map recordation.

8. 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.

9. The developer shall comply with Lyon County’s storm drainage guidelines (revised September 2018).

10. The developer shall comply with Lyon County improvement requirements as set forth in Chapter 15.03.03 of the Lyon County Code.

11. The developer shall comply with the requirements of the Central Lyon County Fire Protection District (CLCFPD) including, but not limited to conformance with the 2018 editions of the International Fire Code (IFC) and International Wildland-Urban Interface Code (IWUIC) including the 2018 Northern Nevada Amendments to both the IFC and IWUIC as applicable to the satisfaction of the Central Lyon County Fire Protection District.

12. The developer shall provide documentation of the relinquishment of water rights necessary to insure an adequate water supply for residential use of the newly created parcels to the satisfaction of the State Division of Water Resources (DWR) prior to recordation of the final parcel map.

13. The developer shall provide Intent to Serve/Will Serve Utility Letters prior to approval of the Final Map, to the satisfaction of the Planning Department.

14. Any extension of a public water system to serve the subject parcels will be required to be reviewed and approved by the Bureau of Safe Drinking Water, prior to construction.

15. 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.

16. The following items are required of all development:
   a. All construction shall comply with all applicable building and fire code requirements.
b. Building permits shall be issued in compliance with Title 15 of the Lyon County Code.

c. Site development work will require a site improvement permit(s) in accordance with Title 15.234 unless directly associated with a single family residential building permit.

d. Structures placed on these parcels shall adhere to the County’s site and setback standards for the zoning district as it applies to each parcel at the time of development.

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

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

g. Prior to any combustible materials being brought on site, street name signage shall be installed, if applicable, and emergency vehicle access has been installed to the satisfaction of the Smith Valley Fire Protection District.

17. Any further division may be subject to the imposition of subdivision improvement standards as may be legally imposed at the time. The developer shall place a note to this effect on the final parcel map prior to recordation.

18. 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 Kuzmicki seconded, motioned passed **unanimously** (6 Ayes; 0 Nay; 0 Abstentions)

Commissioner Sell motioned to hear agenda items 8.e and 8.f. together and vote on them separately. Commissioner Carlson seconded, motion passed **unanimously** (6 Ayes, 0 Nay, 0 Abstentions).

8.e. For Possible Action: To forward a recommendation to the Board of Commissioners for a Zoning Map Amendment request from Schaller Development LLC, c/o Project One, to change the zoning on nine (9) parcels comprising approximately 497.52 acres south of US Highway 50 in Stagecoach from RR-5 (Fifth Rural Residential District – 20 acre minimum) and RR-2 (Second Rural Residential District – 2 acre minimum) to RR-2 (Rural Residential – 2 acre minimum) in accordance with the Master Plan designation of Specific Plan (APNs: 015-365-01, 015-365-02, 015-365-03, 015-365-04, 015-371-05, 015-371-06, 015-371-07, 015-371-08, 015-451-01) PLZ-2022-206.

Senior Planner, Louis Cariola, summarized the staff report. Schaller Development LLC c/o Project One to change the zoning on nine (9) parcels comprising approximately 497.52 acres south of US Highway 50 in Stagecoach from RR-5 (Fifth Rural Residential District – 20 acre minimum) and RR-2 (Second Rural Residential District – 2 acre minimum) to RR-2 (Rural Residential – 2 acre minimum) in accordance with the Master Plan designation of Specific Plan. The subject parcel is relatively flat and contains no ridgelines. The majority of the site is vacant with a few buildings in the southeast corner that support the operations of the Dayton Valley Turf Farm. Surrounding land uses include single family residences to the north and east, Bureau of Land Management (BLM) property and single-family residences to the west and vacant land to the south. Highway 50 is adjacent to and directly north of the property. The existing Churchill Ranchos Estates, a single family residential subdivision to the west, is comprised of 2-acre parcels. The subject parcel is within the Stagecoach General Improvement District (SGID) service boundary for water service. Individual sewer systems would be necessary for the new parcel development, each to be approved by the Nevada Division of Environmental Protection (NDEP). The septic systems will have to be de-nitrification systems per the NDEP regulations for the area (and SGID standards). 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.

Commissioner Clausen asked Senior Planner, Louis Cariola, if he reviewed the late public comment that was received. Mr. Cariola said he had reviewed the public comments and attended the Stagecoach Advisory Board meeting. The public comment received did not note anything that would change Staff’s recommendation. Commissioner Clausen noted concerns with the hydrology report, potential flooding and if Emergency Services will have appropriate access to all the proposed parcels. Senior Planner, Louis Cariola, responded at this point only a preliminary report has been submitted as required. However, before the recordation of the final map the report will have to be reviewed and approved by the County Engineer.

There was further discussion amongst the Commissioners regarding public concerns with hydrology, access, improvements, water rights and if there will be any cost increase to existing users if the proposed future development connects to the Stagecoach GID.

Lisa Nash with Christy Corporation, Applicant’s Representative, introduced herself and said they are available for any questions the Commission has. The Commission said they would like to finish hearing Staff’s presentation of both agenda items then address questions.

Public Comment-

Amanda Brinnand, Stagecoach resident, expressed frustration that the suggestions from the public to help make this subdivision work in this rural area were ignored. She said many of the surrounding parcels vary from 20 acres to 5 acres, with the exception of the 2 acre parcels in the adjacent Churchill Rancho Estates Subdivision. She feels 2 acre lots are not consistent with the larger parcels. She went on to express concerns about ground water/well pollution due to 150+ individual septic systems being installed and the potential for wells drying up.

Robert Butler, Stagecoach resident, expressed concerns about well water contamination due to the amount of proposed additional individual septic systems, potential of wells drying up, flooding issues from Hwy 50 to Black Hawk and Silver Lane, roads and access.

Lorraine Delatorre, Stagecoach resident, expressed concerns with the proposed parcel size. She referenced larger parcel sizes to the East of the proposed development varying from 5, 10 and 20 acres, stating the community has suggested phasing lots to include 5 and 10 acre parcels. She also expressed concern with the possibility of well contamination due to amount of proposed septics and wells drying up. She suggested phasing parcel sizes to better fit with the surrounding parcels.

Steve Napoletano, Stagecoach resident, asked what the impact of the proposed development will have on the gravity fed well that provides water to his subdivision. He asked if they will be required to dig private wells and connect to sewer. He also expressed concern with emergency access and response times with the number of additional residents. Senior Planner, Louis Cariola, responded that the question regarding wells and septics will need to be answered by the Stagecoach General Improvement District.

Betty Retzer, Stagecoach resident, expressed concerns with flooding due to not having culverts along Blackhawk, the proposed detention ponds not being adequate for the amount of water they could possibly retain, who will be maintaining the ponds, increased traffic, access, road improvements, flooding due to development and parcel sizes. She suggested 5-10 acre parcels to better fit with surrounding parcels.

Gary Handzel, Stagecoach resident, expressed concern with flooding, culverts and where water will be redirected dispersed to, who will maintain storm water, detention maintenance and impact from increased
traffic. He asked if the Developer, Applicant, Applicants representative or County Staff have gone to look
at the areas of flooding after the recent storms to see the effects.

8.f. For Possible Action: To forward a recommendation to the Board of Commissioners for a
request from Schaller Development LLC, c/o Project One, for a Merger and Re-subdivision/Tentative
Subdivision Map of nine (9) parcels comprising approximately 497.52 acres, south of US Highway 50 in
Stagecoach, into 186 single family residential lots with a minimum lot size of 2 acres and a maximum size
of 17.7 acres (APNs: 015-365-01, 015-365-02, 015-365-03, 015-365-04, 015-371-05, 015-371-06, 015-

Senior Planner, Louis Cariola, summarized the staff report. The applicant proposes a Merger and
Resubdivision to a Tentative Subdivision Map with 186 lots for single family residential development, new
roadways, and associated stormwater infrastructure. The roadways will be required to be paved to the
County’s standards in order to be in compliance with County standards for new subdivisions. The
stormwater management and detention designs included in the project still require review for approval by
the County Engineer, who will ensure compliance with County standard. The subdivision will be provided
water services by the Stagecoach General Improvement District, who provided an Intent-to-Serve letter
indicating that the subdivision is within the GID’s service area and is capable of being served. The CLCFPD
will provide fire suppression services and fire hydrants throughout the development will be required.
Individual septic systems would be necessary for the new parcels, each to be approved by the Nevada
Division of Environmental Protection (NDEP). The systems will have to be de-nitrification systems per the
NDEP regulations for the area.

The development is tentatively named “SH Estates”. The smallest residential lots are 2 acres and the largest
is 17.77 acres in size with an average lot size in the proposed subdivision map of 2.45 acres. There are four
Phases proposed:

- Phase 1 includes 24 lots
- Phase 2 includes 56 lots
- Phase 3 includes 51 lots
- Phase 4 includes 39 lots

The property to be subdivided is zoned for the intended uses. The density and design of the subdivision
conforms to the requirements of the zoning regulations and is in conformance with the Master Plan.

Senior Planner, Louis Cariola, noted corrections to the Staff Report (pages 4 and 5) stating the applicant is
to install street lighting. Per the Citizen Advisory Board and public comment expressing the preference to
maintain dark skies, staff is recommending that part of Condition 19 be removed. He also noted a typo in
condition 20 referencing Dayton Valley Drainage Master Plan, it should state Lyon County Drainage
Guidelines. Page 14 of the Staff Report references installation of individual wells, which is incorrect. The
applicant will be connecting to Stagecoach GID. Mr. Cariola also noted condition 7, the road ways for the
subdivision must be paved to the satisfaction of multiple county departments. Condition 3, the developer
will provide (CC&Rs) constitute enforceable provisions necessary for operation and maintenance
roadways, stormwater until such time 90 percent of the development is completed. At which time, upon
inspection the County will accept the roadways but not the stormwater. The detention and drainage, as well
as any public common areas, will need to be maintained by a Home Owners Association.

Lisa Nash, with Christy Corporation, applicant’s representative, said they are available for questions. The
Commission did not have any further questions.

Public Comment-
Amanda Brinnand, Stagecoach resident, said the Hydrology report indicates the development will create additional flooding on surrounding parcels. She asked what the detention ponds will be constructed out of, cement or dirt, what if any effects will there be to surrounding parcel’s soil. She expressed concern with emergency access when flooding occurs, increased traffic on existing, county, non-maintained roads, road improvements and added risk for wild land fires. She expressed the importance of using WUI (Wildland Urban Interface) recommended building materials and having defensible space around structures. She also spoke about horse vs. human vehicle impact being an issue in the area and to help mitigate the issue, the public suggested fencing the entire boundary with wildlife-friendly fencing and cattle guards to keep them out of the subdivision.

Robert Butler, Stagecoach resident, stated although many of the local residents have the machinery and would be willing to help maintain the roads, they can’t due to laws prohibiting it.

Betty Retzer, Stagecoach resident, expressed concerns about increased risk for Wild Land fires with this added development, potential flooding issues, fencing being horse friendly, not adding to the flooding issues and the efficiency of an HOA or CC&R’s to maintain roads and detention ponds. She also stated she doesn’t see how the Silver Springs Schools can handle more students if they are asking for two additional buildings for administrative offices and training space. She also asked why the staff report only includes a motion for approval and not motions for continuance or denial as they used to.

Lorraine Delatorre, Stagecoach resident, expressed concerns with the quality and design of the development, size of parcels, traffic, access, added nitrates, possible well contamination and water availability, as well as detention pond capacity and HOA/CC&Rs sustainability.

Gary Handzel, Stagecoach resident, expressed concerns about increased traffic and stated the developer should work with NDOT to develop a road directly from the development to HWY 50. He urged the Commission to vote no on this project.

Applicant’s Representative, Lisa Nash with the Christy Corporation, said they have looked at and agree to all Conditions of Approval.

Commissioner Allan had a question about flooding. The applicant’s Engineer, Jason Gilles, explained how water flows from the Highway to the back of the valley and sits there. There is a playa and sand dune area at the southern portion of the property, which is loosely connected to a bigger playa farther to the East. This bigger Playa has more sagebrush growth and does not receive the same amount of water. There are numerous culverts that come across the highway to capture water and run it down the road side ditches. That water will then run south to the bigger parcels where it will recharge into the ground water like it always has. He explained if they did nothing that area would still receive a majority of the flood water for this area. With development there will be more water run off which is why they will be improving that area. Beyond retention ponds there could be alternative methods for infiltrating the water into the ground, such as rapid infiltration basins. He went on to explain how they are going to put a ditch and roadway on the back of the lots that abut Churchill Rancho Estates to capture the water as it runs north to south before it runs into the existing subdivision. He said the detention pond serves two purposes; to catch the water that is dumped by the GID well when it is exercised, and the storm water, which is why it is so big. They do not anticipate the detention pond is going to hold water for more than 24 hours. Its purpose is to catch the water, slow it down and send it farther down the valley. He went on to say this project will have to be reviewed and approved by multiple County and State entities and in his opinion no State or County entity is going to approve a project that is going to cause damage.

He said as far as the private wells, they should all have a 100 ft. seal to pull the actual water from. The ground water table near that playa is going to fluctuate. GID and State Health have to review every percolation test, septic and denitrification system and the GID is ultimately responsible for maintaining those systems. They go out twice a year and make sure they are working. The denitrification system is a way to
help avoid uploading those areas with additional nitrates. He does not anticipate any impact to the surrounding wells.

8.e. For Possible Action: To forward a recommendation to the Board of Commissioners for a Zoning Map Amendment request from Schaller Development LLC c/o Project One to change the zoning on nine (9) parcels comprising approximately 497.52 acres south of US Highway 50 in Stagecoach from RR-5 (Fifth Rural Residential District – 20 acre minimum) and RR-2 (Second Rural Residential District – 2 acre minimum) to RR-2 (Rural Residential – 2 acre minimum) in accordance with the Master Plan designation of Specific Plan (APNs: 015-365-01, 015-365-02, 015-365-03, 015-365-04, 015-371-05, 015-371-06, 015-371-07, 015-371-08, 015-451-01) PLZ-2022-206.

Commissioner Clausen motioned to forward a recommendation of approval to the Board of County Commissioners.

Commissioner Sell seconded. The motion failed with a tie vote (3 Ayes, Commissioners Clausen, Sell and Keating; 3 Nays, Commissioners Kuzmicki, Carlson and Allan; 0 Abstentions)

8.f. For Possible Action: To forward a recommendation to the Board of Commissioners for a request from Schaller Development LLC c/o Project One of a Merger and Re-subdivision/Tentative Subdivision Map of nine (9) parcels comprising approximately 497.52 acres south of US Highway 50 in Stagecoach, into 186 single family residential lots with a minimum lot size of 2 acres and a maximum size of 17.7 acres. (APNs: 015-365-01, 015-365-02, 015-365-03, 015-365-04, 015-371-05, 015-371-06, 015-371-07, 015-371-08,015-451-01) PLZ-2022-207.

After much discussion, Commissioner Sell motioned to table agenda item 8.f. due to agenda item 8.e not passing.

Commissioner Carlson seconded, the motion passed unanimously (6 Ayes; 0 Nay; 0 Abstentions)

8.g. For Possible Action- To forward a recommendation to the Board of County Commissioners for Conditional Use Permit request from Blackcomb Property Group, LLC, to allow for a Self-Storage/RV storage use at 222 Dayton Valley Road, Dayton (APN 006-091-10) PLZ-2022-213.

Senior Planner, Bill Roth, explained that the applicant has formally requested a continuance of up to 60 days to complete revisions to their proposed site plan and layout.

Commissioner Sell motioned to approve the applicant’s request for a continuance of up to 60 days.

Commissioner Clausen seconded, the motion passed unanimously (6 Ayes; 0 Nay; 0 Abstentions)

Commissioner Sell motioned to reconsider the previous motion and hear public comment. Commissioner Carlson seconded, the motion passed unanimously (6 Ayes; 0 Nay; 0 Abstentions)

Public Participation-

Lorraine Delatorre, Stagecoach resident, said she was sad to see a self-storage facility is going on such a beautiful lot.

Commissioner Sell motioned to approve the applicant’s request for a continuance of up to 60 days.

Commissioner Clausen seconded, the motion passed unanimously (6 Ayes; 0 Nay; 0 Abstentions)

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

10. Public Participation- None

11. Action Items- None
12. **Board Member Comments** - None
13. **Future Agenda Items** - None
14. **Public Comment** - None

**ADJOURN TO RECONVENE AS THE LYON COUNTY PLANNING COMMISSION**

15. **Staff update on recent County Commissioner’s actions** – Senior Planner, Louis Cariola, told the Planning Commission he and the County Manager, Andrew Haskin, will be attending the Stagecoach Town meeting regarding the Stagecoach Drainage Master Plan, February 22, 2023 at 5:00 p.m. Which will be held at the Stagecoach Community Center. He also announced the vacancy on the Planning Commission due to Commissioner Hendrix being appointed to the Board of County Commissioners.

16. **Public Participation** - There was none

17. **Adjournment**

At approximately 11:25 a.m. it was unanimously motioned to adjourn.

__________________________________________
Audrey Allan, Vice-Chairwoman

__________________________________________
Shannon Juntunen, Administrative Assistant
Lyon County Planning Commission Agenda Summary

Meeting Date: March 14, 2023

Agenda Item Number: 9.a

Subject:
For Possible Action: To approve a request from Welch 1998 Revocable Trust for a Tentative Parcel Map to subdivide an approximately 60.018-acre parcel into three (3) parcels, the smallest being 20.006 acres, located to the east of Blue Bird Way, approximately 1,320 feet to the south of the intersection of Blue Bird Way and Jessen Road in Smith Valley (APN 010-181-14) PLZ-2023-001.

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS
- Staff Report
- Backup
Lyon County Planning Commission

PLZ-2023-001: Request for a Tentative Parcel Map to divide an approximately 60.018-acre parcel into three (3) parcels, the smallest being 20.006 acres, located on the east side of Blue Bird Way, approximately 1,320 feet to the south of the intersection of Blue Bird Way and Jessen Road in Smith Valley (APN: 010-181-14).

Meeting Date: March 14, 2023

Owner(s): Welch 1998 Revocable Trust

Applicant(s): Property Owner

Representative: Edward Fuller, Meridian Surveying & Mapping, Inc.

Location: Generally located on the east side of Blue Bird Way, approximately 1,320 feet to the south of the intersection of Blue Bird Way and Jessen Road in Smith Valley.

Parcel Number: 010-181-14

Master Plan: Agriculture

Current Zoning: RR-20 (Rural Residential – 20 acre minimum) Title 15

Proposed Zoning: N/A

Flood Zone(s): X-Unshaded (area of minimal flood hazard) per FIRM 32019C0975E

Case Planner: Bill Roth

REQUEST:
The applicant is requesting a Tentative Parcel Map (TPM) to subdivide an approximately 60.018 acre lot to create three new parcels:

- Proposed Parcel 1 (approximately 20.006 acres)
- Proposed Parcel 2 (approximately 20.006 acres)
- Proposed Parcel 3 (approximately 20.006 acres)

STAFF RECOMMENDATION:
Staff recommends approval of the tentative parcel map based on the Findings listed in the staff report and subject to the recommended Conditions of Approval listed below.
RECOMMENDED MOTION:

If the Lyon County Planning Commission finds, after reviewing the staff report and considering public comment want to approve the tentative parcel map, then the Planning Commission should consider a motion similar to the following:

The Planning Commission has considered:

1. General improvement considerations for all parcel maps including, but not limited to:
   
a) Environmental and health laws and regulations concerning water and air pollution, the disposal of solid waste, facilities to supply water, community or public sewage disposal and, where applicable, individual systems for sewage disposal;

b) The availability of water which meets applicable health standards and is sufficient for the reasonably foreseeable needs of the subdivision;

c) Conformity with the zoning ordinances and master plan;

d) General conformity with the Lyon County master plan of streets and highways;

e) Physical characteristics of the land such as floodplain, slope and soil;

f) The recommendations and comments of those entities reviewing the tentative parcel map; and

g) The availability and accessibility of fire protection including, but not limited to, the availability and accessibility of water and services for the prevention and containment of fires including fires in wild lands.

2. Where an applicant proposes to create parcels of less than one acre, the commission may require additional improvements which are reasonably necessary and consistent with the use of the land if it is developed as proposed.

3. For a second or subsequent parcel map with respect to a single parcel or a contiguous tract of land under the same ownership, the commission may require any reasonable improvement up to those required for subdivisions.

Based on the aforementioned Findings 1 through 3, I move that the Lyon County Planning Commission approve subject to the following Conditions of Approval:

Conditions of Approval:

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

2. Any future development will require connection to the public right-of-way and an encroachment permit from the Lyon County Roads Department will be required.

3. The developer shall make corrections of any engineering or drafting errors and other technical map corrections to the satisfaction of the County Engineer and Planning Director prior to submitting the final parcel map for recordation.

4. 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.
5. 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.

6. 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.

7. The developer shall pay the required recording fees at time of final parcel map recordation.

8. 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.

9. The developer shall comply with Lyon County’s storm drainage guidelines (revised September 2018).

10. The developer shall comply with Lyon County improvement requirements as set forth in Chapter 15.03.03 of the Lyon County Code.

11. The developer shall comply with the requirements of the Smith Valley Fire Protection District (SVFPD) including, but not limited to conformance with the 2018 editions of the International Fire Code (IFC) and International Wildland-Urban Interface Code (IWUIC) including the 2018 Northern Nevada Amendments to both the IFC and IWUIC as applicable to the satisfaction of the Smith Valley Fire Protection District.

12. The developer shall provide documentation of the relinquishment of water rights necessary to insure an adequate water supply for residential use of the newly created parcels to the satisfaction of the State Division of Water Resources (DWR) prior to recordation of the final parcel map.

13. The final parcel map will comply with the current Lyon County standards requiring a 7.5-foot public utility easement along the front property lines and 5-foot public utility easement along all side property lines for the proposed parcels prior to recordation.

14. The following items are required of all development:
   a. All construction shall comply with all applicable building and fire code requirements.
   b. Building permits shall be issued in compliance with Title 15 of the Lyon County Code.
   c. Site development work will require a site improvement permit(s) in accordance with Title 15.234 unless directly associated with a single family residential building permit.
   d. Structures placed on these parcels shall adhere to the County’s site and setback standards for the zoning district as it applies to each parcel at the time of development.
   e. Distinct and legible “temporary” addresses are required of any structures under construction until such time as permanent address numbers are installed and posted.
   f. All debris on construction sites must be contained and removed periodically as required for safety and cleanliness to the satisfaction of the Lyon County Building Department.
   g. Prior to any combustible materials being brought on site, street name signage shall be installed, if applicable, and emergency vehicle access has been installed to the satisfaction of the Smith Valley Fire Protection District.

15. Any further division may be subject to the imposition of subdivision improvement standards as may be legally imposed at the time. The developer shall place a note to this effect on the final parcel map prior to recordation.
16. Approval of the tentative parcel map shall not constitute acceptance of the final parcel map. **Failure to submit a complete final parcel map and pay the required fees within one (1) year from the date of approval shall render the tentative parcel map approval as expired.** No extension may be granted after receiving approval of the tentative parcel map.
GENERAL INFORMATION:

Location:
The subject site is generally located on the east side of Blue Bird Way, approximately 1,320 feet to the south of the intersection of Blue Bird Way and Jessen Road in Smith Valley. The aerial map below shows the subject parcel (indicated with a star and outlined in red).

Access:
Access to the subject site is from Blue Bird Way, south of Jessen Road. Meadow Lark Road runs adjacent to the site's eastern property line.
**Topography:**
The subject site is relatively flat, gradually rising from an elevation of approximately 4,792 feet in the westernmost portion of the property to approximately 4,808 feet in the easternmost portion of the property.

**Flood Zone Designation:**
The subject site is located within Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM) Panel 32019C0975E (effective date 01/16/2009). Per the FEMA FIRM Panel, the subject site is located in zone X unshaded, meaning an area of minimal flood hazard with a 0.2% annual chance of flood hazard.
Public Facilities:
The subject site is within an area of Lyon County that has no municipal water or sewer services available to it. The applicant has provided a Not Applicable Letter stating “there is no anticipated site grading and or buildings planned on the parcels at this time. Water and Sewer service for the proposed parcels will be by individual well and septic systems.”

Background:
The subject parcel is outlined in red in the 2002 Boundary Line Adjustment survey below.
Below is a detail from the proposed Tentative Parcel Map. Each of the resulting three parcels would be approximately 20.006 acres (gross). Proposed Parcel 1 would have direct access to Blue Bird Way. Proposed Parcels 2 and 3 would have direct access to Meadow Lark Road.
STAFF REVIEW:
Chapter 15.606.07 (D) lists the Findings that the Planning Commission have to consider when reviewing tentative parcel map applications. These Findings are listed below in the staff report in bold with staff’s review of the Findings in normal type.

1. General improvement considerations for all parcel maps including, but not limited to:
   a) Environmental and health laws and regulations concerning water and air pollution, the disposal of solid waste, facilities to supply water, community or public sewage disposal and, where applicable, individual systems for sewage disposal;

Environmental and Health Regulations:
- Water Pollution: The State Department of Environmental Protection ("NDEP") regulates storm water discharges through the Stormwater Pollution Prevention Plan ("SWPPP") which is required whenever a project discharges in the Waters of the United States (WOTUS) and the project either disturbs more than one acre or disturbs less than one acre, but is part of a larger common plan for development or sale that will ultimately disturb one acre or more. A Stormwater Pollution Prevention Plan ("SWPPP") is required to be submitted and approved by the NDEP if the development of either proposed parcel would disturb more than 1 acre.
- Air Quality: Air quality is also regulated by NDEP for dust control on development projects greater than 5 acres in size through the Surface Area Disturbance ("SAD") permit. Similar to the SWPPP, the SAD would be required to be submitted and approved by the NDEP if the development proposed to disturb more than 5 acres.

Solid Waste:
Lyon County has a franchise agreement with D&S Disposal/Waste Management to deal with solid waste disposal.

**Water Supply:**
The State Division of Water Resources (“DWR”) reviews tentative parcel map applications to determine:

- Whether there is sufficient water;
- Is the manner of use correct;
- Whether the subdivision is within the correct place of use and if not, has an expansion of service area occurred or is pending;
- Verify surface versus groundwater rights;
- Check for decreed water;
- Verify water agreements between purveyors; and
- Check for drought factors; and verify Public Utilities Commission water use duties dependent on lot sizes.

Prior to the submission of a final parcel map application to Lyon County, the applicant shall acquire and relinquish to DWR sufficient water rights to adequately serve the proposed parcels to be created through the parcel map application per Chapter 15.600.05 (A)(1)(a-d, inclusive).

"15.600.05: MANDATORY WATER RIGHTS DEDICATION OR RELINQUISHMENT REQUIREMENTS:
A. All maps of land division, including parcel maps, subdivision maps and maps of division of land into large parcels, must dedicate or relinquish water rights as follows:

1. If the land encompassed by any map of land division is not within the existing boundaries of a public water system as defined in Nevada Revised Statutes 445A and the newly created parcels are to be served by domestic well:

   a. The land divider shall relinquish to the State Engineer water rights necessary to ensure an adequate water supply for domestic use of the newly created parcels from within the water basin in which the parcel is located; and

   b. The land divider shall bear all costs associated with such relinquishment; and

   c. For purposes of this section, valid underground water rights in the amount of 2.0 acre-feet per year shall be relinquished for each new parcel created by the land division; and

   d. No map of land division shall be recorded until the requirements of this section have been satisfied."

**Sewage Disposal:**
Similar to domestic water, the subject site is not close to any municipal sewer service area or infrastructure. As such, individual sewage disposal systems (septic systems) will have to be installed in order to provide sewage disposal.

b) The availability of water which meets applicable health standards and is sufficient for the reasonably foreseeable needs of the subdivision;

As noted above, a proposed parcel map must meet the minimum discretionary requirements and mandatory water rights requirements set forth in Lyon County Code Chapter 15.600.05.

The subject site is located outside of a domestic water purveyor’s service area and nowhere near any municipal water service line. As such, the applicant will need to provide documentation of the sufficient water rights relinquishment to adequately serve the proposed parcels to the satisfaction of DWR prior to recordation of the final parcel map.
c) Conformity with the zoning ordinances and master plan;

Current Zoning:
The subject parcel is zoned RR-5 (Fifth Rural Residential District - 20 acres) under Title 10 and RR-20 (Rural Residential – 20 acre minimum) under Title 15, as are the surrounding parcels (shown below). Per the Board-adopted Zoning Consistency Matrix excerpted below, the zoning district land use and development standards to be used to review projects under this zoning district are the RR-20.

<table>
<thead>
<tr>
<th>TITLE 15 ZONING CLASSIFICATION</th>
<th>CURRENT TITLE 10 ZONING CLASSIFICATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>AG: Agricultural (20 acre minimum)</td>
<td>No Consistent District</td>
</tr>
<tr>
<td>NL-A: Non-labeled Agricultural (20 acre minimum)</td>
<td>No Consistent District</td>
</tr>
<tr>
<td>RL: Reservoir Land (40 acre minimum)</td>
<td>No Consistent District</td>
</tr>
<tr>
<td>PL: Public Land (60 acre minimum)</td>
<td>No Consistent District</td>
</tr>
<tr>
<td>RR-20: Rural Residential – 20 Acre Minimum</td>
<td>No Consistent District</td>
</tr>
<tr>
<td>RR-3: Rural Residential, 5 Acre Minimum</td>
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<td>RR-2: Rural Residential, 2 Acre Minimum</td>
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<tr>
<td>RR-1: Rural Residential, 1 Acre Minimum</td>
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<td>RE-1: First Rural Residential District (1 Acre)</td>
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<tr>
<td>RE-2: Second Rural Residential District (2 Acres)</td>
<td>No Consistent District</td>
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<tr>
<td>RE-3: Third Rural Residential District (5 Acres)</td>
<td>No Consistent District</td>
</tr>
<tr>
<td>RE-4: Fourth Rural Residential District (10 Acres)</td>
<td>No Consistent District</td>
</tr>
<tr>
<td>RE-5: Rural Residential, 5 Acre Minimum</td>
<td>No Consistent District</td>
</tr>
<tr>
<td>RE-6: Rural Residential, 2 Acre Minimum</td>
<td>No Consistent District</td>
</tr>
<tr>
<td>RE-7: Rural Residential, 1 Acre Minimum</td>
<td>No Consistent District</td>
</tr>
<tr>
<td>RE-8: Rural Residential, 0.5 Acre Minimum</td>
<td>No Consistent District</td>
</tr>
<tr>
<td>RE-9: Rural Residential, 0.25 Acre Minimum</td>
<td>No Consistent District</td>
</tr>
<tr>
<td>RE-10: Rural Residential, 0.1 Acre Minimum</td>
<td>No Consistent District</td>
</tr>
</tbody>
</table>

As previously shown above in the detail from the proposed Tentative Parcel Map, the proposed parcels would comply with the minimum 20 acre minimum lot size requirement for the RR-20 zoning district in Title 15. Conformance with the development and performance standards for any proposed future uses would be reviewed as part of the development review processes for the land use entitlements in Title 15 (i.e., detached single family residential building permits).

Master Plan:
The subject site is located within an area of Smith Valley that the 2020 Comprehensive Master Plan designates as Agriculture (the subject site is indicated with a star in the image below).
The table below from Chapter 3 of the 2020 Comprehensive Master Plan describes the Agriculture land use designation as follows:

<table>
<thead>
<tr>
<th>Title 10 Zoning</th>
<th>Title 15 Zoning</th>
<th>Density Range/Size</th>
<th>Description/Characteristics</th>
<th>Examples of Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>RR-5 (RR-20)</td>
<td>AG</td>
<td>1 DU per 20 acres (0.05DU/acre)</td>
<td>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.</td>
<td>Irrigated land used in the production of crops and pasture, and having requisite water rights.</td>
</tr>
</tbody>
</table>

The proposed Tentative Parcel Map would be in compliance with the 2020 Comprehensive Master Plan. No new uses are proposed that would be inconsistent with the goals and policies of the Master Plan or with the applicable RR-20 zoning district.

d) General conformity with the Lyon County master plan of streets and highways;

There are no roadway infrastructure improvements indicated by the map in the area where the subject parcel is located. As such, the proposed parcel map would be in general conformance with the Lyon County 2020 Comprehensive Master Plan Transportation Network Plan.

e) Physical characteristics of the land such as floodplain, slope and soil;

The applicant has provided a Not Applicable Letter stating “There is no anticipated site grading and or buildings planned at this time, therefore a soils report should not be required. It would be more appropriate for soils reports to be prepared for each parcel at such time that any building permits may be applied for in the future.” As previously stated in this report, the site topography is flat and the site is located in an area of minimal flood risk, such that a soils report is not necessary at this time. No changes are proposed that would alter existing drainage conditions.

f) The recommendations and comments of those entities reviewing the tentative parcel map; and

The Applicant’s submittal was shared with the Nevada Department of Environmental Protection, Lyon County Roads, Nevada Department of Transportation, Smith Valley Fire Protection District (“SVFPD”), and other reviewing agencies, but no comments were received regarding the tentative parcel map application.

g) The availability and accessibility of fire protection including, but not limited to, the availability and accessibility of water and services for the prevention and containment of fires including fires in wild lands.

Conformance with the 2018 editions of the International Fire Code (IFC) and International Wildland-Urban Interface Code (IWUIC) including the 2018 Northern Nevada Amendments to both the IFC and
IWUIIC is required, as applicable. The proposed parcels are more than 1,000 feet from a water source available for use in the event of an emergency.

2. Where an applicant proposes to create parcels of less than one acre, the commission may require additional improvements which are reasonably necessary and consistent with the use of the land if it is developed as proposed.

The applicant is proposing to create three parcels, each greater than one acre.

3. For a second or subsequent parcel map with respect to a single parcel or a contiguous tract of land under the same ownership, the commission may require any reasonable improvement up to those required for subdivisions.

The applicants are aware of this possibility/likelihood of this requirement.

Project Description and Justification of Findings

Project Description
Application is being made for a Tentative Parcel Map to divide an existing 60.018 Acre parcel, APN 010-181-14, being a division of Adjusted Parcel 3 of Record of Survey Boundary Line Adjustment for Hunewill Land and Livestock, Inc. and Roland Faferek Trust, recorded June 14, 2002, as File No. 278339 Official Records of Lyon County, Nevada. Said parcel being situate within a portion of the Northeast Quarter (NE1/4) of Section 31, Township 12 North, Range 24 East, Mount Diablo Meridian. The subject parcel is owned by the Welch 1998 Revocable Trust, dated January 20, 1999, who desires to divide the existing parcel into three (3) parcels being 20.006 acres each.

The FEMA floodplain designation for this property is Zone X (unshaded) per FEMA FIRM Panel 32019C0975E, having an effective date of January 16, 2009. Water and Sewer service for the proposed parcels will be by individual wells and septic systems.

15.606.07(D) – Findings for tentative parcel maps
Prior to approving a tentative parcel map, the Planning Commission shall determine that the following are or will be adequately provided for:

1. General improvement considerations for all parcel maps including, but not limited to:
   a. Environmental and health laws and regulations concerning water and air pollution, the disposal of solid waste, facilities to supply water, community or public sewage disposal and, where applicable, individual systems for sewage disposal;

Response
There are no public improvements proposed with this tentative parcel map application, the parcels will be served by individual wells and septic disposal systems that will meet current environmental and health requirements and regulations.
b. The availability of water which meets applicable health standards and is sufficient for the reasonably foreseeable needs of the subdivision;

Response
The proposed parcels will be served by individual wells, sufficient water rights shall be purchased and/or transferred to the Nevada State Engineer’s office sufficient to serve the newly created parcels.

c. Conformity with the zoning ordinances and master plan;

Response
The proposed land division is in conformance with current zoning and consistent with the master plan.

d. General conformity with the governing body’s master plan of streets and highways;

Response
The subject property is adjacent to and easterly of Blue Bird Way. The newly created parcels are proposed to be accessed from a 50 foot wide private access & utility easement along the southerly line of Parcel 1. Parcels 1 and 2 also have existing access per Document No. 266319 along the northerly line of the subject property and Parcels 2 and 3 also have access per a 60 foot wide Right-of-Way per BLM Serial no. N-83296 along the easterly line of the subject property.

e. Physical characteristics of the land such as floodplain, slope and soil;

Response
The subject property is not in a designated floodplain and is generally level natural ground. The are no existing drainage ways through the subject property.

f. The recommendations and comments of those entities reviewing the tentative parcel map;

Response
Recommendations and comments to be provided separately by each reviewing entity.

g. The availability and accessibility of fire protection including, but not limited to, the availability and accessibility of water and services for the prevention and containment of fires in wild lands;
Response
Fire protection provided by Smith Valley Fire Station No. 42, located approximately 5.3 miles southwesterly from the subject property and Smith Valley Fire Station No. 40, located approximately 8 miles southeasterly from the subject property.

2. Where an applicant proposes to create parcels of less than one (1) acre, the commission may require additional improvements which are reasonably necessary and consistent with the use of the land if it is developed as proposed.

Response
Not applicable, minimum proposed parcel size is larger than 1 acre.

3. For a second or subsequent parcel map with respect to a single parcel or a contiguous tract of land under the same ownership, the commission may require any reasonable improvement up to those required for subdivisions.

Response
There will not be any further parcel divisions allowed per the current zoning for the subject property.

If you have any questions, please contact me at (775) 842-3690 or andy@meridiensurveyor.com

Sincerely,

Meridian Surveying and Mapping, Inc.

Edward “Andy” Fuller, PLS
SITE PHOTOGRAPHS

TENTATIVE PARCEL MAP

FOR

Welch 1998 Revocable Trust

Smith Valley, Nevada

APN: 010-181-14

Southeast corner proposed Parcel 1 looking Westerly.
Approximate SE Corner proposed Parcel 1 looking Northwesterly.

Approximate SE Corner proposed Parcel 1 looking Northerly.
Approximate SE Corner proposed Parcel 1 looking Northeasterly.

Approximate SE Corner proposed Parcel 1 looking Southeasterly.
Approximate SE Corner proposed Parcel 1 looking Southerly.

Southeast corner proposed Parcel 1 looking Southwesterly.
Approximate Center of Section 31 looking Easterly.

Approximate Center of Section 31 looking Northerly.
Grant, Bargain, Sale Deed

(Title of Document)

Please complete Affirmation Statement below:

☐ I the undersigned hereby affirm that the attached document, including any exhibits, hereby submitted for recording does not contain the social security number of any person or persons. (Per NRS 239B.030)

-OR-

☐ I the undersigned hereby affirm that the attached document, including any exhibits, hereby submitted for recording does contain the social security number of a person or persons as required by law: ________________________

(State specific law)

** Re-record correcting vesting name of trust from Gregg Leroy Welch and Tami Lynn Welch, Trustees of the Welch 1999 Revocable Trust dated January 20, 1999 to Gregg Leroy Welch and Tami Lynn Welch, Trustees of the Welch 1998 Revocable Trust, dated January 20, 1999**

Escrow assistant

Signature: ________________________
Print Signature: Stephanie Munoz
Title: ________________________

This page added to provide additional information required by NRS 111.312 Sections 1 - 2 and NRS 239B.030 Section 4.
GRANT, BARGAIN, SALE DEED

THIS INDENTURE WITNESSETH: That John Gagne and Monica Gagne, husband and wife, as joint tenants, with right of survivorship for valuable consideration, the receipt of which is hereby acknowledged, does hereby Grant, Bargain, Sell and Convey to Gregg Leroy Welch and Tami Lynn Welch, Trustees of the Welch 1998 Revocable Trust, dated January 20, 1999, all that real property situated in the County of Lyon, State of Nevada, bounded and described as follows:

All that certain real property being a portion of the NE 1/4 of Section 31, T 12 N, R 24 E, M.D.B.&M. located in the County of Lyon, State of Nevada. More particularly described as follows:

Commencing at the center of Section 31, T 12 N, R 24 E, M.D.B.&M., marked with a 5/8" rebar and brass tag stamped PLS 4248; thence, running along the west line of the NE 1/4 of said Section 31, North 0 48'17" West 658.11 feet to the point of beginning, marked with a 5/8" rebar and alum cap stamped PLS 12468; thence North 89°28'32" East, 1246.45 feet to a point marked with a 5/8" rebar and alum cap stamped PLS 12468; thence, South 00°54'07" East, 553.58 feet to a point marked with a 5/8" rebar and alum cap stamped PLS 12468; thence North 87°59'10" East, 1412.76 feet to a point marked with a 5/8" rebar and brass tag stamped PLS 4248; thence, North 00°59'56" West 1216.17 feet to a point marked with a 5/8" rebar and alum cap stamped 12468; thence South 89°28'32" West 2655.73 feet to a point marked with a 5/8" rebar and alum cap stamped PLS 12468; thence South 00°48'17" East 899.29 feet to the point of beginning.

Said parcel as further delineated on Lyon County Record of Survey Map, recorded on June 14, 2002 as Document No. 278339.

NOTE: The above metes and bounds description appeared previously in that certain Grant Bargain and Sale Deed recorded in the office of the County Recorder of Lyon County, Nevada on February 24, 2011, as Document No. 472591 of Official Records.

*SUBJECT TO:
1. Taxes for the fiscal year;
2. Reservations, restrictions, conditions, rights, rights of way and easements, if any of record on said premises.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversion, remainders, rents, issues or profits thereof.

(One inch Margin on all sides of Document for Recorder's Use Only)
GRANT, BARGAIN, SALE DEED

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All that certain real property being a portion of the NE 1/4 of Section 31, T 12 N, R 24 E, M.D.B.&M. located in the County of Lyon, State of Nevada. More particularly described as follows:

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Said parcel as further delineated on Lyon County Record of Survey Map, recorded on June 14, 2002 as Document No. 278339.

NOTE: The above metes and bounds description appeared previously in that certain Grant Bargain and Sale Deed recorded in the office of the County Recorder of Lyon County, Nevada on February 24, 2011, as Document No. 472591 of Official Records.

*SUBJECT TO:
1. Taxes for the fiscal year;
2. Reservations, restrictions, conditions, rights, rights of way and easements, if any of record on said premises.

(One inch Margin on all sides of Document for Recorder's Use Only)
Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, remainders, rents, issues or profits thereof.

Dated: 12/20/2021

SIGNATURES AND NOTARY ON PAGE 3
THIS GRANT BARGAIN SALE DEED MAY BE SIGNED IN COUNTERPART.

(One Inch Margin on all sides of Document for Recorder's Use Only)
State of Florida
County of Collier

This instrument was acknowledged before me on the 20th day of December, 2021 by John Gagne and Monica Gagne.

Signature: Notary Public
My Commission Expires: 11/23/22

(One inch Margin on all sides of Document for Recorder's Use Only)
Lyon County Community Development
Planning Division
27 S. Main Street
Yerington, NV 89447

**Project:** Tentative Parcel Map for Welch 1998 Revocable Trust, APN 010-181-14.

Please consider this letter our statement of reasons for items not applicable that may be required by the submittal checklist but are not included with this application on behalf of our clients, Gregg and Tami Welch, trustees of the Welch 1998 Revocable Trust, in regard to the above referenced Tentative Parcel map Application.

**Checklist Item 12. Drainage Report:**

The intent of a conceptual grading plan is to show existing topographic features of the site and any proposed site grading to demonstrate the drainage design conceptually. The existing subject parcel is a 60.018 acre vacant parcel to be divided into three parcels being 20.006 acres each. The existing topography of the site gently slopes from Northeast towards the Southwest on the property. There is no anticipated site grading and existing drainage conditions will remain as is, therefore a Drainage Report should not be required at this time. It would be more appropriate for individual site grading plans and drainage studies for each parcel at such time that any building permits may be applied for in the future.

**Checklist Item 13. Traffic Study:**

The subject property is located within the Smith Valley Land Use area, with a designation of Agricultural use. This area of the Smith Valley is a very low-density rural area which primarily is used for Agricultural purposes. Vehicular access to the subject property is from Jesson Road northerly of the subject property or Meadow Lark Road adjacent to the easterly property line.

The proposed land division;

1. Will not generate 80 or more peak hour trips.
2. Will not generate 500 or more trips per day.
3. Will not be phased.
4. Is not near a school, community shopping, historic area.
5. Does not contribute to the need for traffic or signal improvements.
This proposed land division would have minimal impact or add to current traffic on Jessen Road, Blue Bird Way or Meadow Lark Road, therefore a Traffic Study should not be required.

**Checklist Item 14. Soils Report:**

The intent of a soils report is to identify any unsatisfactory soil conditions and recommend design criteria that address them and allows structural engineers to design site improvements based on the report’s criteria. The existing subject parcel is 60.018 acres to be divided into three parcels of 20.006 acres each. The existing use of the site is vacant natural ground. There is no anticipated site grading and or buildings planned at this time, therefore a soils report should not be required. It would be more appropriate for soils reports to be prepared for each parcel at such time that any building permits may be applied for in the future.

**Checklist Item 19. Intent to Serve/Will Serve Letters/Utility Statements:**

The existing subject parcel is vacant natural ground, there is an existing overhead powerline along the westerly property line adjacent to Blue Bird Way. There is no anticipated site grading and or buildings planned on the parcels at this time. Water and Sewer service for the proposed parcels will be by individual well and septic systems, propane service is proposed for heat and cooking. Utility Will Serve letters or statements would only be necessary if there was planned development on the proposed parcels. It would be more appropriate for Will Serve letters to be prepared for each parcel at such time that any building permits may be applied for in the future.

If you have any questions, please contact me at (775) 842-3690.

Sincerely,

Meridian Surveying and Mapping, Inc.

Edward “Andy” Fulier, PLS
Lyon County Planning Commission Agenda Summary

Meeting Date: March 14, 2023

Agenda Item Number:
9.b

Subject:
For Possible: To forward a recommendation to the Board of Commissioners for a Zoning Map Amendment request from Microsoft Corporation to change the zoning on five (5) parcels comprising approximately 30.88 acres in Silver Springs from RVP (Recreational Vehicle Park District), MHP (Mobile Home Park District) and C-1 (Limited Commercial District) to NC (Neighborhood Commercial) in accordance with the existing Master Plan designation of Commercial (APNs: 018-551-03, 081-551-04, 018-552-01, 018-552-02, & 015-141-04) PLZ-2023-002.

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS
  - Staff Report
  - Backup
  - Advisory Board letter of transmittal
Lyon County Planning Commission

PLZ-2023-002

Proposed Action: Zoning Map Amendments

Meeting Date: March 14, 2023

Owner: Microsoft Corporation

Applicant: Microsoft Corporation

Representative: Wood Rodgers / Stacie Huggins

Community: Silver Springs

Locations: North of US Highway 50, ~1/3 mile west of the intersection with US Highway 95A


Parcel Sizes (~acres): 5.08 ac., 5.08 ac., 5.07 ac., 5.07 ac., 10.57 respectively—Total: ~30.88 acres

Master Plan: Employment

Current Zoning: RVP (Recreational Vehicle Park), MHP (Mobile Home Park) and C-1 (Limited Commercial District)

Proposed Zoning: NC (Neighborhood Commercial)

Flood Zone(s): X - Unshaded per FIRM 32019C0211E

Case Planner: Louis Cariola

REQUEST

Microsoft Corporation requests a Zoning Map Amendment to change the zoning on five (5) parcels comprising approximately 30.88 acres in Silver Springs from RVP (Recreational Vehicle Park District), MHP (Mobile Home Park District) and C-1 (Limited Commercial District) to NC (Neighborhood Commercial) in accordance with the existing Master Plan designation of Commercial (APNs: 018-551-03, 081-551-04, 018-552-01, 018-552-02, & 015-141-04) PLZ-2023-002.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission forward a recommendation of approval of the rezoning requests 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 should forward a recommendation of approval of the requested zoning map amendment applications, 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;

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

Based on the aforementioned Findings, I move that the Lyon County Planning Commission forward a recommendation of approval to the Lyon County Board of Commissioners for Zoning Map Amendment requests by Microsoft Corporation to change the zoning on five (5) parcels comprising approximately 30.88 acres in Silver Springs from RVP (Recreational Vehicle Park District), MHP (Mobile Home Park District) and C-1 (Limited Commercial District) to NC (Neighborhood Commercial) in accordance with the existing Master Plan designation of Commercial (APNs: 018-551-03, 081-551-04, 018-552-01, 018-552-02, & 015-141-04) PLZ-2023-002.
BACKGROUND AND PROPERTY INFORMATION

Location, Access, and Size

The subject parcels are located in Silver Springs directly northeast of the Silver Springs Airport, across Highway 50. The subject site consists of five (5) parcels located approximately 1/3 mile west of the intersection of US Highway 50 and US 95A and 2 miles east of the intersection of US Highway 50 and USA Parkway. More specifically, the subject site includes APN’s 018-551-03, 081-551-04, 018-552-01, 018-552-02, & 015-141-04 consisting of a total of approximately 30.88 acres in total.

The five parcels are depicted on two separate County Plat maps, as shown below.
The five subject parcels are adjacent to three (3) others to the west that are all also owned by Microsoft Corporation. The other three parcels outlined below were the subject of Zone Change Amendments via Lyon County file number PLZ-2022-184. The zone changes resulted in Service Industrial (SI) zoning being ascribed.

Current Use and Topography

The subject parcels are vacant. The slopes on the subject parcels ranges between 5 percent and 20 percent towards Highway 50. Vegetation is moderate consisting of brush, weeds, and grasses.

Utilities

**Water Service**
The subject site is within the Silver Springs Mutual Water Company (SSMWC) service territory with the closest existing services located on Rhyolite Drive between Elm Street and Carson Street, approximately 800 feet to the east.

**Sewer Service**
The Silver Springs General Improvement District (GID), operated by the Lyon County Utilities Department, will serve the subject site. The GID stated there is an existing 8” sanitary sewer line in Rhyolite Lane and in the frontage road at its intersection with Deodar Street in the southeast corner of the project site

**Police and Fire**
Sheriff and fire services are currently provided by Lyon County and are available in the area given the proximity of the subject site to the Silver Springs intersection of Highways 50 and 95A, approximately 1/3 east of the subject parcels.
Character District and Master Plan Designation

The Character District for the subject parcels is Suburban, as are the surrounding properties.

The Master Plan designation for the site is Commercial (red below, with subject parcels bound in green). Surrounding land uses include Commercial to the east, Employment to the west and south, and Rural Residential and Low Density Residential to the north. The Airport parcel is labeled below as Public/Quasi Public.
Current Zoning

The existing zoning of the subject parcels and the surrounding parcels are displayed in the Existing Zoning and Proposed Zoning images below, taken from the Applicant’s submittal materials and in accordance with “conversions” of all zoning districts using the Zoning Consistency Matrix, adopted in 2018 with Title 15. The current zoning on the subject parcels are from the County’s expired Development Code, Title 10. They are comprised of Recreational Vehicle Park (RVP), Mobile Home Park (MHP) and Limited Commercial (C-1). Per the Consistency Matrix, only the C-1 district has a corresponding district in Title 15, as outlined in the Matrix (excerpts below). Notably, the C-1 district applicable to the largest subject parcel (APN 015-141-04 at 10.57 acres on the south) is already subject to NC (Neighborhood Commercial) zoning standards and would not technically require a Zone Change, but for the sake of consistency, all five parcels are proposed for amendment to the same zoning.

**Exhibit A**
Zoning Consistency Matrix

<table>
<thead>
<tr>
<th>TITLE 15 ZONING CLASSIFICATION</th>
<th>CURRENT TITLE 10 ZONING CLASSIFICATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>No Consistent District</td>
<td>RVP, Recreational Vehicle Park District</td>
</tr>
<tr>
<td>No Consistent District</td>
<td>MHP, Mobile Home Park District</td>
</tr>
<tr>
<td>NC, Neighborhood Commercial</td>
<td>C-1, Limited Commercial District</td>
</tr>
</tbody>
</table>

Existing Zoning
PROPOSED ZONING

The applicant proposes to change the existing zoning for all five parcels to NC (Neighborhood Commercial). As outlined in the 2020 Master Plan the existing zoning for the four northern parcels is not compatible with the Master Plan designation of Commercial: the southerly parcel, zoned C-1, is/would be consistent.

The screenshot below is from Chapter 3 of the Master Plan, *Land Use, Economy and Growth*. The table depicts which zoning districts are compatible with Master Plan designations, specifically listing NC in the section for Commercial land use as consistent.

2020 Master Plan - Table 2: Land Use Table

<table>
<thead>
<tr>
<th>Title 10 Zoning</th>
<th>Title 15 Zoning</th>
<th>Density Range/Size</th>
<th>Description/Characteristics</th>
<th>Examples of Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>C-1 (NC)</td>
<td>NC PUD*</td>
<td>Dependent on Character District Typically around 5 acres, but may vary, ranging from as small as 1-3 acres to as large as 10-15 acres.</td>
<td>Neighborhood commercial is intended to provide a range of services. It will vary in scale and character. Smaller, limited use centers may be fully integrated into the surrounding neighborhood and be accessed primarily by pedestrian or bicycle; while larger centers will function more independently, providing ample parking and numerous stores.</td>
<td>Supermarkets, restaurants, movie rentals, dry cleaners, drugstores, filling stations, smaller specialty shops, retail and health services and business and professional offices.</td>
</tr>
<tr>
<td>C-2 (CC)</td>
<td>CC RC PUD*</td>
<td>Typically between 10 and 30 acres.</td>
<td>Community/Regional commercial will occur in suburban character districts. It is a mix of retail and commercial services in a concentrated and unified center that serves the local community. It may also include larger retail centers with unique stores or characteristics that serve as a regional draw and “one-stop shop” setting. Single use highway-oriented commercial activities will continue to occur in some areas. However, the county generally discourages that pattern of development.</td>
<td>Typically anchored by large format national retailers, which may provide sales of a variety of general merchandise, grocery, apparel, appliances, hardware, lumber, and other household goods, often under one roof.</td>
</tr>
</tbody>
</table>
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. Underlined sections of the Applicant’s response are especially pertinent to the Staff Comment that follows.

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.**

*Applicant’s Response (underline added)*

The proposed zoning map amendment from Recreational Vehicle Park (RVP), Mobile Home Park (MHP), and Limited Commercial (C-1) to Neighborhood Commercial (NC) is consistent with the intended character of the Commercial Master Plan designation, which encourages a range of services with larger centers functioning more independently of the surrounding neighborhood providing areas of employment combined with a mix of complementary commercial uses. The following Master Plan policies support the proposed amendment:

*Policy LU 1.1: Follow Development Patterns as Established in the Land Use Plan*

- The Land Use Plan identifies this area as Commercial and the proposed NC zoning is conforming with this designation. Furthermore, the NC zoning designation allows a wide range of uses for the site and provides greater flexibility and options for future development.

*Policy LU 3.1: Diverse Economic Base*

- The proposed amendment to NC supports potential future development which could bring a broader range of employment opportunities and economic diversification to the Silver Springs area.

*Policy LU 3.2: Business and Industry Locations that are Consistent with Future Land Use Plan*

- The proposed amendment supports potential Neighborhood Commercial (NC) uses in an area with a Commercial land use designation. Additionally, the NC zoning designation provides a transition in intensity from the Service Industrial (SI) parcels to the west and the Multiple Residence Non-rural Residential (NR-2 and C-2) to the east. Pending approval of the zone change to NC, future development of the site would be consistent with the County’s vision for land uses and suitable with surrounding development.

*Policy FS 1.1: Location of New Development*

- As noted previously, the subject site is currently within the service boundary of the Silver Springs Mutual Water Company (SSMWC) and initial discussions with them indicate that services are located approximately 800 feet to the east. The capacity would be evaluated with the proposal of a project but initial indications suggest that these can be extended to the site upon development and are a logical extension of the current services avoiding distant and costly extensions.

**Staff Comment**

The applicant’s Response to Finding A (and their entire submittal package) refer to the Title 15 zoning districts that correspond to existing zoning districts from Title 10. Per the Consistency Matrix, adopted in 2018 with Title 15, the applicant’s “conversions” are correct and consistent with Lyon County Code. Based on the 2020 Master
Plan’s Goals, Policies and Strategies quoted above, as well the Land Use Table in Chapter 3, staff believes the proposed zoning map amendment is consistent with the Master Plan. This Finding may be made in the affirmative.

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

*Applicant’s Response (underline added)*

The proposed NC designation is in conformance with the underlying master plan and is consistent with the anticipated future development of the area, providing a potential of ±30.88 acres of additional commercial development. Furthermore, the subject site is currently in the Water Company service area, and services are a logical extension and can be extended into the site to serve future development as allowed under the NC zoning category. The proposed amendment will support future development which will be

**Staff Comment**

The subject parcels are bisected by Rhyolite Lane, which provides connectivity to Elm Street and Deodar Street to the east. Deodar Street, which runs along the east/southeast boundary of the subject parcels provides access to a frontage road that extends along the north side of US Highway 50 and provides direct access to the Highway and emergency responses for Fire, Police, and Ambulance services. Primary access will come from the east via Rhyolite Lane with secondary access from Rhyolite Lane to the west via the adjacent property. Additional secondary accesses will be evaluated once development of the adjacent property is proposed.

The Silver Springs Mutual Water Company (SSMWC) will provide water service to the subject parcels and will mandate improvements and upgrades as required by future development proposals.

The Silver Springs General Improvement District (GID) may also need expansion of existing sewer facilities to accommodate future development, but can now serve the parcel locations.

The proposed amendment is not inconsistent with the public facilities policies of Title 15 and this Finding may be made in the affirmative.

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

*Applicant’s Response (underline added)*

As noted previously, the proposed zone change to NC is a conforming designation and is in conformance with the underlying master plan land use designation of Commercial. Furthermore, the proposed zoning will be compatible with the Employment and adjacent Commercial land use designations in the area. More specifically, the proposed amendment to NC is compatible with the master planned adjacent uses as the properties to the east of the subject site hold the same master plan designation of Commercial.

The parcels to the west and north have a master plan designation of Rural Residential. When development of the subject properties is proposed, the Applicant will be subject to Lyon County Development Code Standards to ensure appropriate buffers are in place between the Rural Residential properties and any intense uses that would adversely impact future residential development.

**Staff Comment**

The parcels surrounding the subject parcels are largely vacant. The Master Plan designations surrounding the subject parcels include Employment, Commercial, and Rural Residential. To the west, the commonly owned (Microsoft Corporation) parcels will likely be developed with these parcel’s future to be considered as part of a larger project (although no project is currently under review). If and when development of the subject parcels is proposed, the applicant will be subject to Lyon County development standards to ensure appropriate buffers are in place between the Rural Residential lands and any intensive uses that could impact future residential development. The NC zoning district permits the types of uses that provide an appropriate transition between potential industrial development to the west and residential developments (potentially) to the north and east. Considering these facts, this Finding may be made in the affirmative.
Executive Summary
Applicant: Microsoft Corporation
APN Numbers: 018-551-03, 081-551-04, 018-552-01, 018-552-02, & 015-141-04
Location: The subject site is located north of US Highway 50 with access directly from Deodar Street, just west of the intersection of Rhyolite Lane and Elm Street.

Location
The subject site is located in Silver Springs directly northeast of the Silver Springs Airport. The subject site consists of five (5) parcels located approximately one-half mile west of the intersection of US Highway 50 and US 95A and 2 miles east of the intersection of US Highway 50 (US 50) and USA Parkway. More specifically, the subject site includes APN’s 018-551-03, 081-551-04, 018-552-01, 018-552-02, & 015-141-04 consisting of a total of approximately 30.88 acres. A vicinity map and aerial map identifying the subject site and boundary is included in Section 3 of this application.

Master Plan and Zoning
The Lyon County Master Plan identifies the subject parcels within the Silver Springs Suburban Character District. More specifically, the properties have a master plan designation of Commercial and zoning designations of Recreational Vehicle Park (RVP), Mobile Home Park (MHP) and Limited Commercial (C-1).

Surrounding land uses include Commercial to the east, Employment to the west and south, and Rural Residential and Low Density Residential to the north. Zoning includes Multiple Residence Nonrural Residential (NR-2) and General Commercial (C-2) to the east, Multiple Zoning District (MULT) to the south (across US 50), Service Industrial (SI) to the east, and Rural Residential 20 acres (RR-5) and Rural Residential 2 acres (RR-2) to the north (refer to Land Use and Existing Zoning maps in Section 3 of this submittal packet).

Project Request
The applicant is seeking a zoning map amendment (ZMA) on the subject parcels from RVP, MHP, and C-1 to Neighborhood Commercial (NC). It should be noted that the Title 10 Limited Commercial District (C-1) designation is in direct conformance to the Title 15 Neighborhood Commercial (NC) designation in accordance with Exhibit A; Zoning Consistency Matrix. For the purpose of this request, we will refer to the Title 15 NC zoning designation throughout the document. It should also be noted that the portion included in this request with a zoning designation of C-1 is for administrative purposes since the NC and C-1 zoning designation are interchangeable. This designation from C-1 to NC will ensure clarity and conformance with the updated Title.

At this time there is no development project associated with the request. However, per the Lyon County code, the purpose of the NC district is to provide a range of services, ranging in scale and character from small, limited use centers that are fully integrated into the surrounding neighborhood to larger centers that may function independently of the surrounding neighborhood with ample parking and numerous retail and service stores (refer to Existing Zoning and Proposed Zoning maps in Section 3 of this submittal packet).

Site Characteristics
The subject site is vacant and is surrounded by primarily vacant land. Deodar Street borders the southeast boundary, and the northern portion of the site is bisected by Rhyolite Lane both roads are unpaved dirt roads.
Site slopes range between 5 percent and 20 percent and slope south towards US 50. Surface drainage consists of sheet flow as well as several natural drainages that flow north to south across the subject area. Vegetation is moderate consisting of brush, weeds, and grasses with several dirt roads crossing the property. Underground utilities and overhead powerlines are also present on the project site.

**Project Details**
The Applicant is seeking a zone change from the existing Recreational Vehicle Park (RVP), Mobile Home Park (MHP) and Limited Commercial (C-1) to Neighborhood Commercial (NC) to support future development of the site. This zoning designation will also bring the MHP zoned portion of the project site into conformance with the underlying Commercial master plan designation.

The zoning is in conformance of the Master Plan which designates the subject properties as part of the Silver Springs Suburban Character District encouraging commercial uses. The zone change from C-1 to NC will bring the site into conformance with the Title 15 Code update. Areas designated as Commercial are generally intended for commercial type uses ranging between 1-30 acres in size. Larger commercial designated areas, as described under the NC zoning designation, are intended to provide a range of services that will function more independently than smaller commercial areas and function independently of the surrounding neighborhood. Per Table 15.320-2 of the Lyon County Land Use and Development Code, examples of uses that would be allowed under the NC zoning (and conform with the Commercial master plan) would include business and professional office, general retail, power transmission lines (60 kV or greater), supermarkets, drugstores, filling stations, utility substations, government buildings and a range of other neighborhood commercial services and operations.

The requested change will allow the site to be developed with uses that are aligned with the characteristics noted previously. Although there is no formal project at this time, NC zoning provides a broader array of allowed land uses than the current RVP & MHP zoning and will help provide a transition between the Service Industrial zoning to the west (SI) and the Multi-Family zoning to the east (NR-2) thus providing the Applicant greater flexibility of developing the site in the future with the appropriate transition for the surrounding properties.

**Access and Circulation**
The subject site is bisected by Rhyolite Lane and provides connectivity to Elm Street and Deodar Street to the east. Deodar Street, which runs along the southeast boundary, and provides access to an NDOT frontage road that extends along the north side of US 50 and provides direct access to US 50. Primary access will come from the east via Rhyolite Lane with secondary access from Rhyolite Lane to the west via the adjacent property. Secondary access will be evaluated once development of the adjacent property is proposed.

While there is no formal project associated with this request, it is likely that as the site is developed in the future. Access will come from the east via Rhyolite Lane to Deodar Street or Elm Street. Primary site access will be determined at a later time and would depend on the type of project proposed and the timing of the surrounding development. The Applicant understands that at the time of future development, roads will need to be developed in accordance with Lyon County street standards.

**Utilities and Public Facilities**
With on-going growth in the area, infrastructure is available or can be extended in the future.

*Water Service:* The subject site is within the Silver Springs Mutual Water Company (SSMWC) service territory with the closest existing services located on Rhyolite Drive between Elm Street and Carson Street, approximately
800 feet to the east between APN 018-082-05 and 018-161-06. This can be extended to the site to serve the development. However, should increase demand be needed, SSMWC will require the developer to extend a new 8” water main along Ranchito Drive to Elm Street to the frontage road to serve the subject site from the southeast corner. On-site infrastructure will be required to meet storage and pressure requirements for the future development.

**Sewer Service:** The Silver Springs General Improvement District (GID), operated by the Lyon County Utilities Department, will serve the subject site. Data provided by the GID indicate there is an existing 8” sanitary sewer line in Rhyolite Lane and in the frontage road at its intersection with Deodar Street in the southeast corner of the project site. Any future development of the subject properties would require an on-site extension to either of these points of connection. The existing sewer system in the vicinity gravity drains to the wastewater treatment facility, which is located approximately 1.1 miles due east from the latter point of connection.

**Police and Fire:** In terms of public facilities, fire and sheriff service is currently provided by Lyon County and is available in the area given the proximity of the subject site to the Silver Springs Airport and other existing development in the general vicinity.
FINDINGS
When approving a zoning text or map amendment the commission and the board must make the following findings, supported by a statement of evidence, facts, and conclusions.

A. That 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;

Response: The proposed zoning map amendment from Recreational Vehicle Park (RVP), Mobile Home Park (MHP), and Limited Commercial (C-1) to Neighborhood Commercial (NC) is consistent with the intended character of the Commercial Master Plan designation, which encourages a range of services with larger centers functioning more independently of the surrounding neighborhood providing areas of employment combined with a mix of complementary commercial uses. The following Master Plan policies support the proposed amendment:

Policy LU 1.1: Follow Development Patterns as Established in the Land Use Plan
- The Land Use Plan identifies this area as Commercial and the proposed NC zoning is conforming with this designation. Furthermore, the NC zoning designation allows a wide range of uses for the site and provides greater flexibility and options for future development.

Policy LU 3.1: Diverse Economic Base
- The proposed amendment to NC supports potential future development which could bring a broader range of employment opportunities and economic diversification to the Silver Springs area.

Policy LU 3.2: Business and Industry Locations that are Consistent with Future Land Use Plan
- The proposed amendment supports potential Neighborhood Commercial (NC) uses in an area with a Commercial land use designation. Additionally, the NC zoning designation provides a transition in intensity from the Service Industrial (SI) parcels to the west and the Multiple Residence Nonrural Residential (NR-2 and C-2) to the east. Pending approval of the zone change to NC, future development of the site would be consistent with the County’s vision for land uses and suitable with surrounding development.

Policy FS 1.1: Location of New Development
- As noted previously, the subject site is currently within the service boundary of the Silver Springs Mutual Water Company (SSMWC) and initial discussions with them indicate that services are located approximately 800 feet to the east. The capacity would be evaluated with the proposal of a project but initial indications suggest that these can be extended to the site upon development and are a logical extension of the current services avoiding distant and costly extensions.

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

Response: The proposed NC designation is in conformance with the underlying master plan and is consistent with the anticipated future development of the area, providing a potential of ±30.88 acres of additional commercial development. Furthermore, the subject site is currently in the Water Company service area, and services are a logical extension and can be extended into the site to serve future development as allowed under the NC zoning category. The proposed amendment will support future development which will be
consistent with all adequate public facilities policies contained in the Lyon County Land Use and Development Code.

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

**Response:** As noted previously, the proposed zone change to NC is a conforming designation and is in conformance with the underlying master plan land use designation of Commercial. Furthermore, the proposed zoning will be compatible with the Employment and adjacent Commercial land use designations in the area. More specifically, the proposed amendment to NC is compatible with the master planned adjacent uses as the properties to the east of the subject site hold the same master plan designation of Commercial.

The parcels to the west and north have a master plan designation of Rural Residential. When development of the subject properties is proposed, the Applicant will be subject to Lyon County Development Code Standards to ensure appropriate buffers are in place between the Rural Residential properties and any intense uses that would adversely impact future residential development.
Legend
- Project Area
- C-1: Limited Commercial District
- C-2: General Commercial District
- MHP: Mobile Home Park District
- MULT: Multiple Zoning Districts
- NR-2: Multiple Residence Nonrural Residential District
- RR-2: Rural Residential (2 acre minimum)
- RR-5: Fifth Rural Residential District (20 acres)
- RVP: Recreation Vehicle Park District
- SI: Service Industrial

Existing Zoning
Zoning Map Amendment - Rhyolite Lane
January 2023
Legend
- Project Area
- C-1: Limited Commercial District
- C-2: General Commercial District
- MHP: Mobile Home Park District
- MULT: Multiple Zoning Districts
- NR-2: Multiple Residence Nonrural Residential District
- RR-2: Rural Residential (2 acre minimum)
- RR-5: Fifth Rural Residential District (20 acres)
- RVP: Recreation Vehicle Park District
- SI: Service Industrial
- NC: Neighborhood Commercial

Proposed Zoning
Zoning Map Amendment - Rhyolite Lane
January 2023
Meeting Date: 3/6/2023

Advisory Board: Silver Springs Community Advisory Board

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

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

Agenda Item:

To forward a recommendation for a Zoning Map Amendment request from Microsoft Corporation to change the zoning on five (5) parcels comprising approximately 30.88 acres in Silver Springs from RVP (Recreational Vehicle Park District), MHP (Mobile Home Park District) and C-1 (Limited Commercial District) to NC (Neighborhood Commercial) in accordance with the existing Master Plan designation of Commercial (APNs: 018-551-03, 081-551-04, 018-552-01, 018-552-02, & 015-141-04) PLZ-2023-002.

Recommended Motion and/or Report:

Motion to forward a recommendation of approval for a Zoning Map Amendment request from Microsoft Corporation to change the zoning on five (5) parcels comprising approximately 30.88 acres in Silver Springs from RVP (Recreational Vehicle Park District), MHP (Mobile Home Park District) and C-1 (Limited Commercial District) to NC (Neighborhood Commercial) in accordance with the existing Master Plan designation of Commercial (APNs: 018-551-03, 081-551-04, 018-552-01, 018-552-02, & 015-141-04) PLZ-2023-002.

Advisory Board or Public Concerns:

Concerns regarding infrastructure were mentioned, but representatives of Wood Rogers answered questions, Scott Keller also stated that this is a zoning item, and that this recommendation was just about the zoning classification.

Submitted By: Katie Baker- SSCAB Secretary
Lyon County Planning Commission Agenda Summary

Meeting Date: March 14, 2023

Agenda Item Number:
9.c

Subject:
For Possible Action: CONTINUED from the February 14, 2023 meeting-To forward a recommendation to the Board of Commissioners for a Conditional Use Permit request from Blackcomb Property Group, LLC to allow a Self-storage/RV Storage facility in the CC (Community Commercial) zoning district on one three-acre parcel generally located to the southwest of the intersection of Dayton Valley Road and Como Road, west of the Carson River and U.S. Highway 50, at 222 Dayton Valley Road in Dayton (APN 006-091-10) PLZ-2022-213.

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS
- Staff Report
- Backup
- Advisory Board Letter of Transmittal
PLANNING COMMISSION

PLZ-2022-213: Request for a Conditional Use Permit to allow a Self-storage/RV Storage facility in the CC (Community Commercial) zoning district on one three-acre parcel generally located to the southwest of the intersection of Dayton Valley Road and Como Road, west of the Carson River and U.S. Highway 50, at 222 Dayton Valley Road in Dayton (APN 006-091-10) PLZ-2022-213.

Proposed Action: Conditional Use Permit for a Self-Storage/RV Storage Facility

Meeting Date: March 14, 2023

Owner: Dayton Flyer, LLC

Applicant: Blackcomb Property Group, LLC

Location: Dayton

Parcel Number: 006-091-10

Parcel Size: 3 acres

Master Plan: Commercial

Zoning: CC (Community Commercial)

Flood Zone(s): Zone X-Unshaded, Zone X-Shaded, Zone AE Floodway per FIRM 32019C0452F

Case Planner: Bill Roth

REQUEST

The Applicant is requesting a Conditional Use Permit (CUP) to construct and operate a Self-Storage/RV Storage facility.

PROJECT SUMMARY

The proposed project involves the construction and operation of a Self-Storage/RV Storage facility (“Store More Boat & RV Storage”) consisting of up to 104 boat or Recreational Vehicle (RV) storage spaces. No storage lockers are proposed. The subject property is located at 222 Dayton Valley Road, west of the Carson River and U.S. Highway 50 in Dayton (APN: 006-091-10).

RECOMMENDED MOTION
If the Planning Commission determines that they will recommend approval of the request to the Board of Commissioners, then the Planning Commission may want to consider 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, I move that the Planning Commission recommend approval to the Board of Commissioners of the request by Blackcomb Property Group, LLC for a Conditional Use Permit to allow a Self-Storage/RV Storage Facility in the CC (Community Commercial) zoning district on one (1) parcel that is approximately 3 acres in size, accessed by Dayton Valley Road to the southwest of the intersection of Dayton Valley Road and Como Road in Dayton, and located on APN 006-091-10, subject to the following Conditions of Approval (PLZ-2022-213).

**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 Lyon County and the State of Nevada.

5. The Applicant shall maintain a Lyon County business license for the use while occupying the site.

6. Prior to commencement of the use, the Applicant shall provide to the Lyon County Planning Department evidence of the issuance of an encroachment permit and satisfactory completion of all improvements required
by the Lyon County Road Department, or documentation that no new encroachment permit and/or improvement are required.

7. 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 Central Lyon County Fire Protection District.
   a. The Applicant shall coordinate with Lyon County Road Department and fund the creation of a left turn pocket on Dayton Valley Road to provide vehicular access to the subject property.
   b. The Applicant shall modify the site layout to comply with Central Lyon County Fire Protection District and Lyon County Code travel lane requirements, if deemed necessary and to the satisfaction of the Central Lyon County Fire Protection District and the Lyon County Planning Department.

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

9. 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 Planning Department.

10. The full perimeter of the facility shall be screened by a solid masonry wall, at a minimum height of six feet (6’), to ensure that equipment or materials stored on the site will not be visible from the street or adjacent parcels. The height, placement, construction, and materials associated with the perimeter screening are subject to Planning Department staff review. Layout and construction method shall be included on the building permit site plans.

11. The trees in the landscape buffer along the site’s Dayton Valley Road frontage shall be evergreen trees, to provide year-round screening.

12. The Applicant shall address security, cleaning, and maintenance needs in a timely fashion. An employee shall visit the site in-person at least twice a week to clean and maintain the property.

13. Customer access shall be limited to the hours of six o’clock (6:00) A.M. to ten o’clock (10:00) P.M. with extended hours allowed only at the discretion of the Community Development Director.

14. The project design must adhere to the Floodplain Development Standards of Chapter 800 of Title 15 for any development within Special Flood Hazard Areas.

15. The Applicant shall comply with Lyon County’s 2018 drainage guidelines, as revised to the approval of the County Engineer.

16. Signage denoting that hazardous materials shall not be stored on site shall be placed at the entry gate and throughout the facility.

17. The applicant shall comply with the parking area design, layout, and landscaping requirements set forth in 15.401.04 of the Lyon County Code.

18. Off-street parking areas shall be used solely for automobile and recreational vehicle parking with no sales, storage of inoperable, unlicensed vehicles, repair work, dismantling or servicing work of any kind.

19. All vehicle stacking before the entry gate shall occur on-site, not on Dayton Valley Road. If vehicle stacking is observed to exceed the capacity of the on-site driveway, the Applicant shall be required to address the issue by one or more of the following methods, at the discretion and to the satisfaction of the Community Development
Director and the Lyon County Road Department: staggering customer access times; relocating the entry gate and keypad; or other site or entryway modifications.

20. The facility shall be limited to a maximum 104 Recreational Vehicle/Boat spaces.

21. The applicant shall identify all easements and drainage systems that are located on the property. The applicant shall preserve all Baroni Drainage Ditch easements and accesses.

22. The applicant shall install a 15-feet wide trail along the rear of the property, east of the Carson River. The trail shall be surfaced with gravel, decomposed granite, or a similar material, to the satisfaction of the Planning Department. The Applicant shall show the trail on the plans submitted with the Building Permit application for this project.

23. The Applicant or suitable maintenance entity shall be responsible for maintenance of all roads, walks and drainage facilities within the development, as well as project-related storm water facilities, whether onsite or offsite, to the satisfaction of the Planning Department. Lyon County shall have no financial responsibility for maintenance of these facilities.

24. Water Rights - In addition to compliance with all other standards for granting applications for connections, the Applicant may be required to assign to the LCUD (Lyon County Utilities District) water rights acceptable to LCUD in sufficient quantity to support the project, if so determined by LCUD. Quantity requirements per Lyon County Bill No. 07-06, Ordinance 512, are provided in Title 9.03.05(S) of the Lyon County Code. Water rights must be dedicated to Lyon County and be in good standing, approved for point of diversion, place, and type of use by the Nevada State Division of Water Resources State Engineer. All applications, fees, and change of ownership documents, required by the State Engineer are the responsibility of the applicant.

25. The substantial failure to comply with the conditions imposed on the issuance of this conditional use permit or the operation of the conditional use in a manner that endangers the health, safety or welfare of Lyon County or its residents or the violation of ordinances, regulations or laws in the conditional use may result in the institution of revocation proceedings. **Failure to initiate the conditional use permit within one (1) year from the date of approval or to complete all work within two (2) years from the date of approval will result in the expiration of the conditional use permit approval unless an extension is obtained in accordance with the provisions of 15.13.02 of the Lyon County Code.**
BACKGROUND INFORMATION

Location
The subject property is generally located to the southwest of the intersection of Dayton Valley Road and Como Road in Dayton at 222 Dayton Valley Road, APN 006-091-10 (indicated with a star symbol in the image below). In the westernmost portion (rear) of the property is the Baroni Drainage Ditch (described below) and farther to the west of the property is the Carson River.

Subject Parcel Size
The subject parcel is three acres in size, as shown in the Assessor’s plat map below.
Topography
The site is generally flat, sloping gradually from east to west, and there are no significant slopes or ridges that would limit or restrict the proposed development as shown below. The Carson River floodway and the Baroni Drainage Ditch, as discussed below, restrict development at the westernmost portion (rear) of the property.

Contour Map (the thin brown line depicts a ten-foot contour line):
Baroni Drainage Ditch
The rear of the property includes a portion of the Baroni Drainage Ditch, which is located to the east of the Carson River (see light blue line in flood map image below). The applicant shall preserve all Baroni Drainage Ditch easements and access, as a Condition of Approval of the proposed project.

Trail
As development has occurred along the Carson River, the permits for other projects, including the self-storage use to the north of the proposed project site, Carson River Estates Phases 1 and 2, and Gold Canyon Estates 2, have included a requirement to install and maintain a walking path. The proposed project includes a Condition of Approval to require the same.

Enlarged Image of Flood Map – Baroni Drainage Ditch shown as thin blue line (see arrows):
Site Photos
The images below were provided by the Applicant. Additional photos by the Applicant are attached to this report.

View from Dayton Valley Road near southern property line. View to the west across site.

View from approximate midpoint on southern property line looking north across the project site.

Master Plan and Zoning
As shown in the Master Plan image below, the Master Plan designation for the subject parcel is Commercial. The parcel is located in the Dayton Suburban Character District. Per the Master Plan, “Suburban Districts include those areas that are predominately medium to high density residential development with regional/community commercial, neighborhood, industrial and employment uses.”

### Master Plan

![Master Plan Image](image)

### Zoning

The parcel under consideration is currently zoned under Title 10 as C-2 (General Commercial District). The adopted Zoning Consistency Matrix shows the comparative Title 15 zoning district as CC (Community Commercial). Self-Storage/RV Storage facilities require approval of a conditional use permit in the CC zoning district, per Lyon County Land Use and Development Code Table 15.320-2. The subject parcel is indicated with a star symbol in the zoning map image below.
Flood Zone Designation

As shown in the two images below, the majority of the proposed parcel is located in Zone X-Unshaded (Area of Minimal Flood Hazard), while the southwestern portion of the parcel is located in Zone X-Shaded (0.2 Percent Annual Chance of Flood Hazard). The westernmost edge of the parcel is located in Zone AE Floodway. No development is proposed in the Zone AE Floodway.
Public Facilities

The Applicant does not propose to install toilets or other facilities that would require sewer service, but the project would include a landscaped berm that would require water for irrigation. The Applicant may be required to assign to the Lyon County Utilities Department (LCUD) water rights acceptable to LCUD in sufficient quantity to support the project, if so determined by LCUD. Quantity requirements per Lyon County Bill No. 07-06, Ordinance 512, are provided in Title 9.03.05(S) of the Lyon County Code. Water rights must be dedicated to Lyon County and be in good standing, approved for point of diversion, place, and type of use by the Nevada State Division of Water Resources State Engineer. All applications, fees, and change of ownership documents, required by the State Engineer are the responsibility of the applicant. This requirement is included as a Condition of Approval.

Per the Lyon County Road Department, a left turn pocket off of Dayton Valley Road will have to be constructed in the existing median. This requirement is included as a Condition of Approval.

STAFF REVIEW AND COMMENTS
The proposed project consists of a Self-Storage/RV Storage facility, which is allowable with the approval of a Conditional Use Permit (CUP) in the subject CC zoning district. Self-Storage/RV Storage facilities must be designed and operated in compliance with Title 15.335.03WW of the Lyon County Code. Those requirements are provided and discussed in the Conditional Use Permit - Findings section of this report.

**Project Description**

The proposed RV and boat storage facility would be an unmanned facility, with no watchman’s quarters. Keypads and mobile application technology would provide customer access to the site and the RV and boat storage. No on-site office, dump station, or garbage facilities are proposed. A cloud-based video monitoring system and clock-in/clock-out keypad data would be the primary way that the Applicant would monitor onsite activity and determine whether cleaning or maintenance work would be necessary. The Applicant has stated that they intend to have a local employee available on an on-call basis to address security, cleaning, and maintenance needs in a timely fashion. They have also stated that an employee would visit the site in-person at least twice a week to clean and maintain the property.

Customer access would be limited to the hours of six o’clock (6:00) A.M. to ten o’clock (10:00) P.M. with extended hours allowed only at the discretion of the Community Development Director, as a Condition of Approval.

**Preliminary Site Plan**

As shown in the Preliminary Site Plan below (and attached to this report), the proposed RV and boat storage would be provided in parking spaces located beneath solar canopies.

Applicant’s Preliminary Site Plan:
Per Title 15.335.03 WW of the Lyon County Code, which provides the performance standards for Self-Storage/RV Storage uses, “The perimeter of the facility shall be screened by a solid masonry wall in the Community Commercial, Neighborhood Commercial, Regional Commercial, Commercial Mixed Use, Highway Corridor Mixed-Use, Employment Mixed Use, and Service Industrial zoning districts.” As the subject property is located in the Community Commercial zoning district, it is subject to this requirement. As a Condition of Approval, the facility shall be screened along the entire perimeter by a solid masonry wall measuring a minimum six feet (6') in height), to ensure that equipment or materials stored on the site will not be visible from the street or adjacent parcels.

It should be noted that the Applicant’s Preliminary Fencing Plan shows an open-fencing treatment (chain-link) along some portions of the site’s perimeter (see red line in the Applicant’s Preliminary Fencing Plan below and attached to this report). The applicant’s rationale for their requested exceptions to the screening requirement is provided on page seven of the applicant’s narrative, which is attached to this report. It should also be noted that the Dayton Regional Advisory Board provided comment on the project, including the proposed screening, and those comments are attached to this report. As previously stated, open-fencing would be at variance with the requirements of the Lyon County Code, so a Condition of Approval has been included to ensure that a full perimeter solid wall would be installed.

Applicant’s Preliminary Fencing Plan:
Landscaping and Lighting

Per Title 15.335.03WW, Self-storage/RV Storage facilities must provide a minimum ten-foot-wide landscape buffer, including trees, along the entire side of the facility between any street or highway and the required perimeter screening wall. As shown in the Preliminary Landscape Plan below, a ten-foot-wide landscape buffer with trees is proposed along the site’s frontage. The trees in the buffer shall be evergreen trees to provide year-round screening, as a Condition of Approval.

All outdoor lighting shall comply with the outdoor lighting performance standards of Chapter 15.357 of the Lyon County Code, including cut-off shields that direct the illumination down and reduce glare, as a Condition of Approval.

Applicant’s Preliminary Landscape Plan:
Access and Parking

Access to the site would be provided via Dayton Valley Road at the intersection of Como Road. A new left turn pocket is proposed at the intersection to accommodate for larger vehicles, consistent with comments provided by Lyon County Roads staff during the pre-application meeting for the proposed project and included as a Condition of Approval.

The proposed driveway, which includes two entry lanes and one exit lane, will provide over 60 feet on site for incoming vehicles to queue before they reach the entry gate. Each lane would accommodate one long trailer or RV. On-site circulation would consist of two-way travel lanes (see Preliminary Site Access Plan, below). The proposed driveway, parking area, and drive aisles would be paved.

The Central Lyon County Fire Protection District requires a 20-foot travel lane for fire access and two-way travel. The Lyon County Code (15.335.03 WW(9)) identifies that the minimum width of one way aisles is 15 feet while a two way drive aisle is 24 feet. The Preliminary Access and Parking Plan shows two way aisles that are 25 feet in width, in compliance with that requirement. Additionally, the proposed site plan and access plans show a 10-foot-wide “passenger vehicle parking lane” that would be used infrequently by customers that may arrive in passenger vehicles to maintain or winterize their stored boats or RVs.

The Lyon County Code (15.335.03 WW(8)) requires that one parking space be provided for every one hundred (100) storage units with a minimum of three (3) parking spaces required for the office facility. The design of the site does not include storage units or an office facility; as such, there would be no parking requirement. However, to ensure
that customers that might choose to visit the site in passenger vehicles to maintain or winterize their stored boats or RVs will have a place to park, a Condition of Approval to require a minimum of three parking spaces is included in this staff report. The proposed site plan shows that condition would be met.

Applicant’s Preliminary Access and Parking Plan:

Traffic
The Applicant’s Submittal Package that is attached to this report provides an estimate of 19 Average Daily Trips to the subject property. A copy of the ITE Trip Generation Estimate printouts from the ITE web-based application is provided in Tab D of the Applicant’s Submittal Package. As previously mentioned, the project was reviewed during a pre-application meeting by Lyon County Roads staff and their comments have been incorporated into the project and Conditions of Approval.

Required Permits
Development of the proposed Self-Storage/RV Storage facility will require approval of Building Permits.
Conditional Use Permit

When considering applications for a CUP, the Planning Commission or Board of County Commissioners 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 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 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;

Policy FS 1.1: Location of New Development New development will occur in areas that are served by, or are adjacent to, areas with existing utility systems to avoid distant and costly extensions.

The proposed project site has existing utilities adjacent to the parcel, avoiding distant and costly extensions of service.

Policy C 7.1: Confer with Community Advisory Councils When developing a program or policy intended to address a community-specific issue, such as those listed in this Master Plan. County staff will confer with the applicable Community Advisory Board before finalizing a decision.

This project will be reviewed by the Dayton Advisory Board as part of the application processing.

Policy LU 1.1: Follow Development Patterns as Established in the Land Use Plan 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 county’s future urban and suburban growth will develop largely around existing communities.

The proposed development is located within the suburban character management area of Dayton and is located with convenient access within an existing community.

Policy LU 1.3: Commercial and Mixed-Use Development to be Located in Communities Nonresidential development will occur in areas with existing or planned infrastructure, and in locations that are appropriately designated on the Land Use Plan. New suburban and rural residential development will be located near existing and future community centers.

Existing infrastructure is located nearby for direct service to the project site.

Policy LU 5.1: Encourage Resource-Sensitive Growth and Sustainable Design Lyon County will encourage development that incorporates the principles of sustainable design and that reduces energy and resource consumption and impacts on the environment, by:

- Minimizing resource consumption, energy use, and water use;
- Using renewable energy sources and locally produced materials;
• Exploring and encouraging alternatives to toxic pesticides and herbicides; and
• Using programs such as LEED™ (Leadership in Energy Efficiency and Design), United States Department of Energy’s Building America Program, and Energy Star, and other standards for energy efficiency.

The project proposes the inclusion of solar panels on top of Boat and RV storage canopies to help reduce the overall power demand for the project.

**Policy NR 5.1: Geothermal, Solar and Wind** Lyon County will encourage utilization of available renewable energy resources, such as solar radiation, geothermal heat, and wind.

The project proposes the inclusion of solar panels on top of Boat and RV storage canopies to help reduce the overall power demand for the project.

**Policy NR 6.2: No Increase in Risk from Natural Hazards** To the extent possible, Lyon County will avoid or mitigate increased risk from natural hazards to persons or property that are caused by development.

The proposed development leaves 0.45 +/- acres (15% of the site) that is within the FEMA Zone AE Floodway area undeveloped.

**Policy NR 8.2: Dark Skies** Lyon County will minimize light pollution while allowing for adequate lighting for safety and security.

Lighting will be appropriately designed and shielded, per County Code requirements.

**Policy FS 1.1: Location of New Development** New development will occur in areas that are served by, or are adjacent to, areas with existing utility systems to avoid distant and costly extensions.

Existing infrastructure is located nearby for direct service to the project site.

**Staff Comment**

Storage/RV Storage facilities are allowed in the CC zoning district, subject to the approval of a Conditional Use Permit. Such uses are required to comply with Title 15.335.03WW of the Lyon County Code, which includes standards to ensure that the use will be consistent with Master Plan policies and compatible with surrounding uses. Staff comment regarding the project’s conformance to this code section is provided below (in italics).

15.335.03 WW. Self Storage/RV Storage:

1. No separate individual business operation is allowed to operate within an individual storage space/unit. No space/unit shall be converted into a residential use.

   **Staff comment:** The proposal is for an individual business and there are no proposed residential uses nor proposed structures that could be converted to a residential use.

2. All self-storage buildings shall be permanent structures built or assembled on-site.

   **Staff comment:** No self-storage buildings are proposed. The solar canopies over the RV and boat storage spaces shall be permanent structures, to the satisfaction of the building official.
3. The perimeter of the facility shall be screened by a solid masonry wall in the Community Commercial, Neighborhood Commercial, Regional Commercial, Commercial Mixed Use, Highway Corridor Mixed-Use, Employment Mixed Use, and Service Industrial zoning districts.

**Staff comment:** As the project site is located in the Community Commercial zoning district, this requirement is applicable to the proposed project. A Condition of Approval is included to require a solid masonry wall along the subject property’s full perimeter, in conformance with this requirement.

4. A minimum six foot (6') high perimeter fence is required in light and heavy industrial zoning districts. Portions of the fence, which are adjacent to residential zoning districts or which face arterial streets, residential streets, and state highways must be a solid masonry wall.

**Staff comment:** As the project is not located in the light or heavy industrial zoning districts, this requirement does not apply. Instead, the stricter requirement per subsection 3 of this ordinance shall be required, as previously discussed.

5. A minimum of ten-foot-wide landscape buffer shall be provided along the entire side of the facility between any street or highway and the required wall. The landscaping shall include screening trees as required by chapter 402.

**Staff comment:** The project has been designed in conformance with this requirement. As a Condition of Approval, the trees planted in the landscape buffer shall be evergreen trees.

6. All storage shall be within an enclosed building except for the storage of recreational vehicles.

**Staff comment:** The project has been designed in conformance with this requirement, as no storage other than recreational vehicles, including boats, is proposed.

7. The surface of the area to be used for outdoor storage shall be paved with a non-permeable material such as asphalt or concrete or, in the case of the storage of heavy equipment, covered with a material acceptable to the administrator which will control fugitive dust.

**Staff comment:** The project area has been designed with paved parking in compliance with this requirement.

8. One parking space is required for every one hundred (100) storage units with a minimum of three (3) spaces required for the facility office.

**Staff comment:** The project does not include storage units and complies with this requirement. A staff-recommended Condition of Approval would require three passenger vehicle parking spaces, to ensure customers that visit the site to maintain or winterize their recreational vehicles have a place to park that would not block or hinder on-site vehicle circulation.

9. One-way interior travel lanes must have a minimum width of fifteen feet (15') in addition to the ten foot (10') wide parking lane. All two-way interior travel lanes serving storage units must have two (2) 12-foot wide travel lanes and be provided with a ten foot (10') wide parking/loading lane.

**Staff comment:** The project meets this requirement and includes a Condition of Approval to ensure that drive aisle widths be designed to the satisfaction of Lyon County Central Fire and Lyon County Planning.

10. The height of the storage buildings shall be governed by the maximum height permitted for the zoning district. See chapter 300 of this title, zoning districts and standards for dimensional requirements.

**Staff comment:** The project includes no storage buildings and complies with this requirement.
11. All outdoor lights must be shielded to direct light and glare only onto the facility's premises and may be of sufficient intensity to discourage vandalism and theft. Lighting and glare must be deflected, shaded and focused away from any adjoining residential property.

   **Staff comment:** The project shall meet this requirement, as a Condition of Approval.

12. Minimum and maximum lot sizes.
   
   a. Community Commercial and Neighborhood Commercial:
      
      (1) Minimum lot size: One acre.
      
      (2) Maximum lot size: Three (3) acres.
   
   b. Regional Commercial, Commercial Mixed Use, Highway Corridor Mixed-Use, Employment Mixed Use, and Service Industrial:
      
      (1) Minimum lot size: One acre.
      
      (2) Maximum lot size: Ten (10) acres.
   
   c. Light Industrial:
      
      (1) Minimum lot size: One acre.
      
      (2) Maximum lot size: None.

   **Staff comment:** At a size of three acres, the project site complies with the lot-size range allowable for Self Storage/RV Storage facilities on parcels with a zoning designation of Community Commercial.

13. All self service storage facilities are subject to the buffering and landscaping set forth in chapter 402 of this title.

   **Staff comment:** The proposed project includes a landscaped buffer that meets the requirements of Chapter 402 of the Lyon County Code.

14. A minimum six foot (6') high perimeter fence is required. Portions of the fence, which face arterial or residential streets, must be solid or semisolid and decorative.

   **Staff comment:** The project site is located in the Community Commercial zoning district, so, as previously discussed, it is subject to the stricter requirement of a solid masonry wall along the perimeter, per subsection 3 of this ordinance. A Condition of Approval is included to require a solid masonry wall along the full perimeter of the property.

15. No outside storage, other than the storage of RVs, boats, and other items specifically approved via a Conditional Use Permit, is permitted in the Neighborhood Commercial, Community Commercial, Regional Commercial, Commercial Mixed-Use, Highway Mixed-Use, Service Industrial or Employment Mixed-Use Districts.

   **Staff comment:** No outside storage other than the storage of recreational vehicles is proposed. The proposal includes security monitoring and bi-weekly employee visits to ensure the site will be cleaned and maintained.

16. All outdoor storage areas must be screened through the installation of fencing or vegetative screening. When located adjacent to Residentially zoned or used property or street right-of-ways, additional screening and/or landscape measures may be required by the Director.
Staff comment: As previously discussed, the project site is located in the Community Commercial zoning district, so it is subject to the stricter requirement of a solid masonry wall along the perimeter, per subsection 3 of this ordinance. A Condition of Approval is included to require a solid masonry wall.

17. A single watchman’s quarters is permitted either incorporated into one of the buildings or as a stand-alone structure as an accessory use to the self storage/RV storage facility.

Staff comment: No watchman’s quarter is proposed with this project.

The proposed project as conditioned would comply with the performance standards listed above, which are intended to ensure compatibility with adjacent uses and conformance to the Master Plan and other applicable codes, policies, and district regulations. Furthermore, the proposed project includes a walking trail at rear, which is supportive of Master Plan goals related to outdoor recreation and pedestrian connectivity.

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 use is similar and complementary to the development to the north, which included personal storage, but no boat and RV storage. Enhanced buffering will be provided on the side of the development adjacent to the public right of way. Required buffering standards (masonry wall, enhanced setbacks) will be used to minimize any adverse effects. The use is compatible with the surrounding uses as the project provides necessary landscape buffers and a quiet use type.

It is proposed that an appropriately sized left turn pocket at the existing intersection of Dayton Valley Road and Como Road be created to provide access and mitigate traffic into the site.

Staff Comment

In addition to conformance with performance standards for Self-Storage/RV Storage as discussed in relation to Finding A, the project includes Conditions of Approval that would ensure the project is compatible with the character of adjacent development and is designed to mitigate adverse impacts. The project, as designed and conditioned, provides screening to mitigate adverse impacts related to visual nuisances. The proposed driveway provides adequate area for on-site vehicle queueing before the entrance gate and the project is conditioned to ensure that any vehicle overflow onto Dayton Valley Road would be addressed to the satisfaction of Lyon County Road Department and the Community Development Director. The Applicant agrees to implement the requirements of Lyon County Road Department to install a turn pocket on Dayton Valley Road to facilitate access to the site. The project has been located outside of the Flood Zone AE Floodway to ensure conformance with flood safety requirements. This finding is met.

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

Applicant’s Response

Traffic impacts from the project are very light with only 19 ADT estimated for the proposed use. This equates to the traffic volume that would be expected from approximately 3 single family homes. Queuing of clients will be handled on site.
Staff Comment
As a proposed RV and boat storage facility, daily trips to the site would infrequent and could be accommodated by the roadway infrastructure as conditioned with this project. The project was reviewed during a pre-application meeting by Lyon County Roads staff and their comments have been incorporated into the project and Conditions of Approval. This finding is met.

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
Traffic impacts from the project are expected to be very light with only 19 Average Daily Trips, 1 AM peak hour and 2 PM peak hour trips estimated using the ITE Trip generation web-based application, 11th edition. A left turn pocket for movements into the site is proposed for northbound traffic on Dayton Valley Road. Queuing will be handled on site through a deepened driveway entry, prior to accessing the security gate.

Staff Comment
As conditioned, the project includes a left turn pocket on Dayton Valley Road to ensure smoother turn movements when accessing the site, in accordance with the requirements of the Lyon County Road Department. This finding is met.

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
A solid masonry wall of 8 feet in height is proposed along the Dayton Valley Road frontage. Additionally, the front of the property is proposed to contain a 20-foot-wide landscape planter with a 2-3 foot tall berm and evergreens planted for the tree requirement. This treatment exceeds the street frontage screening requirement contained in 15.335.03(WW)(3).

Staff Comment
A condition of approval is included to ensure the project will provide a solid masonry wall along the full perimeter of the site, which will ensure that visual impacts and noise are adequately minimized and would not have an adverse impact on adjacent properties. With the project integrating the recommended conditions of approval, this finding is met.

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
The additional standards required of the requested use will be complied with in the design and construction of the site. LCC15.335.03 (WW) will be addressed after the use is approved and the facility constructed.

Staff Comment
Title 15.335.03WW of the Lyon County Code provides the required performance standards for this proposed Self-Storage/RV Storage use. As discussed in relation to Finding A (above), the project has been designed and conditioned to comply with those performance standards. This finding is met.

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**

*The Store-More Boat & RV Storage facility project will not create adverse environmental impacts such as smoke, dust, glare, noise, vibrations, fumes, pollution or odor nor would be detrimental to create a nuisance to surrounding properties. Such projects are typically quiet uses.*

**Staff Comment**

The proposed project as designed and conditioned would comply with County requirements intended to ensure the proposed conditional use would not be detrimental to the public health, safety, and welfare or result in material damage or prejudice to other properties in the vicinity. This finding is met.
STORE MORE BOAT AND RV STORAGE
222 DAYTON VALLEY ROAD

CONDITIONAL USE PERMIT

PREPARED FOR:
Blackcomb Property Group, LLC

PREPARED BY:

DECEMBER 19, 2022

UPDATED SITE PLAN AND NARRATIVE – 2/24/2023
PROJECT: 22-115.00
# Table of Contents (Tab A)

- Project Description .................................................................................................................. 1
- Property Location ......................................................................................................................... 1
- Project Request ............................................................................................................................. 1
- Land Use and Zoning ..................................................................................................................... 3
- Project Summary ........................................................................................................................... 4
- General Site Operations & Security ............................................................................................... 5
- Site Access ..................................................................................................................................... 5
- Traffic ........................................................................................................................................... 6
- Landscaping ................................................................................................................................. 6
- Wall & Fencing ............................................................................................................................... 7
- Lighting ......................................................................................................................................... 9
- Parking .......................................................................................................................................... 9
- FEMA Flood Zones ....................................................................................................................... 10
- Existing Site Photos ....................................................................................................................... 11
- Setbacks ....................................................................................................................................... 13
- Development Statistics ................................................................................................................ 13
- Conditional Use Permit Legal Findings Review ............................................................................ 14

Preliminary Landscape Plan, Preliminary Civil Engineering Site Plan, Access Exhibit, Fencing Exhibit ........................................................................................................................................... TAB B

Canopy and Solar Example Photos ................................................................................................ TAB C

Supporting Information –
- Current Vesting Deed,
- ITE Information on Trip Generation for Mini-Storage use,
- Title Report,
- Open Tech Alliance and Storage Genie Cut Sheets,
- Proof of Property Tax Payment ................................................................................................... TAB D
Project Description

Property Location
The subject parcel is a 3-acre parcel located at the southwest corner of the intersection of Dayton Valley Road and Como Road. The property is defined by Lyon County to be APN 006-091-06. Access to the property will be served at the intersection of Dayton Valley Road and Old Como Road. The property is located within the suburban character district that is defined as,

“Suburbanizing Districts include those areas that are predominately medium to high-density residential development with regional/community commercial, neighborhood residential and commercial uses, and industrial and employment uses. Zoning district requirements and the Lyon County development standards for uses within this Character District reflect the “suburban” character of these areas and include requirements for Municipal water and sewer, roadway design appropriate to the planned land uses, landscaping of public areas, and pedestrian facilities (sidewalks and paths).”

A Vicinity Map is provided below showing the subject parcel and development site that is associated with this request.

Project Request
This application is a request for a conditional use permit for the allowance of a self-storage/RV storage use on the subject parcel. The requested use is for covered boat and RV storage. The coverings/canopies are proposed to have solar panels on top of the structures to provide a renewable energy source of power for space renters to keep batteries charged and for other maintenance needs. The total number of boat and RV space is proposed to be 104 spaces. The proposed use is allowed within the existing parcel zoning designation (C-2 under Title 10 and CC under Title 15) with the approval of a conditional use permit. The specific design standard section of code that covers this use is 15.335.03 WW.
Vicinity Map
Land Use and Zoning

The subject parcel’s designated Land Use, per the Dayton Land Use map, is commercial (C) and zoned Commercial-2 (C-2) unit Title 10 and will hold a CC zoning designation with the transition to Title 15. The proposed future use of a self-storage and RV storage business is allowed under the existing zoning designation with a Conditional Use Permit. Exhibits showing the existing Land Use plan and zoning designations are provided on the following pages.
Project Summary
This application for a conditional use permit has been made to allow for additional review of the proposed use on a 3-acre site located adjacent to Dayton Valley Road. The site is relatively flat, and slopes from east to west. The site proposes 104 covered boat & RV storage spaces. The boat and RV spaces will all be 12 feet wide and range in depth between 17' to 52', providing for a variety of boat and RV sizes. The Boat and RV spaces along the southern property line are available for a 50-foot length unit, but only the northern ½ of the space will be covered. This will accommodate for the 20-foot setback requirement to the residentially...
zoned property to the south of the project. These spaces will provide flexibility in the operation of the site providing the ability to accommodate longer units, if necessary while still meeting the setback requirement.

Solar Power - Solar panels are proposed to be incorporated into the project on canopy roofs. The solar power will pride electric to service to the boat and RV renters for maintenance of batteries or other equipment that may need to remain in a charging/charged state.

**General Site Operations & Security**

The Store More Boat & RV storage facility is proposed to be an unmanned facility that will utilize keypads and mobile application technology for access to the site and units which will allow the facility to be operated with a limited physical presence. Security of the site will be provided through an extensive cloud-based, AI-enabled video monitoring system. Best-in-class access controls and management will be used - see sample information regarding Open Tech Alliance and Storage Genie applications is provided in Tab D of this application. Access technology and security will be the same or similar in design and nature to these examples.

There will not be an on-site office, dump station nor garbage facilities, thus eliminating the necessity for a septic system and garbage service to the site. Maintenance of the site will be provided regularly by a local employee(s) who will be responsible for greeting new renters on first time of storage, maintenance and cleanup of the site on a regular basis and addressing problem issues that are identified at the site.

**Site Access**

Primary project access will be provided off Dayton Valley Road at the intersection of Como Road. As noted in the General Site Operations section of this overview, the space renters will have access to the site through kiosks, keypads and mobile application technology which will allow space renters to use their cell phone and the respective application, similar to a garage door opener, to open the gate(s).

The project driveway entering the site is 36 feet wide, providing two 12-foot entry lanes and one 12-foot-wide exit lane. Should two space renters show up at the same time, they may queue side by side while entering their codes for gate entry. Signage will be provided noting the ability to queue side-by-side, however; once space renters have been introduced to and begin using the site, this entry format will be explained and understood by the renter.

The length of the entry lanes average 60 feet. The side by side entry queuing will provide for 2 – 4 vehicles with trailers to stack at the entry, depending upon the length of the vehicles. A left turn pocket is proposed at the intersection of Dayton Valley Road and Como Road to accommodate for larger vehicles entering the site from the west. Full movement in and out of the project site is proposed with connection to the Dayton Valley Road and Como Road.
Valley Road/Old Como Road intersection. An image of the project access is provided below and can be seen on the project plan sheets and exhibits in Tab B with this application.

The site design provides two-way travel throughout the site. The Central Lyon County Fire Protection District requires a 20-foot travel lane for fire access and two-way travel. The Lyon County Code (15.335.03 WW (9)) identifies that the minimum width of one-way drive aisles is 15 feet while a two way drive aisle is 24 feet. Each are noted to need a 10-foot parking lane. The drive aisles within the proposed facility have all been designed to be 35 feet in width, providing a 25 foot travel lane and a 10-foot parking lane on one side of each drive aisle. This width exceeds the code required widths for two-way travel.

An Access Plan is provided in Tab B with this application showing the interior and exterior radii for a fire truck (28 feet interior and 52 feet exterior).

Traffic
Using the ITE 11th Edition Trip Generation web-based application, the estimation of traffic for the project, using a very conservative estimation of 104 total units within the project site is 19 ADT with 1 AM and 2 PM peak hour trips. A copy of the ITE Trip Generation Estimate printouts from the ITE web-based application is provided in Tab D with this application.

Landscaping
The site is required to provide a 10-foot minimum landscape buffer along the entire side of the facility facing any street. For the proposed project, this is required along the eastern side of the project site, adjacent to Dayton Valley Road. A 20-foot landscape buffer has been provided along this side of the project site, exceeding the code requirement. Through initial discussion with County staff and comments from the Dayton Valley Advisory Board, heavier screening along the frontage was identified to be important. As such, the 20-foot planter along Dayton Valley Road is proposed to incorporate a 2–3-foot berm along with evergreen trees meeting Chapter 402 of the Lyon County Code and providing better year-round screening. The increased landscape planting height will be augmented with an 8-foot solid wall (discussed in the Wall & Fencing section) to help provide a solid screen along the property frontage with Dayton Valley Road.
A preliminary landscape plan is provided in Tab B with this application package showing the landscape areas along the project street frontage and at the project entry.

**Wall & Fencing**

The site is proposed to be fully secured with a solid wall along the front of the site and an open fencing treatment on the back half of the site. The solid wall is proposed to be a stamped concrete panel wall while the open fencing is proposed to be provided as chain link, matching the chain link fencing that is provided at the mini-storage site to the north of the subject parcel. An image of the existing chain link fence at the River Vista Storage project is provided, below. The Lyon County Code (15.335.03 WW) requires a solid masonry wall around the perimeter of the property. However, some areas of open fencing are proposed with the application for a few good reasons.

![Image of existing chain link fence at River Vista Storage project](image)

**Rationale for allowance of some open fencing on the site**

- The western portion of the site does not present the same level of visual sensitivity that the eastern portion of the site does along Dayton Valley Road.
- The western portion of the site is within a flood zone. Should a solid wall be included around the entire property, flood waters that could come onto the property would be displaced and impact down-stream properties.
- There are portions of the property or areas on adjoining properties that would become “invisible” for security purposes with a solid wall. This would create areas where homeless camping or other undesired activities may not be recognized such that they can be addressed.

The image provided below shows the Fencing Plan (also provided in Tab B with this application) and notes areas where visibility for security would be improved and where flooding would be allowed to pass onto the site, as is currently experienced.
Wall/Fencing Examples

- Stamped Concrete Panel Wall (Example)
- Open Fencing (Example)
Lighting
Site lighting will consist of light standards or canopy end mounted lights similar in style to the picture below. The purpose of the lighting is to provide visibility for patrons and general security at the project entry and within the project site. The height of any free-standing lighting will conform with Lyon County requirements.

*Lighting Example*

Parking
The Lyon County Code (15.335.03 WW(8)) requires that one parking space be provided for every one hundred (100) storage units with a minimum of three (3) parking spaces required for the office facility. The design of the site does not hold an office facility. As such, there would be no requirement for the three “office” spaces. The site contains a total of 104 boat and RV storage spaces. Per the code requirement, two (2) parking spaces are required within the facility. One striped parking space is provided in the northwestern portion of the site at the end of a canopy section. The estimated parking within the 10-foot parking lanes that provides sufficient lineal distance to accommodate an additional 42+/- spaces. As such, parking requirement is met and exceeded. Due to the nature of the site, it is anticipated that the provided parking will be sparsely used because boat and RV storage uses typically see people actively hooking up or detaching their boat or RV with no need to park, in a traditional sense.
FEMA Flood Zones
The 3-acre site is located in both Zone X and Zone AE as defined by FEMA. Development of the property is proposed to only exist within the Zone X area. The Zone AE area on the western side of the site is proposed to be undeveloped. An exhibit showing the FEMA flood zones and the site boundary is provided, below.
Existing Site Photos
The development site slopes from east to west. The site lies at the intersection of a number of informal dirt trails that can be seen on the Lyon County GIS map. Site photos showing the access road to the development site and the existing site disturbance are provided, below.

View from NE corner of Dayton Valley Road and Como Road intersection toward site

View from Dayton Valley Road near southern property line. View to the west across site.
View from approximate midpoint on southern property line looking north across the project site.

View from approximate midpoint on northern property line looking south across the project site.

View from the northeast portion of the subject property to the north showing the existing open fencing treatment that has been used at the back side of the existing mini-storage site to the north.
Setbacks

Minimum setbacks within the C2 (Title 10) or CC (Title 15) zoning district are per LCMC 15.313.405.02(B).

Community Commercial Building Placement Requirements:

<table>
<thead>
<tr>
<th>Setback:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>From property lines abutting residential uses</td>
<td>20 feet</td>
</tr>
<tr>
<td>From property lines abutting adjacent public ROW</td>
<td>20 feet subject to chapter 360 of this title, commercial design standards</td>
</tr>
<tr>
<td>From front property line if the building is oriented toward the street and accesses the public sidewalk</td>
<td>10 feet subject to chapter 360 of this title, commercial design standards</td>
</tr>
<tr>
<td>From property lines abutting Commercial or Industrial Zones or uses</td>
<td>0 feet subject to applicable Building and Fire Codes</td>
</tr>
<tr>
<td>Rear</td>
<td>10 feet; 0 feet with alley</td>
</tr>
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</table>

Development Statistics

Following is an abbreviated site development statistic listing for Store-More Boat & RV Storage facility project. Please see Schematic Site Plan for breakdown of units and area.

- **Total Parcel Size**: 3.0+/- AC
  - Site Development Area: 2.49+/- AC
  - Area to be Undeveloped: 0.51+/- AC

- **Total Canopy Square Footage**: 50,000+/- S.F.
- **Total Paved Area**: 99,000+/- S.F.
- **Landscaped Area (front yard and entry landscape area)**: 5,600+/- SF

- **Boat and RV Storage Spaces (Covered)**: 104

- **Parking Required (per 15.335.03 WW(8))**: 2 parking spaces
- **Parking Provided – Includes 1 parking space and 10 foot parking lanes**: 43+/- parking spaces
Conditional Use Permit Legal Findings Review

Section 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;

*Policy FS 1.1: Location of New Development* New development will occur in areas that are served by, or are adjacent to, areas with existing utility systems to avoid distant and costly extensions.

The proposed project site has existing utilities adjacent to the parcel, avoiding distant and costly extensions of service.

*Policy C 7.1: Confer with Community Advisory Councils* when developing a program or policy intended to address a community-specific issue, such as those listed in this Master Plan. County staff will confer with the applicable Community Advisory Board before finalizing a decision.

This project will be reviewed by the Dayton Advisory Board as part of the application processing.

*Policy LU 1.1: Follow Development Patterns as Established in the Land Use Plan* 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 county’s future urban and suburban growth will develop largely around existing communities.

The proposed development is located within the suburban character management area of Dayton and is located with convenient access within an existing community.

*Policy LU 1.3: Commercial and Mixed-Use Development to be Located in Communities* Non-residential development will occur in areas with existing or planned infrastructure, and in locations that are appropriately designated on the Land Use Plan. New suburban and rural residential development will be located near existing and future community centers.

Existing infrastructure is located nearby for direct service to the project site.

*Policy LU 5.1: Encourage Resource-Sensitive Growth and Sustainable Design* Lyon County will encourage development that incorporates the principles of sustainable design and that reduces
energy and resource consumption and impacts on the environment, by: • Minimizing resource consumption, energy use, and water use; • Using renewable energy sources and locally produced materials; • Exploring and encouraging alternatives to toxic pesticides and herbicides; and • Using programs such as LEED™ (Leadership in Energy Efficiency and Design), United States Department of Energy’s Building America Program, and Energy Star, and other standards for energy efficiency.

The project proposes the inclusion of solar panels on top of Boat and RV storage canopies to help reduce the overall power demand for the project.

Policy NR 5.1: Geothermal, Solar and Wind Lyon County will encourage utilization of available renewable energy resources, such as solar radiation, geothermal heat, and wind.

The project proposes the inclusion of solar panels on top of Boat and RV storage canopies to help reduce the overall power demand for the project.

Policy NR 6.2: No Increase in Risk from Natural Hazards To the extent possible, Lyon County will avoid or mitigate increased risk from natural hazards to persons or property that are caused by development

The proposed development leaves 0.45+/- acres (15% of the site) that is within the FEMA Zone AE Floodway area undeveloped.

Policy NR 8.2: Dark Skies Lyon County will minimize light pollution while allowing for adequate lighting for safety and security.

Lighting will be appropriately designed and shielded, per County Code requirements.

Policy FS 1.1: Location of New Development New development will occur in areas that are served by, or are adjacent to, areas with existing utility systems to avoid distant and costly extensions.

Existing infrastructure is located nearby for direct service to the project site.

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;

Response: The proposed use is similar and complementary to the development to the north, which includes personal storage, but no boat and RV storage. Enhanced buffering will be provided on the side of the development adjacent to the public right of way. Required buffering standards (masonry wall, enhanced setbacks) will be used to minimize any adverse effects. The use is compatible with the surrounding uses as the project provides necessary landscape buffers and a quiet use type.
It is proposed that an appropriately sized left turn pocket at the existing intersection of Dayton Valley Road and Como Road be created to provide access and mitigate traffic into the site.

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

Response: Traffic impacts from the project are very light with only 19 ADT estimated for the proposed use. This equates to the traffic volume that would be expected from approximately 3 single family homes. Queuing of clients will be handled on site.

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;

Response: Traffic impacts from the project are expected to be very light with only 19 ADT, 1 AM peak hour and 2 PM peak hour trips estimated using the ITE Trip generation web-based application, 11th edition. A left turn pocket for movements into the site is proposed for northbound traffic on Dayton Valley Road. Queuing will be handled on site through a deepened driveway entry, prior to accessing the security gate.

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

Response: A solid masonry wall of 8 feet in height is proposed along the Dayton Valley Road frontage. Additionally, the front of the property is proposed to contain and a 20-foot-wide landscape planter with a 2-3 foot tall berm and evergreens planted for the tree requirement. This treatment exceeds the street frontage screening requirement contained in 15.335.03(WW)(3).

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

Response: The additional standards required of the requested use will be complied with in the design and construction of the site. LCC15.335.03 (WW) will be addressed after the use is approved and the facility constructed.

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. (Ord. 603, 11-1-2018)
Response: The Store-More Boat & RV Storage facility project will not create adverse environmental impacts such as smoke, dust, glare, noise, vibrations, fumes, pollution or odor nor would be detrimental to create a nuisance to surrounding properties. Such projects are typically quiet uses.
GENERAL NOTES

1. All planting and irrigation shall be installed per local governing codes.
2. Final plant selection and layout will be based on considerations of horticultural practices relating to micro-climate, soil, and water resources. All trees will be spaced so as to maintain proper and allow following installation. Plant selection and quality assurance of planting will be for the American standard for nursery stock (American floriculture association standards).
3. All shrub beds will require mulch top dressing with weed control.
4. All landscape will be constructed to irrigate. Drip irrigation will be used where indicated based on the specific horticultural requirements of each species. A reduced pressure irrigation system will be provided on the irrigation system as required per code.
5. Plant is conceptual. Final species selection and size at planting shall be determined during development of the final construction documents.

PLANT LEGEND

OVERGROWN TREES
OVERGROWN SHURBS
LANDSCAPE AREA

LANDSCAPE DATA

SITE AREA: 156,000 SF (12 ACRES)
JURISDICTION: DAYTON
APN: 006-481-05
ZONING: VACANT COMMERCIAL (C2)
TOTAL PROVIDED LANDSCAPE AREA: 5,280 SF - 50 FT.

TREES PROPOSED: 10
SHRUBS PROPOSED: 27

SECTION A-A'

Scale in Feet

0 30' 60' 90'
DAYTON VALLEY ROAD

PROPOSED 8' SOLID WALL
PARKING LANE
±260 LF PASSENGER VEHICLE PARKING LANE
±120 LF PASSENGER VEHICLE PARKING LANE
±166 LF PASSENGER VEHICLE PARKING LANE

PROPOSED 6' OPEN FENCING

FLOODWAY AREA - ZONE AE
FEMA ZONE X

25' 20' SETBACK TO CANOPY SUPPORTS

LANDSCAPE AREA
LANDSCAPE STRIP

CARSON RIVER
DRAINAGE CHANNEL
UNDEVELOPED AREA

PROPOSED BOAT AND RV STORAGE CANOPY WITH SOLAR PANELS ON TOP. SHAPE AND SIZE OF CANOPIES ARE CONCEPTUAL ONLY

SITE LEGEND

DEVELOPMENT STATISTICS
TOTAL PARCEL AREA = 3.00 ACRE
DEVELOPMENT AREA = 2.49 ACRE
LS AREA PROVIDED = 0.14 ACRE
UNDEVELOPED AREA = 0.51 ACRE

STORAGE SPACES
104 CANOPY COVERED BOAT AND RV SPACES
CANOPY COVERAGE AREA = 50,000 ±SF
PARKING PROVIDED
1 PASSENGER VEHICLE PARKING SPACE AND 10' PARKING LANE PROVIDED IN EACH DRIVE AISLE (PER CODE)
42 ASSUMED PARKING SPACES

SITE PLAN
222 DAYTON VALLEY ROAD
DAYTON, NV 89403
LYON NEVADA

CAUTION - NOTICE TO CONTRACTOR

1. It shall be the responsibility of Contractor to verify all utilities as marked by agencies.
2. Contractor shall be responsible for utility damages as noted above.
3. Contractor shall be responsible to secure agency permission for all utility damage(s) above.
4. Contractor shall be responsible for all fees to agency.
5. Contractor shall be responsible for all backhoe sidelines as noted above.
6. Contractor shall be responsible for all inadvertent damages as noted above.
7. Contractor shall be responsible for all public utility damages as noted above.

REVISED SITE PLAN
222 DAYTON VALLEY ROAD
DAYTON, NV 89403
LYON NEVADA

116
ATLAS DEVELOPMENT I, LLC.
AGREED PARCEL 2A, RS 389723
APN: 006-091-23

RIVER VISTA PROPERTIES, INC.
LOT 1, RS 505701
APN: 006-481-01

RIVER VISTA PROPERTIES, INC.
LOT 8, RS 505701
APN: 006-481-08

ATLAS DEVELOPMENT I, LLC.
AGREED PARCEL 2A, RS 389723
APN: 006-091-23

GRAPHIC SCALE
1 inch = 20 ft.

1 inch = 20 ft.
Boat and RV Storage Canopy Examples
Land Use: 151
Mini-Warehouse

Description
A mini-warehouse is a building in which a number of storage units or vaults are rented for the storage of goods. They are typically referred to as “self-storage” facilities. Each unit is physically separated from other units, and access is usually provided through an overhead door or other common access point.

Additional Data
The technical appendices provide supporting information on time-of-day distributions for this land use. The appendices can be accessed through either the ITETripGen web app or the trip generation resource page on the ITE website (https://www.ite.org/technical-resources/topics/trip-and-parking-generation/).

The sites were surveyed in the 1980s, the 1990s, the 2000s, and the 2010s in California, Colorado, Massachusetts, Minnesota, Nevada, New Jersey, Texas, and Utah.

Source Numbers
212, 403, 551, 568, 642, 708, 724, 850, 868, 876, 1024, 1035
222 Dayton Valley Road – Store More Boat and RV
Estimate Average Daily Trips (Weekday)

Total ADT Estimate for 104 Units (Boat and RV and Storage Spaces) – 19 ADT
Mini-Warehouse
(151)

Vehicle Trip Ends vs: Storage Units (100s)
On a: Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 6
Avg. Num. of Storage Units (100s): 5
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per Storage Unit (100s)

<table>
<thead>
<tr>
<th>Average Rate</th>
<th>Range of Rates</th>
<th>Standard Deviation</th>
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<tbody>
<tr>
<td>17.96</td>
<td>12.25 - 33.33</td>
<td>4.13</td>
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</table>

Data Plot and Equation

Fitted Curve Equation: $T = 18.86(X) - 4.09$
$R^2 = 0.96$

Trip Gen Manual, 11th Edition
Institute of Transportation Engineers
222 Dayton Valley Road – Store More Boat and RV
AM Peak Hour Trips (Weekday)

Total AM Peak Hour Trips for 104 Units (Boat and RV and Storage Spaces)
Estimated Average AM Peak Hour Trip Ends 2 -- 1 (Entry) and 0 (Exit)
Mini-Warehouse
(151)

Vehicle Trip Ends vs: Storage Units (100s)
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.

Setting/Location: General Urban/Suburban
Number of Studies: 7
Avg. Num. of Storage Units (100s): 7
Directional Distribution: 51% entering, 49% exiting

Vehicle Trip Generation per Storage Unit (100s)

<table>
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<tr>
<th>Average Rate</th>
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<th>Standard Deviation</th>
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<tbody>
<tr>
<td>1.21</td>
<td>0.45 - 1.70</td>
<td>0.49</td>
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</table>

Data Plot and Equation

Fitted Curve Equation: $T = 1.64(X) - 2.90$

$R^2 = 0.68$
222 Dayton Valley Road – Store More Boat and RV
PM Peak Hour Trips (Weekday)

Total PM Peak Hour Trips for 104 Units (Boat and RV and Storage Spaces)
Estimated Average PM Peak Hour Trip Ends 2 -- 1 (Entry) and 1 (Exit)
Mini-Warehouse
(151)

Vehicle Trip Ends vs: Storage Units (100s)
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.

Setting/Location: General Urban/Suburban
Number of Studies: 9
Avg. Num. of Storage Units (100s): 5
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per Storage Unit (100s)

<table>
<thead>
<tr>
<th>Average Rate</th>
<th>Range of Rates</th>
<th>Standard Deviation</th>
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</thead>
<tbody>
<tr>
<td>1.68</td>
<td>0.56 - 8.33</td>
<td>1.37</td>
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</table>

Data Plot and Equation

Fitted Curve Equation: \( \ln(T) = 0.60 \ln(X) + 1.07 \)
\( R^2 = 0.52 \)
Hands-Free Access To Your Storage

Secure access to our property all while keeping your phone in your pocket!

Storage Genie mobile app securely grants access to our property all while keeping your phone in your pocket! Keep track of your onsite activity, make payments and contact us all from you mobile. Download the app today!

Features

Beacon Technology
Utilizes beacons embedded in keypad to securely grant access to our property without opening phone.

Access History
Keep track of activity onsite. Businesses, see who is using the unit and when.

Make a Payment
Life is busy and we want to make it easier for you to make an online payment for your storage unit.

Contact Us
Your important to us and we want to hear from you! Call or email us with a click of a button.

Storage Genie

Available on the iPhone App Store and Google play.
Overview & Components

INSOMNIAC CIA consists of the three main hardware components: The Gateway, Keypad and Relay Expansion Modules. A typical self-storage will utilize a Gateway and one more Keypads. The Relay Expansion Modules are typically used for elevator and lighting controls. The Storage Genie mobile app communicates with the keypad from the users mobile device using its’ built-in Bluetooth Beacon technology.

Gateway
Enclosure: Indoor, Aluminum, Power Coated
Communications: RS485 (2), Optional Wireless (900 MHz), Ethernet
Secure Communications: Yes; No requirement for static IP; Open Ports or Port Forwarding
Form C Relay Outputs: 4
Auxiliary Inputs: 8
Wiegand Interface: 2
Tamper: Yes
Battery Backup Power: Yes
Device Power: Up to 16 Devices
Operating Voltage: 12-24 VDC
Operating Temperature Range: 22 – 120 F
Humidity: 0-95% Non-Condensing
Ingress Rating: IP44
Listed to UL Specification 294 for Access Control

Keypad
Enclosure: Indoor/Outdoor, Power Coated Aluminum
Lockable Design with Captive Screws and Hinged Faceplate
“Text Me My Code” Capability*
Bluetooth Beacon: Yes. For use with Storage Genie mobile app
Communications: RS485 (1), Optional Wireless (900 MHz)
Secure Communications: Yes
Display: 4 Line Organic LED (OLED) Customizable Display
Form C Relay Outputs: 2
Auxiliary Inputs: 4
Tamper: Yes
Wiegand Inputs: 1
Intercom: Yes
Camera: Optional
Operating Voltage: 12 - 24 VDC, 500ma
Operating Temperature Range: -31 – 150 F
Humidity: 0 – 95% Non-Condensing
Ingress Rating: IP55. Gasket to prevent moisture
Listed to UL Specification 294 for Access Control

*Allows tenants to retrieve their access code by text message.

*INSOMNIAC CIA is a registered trademark of OpenTech Alliance, Inc. All rights reserved.
Relay Module
Enclosure: Indoor/Outdoor, Aluminum, Power Coated
Communications: RS485 (1), Optional Wireless (900 MHz)
Secure Communications: Yes
Form C Relay Outputs: 8
Auxiliary Inputs: 8
Tamper: Yes
Elevator Override Key: Yes
Operating Voltage: 12-24 VDC
Operating Temperature Range: -31 – 150 F
Humidity: 0 – 95% Non-Condensing
Ingress Rating: IP55. Gasket to prevent moisture
Listed to UL Specification 294 for Access Control

INSOMNIAC CIA Portal
Web based software
No software or PC required at property
Access via PC, Mac, Tablet or mobile device
User Dashboard
Real-time diagnostics
Data visualization and reporting
Control one to thousands of properties
Secure Communications: Yes; No requirement for static IP; Open Ports or Port Forwarding

Storage Genie Mobile App
Compatible with Apple iOS or Android
Bluetooth Beacon technology for secure “No Touch” operation - Allows tenants to enter & exit property, open doors, gates, elevators, etc. completely handsfree
No requirement for PC at property
Allows access to multiple properties
Customer notification and alerts

Lightning/Surge Protection
Testing Lab: National Testing Systems (NTS)
Power Inputs: 20,000V at 10,000 Amps
RS485 Communications: 16,000V at 380 Amps

*INSOMNIAC CIA is a registered trademark of OpenTech Alliance, Inc. All rights reserved.
Tax Account 006-091-10

Owners
DAYTON FLYER LLC
1805 N CARSON ST #53
CARSON CITY, NV 89701-0000

Account Summary

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<td>$649.00</td>
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<tr>
<td>Currently Due</td>
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$649.00 is due by March 06, 2023.
You can pay any amount up to $649.00 (the current balance).

Current Year

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<td>Due</td>
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<td>Ad Valorem Tax Rate</td>
<td>3.2098</td>
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<td>Tax Cap</td>
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Current Year Installments

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<td>10/03/2022</td>
<td>10/14/2022</td>
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<td>Pay $649.00 Now</td>
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Past Years
Citizen Advisory Board
Letter of Transmittal

Meeting Date: February 1, 2023

Advisory Board: Dayton Regional Advisory Board

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

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

Agenda Item:
11. For presentation, discussion and possible action: Conditional Use Permit request from Blackcomb Property Group, LLC to allow for a Self storage/RV storage use at 222 Dayton Valley Road in Dayton (APN 006-091-10) PLZ-2022-213.

Recommended Motion and/or Report:
Christopher Gonzales moved that the Conditional Use Permit request, as read into the record by the chairman, be forwarded to the Planning Commission/BOCC with a recommendation for approval, conditioned on the following;

• project incorporates roadway improvements including reconfiguration of the pedestrian crosswalk, installation of a left hand turn lane into project, and analysis of sight distance at project exit.
• project incorporates features to address adverse visual impacts on Dayton Valley Road frontage.
• Lyon County Boards and Staff consider the adverse impacts of creating spaces between existing and proposed walls, specifically on the projects north lot line, that can collect debris and promote houseless encampments.

Gina Lee seconded, motion carried 5-0.

Advisory Board or Public Concerns:
Gina Lee asked how it was established that there was a need for this type of facility in this location. Speaker Ely May answered that a similar facility opened in Moundhouse in October 2022 for 150 units and it was full by January. Also the nearby restrictive HOA requirements at the Golf Course communities do not allow for any RV or Boat storage onsite.
Phil Cowee wants taller fencing along Dayton Valley Road as his (neighboring) business was required to do. The intersection of Como Road is a concern as it does not quite line up with the intended access point for the facility.
Leandra Carr is fully supportive of this project

Submitted By: Gina Lee, Secretary
Date: February 2, 2023
Lyon County Planning Commission Agenda Summary

Meeting Date: March 14, 2023

Agenda Item Number:
15.a

Subject:
For Possible Action: Staff update on recent County Commissioner actions.

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS
  •