LYON COUNTY PLANNING COMMISSION
TUESDAY, APRIL 09, 2024
9:00 AM
LYON COUNTY ADMINISTRATIVE COMPLEX
27 S. MAIN STREET
YERINGTON, NV 89447

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.


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. Community Development Director Comments

6. For Possible Action: Approval of Minutes
   6.a. For Possible Action: To approve the minutes from the February 13 and March 12, 2024 meetings.
       - February 13, 2024 Minutes
       - March 12, 2024 Minutes

7. Presentation and Reading of Miscellaneous Correspondence

8. Advisory Board Reports

9. Public Hearing Items
   9.a. For Possible Action: To forward a recommendation to the Board of Commissioners for the request for a Zoning Map Amendment from Dominic Del Padre to amend the zoning map designation from CC (Community Commercial) to SR-2 (Suburban Residential – 2 acre minimum) on a 2.75-acre parcel generally located east of Branstetter Avenue at 418 V&T Way in Mark Twain (APN 019-262-08) PLZ-2024-008.
       - Staff Report
       - Backup

10. For Presentation Only
    10.a. For Discussion Only: Review of Title 15 allowances for gaming and casino uses and discussion of potential code amendments to require a minimum number of hotel rooms as part of all developments proposing Restricted Gaming with a Conditional Use Permit. (Requested by Commissioner Jones.)

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

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

12. Action Items

13. Board Member Comments

14. Future Agenda Items

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

ADJOURN TO RECONVENE AS THE LYON COUNTY PLANNING COMMISSION
16. Staff Comments and Commissioner Comments

16.a. For Possible Action: Staff update on recent Commissioner Actions.

17. 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.

18. ADJOURNMENT

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

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

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

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found on-line at http://www.acer.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: April 9, 2024

Agenda Item Number:
6.a

Subject:
For Possible Action: To approve the minutes from the February 13 and March 12, 2024 meetings.

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS
- February 13, 2024 Minutes
- March 12, 2024 Minutes
LYON COUNTY PLANNING COMMISSION MEETING MINUTES
January 13, 2024

The January 13, 2024 meeting of the Lyon County Planning Commission was called to order by
Commission Chairwoman Audrey Allan, at approximately 9:00 a.m. at the Lyon County Administrative
Complex, 27 S. Main Street, Yerington, NV, 89447.

Attending staff: Community Development Director, Louis Cariola; Senior Planner, Lisa Nash; Planning
Technician, Kerry Page; and Administrative Assistant, Shannon Juntunen were present.

1. Roll Call

Members present: Commissioners Audrey Allan, Loretta Sell, Ralph Ewing, Michael Carlson, Shannon
Ceresola, Connie Kuzmicki and Mark Jones attended in chambers. A quorum was noted.

2. Pledge of Allegiance – The Pledge of Allegiance was led by Commissioner Jones.

3. Public Participation – None

4. Review and Adoption of the Agenda

Commissioner Ewing motioned to adopt the agenda as presented. Commissioner Jones seconded and
the motion passed by unanimous vote (7 Ayes, 0 Nay, 0 Abstentions)

5. Community Development Director Comments

5.a. For Presentation Only: Presentation by the Community Development Director on Planning
Process and procedure.

Community Development Director, Louis Cariola, began by explaining the functions of the Master
Plan versus Zoning. The Master Plan is a guiding document that outlines long-term goals of how the
community wants a specific area to develop, whereas Zoning dictates allowable uses. Master Plan
amendments are processed up to three times a year and are heard by both the Planning Commission
as well as the Board of Commissioners, which is the final deciding body. The Commissioners asked
if the County can make a property owner change their zoning if it does not match the Master Plan.
Mr. Cariola responded the County cannot make a property owner change their Zoning or Master Plan.
However, if a property owner is applying for a zone change, it has to conform with the current Master
Plan. In the event it does not, the property owner will be required to go through a Master Plan
amendment as well. Mr. Cariola explained the proper way to make motions, giving examples of
approval, denial and continuance. He also explained how staff uses findings to ensure a project meets
development standards, goals and policies of the Master Plan, allowable uses based on the zoning
district and the importance of using them to base a motion on. When the Planning Commission is
making a motion and voting on an item the motion and vote should be based on the findings. For
example, if the motion is to deny or recommend denial of an item, it should be noted which finding
is not being met. Next, Mr. Cariola explained the process of Tentative Subdivision Maps. The
Tentative Map stage sets forth the development standards and conditions of approval the applicant
must fulfill before the final map, or first in series of final maps, is recorded. Most Subdivisions are
developed in phases with a final map for each phase. Applicants are allowed one 2-year extension
before the Tentative Map expires with one 2-year extension for each additional phase. There was
discussion on required water rights. Mr. Cariola explained an applicant dividing property by parcel
map or subdivision map is required to provide the adequate water rights for each new parcel being
created before recordation of the final map. He also spoke about the developer’s responsibility to
provide an Improvement Bond in the amount of 150% of the estimated cost of improvements to
ensure completion of those improvements and before a Site Improvement permit is issued. Once all
the improvements are completed and approved by the County Engineer, Road Director and Utilities
Director, the Improvement bond is replaced with a 10% maintenance bond held for a one year
warranty period. He also went on to say the county does not create roads, developers/development does. Once they are dedicated, the county maintains them. Acceptance of the Offer of Dedication occurs upon release of the Maintenance Bond. Mr. Cariola spoke to the Commission about the process staff goes through with applicants/applications and the reason staff often recommends approval of a project. If the proposed application meets the findings and development standards staff has no legal reason to recommend denial. Many times staff has seen a proposed project and met with applicants before it goes before the Planning Commission or Board of Commissioners, often in a Round Table which is an informal meeting where staff provides applicants with direction and helps identify roadblocks or potential problems. Mr. Cariola ended his presentation by briefly speaking about the importance of creating area drainage guidelines/master plan. This allows the county to require developers to adhere to those standards and implement alternative options to retention and or detention ponds and to mitigate potential flooding.

The Commissioners thanked Louis for his presentation.

6. For Possible Action: Approval of Minutes

6.a. For Possible Action: To approve the minutes from the January 9, 2024 meeting.

Commissioner Jones motioned to approve the minutes from the January 9, 2024 meeting as amended. Commissioner Sell seconded, the motion passed by unanimous vote (7 Ayes, 0 Nay, 0 Abstentions).

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

8. Advisory Board Reports – None

9. Public Hearing Items

9.a. For Possible Action: To forward a recommendation to the Board of Commissioners for a Zoning Map Amendment request from Lyon County to amend the Zoning Map designation from the Title 10 district of M-1 (General Industrial-Title 10) to the Title 15 district of PF (Public Facility) for a 0.57-acre lot located at 56 Red Rock Rd. in Mound House (APN: 016-233-06) PLZ-2024-004.

Senior Planner, Lisa Nash, presented the staff report. Lyon County is requesting a zoning map amendment to change the current zoning on the subject parcel, totaling 0.57 acres in size, from M-1 (General Industrial – Title 10) to PF (Public Facilities – Title 15) to be consistent with the Master Plan designation of Public/Quasi Public. The subject site is a former Central Lyon County Fire Protection District fire station and is intended for conversion to a Community Center for the Mound House area. The building will undergo renovations and improvements as additional funds are made available.

Public Comment-None

Commissioner Ewing motion to forward a recommendation of approval to the Board of Commissioners for the request to amend the Zoning Map designation from the Title 10 district of M-1 (General Industrial-Title 10) to the Title 15 district of PF (Public Facility), for a 0.57-acre lot located at 56 Red Rock Rd. in Mound House (APN: 016-233-06) PLZ-2024-004.

Commissioner Sell seconded, the motions passed by unanimous vote (7 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 comments and Commissioner Comments:**

   Mr. Cariola updated the Commission on recent action of the board.

   At the February 1, 2024 meeting, the board continued the Traditions Commercial Tentative Subdivision Map application due to a change in parcel numbers as a result of a recent Boundary Line Adjustment. The item will be heard at the March 7, 2024 meeting. He also gave a brief presentation to the Board of Commissioners on the proposed contract with Waste Management.

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

17. **Adjournment at 10:12 a.m.**

__________________________________________

Audrey Allan, Chairwoman

__________________________________________

Shannon Juntunen, Administrative Assistant
The March 12, 2024 meeting of the Lyon County Planning Commission was called to order by Commission Chairwoman Audrey Allan, at approximately 9:00 a.m. at the Lyon County Administrative Complex, 27 S. Main Street, Yerington, NV, 89447.

Attending staff: Interim Community Development Director, Andrew Haskin; Planning Technician, Kerry Page; Administrative Assistant, Shannon Juntunen were present in chambers. Deputy District Attorney; Illyssa Fogel; Senior Planners Louis Cariola and Lisa Nash attended via Zoom.

1. Roll Call: Members present: Commissioners Audrey Allan, Loretta Sell, Ralph Ewing, Michael Carlson, Shannon Ceresola, and Mark Jones attended in chambers. Commissioner Kuzmicki was absent. A quorum was noted.

2. Pledge of Allegiance - Commissioner Sell led the Pledge of Allegiance.

3. Public Participation – None

4. Review and Adoption of the Agenda

Commissioner Sell motioned to adopt the agenda as presented. Commissioner Carlson seconded and the motion passed by unanimous vote (6 Ayes; Commissioners Allan, Sell, Carlson, Jones, Ceresola and Ewing, 0 Nay, 0 Abstentions, 1 absent; Commissioner Kuzmicki).

5. Community Development Director Comments

Acting Community Development Director/County Manager, Andrew Haskin updated the Commission on a change in staff. Former Community Development Director; Louis Cariola, stepped down from his role as Community Development Director and is back in the role of Senior Planner. Mr. Haskin went on to say the Board of Commissioners directed staff to investigate the process and requirements to re-instate the Public Lands Board as a separate advisory board. Once staff has more information he will come back with a presentation and information.

6. For Possible Action: Approval of Minutes

6.a. For Possible Action: To approve the minutes from the February 13, 2024 meeting.

Commissioner Jones requested additional information be added to the minutes under the Community Development Director’s presentation on using findings to make a motion and vote.

Commissioner Ewing motioned to continue the minutes from the February 13, 2024 meeting to the April 9, 2024 meeting. Commissioner Jones seconded, the motion passed by unanimous vote (6 Ayes; Commissioners Allan, Sell, Carlson, Jones, Ceresola and Ewing, 0 Nay, 1 absent; Commissioner Kuzmicki).

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

8. Advisory Board Reports – None

9. Public Hearing Items- None

   Public Comment-None

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 comments and Commissioner Comments** -

   Mr. Haskin updated the Planning Commission on recent Board actions. At the March 7, 2024 meeting, the Board approved both planning items, listed below, by unanimous vote (5-0)

   
   Request for a Commercial Subdivision Tentative Map request from Stan Lucas to merge five (5) existing parcels on the north side of Hwy 50, east and west of Traditions Parkway, to establish an approximately 125.13 acre commercial subdivision, creating the boundaries of the Traditions Commercial Center to allow for future commercial, retail, office, light industrial and multi-family residential development including a site for the new Lyon County offices in Dayton (APNs 016-401-97, 016-406-11, 016-406-19, 016-406-20, 029-782-16) PLZ-2023-079

   Request for a Zoning Map Amendment request from Lyon County to amend the Zoning Map designation from the Title 10 district of M-1 (General Industrial – Title 10) to the Title 15 district of PF (Public Facilities) PLZ-2024-004.

   Commissioner Jones requested an agenda item for the April 9, 2024 to discuss amending standards for non-restricted gaming to include lodging.

16. **Public Participation** - None

17. **Adjournment at 9:18 a.m.**

   ________________________________
   Audrey Allan, Chairwoman

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

Meeting Date: April 9, 2024

Agenda Item Number:
9.a

Subject:
For Possible Action: To forward a recommendation to the Board of Commissioners for the request for a Zoning Map Amendment from Dominic Del Padre to amend the zoning map designation from CC (Community Commercial) to SR-2 (Suburban Residential – 2 acre minimum) on a 2.75-acre parcel generally located east of Branstetter Avenue at 418 V&T Way in Mark Twain (APN 019-262-08) PLZ-2024-008.

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS
- Staff Report
- Backup
Lyon County Planning Commission

PLZ-2024-008

Proposed Action  Zoning Map Amendment
Meeting Date  April 9, 2024
Owner  Dominic Del Padre
Applicant  Dominic Del Padre
Community  Silver Springs
Location  418 V&T Way
Parcel Numbers  019-262-08
Parcel Sizes (acres)  2.75 acres
Master Plan  Suburban Residential
Current Zoning  C2 (Title 10)
Proposed Zoning  SR-2 (Suburban Residential – 2 acre minimum)
Flood Zone(s)  X - Unshaded per FIRM 32019C0292F
Case Planner  Louis Cariola

REQUEST
Property owner Dominic Del Padre requests a zoning map amendment to change the current zoning on a 2.75-acre parcel from C2 (General Commercial) to SR-2 (Suburban Residential – 2 acre minimum) in a Suburban Character District to correct a current inconsistency with the Master Plan designation of Suburban Residential.

STAFF RECOMMENDATION
Staff recommends that the Planning Commission forward a recommendation of approval of the rezoning request based on the Findings as listed in the staff report as the request would be in general conformance with the 2020 Comprehensive Master Plan designation for the property.

A Zoning Map Amendment request cannot be conditioned.
RECOMMENDED MOTION
If the Planning Commission determines that they should forward a recommendation of approval of the requested zoning map change application, 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 the zoning map amendment request by Dominic Del Padre to change the zoning district from C2 (General Commercial) to SR-2 (Suburban Residential – 2 acre minimum) for a 2.75-acre parcel in Mark Twain at 418 V&T Way (APN: 019-262-08) PLZ-2024-008.
BACKGROUND AND PROPERTY INFORMATION

Location, Access, and Size

The subject parcel is generally located north west of the US Highway 50 and Six Mile Canyon Road intersection in Mark Twain. Specifically, the site is approximately 260’ east of the intersection of Branstetter Avenue and V&T Way. The parcel’s existing access is on the south side directly from V&T Way.
The parcel is 2.75 acres in size, as are the neighboring parcels to the north, east, and west.
Current Use and Topography

The site is currently developed with a manufactured home and a detached shop building, accessed with a loop driveway. The following pictures were provided by the applicant, taken from V&T Way looking north into the site.
Flood Zone

The subject site is located within the X-Unshaded Flood Zone per the FEMA Flood Insurance Rate Map (FIRM) 32019C0292F (effective date 10/20/2016). The site is outside the 500-year flood plain and no Floodplain Development permit will be necessary for future development on site.

Utilities

The subject parcels are within the Lyon County Utilities service area for water and sewer, but the existing development is connected to functioning independent well and septic systems. Lyon County Sheriffs and the Central Lyon Fire Department will provide emergency response services.
Master Plan Designation

The Master Plan designation for the site is Suburban Residential, in a Suburban Character District. Along V&T Way all the parcels in the vicinity hold the Suburban Residential designation. The subject parcel, and the adjacent parcels on V&T Way, create a boundary with Rural Residential designations to the north.
Current Zoning

The current zoning on all the parcels in the map below depicts the current zoning districts after “conversion” through the Zoning Consistency Matrix, adopted in 2018 with Title 15. These zoning districts determine the allowed uses, setbacks, and other development standards for each parcel.

This stretch of V&T Way includes a patchwork of zoning with both commercial and residential zoning on parcels that are all similarly sized at 2.75 acres. The area is in a state of transition, with a legacy of commercial zoning that has been incrementally changed to Rural Residential and Suburban Residential districts by their respective owners. Notably, this has already occurred for the parcels that bound the subject site to the north and east as well as across V&T Way to the south.

PROPOSED ZONING

The applicant proposes to change the existing zoning to SR-2. Prior to the submittal of the application, staff discussed the requested Zone Change with the applicant and suggested a zone change to Suburban Residential-1/2 acre minimum, which is in strict compliance with the Master Plan. After review of the adjacent parcels’ sizes (all over 2-acres) Staff reassessed and recommended the current request to SR-2. Staff can support this since the resultant parcel would represent less development potential and SR-2 will be consistent with the actual parcel sizes and residential density on this length of V&T Way.

The Master Plan recognizes SR-type zoning with maximum parcel sizes of one half acre as being consistent with the Suburban Residential Master Plan destination and, for 2-acre minimums, recognizes the Rural Residential designation as consistent. This means the applicant is making a request that allows significantly less development potential (only one parcel permitted on his 2.75 acre lot instead of five with half-acre minimums) than the Master Plan would technically allow with SR-1/2 zoning. This situation is not indicative of a typical process for staff recommendations, but the parcels along V&T Way have Suburban designations without well and septic connections, a quality that is a large part of the justification for smaller parcel sizes. The limit of one parcel based upon the new zoning also represents less potential impacts to adjacent parcels owners.

For the reasons stated above, staff supports this zoning change request to SR-2.
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.

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**

> It has been covered, previously in this project narrative that the proposed zoning designation of SR-1/2 SR-2 is consistent with the master plan designation of Suburban Residential. Following is the identification of applicable Master Plan Policies that show consistency of the request to that guiding document.

**Policy LU 1.1: Follow Development Patterns as Established on Countywide Land Use Plan or a More Specific Community Plan**

> The proposed zoning designation is specifically identified in the Lyon County Comprehensive Master Plan as the consistent designation to the master plan designation of Suburban Residential.

**Policy FS 2.1: Public Safety**

> The property associated with this zone map amendment is located approximately 2,000 feet from the Central Lyon County Volunteer Fire Station and the existing uses on the site are already served by fire and sheriff services. The amendment will also allow an installation of an up-to-date safety standard building and removal of a pre HUD structure. This will reduce the likely hood of needed fire response.

**Staff Comment**

Based on review of the proposed zone change relative to the parcel sizes and actual uses in the vicinity of the subject site, staff believes the proposed zoning map amendment is consistent with the Master Plan. Single family residential uses are already established on this section of V&T Way and the requested zone change would allow development that would not present incompatible uses. As stated by the owner, the goal of this zone change is to permit the removal of an older manufactured home to be replaced with a modern structure. This Finding is met 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 site currently holds approximately 2.75 acres of land zone CC (Community Commercial). The requested zoning designation of SR-1/2 SR-2 is significantly different but in line with the Master Plan as is the majority of the surrounding properties. Any necessary public facilities are already available for proposed amendment.

**Staff Comment**

The subject site already has paved access via V&T Way. While located in Lyon County Utilities service area for water and sewer, the existing development already has functioning and legally established water and septic systems. The proposed amendment is not inconsistent with the public facilities policies of Title 15.
C. That the proposed amendment is compatible with the actual or master planned adjacent uses.

*Applicant’s Response (underline added)*

The zone change request to SR-1/2 SR-2 is compatible with the Master Planned adjacent uses as the properties north, east, and south of the subject property holds the same master plan designation of RR-2.

**Staff Comment**

The parcels surrounding the subject parcels all share the same Master Plan designation of Suburban Residential. The actual uses include a vacant parcel to the west and residential development to the north, east, and south. This zone change request would permit a residential lot with single family residential-type development, consistent with both the Master Plan designation and actual uses on adjacent parcels. This Finding can be met in the affirmative.
ALTERNATIVES TO APPROVAL

Alternative Motion for Continuance
If the Planning Commissioners determine that there is insufficient information with which to make a decision on the Master Plan Amendment application before them and that additional information, discussion and public comment are necessary to have a more complete and thorough review of the proposed project, then the Planning Commission should make the appropriate findings and move to continue the Public Hearing for the Master Plan Amendment application to a future date with concurrence from the applicant.
If so, then the Planning Commission may wish to consider a motion similar to the following:
The Lyon County Planning Commission finds that:

A. Additional information, discussion, and public review are necessary for a more thorough review of the proposed Master Plan Amendment application.

Based on the aforementioned finding, and with the applicant’s concurrence, the Planning Commission continues the zoning map amendment request by Dominic Del Padre to change the zoning district from C2 (General Commercial) to SR-2 (Suburban Residential – 2 acre minimum) for a 2.75-acre parcel in Mark Twain at 418 V&T Way (APN: 019-262-08) PLZ-2024-008.

Alternative Motion for Denial
If after review and public comment the Planning Commission determines that they should recommend denial of the Zoning Map Amendment application, then the Planning Commission may wish to consider a motion similar to the following:
The Lyon County Planning Commission has considered:
15.220.05: 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;

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

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

After consideration of the above-listed Findings, the Lyon County Planning Commission has determined that the Zoning Map Amendment would not be in conformance with the above-listed considerations and recommends denial of the zoning map amendment request by Dominic Del Padre to change the zoning district from C2 (General Commercial) to SR-2 (Suburban Residential – 2 acre minimum) for a 2.75-acre parcel in Mark Twain at 418 V&T Way (APN: 019-262-08) PLZ-2024-008.

Appeal Process
LCC 15.606.12: An applicant aggrieved by a decision of the planning commission may appeal to the Board of County Commissioners within thirty (30) days of the mailing of the decision. The Board of County Commissioners shall render their decision within forty five (45) days after filing of the appeal and payment of fees.
Tab B.

Project Description/ Narrative

Property Location/Site Area

The subject property is located in Mark Twain Estates, Lyon County and is a 2.75 +/- acre parcel (APN 019-262-08). The Parcel fronts and will be accessed from V & T Way. The Parcel to the North is privately owned and was previously rezoned to RR-2. As were the two properties to the East and the property South of this property. All privately owned and all holding the RR-2 designation.

There are a few parcels in the area including directly to the West that are undeveloped but the commonly held property in the area is RR-2.

A vicinity map is provided below in the parcel location and access to the site.

Figure 1: Vicinity Map

Project Request
It is requested that the zoning on the subject parcel (APN 019-262-08) be changed from CC to SR-1/2. The proposed designation is conformant with the Lyon County Master Plan Designation on the property and matches the designation on the commonly owned parcels in all directions but West (APN 019-262-09). Approval of this zoning map amendment will allow for a new modular home to be placed on the property replace the 1974 Watchmen’s House currently on the parcel.

Existing Master Plan

The parcel is master planned Suburban Residential. There is no proposed change to the Lyon County Master Plan designation on this property that is requested or is necessary with this application request.

The proposed SR-1/2 zoning designation is consistent with the master plan designation from the 2020 Lyon County Master Plan.

An Existing Master Plan Exhibit is provided below.

Figure 2: Existing Lyon County – Dayton Master Plan
Existing and Proposed Zoning

The subject Parcel currently has an existing zoning designation of Community Commercial (CC). The existing zoning description is not conformant to the Lyon County Master Plan. Additionally, the proposed zoning designation of SR-1/2 matches the zoning designation on the privately held parcels of +2 acers in the general vicinity. The ultimate intent is to re-zone to be in compliance with the Lyon County Master Plan and use the parcel as a residential parcel by upgrading to a modern and safe home.
Southeast Corner (2 pictures from outside the fencing)
Northwest Corner (one picture from inside property fencing)

Northeast Corner (one picture from inside property fencing)
Front view from V & T Way (4 Pictures from roadway)
TAB - C

Justification / Findings

Zoning Map Amendment Findings

Per Lyon County Development Code 15.220.05 (Findings) When approving a zoning text or
map amendment the commission and the board must make the following findings,
because this application only requests a zone map amendment, many of the policies
within the Master Plan do not have applicability at this point.

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;

It has been covered, previously in this project narrative that the proposed zoning
designation of SR-1/2 is consistent with the master plan designation of Suburban
Residential. Following is the identification of applicable Master Plan Policies that show
consistency of the request to that guiding document.

Policy LU 1.1: Follow Development Patterns as Established on Countywide Land Use Plan
or a More

Specific Community Plan

The proposed zoning designation is specifically identified in the Lyon County
Comprehensive Master Plan as the consistent designation to the master plan designation
of Suburban Residential.

Policy LU 3.1: Diverse Economic Base

One of the strategies under this policy is to establish appropriate zoning districts, such as
mixed-use commercial, employment, etc. This zone change adheres to this strategy.

Policy NR 3.1: Water Supply and Quality

This parcel obtains its water strictly from a well source located on property.

Policy FS 1.1: Location of New Development

One of the strategies under this policy identifies that Revise the County’s desire to
incentivize new development according to the Land Use map in this Plan (the Master Plan).
The existing master plan designation is Suburban Residential, and the proposed zoning
designation is SR-1/2. The requested designation is in conformance with the designation of
the land per the Master Plan.
Policy FS 2.1: Public Safety

The property associated with this zone map amendment is located approximately 2,000 feet from the Central Lyon County Volunteer Fire Station and the existing uses on the site are already served by fire and sheriff services. The amendment will also allow an installation of an up-to-date safety standard building and removal of a pre HUD structure. This will reduce the likely hood of needed fire response.

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

The site currently holds approximately 2.75 acres of land zone CC (Community Commercial). The requested zoning designation of SR -1/2 is significantly different but in line with the Master Plan as is the majority of the surrounding properties. Any necessary public facilities are already available for proposed amendment.

C. That the proposed amendment is compatible with the actual or master planned adjacent uses. (Ord. 603, 11-1-2018)

The zone change request to SR-1/2 is compatible with the Master Planned adjacent uses as the properties north, east, and south of the subject property holds the same master plan designation of RR-2.
Lyon County Planning Commission Agenda Summary

Meeting Date: April 9, 2024

Agenda Item Number:
10.a

Subject:
For Discussion Only: Review of Title 15 allowances for gaming and casino uses and discussion of potential code amendments to require a minimum number of hotel rooms as part of all developments proposing Restricted Gaming with a Conditional Use Permit. (Requested by Commissioner Jones.)

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS
•
Lyon County Planning Commission Agenda Summary

Meeting Date: April 9, 2024

Agenda Item Number: 16.a

Subject:
For Possible Action: Staff update on recent Commissioner Actions.

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS

•