LYON COUNTY PLANNING COMMISSION
TUESDAY, JULY 11, 2023
9:00 AM
LYON COUNTY ADMINISTRATIVE COMPLEX
27 S. MAIN STREET
YERINGTON, NV 89447

Join Zoom Meeting
https://us02web.zoom.us/j/81479347441?pwd=MlBJZ0ZtaHJrNVdOVHkxam5ZNGJjQT09
Meeting ID: 814 7934 7441
Passcode: 950290
One tap mobile
+16699006833,,81479347441#,,,,*950290# US (San Jose)
Dial by your location
+1 408 638 0968 US (San Jose)

Planning Commission meetings are open to the public and may be attended in person or via virtual Zoom, if available.

Virtual public comment may be given if you are attending the virtual Zoom meeting by raising your hand. This can occur in several ways, including by dialing *9 from your phone to raise your hand and request to speak for public comment. Then to unmute yourself, dial *6.

Written public comments may also be mailed to the Lyon County Community Development Office at 27 S. Main Street, Yerington, Nevada 89447, or emailed to countyclerks@lyon-county.org, be sure to type, PUBLIC COMMENT in the subject line. Comments must be received the day prior to the date of the meeting by 4:00 P.M. for the comments to be included in the meeting. Any written public comments received after the aforementioned time will be compiled and added as supplemental materials to the County's website and distributed to the Commission within 24 hours after the meeting.

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 of Action: Approval of Minutes

5.a. For Possible Action: To approve the minutes from the June 11, 2023 meeting.

6. Presentation and Reading of Miscellaneous Correspondence

6.a. For Possible Action: Presentation and Reading of Miscellaneous Correspondence.

7. Advisory Board Reports

7.a. For Possible Action: Advisory Board Reports.

8. Public Hearing Items

8.a. For Possible Action: To forward a recommendation to the Board of Commissioners for the request for a Major Variance from Mr. George Thanash to allow an accessory building to be located less than one-hundred (100) feet from an adjacent road in the RR-20 (Rural Residential-20 acre minimum) zoning district on a 40.89-acre parcel located approximately five-hundred (500) feet to the southwest of the intersection of Hoye Canyon Road and State Route 208 at 54 Hoye Canyon Road in Smith Valley (APN 10-631-29) PLZ-2023-035.

8.b. For Possible Action: To forward a recommendation to the Board of Commissioners for the request for a Master Plan Amendment from Mark and Sheryle Jones to amend the Master Plan designation from Agriculture to Rural Residential on a 21.60-acre parcel generally located to the northeast of the intersection of Madison Way and Artesia Road at 60 Artesia Road in Smith Valley (APN 010-081-43) PLZ-2023-020.

8.c. For Possible Action: To forward a recommendation to the Board of Commissioners for the request for a Zoning Map Amendment from Mark and Sheryle Jones to amend the zoning Map designation from the Title
10 district of RR-5, Fifth Rural Residential - 20 acre minimum, to the Title 15 district of RR-5, Rural Residential – 5 acre minimum, on a 21.60-acre parcel generally located to the northeast of the intersection of Madison Way and Artesia Road at 60 Artesia Road in Smith Valley (APN 010-081-43) PLZ-2023-021.

8.d. For Possible Action: To forward a recommendation to the Board of Commissioners for the request for a Conditional Use Permit from Mr. Darrell Bluhm of Lyon County School District to allow a bus storage yard, commercial coach office building, vehicle maintenance building, bus fueling station, and an employee parking area at an existing Educational Facility in the RR-5 (Rural Residential-5 acre minimum) zoning district on a 60-acre parcel generally located to the south east of the intersection of Spruce Avenue and Topaz Street in Silver Springs (APN 15-131-26) PLZ-2023-031.

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

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

10. Public Lands Regular Agenda

11. Board Member Comments

12. Future Agenda Items

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

ADJOURN TO RECONVENE AS THE LYON COUNTY PLANNING COMMISSION

14. Staff Comments and Commissioner Comments

15. 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.

16. ADJOURNMENT

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

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

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

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

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

Lyon County is an equal opportunity provider.

Agenda and Backup Material is Available at www.lyon-county.org
Lyon County Planning Commission Agenda Summary

Meeting Date: July 11, 2023
Agenda Item Number: 5.a

Subject: For Possible Action: To approve the minutes form the June 11, 2023 meeting.

Recommendation:

Summary:

Attachments:
LYON COUNTY PLANNING COMMISSION MEETING MINUTES
June 13, 2023

The June 13, 2023 meeting of the Lyon County Planning Commission was called to order by Commission 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 Audrey Allan, Michael Carlson, Ralph Ewing, Mark Jones, and Loretta Sell attended in person at the Lyon County Administrative Complex. Commissioners Connie Kuzmicki and Shawn Keating were absent.

Attending staff: Community Development Director, Louis Cariola; Senior Planner, Bill Roth; Planning Technician, Kerry Page; Administrative Assistant; Shannon Juntunen; and Deputy District Attorney, Illyssa Fogel, attended in person.

2. Pledge of Allegiance – Led by Commissioner Jones

3. Public Participation – There was none

4. Review and Adoption of the Agenda

Commissioner Sell motioned to adopt the agenda as presented. Commissioner Ewing seconded, the motion passed by a unanimous vote (5 Ayes, Commissioners Sell, Allan, Jones, Ewing and Carlson; 0 Nay; 2 Absent, Commissioners Keating and Kuzmicki).

5. For Possible Action: Approval of Minutes

5.a. For Possible Action: To approve the minutes from the June 13, 2023 meeting as amended.

Commissioner Sell motioned to approve the minutes from the June 13, 2023, meeting as amended. Commissioner Jones seconded, the motion passed by a unanimous vote (5 Ayes, Commissioners Sell, Allan, Jones, Ewing and Carlson; 0 Nay; 2 Absent, Commissioners Keating and Kuzmicki).

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

7. Advisory Board Reports- There was a Letter of Transmittal submitted from the Silver Springs Advisory Board for agenda item 8.a Lahontan Nevada, LLC and public comment attached as late backup.

8. Public Hearing Items

8.a. For Possible Action: (Continued From May 9, 2023 Planning Commission meeting) - To forward a recommendation to the Board of Commissioners, a request for a Conditional Use Permit by Lahontan Nevada Holdings, LTD, to allow a Commercial Solar Generation Facility in the HI-S (Heavy Industrial-Suburban) zoning district; on six parcels generally located to the northeast of the intersection of Idaho and Ramsey Street in Silver Springs (APNs: 018-432-02/-03/-05, 018-434-01/-02/-03) PLZ-2023-208.

Senior Planner, Bill Roth summarized the applicant’s proposed project. A conditional Use Permit is required for the proposed use in the HI-S zoning district. The surrounding parcels are zoned HI-S (Heavy Industrial-Suburban) and RR-2 (Rural Residential- 2-acre min). Mr. Roth said the applicant needs to have a line-of-sight study done to ensure the applicant is in conformance with design standards regarding visibility/screening of panels. A portion of the proposed site is in a Special Flood Hazard zone and the Wellhead Protection Area for the Silver Springs Mutual Water Company. Mr. Roth said the applicant will need to apply with all conditions set forth by both FEMA and the Silver Springs Mutual Water Company regarding the Special Flood Hazard zone and wellhead protection area. Due to not being able to make the findings, staff is recommending denial.
The Commissioners expressed concern with potential flooding, due to the Special Flood Hazard Zone, the proposed development of the site and soil content. They also had questions and concerns about possible contaminants that could affect the ground water, especially being in a wellhead protection area.

Commissioners’ Jones and Allan felt the concerns/issues with flooding, drainage, screening and the possible effects on ground water have not been addressed and there is not enough information at this time to make a recommendation. It was suggested the applicant meet with staff to address those concerns.

Chris Ihler with Energy Link, recognized that the major concerns are with screening, site design, drainage and visual impact. He said the applicant is willing to modify the proposed design to meet all standards and conditions of approval. He explained the applicant plans to dig the site down, create a berm and put up fencing to help mitigate the visual impact. There will be a sub-pump to help mitigate the risk potential flood risk.

David Landino, CEO of Lahontan Nevada, LLC, spoke about his extensive background in the well drilling industry and hydrology. Mr. Landino stated they should have more time to research the wellhead protection area requirements/study.

Matt Martensen, with Silver Springs Mutual Water Company, said he is not opposed to the project; he is opposed to digging a pit in the two year capture time, potentially creating pooling/flooding, which will greatly increase travel times. Since this is the largest production well for this area he is concerned about the effect it could possibly have on the water company’s well.

Public Comment - Amanda Brinnand, Stagecoach citizen, said she is not opposed to solar but she does have concerns about the potential effect on both the municipal and private wells in the area, as well as the visual impact. She also expressed concern with Industrial Uses in a Residential area.

Commissioner Sell motioned to forward a recommend of denial for the request for a Conditional Use Permit by Lahontan Nevada Holdings, LTD to allow a Commercial Solar Generation Facility in the HI-S (Heavy Industrial-Suburban) zoning district on APNs: 018-432-02/-03/-05, 018-434-01/-02/-03, based on the following findings as listed in the Staff Report.

A. The proposed use at the specified location is not 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 not 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 does not incorporate features to address adverse effects, including visual impacts and noise, of the proposed conditional use on adjacent properties;

F. The proposed conditional use does not comply 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.
Commissioner **Jones seconded** and the motion **passed unanimously** (5 Ayes; Commissioners Sell, Allan, Jones, Ewing and Carlson; 0 Nay; 2 Absent, Commissioners Keating and Kuzmicki)

**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 actions

15.a. Community Development Director, Louis Cariola, updated the Planning Commission on the Board actions at the June 1, 2023 meeting. All three Planning items were approved:

- Approve an ordinance amending Lyon County Code Title 15, the Lyon County Land Use and Development Code; table 15.320-1; table 15.320-2; table 15.320-3; table 15.320-4; identifying which zoning districts allow restricted gaming and non-restricted gaming; when an ADR is required; and, when a CUP is or is not required for the restricted or non-restricted gaming; and other matters properly related thereto.

- A request for a Conditional Use Permit from Lyon County School District to allow an approximately 1,440-square-foot commercial coach office building at 335 Old Dayton Valley Road in Dayton (APN 016-271-11).

- Approval of the request from Microsoft Corporation for the Abandonment of a 60 feet wide easement known as Rhyolite Lane for a length of approximately 671 feet.

16. Public Participation- There was none
17. Adjournment

At approximately 9:56 a.m. it was unanimously motioned to adjourn.

________________________________________
Audrey Allan, Chairwoman

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

Meeting Date: July 11, 2023
Agenda Item Number: 6.a
Subject: For Possible Action: Presentation and Reading of Miscellaneous Correspondence.

Recommendation:

Summary:

Attachments:
Lyon County Planning Commission Agenda Summary

Meeting Date: July 11, 2023
Agenda Item Number: 7.a
Subject: For Possible Action: Advisory Board Reports.

Recommendation:

Summary:

Attachments:
Lyon County Planning Commission Agenda Summary

Meeting Date: July 11, 2023
Agenda Item Number: 8.a

Subject: For Possible Action: To forward a recommendation to the Board of Commissioners for the request for a Major Variance from Mr. George Thanash to allow an accessory building to be located less than one-hundred (100) feet from an adjacent road in the RR-20 (Rural Residential-20 acre minimum) zoning district on a 40.89-acre parcel located approximately five-hundred (500) feet to the southwest of the intersection of Hoye Canyon Road and State Route 208 at 54 Hoye Canyon Road in Smith Valley (APN 10-631-29) PLZ-2023-035.

Recommendation:

Summary:

Attachments:
Staff Report
Backup
PLANNING COMMISSION

PLZ-2023-035

Proposed Action: Major Variance for an accessory building to be located less than one-hundred (100) feet from an adjacent road.

Meeting Date: July 11, 2023

Property Owner: George Thanash

Applicant: George Thanash

Location: Smith Valley

Parcel Number: 10-631-29

Parcel Size: 40.89 acres

Master Plan: Rural Residential

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

Flood Zone(s): Zone A (1% Annual Chance Flood Hazard) and Zone D (Area of Undetermined Flood Hazard) per FIRM 32019C0950E

Case Planner: Bill Roth

REQUEST

The Applicant is requesting a Major Variance to allow for an accessory building to be located less than one-hundred (100) feet from an adjacent road on a 40.89-acre parcel in Smith Valley.

PROJECT SUMMARY

The Applicant’s proposal is for a Major Variance to allow the construction of a four-thousand (4,000) square foot pre-engineered metal Accessory Building to be located sixty-one (61) feet from an adjacent road where a minimum of one-hundred (100) feet is required. Section 15.335.03 of the Lyon County Code states that, for properties five (5) acres or larger, Accessory Buildings may be located closer to the adjacent road than the principal structure on the property but that the Accessory Buildings must be at least one-hundred (100) feet from the adjacent road.
The subject property has a Master Plan designation of Rural Residential and is zoned RR-20 – Rural Residential (20 acre minimum).

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. By reason of exceptional narrowness, shallowness, or shape of the property in question, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the property in question, the strict application of the provisions of this title would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the applicant;

B. The circumstances or conditions do not apply generally to other properties in the same land use district; and

C. The granting of the variance will not result in material damage or prejudice to other properties in the vicinity, substantial impairment of natural resources or be detrimental to the public health, safety and general welfare.

Based on the aforementioned Findings, I move that the Planning Commission recommend approval to the Board of Commissioners of the request by Mr. George Thanash for a Major Variance to allow an Accessory Building to be located less than one-hundred (100) feet from an adjacent road on a 40.89-acre parcel in the RR-20 – Rural Residential (20 acre minimum) zoning district, accessed by Hoye Canyon Road southwest of State Route 208 at 54 Hoye Canyon Road in Smith Valley, located on APN 10-631-29, subject to the following Conditions of Approval (PLZ-2023-035).

CONDITIONS OF APPROVAL

1. No change in the terms and conditions of the Major Variance, as approved, shall be undertaken without first submitting the changes to Lyon County Community Development and having them modified in conformance with Lyon County Code.
2. The applicant shall comply with all applicable Fire, building, zoning and improvement code requirements and obtain any necessary public inspections.
3. All construction documents and separate applications must be submitted to the Smith Valley Fire Protection District (SVFPD) 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. The subject property is located within multiple flood zones (A and D). Prior to any development on the property, as defined in Lyon County code section 15.02.01, the applicant shall secure approval of a flood plain development permit through the County Engineer and/or the Floodplain Administrator.
6. The proposed project shall conform to the site and elevation plans approved with this Major Variance.
7. Exterior lighting shall be downward facing and shielded such that light is not shed onto adjacent properties and public rights-of-way.
8. The applicant shall comply with Lyon County’s 2018 revised drainage guidelines to the satisfaction of the County Engineer prior to occupancy.
9. The substantial failure to comply with the conditions imposed on the issuance of this Major Variance or the operation of the proposed use in a manner that endangers the health, safety or welfare of Lyon County or its residents or the violation of ordinances, regulations or laws in the proposed use may result in the institution of revocation proceedings. The Major Variance will expire and become null or void if the project does not comply with the provisions of Chapter 13 of Title 15 of the Lyon County Code.
BACKGROUND INFORMATION

Location, Size, Topography

The subject parcel is located to the southwest of the intersection of Hoye Canyon Road and State Route 208 in Smith Valley. Vehicular access to the parcel is provided via Hoye Canyon Road, which intersects the parcel (see Preliminary Site Plan included with this report).
The subject parcel (APN 10-631-29) is 40.89 acres in size and includes land to the north and south of Hoye Canyon Road and the Walker River.

As shown by the contour lines in the Preliminary Site Plan provided later in this report, the northern and southern portions of the site include steep, hilly terrain. There is limited flat area at the center of the property on either side of Hoye Canyon Road. The applicant proposes to build the Accessory Building approximately sixty-one (61) feet to the south of Hoye Canyon Road (the red star in the image above shows the approximate project location).

Site Photos
The four images below we provided by the Applicant.
Master Plan and Zoning

The Master Plan designation for the site is Rural Residential. The parcel is located in the Smith Valley Rural Character District. Rural Character Districts include those areas that are predominately low density residential development with limited neighborhood commercial uses. They may or may not have agricultural land uses or grazing lands. Improvement standards will reflect the “rural” character of the area. Rural districts are not likely to have municipal water and sewer. Roads are likely to have dirt shoulders, some equestrian paths as well as bike facilities within road rights-of-way.

The zoning is RR-5 (Fifth Rural Residential, 20 acre minimum), under the County’s expired Development Code, Title 10. Per the Zoning Consistency Matrix, adopted in 2018 with Title 15, the corresponding district in Title 15, as indicated in the Matrix excerpt below, is RR-20 (Rural Residential – 20 acre minimum).

### Exhibit A

Zoning Consistency Matrix

<table>
<thead>
<tr>
<th>Rural Character Districts</th>
<th>Current Title 10 Zoning Classification</th>
</tr>
</thead>
<tbody>
<tr>
<td>AG, Agriculture (20 acre minimum)</td>
<td>No Consistent District</td>
</tr>
<tr>
<td>NIA, Non-Irrigated Agriculture (20 acre minimum)</td>
<td>No Consistent District</td>
</tr>
<tr>
<td>RL, Resource Land (40 acre minimum)^1</td>
<td>No Consistent District</td>
</tr>
<tr>
<td>PL, Public Land (160 acre minimum)^1</td>
<td>No Consistent District</td>
</tr>
<tr>
<td>RR-20, Rural Residential, 20 Acre Minimum^1</td>
<td>RR-5, Fifth Rural Residential District (20 Acres)</td>
</tr>
<tr>
<td>RR-10, Rural Residential, 10 Acre Minimum^1</td>
<td>RR-4, Fourth Rural Residential District (10 Acres)</td>
</tr>
<tr>
<td>RR-5, Rural Residential, 5 Acre Minimum^1</td>
<td>RR-3, Third Rural Residential District (5 Acres)</td>
</tr>
<tr>
<td>RR-2, Rural Residential, 2 Acre Minimum</td>
<td>RR-2, Second Rural Residential District (2 Acres)</td>
</tr>
<tr>
<td>RR-1, Rural Residential, 1 Acre Minimum</td>
<td>RR-1, First Rural Residential District (1 Acre)</td>
</tr>
</tbody>
</table>
Master Plan

![SMITH VALLEY - LAND USE](image)

Zoning

![Zoning Map](image)

Flood Zone Designation

The subject site is located within multiple flood zones per the FEMA Flood Insurance Rate Map (FIRM) 32019C0950E (effective date: 1/16/2009): Zone A (1% Annual Chance Flood Hazard) and Zone D (Area of Undetermined Flood Hazard). See FEMA and County Flood Map images below.

Section 15.800.08(A) of the Lyon County Code states that a floodplain development permit must be approved before construction or development is allowed to begin within any area of special flood hazard established in
subsection 15.800.07(A). Furthermore, per 15.800.13(J), construction on parcels that are within multiple flood zones, as is the case with the subject property, must be done to the standards of the most restrictive flood zone (Zone A, in this case).

The floodplain development permit is required for all structures as well as for all development including fill and other activities as defined in 15.1200. “Development Activity” is defined within section 15.1200.05 as:

“An improvement that is allowed and permitted and completed on a lot, parcel, or tract of land by a developer or property owner. The term “development activity” shall include zoning, subdivision, planned unit development, building permit issuance, construction, alterations, land grading, excavating, and clearing. As used in chapter 800 of this title, development means any manmade change to improved or unimproved real estate including, but not limited to, buildings or other structures, mining, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials located within the area of special flood hazard.”

In accordance with 15.800.08(A) and as a Condition of Approval for the proposed project, the Applicant shall obtain approval of a flood plain development permit prior to any development on the property.
**Project Description**

The Applicant’s proposal is for a Major Variance to allow the construction of a four-thousand (4,000) square foot pre-engineered metal Accessory Building to be located sixty-one (61) feet from an adjacent road where a minimum of one-hundred (100) feet is required. Section 15.335.03 of the Lyon County Code states that, for properties five (5) acres or larger, Accessory Buildings may be located closer to the adjacent road than the principal structure on the property but that the Accessory Buildings must be at least one-hundred (100) feet from the adjacent road.

In the case of the proposed project, the Accessory Building would be located between the existing house and Hoye Canyon Road, so it is required to be located at least one-hundred (100) feet from the road unless a Major Variance is approved. The proposed Accessory Building would primarily be used for vehicle storage, including classic cars, recreational vehicles, boats, and tractors.

The subject property has a Master Plan designation of Rural Residential and is zoned RR-20 – Rural Residential (20 acre minimum).

Per the applicant, the proposed project is described as follows:

*With this application the applicant seeks a major variance to allow installation of a 4,000 square foot pre-engineered metal building shop on the subject parcel at a location on the subject property within 100 feet of Hoye Canyon Road.*

*Section 15.335.03 of the Land Use and Development Code for Lyon County states that for properties 5 acres or larger accessory buildings may be located closer to the adjacent road than the principal structure on the property but that the accessory buildings must be at least 100 feet from the adjacent road.*

*The subject parcel is 40.89 acres zoned RR-20/RR-5. The applicant originally intended to place a shop in a location sufficiently apart from Hoye Canyon Road, and constructed a pad with preliminary earthwork. The applicant*
later entered a contract for a somewhat larger pre-engineered metal building than originally planned, and it exceeds the pad that was originally intended for the shop; the as-built condition also revealed other issues.

Complying with the normal standards would create a hardship: The lot is extraordinarily irregular in shape, and unusually encumbered by:

- FEMA Special Flood Hazard Area (SFHA) mapping of the majority of the parcel, and all buildable areas, as Zone D or X (shaded), which each require fill 1’ above highest adjacent natural grade
- An irrigation ditch on the south boundary, which is imperfectly sealed and creates a saturated condition in most of the relatively flat land of the parcel
- The Walker River bisecting the parcel
- A public road bisecting the parcel
- Existing improvements which were adapted from original plans to utilize the lower, gentler sloped areas before the saturated condition was identified

Accordingly, due to the size of the proposed shop, the applicant seeks to place the shop in the only remaining location on the subject parcel where it will fit – the flattest non-wetland portion of the property, which is located the house and Hoye Canyon Road. This location is 61.2 feet from the property line at this location, which indicates a minimum variance requirement of 39% vs the Section 15.335.03 A.2.b(2) Exception.

There will be 50 feet between the applicant’s home and the new proposed shop location. The proximity of the shop to the home at this location will be more convenient for the applicant and safer for emergency and utility access.

**Building Permit Required**

Should the proposed Major Variance be approved, the proposed building would be subject to Building Permit Review.
Preliminary Site Plan

The images that follow were included in the applicant’s submittal. Additional materials submitted by the applicant are included in the attachments to this report.
Major Variance

The proposed Accessory Building would be part of the existing rural residential use on the subject property. Accessory Buildings are permitted in the RR-20 zoning district, subject to the standards provided in Lyon County Code section 15.335.03A2.

A. Accessory Dwelling Units And Accessory Buildings:

2. Accessory Building:

b. Accessory buildings on lots two (2) acres or greater:
   1. The total square footage for all accessory building footprints on a lot shall not exceed thirty percent (30%) of the total area.
   2. Accessory buildings shall not be located closer to an adjacent road than the principal structure. Exception - for lots five (5) acres or larger, accessory buildings may be located at least one hundred feet (100') from a road. Exception - double frontage lots may place an accessory building to the rear of the principal structure so long as the principal building setback is met along the property lines adjacent to the street.
   3. Accessory buildings up to fifteen feet (15') in height shall meet the front and side setback requirements of the principal structure. The rear setbacks shall be no less than five feet (5'). Accessory structures greater than fifteen feet (15') in height shall meet the setback requirements of the principal structure.
   4. Accessory buildings shall be subject to all other dimensional, impermeable and structural coverage requirements listed in chapters 310 through 316 of this title.

As the proposed project would place an Accessory Building between the primary building (house) and the adjacent street (Hoye Canyon Road) and at distance less than one-hundred (100) feet from that adjacent street, it would not comply with the code section that is underlined above (15.335.03A2(b)(3)). For that reason, the approval of a Major Variance is necessary in order for the proposed Accessory Building project to move forward. The proposed Accessory Building project would be in compliance with the other applicable subsections of 15.335.03A2(b).

Per Section 15.203.02, a Major Variance, as opposed to a Minor Variance, is required for setback variances greater than ten percent (10%). At approximately sixty-one (61) feet from the adjacent road where one-hundred (100) feet is required, the proposed project would be at a variance of approximately thirty-nine (39) percent. Major Variances require approval by the Board of County Commissioners, whereas a Minor Variance may be approved by the Community Development Director.

When considering applications for a Major Variance, the Board must not approve a Major Variance unless if finds that by reason of exceptional topographic or other extraordinary conditions with the property in question, the strict application of the provisions of Lyon County Title 15 would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the applicant. As stated in the Applicant’s Findings later in this report, the justification for the proposed location of the Accessory Building closer than one-hundred (100) feet from the adjacent road is due to a lack of buildable area on the parcel that results from its odd shape and its challenging topography, which includes area within a flood zone and areas with artesian water, wetlands, and ditches that limit where building can occur. The Applicant’s Findings cite examples of other properties in the area that have Accessory Buildings similar to that which is proposed, as justification that the Applicant should be allowed to build something similar.
To approve the Major Variance, the Board must make the following findings from Chapter 15.203.06(B): MAJOR VARIANCE FINDINGS. Each Finding is listed below (in **bold**) with the applicant’s response (in *italics*) followed by staff’s comments.

**FINDINGS**

**Finding 1:** By reason of exceptional narrowness, shallowness, or shape of the property in question, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the property in question, the strict application of the provisions of this title would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the applicant;

*Applicant’s Response*

The strict application of Section 15.335.03 of the Land Use and Development Code presents an exceptional and undue hardship here. The subject parcel is oddly shaped. It consists of two long and narrow or shallow prongs attached in one location. In addition, it has a challenging topography throughout most of the parcel, making much of the land undevelopable. Much of the parcel is in a flood zone. There are artesian water, wetlands, and ditches in many locations on the parcel. As a result, the area on the parcel where any building can occur is very limited and very narrow.

The subject parcel differs from other properties in the area. None of them are shaped like the subject parcel. They are more rectangular and/or wider. In addition, they do not have so much challenging topography if any at all.

The proposed shop would fit ideally on the portion of the property between the applicant’s house and Hoye Canyon Road. This is the flattest developable portion of the property, and the ideal location given its cooperative topography there as well as the proximity to his home and proximity to existing utilities servicing the home. Yet enforcement of Section 15.335.03 would prohibit building at this location.

To only allow the applicant to build his shop in the original location where he first contemplated putting the shop would cause undue hardship; the applicant would have to expand the pad at that location. There would be great expense addressing the topography there, particularly for an exit ramp/driveway. There would have to be substantial grading to create a flat enough space for the desired shop. There also would be the expense of extending utilities to that location, and a continual maintenance issue of preventing sedimentation, as well as potential damage from the ditch above the location.

Applicant seeks to build a 4,000 square foot shop, rather than a smaller structure, because he intends to use it for multiple purposes; George has a friend with a shop of about 2,400 square feet and that shop is already crammed and out of available space, so Applicant decided a bigger shop would be best to accommodate all of the needs for his growing family. He has already purchased and obtained the materials for a shop of this size.

Even if Applicant seeks to build a smaller shop, there still will be the need for a variance because the preferred location for any shop will be the same location that happens to be within 100 feet of Hoye Canyon Road, for the reasons discussed above.

*Other properties in the area have large accessory buildings:*

i) At 180 Hoye Canyon Road, Wellington, APN 101-701-01, RR5, just west up the road from the subject parcel, the owners are building a 2,500 square foot detached garage. That structure looks to be within 100 feet of Hoye Canyon Road.

ii) At 2827 NV State Route 208, Wellington, APN 101-641-04, just east on Hoye Canyon Road, there exists a 3,168 square foot barn not far from Hoye Canyon Road.
iii) At 27 Colony Estates Drive, Wellington, APN 009-141-04, RR2, there is a 4,800 square foot shop that backs up to Upper Colony Drive.

iv) At 4 Colony Estates Drive, Wellington, APN 009-142-01, RR2, there is a 2,048 square foot detached garage.

v) At 15 Upper Colony Drive, Wellington, APN 010-361-21, RR2, there is an 1,800 square foot shop.

vi) At 2771 Nevada State Route 208, Wellington, APN 010-631-19, RR3, there is a 3,360 square foot barn.

vii) At 10 Lorane Lane, Wellington, APN 010-711-10, RR3, there is a 2,264 square foot detached garage.

viii) At 39 Wellington Cut-Off, Wellington, APN 010-711-08, RR3, there is a 1,728 square foot detached garage.

ix) At 526 Nevada State Route 338, Smith Valley, APN 010-741-66, RR5, there is a 3,000 square foot shop.

Staff Comment
The subject parcel’s irregular shape and its steep, hilly topography creates an extraordinary and exceptional situation where the buildable area of the parcel is limited. By strictly applying the provisions of this title, the applicant would be unable to build an Accessory Building similar to those enjoyed by his neighbors and would result in peculiar and exceptional practical difficulties related to vehicle and equipment storage as well as the rural-residential functionality of his property. This Finding is met.

Finding 2. The circumstances or conditions do not apply generally to other properties in the same land use district; and

Applicant’s Response
The applicant has a unique problem given the subject parcel’s unusual shape and the challenging topography. The subject parcel is oddly shaped. It consists of two long and thin prongs attached in one location. No other parcel in the nearby area is shaped like it; they are more rectangular and/or wider. In addition, it has a challenging topography throughout most of the parcel, making much of the land undevelopable. Much of the parcel is in a flood zone. There is artesian water, wetlands, and ditches in many locations on the parcel. As a result, the area on the parcel where any building can occur is very limited and very narrow.

Staff Comment
When compared with other properties in the Rural Residential district, the subject parcel is uniquely shaped, with two long southerly prongs. This shape is unlike the more commonly seen wide and rectangular lot configurations. The parcel’s steep, hilly topography to the north and south leaves what buildable area there is in the center, where it is intersected by Hoye Canyon Road. As such, the circumstances and conditions of the subject lot do not apply generally to other properties in the same land use district. This Finding is met.

Finding 3. The granting of the variance will not result in material damage or prejudice to other properties in the vicinity, substantial impairment of natural resources or be detrimental to the public health, safety and general welfare.

Applicant’s Response
Putting the proposed shop close to Hoye Canyon Road will not cause any damage or prejudice to other properties in the area. Nor will it cause any impairment of natural resources or be detrimental to public health, safety and general welfare. The Applicant intends to use his shop for multiple reasons. A primary reason will be for vehicle storage. He has a collection of classic cars, recreational vehicles, boats and tractors. He does not want to have to park these vehicles outside, and doing so would be unsightly to the neighborhood. The Applicant will also use the shop for general storage given their manufactured home has limited storage space. The Applicant plans a home gym, game room and workshop. None of these purposes would be detrimental to public health, safety,
and general welfare, nor would they cause a nuisance to other properties. The subject property is in a remote canyon in Lyon County. There are a very small number of residents who live in that canyon on Hoye Canyon Road. Hoye Canyon Road is a secondary road that is not traveled that much by the general public going from community to community, but rather only used by local residents.

There are similarly sized accessory buildings in the area, some within 100 feet of the nearby roads. See list above.

Lastly, the proposed shop will be naturally screened to some degree from Hoye Canyon Road because there are large willow, sagebrush, and other woody plants between the proposed shop and the road, reducing visual impact.

Hence, the applicant respectfully requests a variance from Section 15.335.03 of the Lyon County Land Use and Development Code.

**Staff Comment**

While the proposed Accessory Building would not be located the full one-hundred (100) feet from the adjacent road as required, it would be located sixty-one (61) feet from that road. That separation, along with the existing vegetation between the proposed project site and the road would help to ensure that the proposed project would be compatible with the existing rural character of the area. The proposed building type and architecture is common. The proposed use, storage of personal vehicles and equipment, would not result in material damage or prejudice to other properties in the vicinity nor substantial impairment of natural resources nor would it be detrimental to the public health, safety and general welfare. This Finding is met.

**Alternatives to Approval**

**Alternative for Continuance**

If the Planning Commissioners determine that there is insufficient information with which to make a decision on the Major Variance 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 Major Variance 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 Major Variance application.

Based on the aforementioned Findings, and with the applicant’s concurrence, the Planning Commission continues the Major Variance request from Mr. George Thanash to allow an Accessory Building to be located less than one-hundred (100) feet from an adjacent road on a 40.89-acre parcel in the RR-20 – Rural Residential (20 acre minimum) zoning district, accessed by Hoye Canyon Road southwest of State Route 208 at 54 Hoye Canyon Road in Smith Valley (APN 10-631-29); PLZ-2023-035 for ___ days.
**Alternative Motion for Denial**

If after review and public comment the Planning Commission determines that they should recommend denial of the Major Variance application, then the Planning Commission may wish to consider a motion similar to the following:

**The Lyon County Planning Commission has considered:**

15.203.06: FINDINGS FOR VARIANCES:

... 

B. Major Variance Findings: The Board must not approve a major variance unless it finds that:

1. By reason of exceptional narrowness, shallowness, or shape of the property in question, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the property in question, the strict application of the provisions of this title would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the applicant;

2. The circumstances or conditions do not apply generally to other properties in the same land use district; and

3. The granting of the variance will not result in material damage or prejudice to other properties in the vicinity, substantial impairment of natural resources or be detrimental to the public health, safety and general welfare.

After consideration of the above-listed Findings, the Planning Commission has determined that the Major Variance would not be in conformance with the above-listed considerations and recommends denial of the Major Variance request from Mr. George Thanash to allow an Accessory Building to be located less than one-hundred (100) feet from an adjacent road on a 40.89-acre parcel in the RR-20 – Rural Residential (20 acre minimum) zoning district, accessed by Hoye Canyon Road southwest of State Route 208 at 54 Hoye Canyon Road in Smith Valley (APN 10-631-29); PLZ-2023-035.

**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.
Lyon County Community Development / Planning
27 S. Main Street
Yerington, NV 89447

Date: 2023-05-15

Address: 54 Hoye Canyon Road, Wellington, NV
APN: 010-639-29

RENG Project #
1-1546-01.044

SUBJECT: Major Variance Application
Project Description / Justification / Findings / Not Applicable

Dear Lyon County,

PROJECT DESCRIPTION / JUSTIFICATION:

With this application the applicant seeks a major variance to allow installation of a 4,000 square foot pre-engineered metal building shop on the subject parcel at a location on the subject property within 100 feet of Hoye Canyon Road.

Section 15.335.03 of the Land Use and Development Code for Lyon County states that for properties 5 acres or larger accessory buildings may be located closer to the adjacent road than the principal structure on the property but that the accessory buildings must be at least 100 feet from the adjacent road.

The subject parcel is 40.89 acres zoned RR-20/RR-5. The applicant originally intended to place a shop in a location sufficiently apart from Hoye Canyon Road, and constructed a pad with preliminary earthwork. The applicant later entered a contract for a somewhat larger pre-engineered metal building than originally planned, and it exceeds the pad that was originally intended for the shop; the as-built condition also revealed other issues.

Complying with the normal standards would create a hardship: The lot is extraordinarily irregular in shape, and unusually encumbered by:

- FEMA Special Flood Hazard Area (SFHA) mapping of the majority of the parcel, and all buildable areas, as Zone D or X (shaded), which each require fill 1’ above highest adjacent natural grade
- An irrigation ditch on the south boundary, which is imperfectly sealed and creates a saturated condition in most of the relatively flat land of the parcel
- The Walker River bisecting the parcel
- A public road bisecting the parcel
- Existing improvements which were adapted from original plans to utilize the lower, gentler sloped areas before the saturated condition was identified
Accordingly, due to the size of the proposed shop, the applicant seeks to place the shop in the only remaining location on the subject parcel where it will fit — the flattest non-wetland portion of the property, which is located the house and Hoye Canyon Road. This location is 61.2 feet from the property line at this location, which indicates a minimum variance requirement of 39% vs the Section 15.335.03 A.2.b(2) Exception.

There will be 50 feet between the applicant’s home and the new proposed shop location. The proximity of the shop to the home at this location will be more convenient for the applicant and safer for emergency and utility access.

FINDINGS:

Section 15.203.06 of the Land Use and Development Code for Lyon County sets forth what findings must be made to grant a major variance.

The facts here support a decision to allow a major variance.

1. By reason of exceptional narrowness, shallowness, or shape of the property in question, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the property in question, the strict application of the provisions of the applicable title would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the applicant.

ANALYSIS: The strict application of Section 15.335.03 of the Land Use and Development Code presents an exceptional and undue hardship here. The subject parcel is oddly shaped. It consists of two long and narrow or shallow prongs attached in one location. In addition, it has a challenging topography throughout most of the parcel, making much of the land undevelopable. Much of the parcel is in a flood zone. There are artesian water, wetlands, and ditches in many locations on the parcel. As a result, the area on the parcel where any building can occur is very limited and very narrow.

The subject parcel differs from other properties in the area. None of them are shaped like the subject parcel. They are more rectangular and/or wider. In addition, they do not have so much challenging topography if any at all.

The proposed shop would fit ideally on the portion of the property between the applicant’s house and Hoye Canyon Road. This is the flattest developable portion of the property, and the ideal location given its cooperative topography there as well as the proximity to his home and proximity to existing utilities servicing the home. Yet enforcement of Section 15.335.03 would prohibit building at this location.

To only allow the applicant to build his shop in the original location where he first contemplated putting the shop would cause undue hardship; The applicant would have
to expand the pad at that location. There would be great expense addressing the
topography there, particularly for an exit ramp/driveway. There would have to be
substantial grading to create a flat enough space for the desired shop. There also would
be the expense of extending utilities to that location, and a continual maintenance issue
of preventing sedimentation, as well as potential damage from the ditch above the
location.

Applicant seeks to build a 4,000 square foot shop, rather than a smaller structure,
because he intends to use it for multiple purposes; George has a friend with a shop of
about 2,400 square feet and that shop is already crammed and out of available space, so
Applicant decided a bigger shop would be best to accommodate all of the needs for his
growing family. He has already purchased and obtained the materials for a shop of this
size.

Even if Applicant seeks to build a smaller shop, there still will be the need for a variance
because the preferred location for any shop will be the same location that happens to be
within 100 feet of Hoye Canyon Road, for the reasons discussed above.

Other properties in the area have large accessory buildings:

i) At 180 Hoye Canyon Road, Wellington, APN 101-701-01, RR5, just west up the road
from the subject parcel, the owners are building a 2,500 square foot detached garage.
That structure looks to be within 100 feet of Hoye Canyon Road.

ii) At 2827 NV State Route 208, Wellington, APN 101-641-04, just east on Hoye Canyon
Road, there exists a 3,168 square foot barn not far from Hoye Canyon Road.

iii) At 27 Colony Estates Drive, Wellington, APN 009-141-04, RR2, there is a 4,800 square
foot shop that backs up to Upper Colony Drive.

iv) At 4 Colony Estates Drive, Wellington, APN 009-142-01, RR2, there is a 2,048 square
foot detached garage.

v) At 15 Upper Colony Drive, Wellington, APN 010-361-21, RR2, there is an 1,800 square
foot shop.

vi) At 2771 Nevada State Route 208, Wellington, APN 010-631-19, RR3, there is a 3,360
square foot barn.

vii) At 10 Lorane Lane, Wellington, APN 010-711-10, RR3, there is a 2,264 square foot
detached garage.

viii) At 39 Wellington Cut-Off, Wellington, APN 010-711-08, RR3, there is a 1,728 square
foot detached garage.
ix) At 526 Nevada State Route 338, Smith Valley, APN 010-741-66, RR5, there is a 3,000 square foot shop.

2. The circumstances or conditions do not apply generally to other properties in the same land use district.

ANALYSIS: The applicant has a unique problem given the subject parcel’s unusual shape and the challenging topography. The subject parcel is oddly shaped. It consists of two long and thin prongs attached in one location. No other parcel in the nearby area is shaped like it; they are more rectangular and/or wider. In addition, it has a challenging topography throughout most of the parcel, making much of the land undevelopable. Much of the parcel is in a flood zone. There is artesian water, wetlands, and ditches in many locations on the parcel. As a result, the area on the parcel where any building can occur is very limited and very narrow.

3. The granting of the variance will not result in material damage or prejudice to other properties in the vicinity, substantial impairment of natural resources or be detrimental to the public health, safety, and general welfare.

ANALYSIS: Putting the proposed shop close to Hoye Canyon Road will not cause any damage or prejudice to other properties in the area. Nor will it cause any impairment of natural resources or be detrimental to public health, safety and general welfare. The Applicant intends to use his shop for multiple reasons. A primary reason will be for vehicle storage. He has a collection of classic cars, recreational vehicles, boats and tractors. He does not want to have to park these vehicles outside, and doing so would be unsightly to the neighborhood. The Applicant will also use the shop for general storage given their manufactured home has limited storage space. The Applicant plans a home gym, game room and workshop. None of these purposes would be detrimental to public health, safety, and general welfare, nor would they cause a nuisance to other properties. The subject property is in a remote canyon in Lyon County. There are a very small number of residents who live in that canyon on Hoye Canyon Road. Hoye Canyon Road is a secondary road that is not traveled that much by the general public going from community to community, but rather only used by local residents.

There are similarly sized accessory buildings in the area, some within 100 feet of the nearby roads. See list above.

Lastly, the proposed shop will be naturally screened to some degree from Hoye Canyon Road because there are large willow, sagebrush, and other woody plants between the proposed shop and the road, reducing visual impact.

Hence, the applicant respectfully requests a variance from Section 15.335.03 of the Lyon County Land Use and Development Code.
NOT APPLICABLE:

The applicant respectfully requests exemption from the following Major Variance application items:

4.A. Floor Plan – the shop has no interior features
5. Map – there is no proposed boundary modification map or similar plan for this application

Thank you for taking the time to consider this application. If you have any further comments, questions, or concerns please feel free to contact me, Eric Lerude at Ext. 717 or eric@robisoneng.com, or Victoria Foster at Ext. 723 or victoria@robisoneng.com.

Sincerely,

ROBISON ENGINEERING COMPANY

Nathan Earl Robison, PE
775-852-2251 x 700
nathan@robisoneng.com
Lyon County Community Development / Planning
27 S. Main Street
Yerington, NV 89447

Date: 2023-05-15

Address: 54 Hoye Canyon Road, Wellington, NV
APN: 010-639-29
SUBJECT: Major Variance Application

Project Photos

Looking northwest from Septic area at proposed shop location with home on the right
Looking southeast at original shop pad excessive fill; home on the right.

Looking south across cleared proposed shop area: approach driveway visible in center
Looking southeast from towards shop area: note vegetation screening trailer at proposed shop location
Richard Godbey  
Godbey, Katherine King TRS ET AL  
PO Box 193  
Wellington NV 89444  
e: rigodbey@icloud.com  
t: 775-781-8526

June 28, 2023

Attn: Shannon Juntunen  
Lyon County Planning Commission  
Lyon County Community Development Department  
27 S. Main Street  
Yerington NV 89447

RE: George Thanash Major Variance; APN 10-631-29; PLZ-2023-035

Planning Commissioners,

Thank you for contacting us regarding Parcel Number 010-631-29 and a proposed variance. As nearby neighbors, we ARE NOT OPPOSED to the major variance to allow an accessory building to be located less than 100 feet from an adjacent road on Mr. Thanash’s property at 54 Hoye Canyon Road. WE SUPPORT Mr. Thanash and hope you will allow him the opportunity to proceed with his construction of an accessory building by granting him the major variance necessary to do so. If you have any questions or concerns for us, please contact us by US Mail, email or at the telephone number above.

Thank you.

Richard Godbey  
Godbey, Katherine King TRS ET AL  
59 Hoye Canyon Road  
Wellington NV 89444

cc. George Thanash, 54 Hoye Canyon Road, Smith Valley
Meeting Date: 7/5/23

Advisory Board: Smith Valley Citizens Advisory Board

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

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

Agenda Item:

9. For Possible Action: To forward a recommendation to the Board of Commissioners for the request for a Major Variance from Mr. George Thanash to allow an accessory building to be located less than one-hundred (100) feet from an adjacent road in the RR-20 (Rural Residential-20 acre minimum) zoning district on a 40.89-acre parcel located approximately five-hundred (500) feet to the southwest of the intersection of Hoye Canyon Road and State Route 208 at 54 Hoye Canyon Road in Smith Valley (APN 10-631-29) PLZ-2023-035.

Recommended Motion and/or Report:

The SVCAB voted 5-0 to recommend the item as stated.

Advisory Board or Public Concerns:

One suggestion from a Board member was to consider paint color, a façade, and landscaping requirements to soften the appearance of the proposed building due to its size and location to the road.

Submitted By: Ted Stee, Chair
Meeting Date: July 11, 2023

Agenda Item Number: 8.b

Subject: For Possible Action: To forward a recommendation to the Board of Commissioners for the request for a Master Plan Amendment from Mark and Sheryle Jones to amend the Master Plan designation from Agriculture to Rural Residential on a 21.60-acre parcel generally located to the northeast of the intersection of Madison Way and Artesia Road at 60 Artesia Road in Smith Valley (APN 010-081-43) PLZ-2023-020.

Recommendation:

Staff recommends that the Planning Commission forward a recommendation of approval of the Master Plan Amendment request based on the Findings as listed in the staff report as the request would be in general conformance with 2020 Master Plan goals and policies and would be compatible with similarly designated parcels adjacent to the subject parcel.

A Master Plan Amendment request cannot be conditioned.

Summary:

The Applicant requests a Master Plan Amendment to change the designation from Agriculture to Rural Residential on a 21.60-net-acre parcel in Smith Valley. The stated future intent of the proposed Master Plan Amendment and the associated Zoning Map Amendment is to facilitate the subdivision of the parcel into four parcels of a minimum five acres in size for rural residential use.

Attachments:

Staff Report
Backup
PLANNING COMMISSION

PLZ-2023-020: Request for a Master Plan Amendment from Mark and Sheryle Jones to amend the Master Plan designation from Agriculture to Rural Residential on a 21.60-acre parcel generally located to the northeast of the intersection of Madison Way and Artesia Road at 60 Artesia Road in Smith Valley (APN 010-081-43) PLZ-2023-020.

Proposed Action: Master Plan Amendment from Agriculture to Rural Residential.

Meeting Date: July 11, 2023

Property Owners: Mark H. & Sheryle L. Jones

Applicant: Mark H. & Sheryle L. Jones

Location: Smith Valley

Parcel Number: 010-081-43

Parcel Size: 21.60 acres

Current Master Plan: Agriculture

Proposed Master Plan: Rural Residential

Current Zoning: RR-5 (Fifth Rural Residential, 20 acre minimum – Title 10)

Proposed Zoning: RR-5 (Rural Residential – 5 acre minimum – Title 15)

Flood Zone(s): X Unshaded per FIRM 32019C0950E

Case Planner: Bill Roth

REQUEST

The Applicant requests a Master Plan Amendment to change the designation from Agriculture to Rural Residential on a 21.60-net-acre parcel in Smith Valley. The stated future intent of the proposed Master Plan Amendment and the associated Zoning Map Amendment is to facilitate the subdivision of the parcel into four parcels of a minimum five acres in size for rural residential use.
STAFF RECOMMENDATION

Staff recommends that the Planning Commission forward a recommendation of approval of the Master Plan Amendment request based on the Findings as listed in the staff report as the request would be in general conformance with 2020 Master Plan goals and policies and would be compatible with similarly designated parcels adjacent to the subject parcel.

A Master Plan Amendment request cannot be conditioned.

RECOMMENDED MOTION

If the Planning Commission determines that they will forward a recommendation of approval of the requested Master Plan Amendment application to the Board of Commissioners, then the Planning Commission should make a motion similar to the following.

The Planning Commission finds that:

A. The applicant has demonstrated that the amendment is in substantial compliance with and promotes the master plan goals, objectives and actions;

B. The proposed amendment is compatible with the existing or master planned adjacent land uses, and reflects a logical change in land uses;

C. The proposed amendment has demonstrated and responds to changed conditions or further studies that have occurred since the master plan was adopted by the Board, and the requested amendment represents a more desirable utilization of land;

D. The proposed amendment will not adversely affect the implementation of the master plan goals, objectives and actions, and will not adversely impact the public health, safety or welfare; and

E. The proposed amendment will promote the desired pattern for the orderly physical growth of the County, allows infrastructure to be extended in efficient increments and patterns, maintains relatively compact development patterns, and guides development of the County based on the consideration of natural resources, the physical geography and the efficient expenditure of funds for public services.

Based on the aforementioned Findings, I move that the Planning Commission forward a recommendation of approval to the Board of Commissioners for a Master Plan Amendment request by Mark H. & Sheryle L. Jones to amend the Master Plan designation from Agriculture to Rural Residential for a 21.60-acre parcel in Smith Valley (APN 010-081-43) PLZ-2023-020.
BACKGROUND INFORMATION

Location, Size, Topography

The subject parcel is located in the Smith Valley Rural Character District, to the northeast of the intersection of Madison Way and Artesia Road at 60 Artesia Road in Smith Valley (APN 010-081-43). The parcel is 21.60 net acres (23.41 gross acres) in size and is relatively flat as are the parcels surrounding it.
Site Photos
The images below were provided by the applicant.

<table>
<thead>
<tr>
<th>View from west to east along frontage on Artesia Road</th>
<th>From east to driveway Well house visible</th>
</tr>
</thead>
<tbody>
<tr>
<td><img src="image1" alt="View from west to east along frontage on Artesia Road" /></td>
<td><img src="image2" alt="From east to driveway Well house visible" /></td>
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<tr>
<th>View from northwest corner of property looking east at site development</th>
<th>Electrical and distant well sites – looking west from northeast side of property</th>
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<tbody>
<tr>
<td><img src="image3" alt="View from northwest corner of property looking east at site development" /></td>
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</table>
Master Plan and Zoning

The current Master Plan designation for the site is Agriculture, which the applicant requests to change to Rural Residential. Should the Master Plan Amendment be approved, the applicant also requests to rezone the site from RR-5 (Fifth Rural Residential, 20 acre minimum – Title 10) to RR-5 (Rural Residential – 5 acre minimum – Title 15) to be consistent with that new Rural Residential Master Plan designation and to facilitate the future subdivision of the parcel into four five-plus-acre parcels for residential use. The rezoning application is addressed in a separate staff report (PLZ-2023-021).
2020 Master Plan – Table 2: Land Use Table

The images below are from Chapter 3 of the Master Plan, *Land Use, Economy and Growth*. The table describes the intended uses under the Agriculture and Rural Residential designations and the zoning districts that are compatible with those Master Plan designations. The applicant intends to create four five-plus-acre parcels to facilitate future residential uses under a zoning designation of RR-5 (Title 15). The requested Master Plan Amendment from Agriculture to Rural Residential would allow the smaller parcel sizes and the single-family rural residential use (see yellow highlights).

<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</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>
<tr>
<td>RR-5 (RR-20)</td>
<td>NIA</td>
<td>1 DU per 20 acres</td>
<td>Private properties used for non-irrigated livestock grazing or feeding, or non-irrigated lands used in conjunction with a developed ranching or farming operation that are generally larger than 40 acres. Residential uses may be clustered or transferred away from agricultural lands to conserve large intact agricultural lands. Agricultural related commercial and limited industrial uses, and other limited commercial and tourist commercial uses compatible with the agricultural use of the land and rural character.</td>
<td>Grazing land, feed lot, hay stacking yard</td>
</tr>
</tbody>
</table>

Rural Character District

The subject parcel is located in the Smith Valley Rural Character District. Rural Character Districts include those areas that are predominately low density residential development with limited neighborhood commercial uses. They may or may not have agricultural land uses or grazing lands. Improvement standards will reflect the “rural” character of the area. Rural districts are not likely to have municipal water and sewer. Roads are likely to have dirt shoulders, some equestrian paths as well as bike facilities within road rights-of-way.
Proposed Master Plan Amendments are first reviewed by staff and the Planning Commission, who then 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 MASTER PLAN AMENDMENT REQUEST**

Chapter 15.210.03 of Lyon County Code states that when considering approval of a Master Plan Amendment, five Findings must be considered and supported by a statement of evidence, facts and conclusions. Staff has included those five 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.

**Finding A: The applicant has demonstrated that the amendment is in substantial compliance with and promotes the master plan goals, objectives and actions.**

*Applicant’s Response*

The 2020 Lyon County Master Plan (Lyon County Master Plan) states that “Over 90 percent of the county is zoned for Rural Residential” (2020 Lyon County Master Plan, p. 2.3, “Key Facts and Trends”). Master Plans, as explained in Chapter 1 of the 2020 Plan, are advisory—and serve as a “general policy document to guide the physical development of the county.” The goals, policies, and strategies outlined in the Master Plan provide guidance for the reviewing parties to weigh. The proposed land use for this application, Rural Residential, would be matched with RR-5 zoning to align the land use with the zoning.

**Chapter 2: Communities**

In Chapter 2 of the Lyon County Master Plan, each of the Lyon County communities and their land use goals are described. The Smith Valley Community, where this parcel resides, includes two goals “especially relevant in Smith Valley” (p. 2.16).

- **Goal LU 4: Viable Agriculture**
The Land Use Table in Chapter 3 of the LCMP outlines agricultural uses permitted under RR-5 zoning. These uses include animal keeping (livestock, poultry, etc.), field crops, plant nursery, and vineyard. The limitations and requirements associated with these uses are clearly defined in Title 15.335.03 Uses Permitted Based on Standards.

For example, ag-related standards applicable to RR-5 zoning establish requirements for animal keeping. The number of animals or poultry on the property is limited by the following requirements.

- A quantity that will cause no harm to the animals
- A quantity that will cause no harm to the environment or ground water
- A quantity that will cause no harm to neighboring lots, parcels, and/or owners.

These requirements are expanded upon as the discussion progresses—establishing two points.

1. Viable agriculture may continue on this property under RR-5 zoning.
2. The established standards for this use (and others) are clearly defined—including the management of any impacts on neighbors, ground water, and/or livestock.

Chapter 3, Land Use, Economy, and Growth identifies accommodating both ag uses and residential uses as a fundamental goal: “The County desires to continue agricultural production and the retention of agricultural lands but allow residential development especially in alternative “rural patterns” (Chapter 3, p. 3.2, LCMP). The uses allowed in Rural Residential zoning are exemplified as “ranchettes” and “farmettes” in the RR-5 definition of Title 15 zoning (Land Use Table, p. 3.10)—a reference that carries with it the integration of agricultural and residential uses.

**Goal NR: Clean Water**

Per the 2020 Lyon County Master Plan, 10 percent of the County’s land use is Agricultural. The proposed change to the land use and zoning would allow both a residential use and an agricultural one. This mix can preserve a measure of the land while expanding the opportunities to enjoy it—and potentially develop productive uses for that land.

While the County has abundant natural resources (over 75% of the County is public land, “Key Facts and Trends,” p. 2.3, LCMP), the community values these resources and actively identifies strategies to protect them.

Water is fundamental to life—and protecting this resource is particularly important to Smith Valley—where agricultural land is gradually converting to residential uses.

Should the County approve a Master Plan (and Zone change) as required to permit the development of four parcels, each a minimum of 5-acres, each owner will rely on a well for water and a septic system for sewage disposal. The Department of Water Resources will oversee the requirements for any wells. State law and Lyon County Code regulate the treatment and disposal of sewage, and Lyon County will oversee these efforts and require compliance with state and local codes.

Agriculture and Residential uses both impact water quality. The productive mix of the two may be a healthy alternative to intensive ag uses and dense residential developments.

The goals and policies discussed below are found in Chapter 3: Land Use, Economy, and Growth of the 2020 Lyon County Master Plan.

**Goal LU 1: Orderly Growth Patterns**

Policy LU 1.1: Follow Development Patterns as Established in the Land Use Plan
The development patterns outlined in the Land Use Plan act as a point of reference when contemplating a change in the plan. This policy notes that the “county’s future urban and suburban growth will develop largely around existing communities” (p. 3.25, 2020 Lyon County Master Plan”). The strategy recommends using the plan to guide decisions on development approvals. The proposed change of the current land use and zoning at 60 Artesia Road would fit well with the established Land Use Plan—as illustrated in the response to finding b, below.

• **Goal LU 4: Viable Agriculture**
  
  *Policy LU 4.1: Encourage the Continuation of an Agricultural Lifestyle in appropriate areas of the County.*
  
  In Smith Valley, a mix of residential and agricultural uses have been supporting agricultural lifestyles for decades. This policy encourages ranching and farming activities with a goal to “strive to preserve water rights to ensure continued agricultural potential” (p. 3.29, 2020 LCMP). The development of four parcels on this property in Smith Valley would support the agricultural lifestyle many residents value while, as discussed above, balancing ag and residential uses that may offset the impacts of dense development and/or the extensive use of ag chemicals.

**Staff Comment**

The proposed Master Plan Amendment would facilitate the development of the subject property in a manner consistent with the Master Plan and existing rural residential, ranching, and farming activities. As highlighted in the Master Plan designation descriptions in the Land Use Table provided in the Master Plan and Zoning section of this report, properties with a designation of Rural Residential have varying lot sizes and layouts and are typically found in rural districts and on the suburbanizing fringe, as is the case for the area around the proposed parcel. Smaller parcels designated for rural residential uses would also be supportive of a ranchette or farmette use, continuing the existing agricultural lifestyle of the area into the future. This Finding is met.

**Finding B: The proposed amendment is compatible with the existing or master planned adjacent land uses, and reflects a logical change in land uses.**

**Applicant’s Response**

The Land Use Map in the 2020 LCMP for Smith Valley is primarily green, the color assigned for Agricultural Land Use. On this map, purple indicates areas with a Rural Residential Land Use. The Smith Valley Land Use map is
attached to this document for your further reference (Attachment B). The exhibits below illustrate the current and proposed Land Use.

The exhibits above demonstrate the compatibility of the adjacent land use. The parcel at 60 Artesia Road is directly across from Pinion Ranch Estates, a subdivision with a Rural Residential Land Use and RR-5 zoning, the same density the owner seeks for the property across the road.

Staff Comment

The subject property is already developed with a ranchette-style use, so the proposed Master Plan Amendment to facilitate a rezoning and the subdivision of that property into four smaller ranchettes, each on five-acre parcels, would increase density but it would not introduce a new or incompatible use to the area. The smaller parcels would be of a size similar to that of the five-acre rural residential parcels to the south and would maintain a consistent development pattern. This Finding is met.

Finding C: The proposed amendment has demonstrated and responds to changed conditions or further studies that have occurred since the master plan was adopted by the Board, and the requested amendment represents a more desirable utilization of land.

Applicant’s Response

When the current owners purchased this property with the intention to run a hay operation, the initial crops were satisfactory. However, this parcel, located at the end of the irrigation line, has, at times, received ½ of the 11% allotment for this parcel. In an effort to improve the irrigation, the owners have invested in these facilities by installing a water line with spigots along Artesia Road. In 2020, he re-lasered and reseeded the hay field and invested in weed abatement. He also purchased additional water rights for the property.

However, in the last few years, the distribution of water has been inadequate to sustain the haying operation. One year, they ended up with a total of four acre-feet. While the allotment of water on this property is anticipated to be 100% (2023) this year, this increase is unlikely to address the inadequacy of the end of line tailings they have received in the past.

The Lyon County Master Plan (LCMP) does not directly address the potential inadequacy of irrigation distribution. While the goals for Smith Valley in Chapter 2 of the LCMP do not address this potential issue, Policy LU 4.1 states the following intent: “Encourage the Continuation of an Agricultural Lifestyle in appropriate rural
areas of the County” and recommends that the community “Celebrate the County’s agricultural past through land-use policies and programs designed to encourage ranching and farming activities” (2020 LCMP, p. 2.16). The Smith Valley community values also include that the county “will protect the water supply and encourage the efficient use of water resources” (p. 2.17).

**Staff Comment**

Though the option to leave the parcel designated as Agriculture remains, as stated by the applicant, the availability of adequate water for large-scale farming is precarious in times of drought. The proposed re-designation to Rural Residential allows smaller lot sizes and a more flexible range of uses to include small family farms and ranchettes that would facilitate smaller, potentially more flexible agricultural uses in times of drought. This Finding is met.

**Finding D:** The proposed amendment will not adversely affect the implementation of the master plan goals, objectives and actions, and will not adversely impact the public health, safety or welfare.

**Applicant’s Response**

Approval of a Master Plan Amendment would not adversely affect the implementation of the master plan goals. The site faces parcels with a Rural Residential land use. The opportunities and limitations for this land use are clearly defined in Title 15.335.03 Uses Permitted Based on Standards. Under the oversight and in compliance with the County’s development requirements for the construction of wells, septic, access, and structures, the site will not adversely impact the health, safety, or welfare of the public.

Smith Valley is located in Basin 107. The Nevada Division of Environmental Protection regulations allow up to 127 septic systems within a one-mile radius when reviewing subdivision maps proposing to utilize septic systems for sewage disposal. Figure 2 illustrates the septic radius for this property.

While a few more parcels have been developed since this aerial image was obtained, the existing RR-5 south of Artesia Road and the agricultural parcels north and west of the project location are not likely to impact the maximum number of septic systems for Smith Valley as determined by NDEP.
Staff Comment

By facilitating uses such as smaller ranchettes and farmettes on smaller parcels, the proposed Master Plan Amendment would continue the development pattern of five-acre rural residential development that exists immediately to the south. It would not introduce a new use that is incompatible with the existing area or with the Master Plan designations of other nearby properties. This Finding is met.

Finding E: The proposed amendment will promote the desired pattern for the orderly physical growth of the County, allows infrastructure to be extended in efficient increments and patterns, maintains relatively compact development patterns, and guides development of the County based on the consideration of natural resources, the physical geography and the efficient expenditure of funds for public services.

Applicant’s Response

With the approval of the requested Master Plan and Zoning Map Amendments, the proposed 5-acre parcels would connect to an existing pattern of Rural Residential Land Use to the south of this parcel. The infrastructure in this rural area is limited to cable, phone service, and power; the properties will rely on well, septic, and propane. The parcel size—significantly larger and less dense than the 2-acre, “Low Density Residential” properties in the Wellington area—is shown in Figure 1.

Rural infrastructure is already established in the area—as demonstrated by the development of Pinion Ranch Estates. The five-acre parcels proposed for development across the road from this subdivision would create a few additional parcels—and would be served by available infrastructure.

Staff Comment

As the proposed parcel is contiguous with other similarly designated rural residential parcels, it would not result in a “leap frog” development. It would be served by local phone and electric utilities but would need to have separate well and septic services installed, similar to the existing parcels in the area. It would not introduce a significant new need for public services that are not already provided to existing residents in the area. This Finding is met.

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 Master Plan Amendment request by Mark H. & Sheryle L. Jones to amend the Master Plan designation from
Agriculture to Rural Residential for a 21.60-acre parcel in Smith Valley (APN 010-081-43); PLZ-2023-020 for ___ days.

*Alternative Motion for Denial*

If after review and public comment the Planning Commission determines that they should recommend denial of the Master Plan Amendment application, then the Planning Commission may wish to consider a motion similar to the following:

**The Lyon County Planning Commission has considered:**

15.210.03: FINDINGS:

When making an approval, modification or denial of an amendment to the master plan land use map or text, the commission and the Board shall, at a minimum, consider each of the following and base approval, modification, or denial based on the combined weight of the findings. Each finding shall be supported by a statement of evidence, facts and conclusions.

A. The applicant has demonstrated that the amendment is in substantial compliance with and promotes the master plan goals, objectives and actions;

B. The proposed amendment is compatible with the existing or master planned adjacent land uses, and reflects a logical change in land uses;

C. The proposed amendment has demonstrated and responds to changed conditions or further studies that have occurred since the master plan was adopted by the Board, and the requested amendment represents a more desirable utilization of land;

D. The proposed amendment will not adversely affect the implementation of the master plan goals, objectives and actions, and will not adversely impact the public health, safety or welfare; and

E. The proposed amendment will promote the desired pattern for the orderly physical growth of the County, allows infrastructure to be extended in efficient increments and patterns, maintains relatively compact development patterns, and guides development of the County based on the consideration of natural resources, the physical geography and the efficient expenditure of funds for public services.

After consideration of the above-listed Findings, the Lyon County Planning Commission has determined that the Master Plan Amendment would not be in conformance with the above-listed considerations and recommends denial of the Master Plan Amendment request by Mark H. & Sheryle L. Jones to amend the Master Plan designation from Agriculture to Rural Residential for a 21.60-acre parcel in Smith Valley (APN 010-081-43); PLZ-2023-020.

**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.
April 3, 2023

Via Email

LYON COUNTY
Community Development
27 S. Main Street
Yerington, NV89447

Master Plan Amendment & Zoning Map Amendment
60 Artesia Road

Project Description / Narrative &
Justification / Findings

To Whom it may concern:

This letter addresses the Project Description and Narrative as well as the Justification and Findings for this request for approval of a Master Plan Amendment (MPA) and Zoning Map Amendment (ZMA) for this 23.41-acre (gross) property located in Smith Valley.

Project Description & Narrative

With this application for a MPA and ZMA, the applicant seeks the County’s approval to change the existing land use from Agricultural to Rural Residential, and the current zoning from RR-5 (Fifth Rural Residential, 20-acre minimum – Title 10) to RR-5 (Rural Residential – 5-acre minimum per Title 15) zoning for the property referenced in the table below.

Project Details

<table>
<thead>
<tr>
<th>APN &amp; Address</th>
<th>Acres</th>
<th>Current &amp; Proposed Zoning</th>
<th>Current &amp; Proposed Master Plan Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>010-081-43 60 Artesia Rd</td>
<td>23.41 gross acres</td>
<td>RR-5 (Fifth Rural Residential, 20-acre minimum – Title 10) ~&gt; RR-5 (Rural Residential, 5-acre minimum per Title 15 zoning district)</td>
<td>Agricultural ~&gt; Rural Residential</td>
</tr>
</tbody>
</table>
Site History
The Owners, Sir Mark and Sheryle Jones, purchased the property in 2019. At that time, the site included a 1,542 SF residence constructed in 1965 and a 5,283 SF residence built in 1999. Under their ownership, a warehouse and other improvements have been developed on the property.

In 2016, the existing parcel was created by a Record of Survey filed under Document No. 549450. With this recordation, Document No. 549449 was recorded to grant a perpetual offer of dedication for 2.93 acres of public road right-of-way along a portion of Artesia Road abutting Lyon County APN 10-81-19. With this map, Document No. 549452 was also recorded to establish a 5,181 SF “Declaration of Access and Maintenance Easement” in order “to access, use and maintain a irrigation well” within an easement established by this document.

The well and access easement are on the southeast side of the Jones’ property. In the last year, the grantee with access to the well (per the recorded easement on Document No. 549452) cut the irrigation pipe that routed water along the frontage of the Jones property. The pipe was capped—and the Jones family no longer had access to water from this well. The well itself is not under the applicant’s ownership though it is on his property; however, the water is inaccessible now that the pipe has been cut and capped.

By court agreement, the applicant was allowed to use the water when the primary user is not irrigating—provided that he obtain additional water rights. He did so—but opportunities to use these rights have been difficult to find because the well has often been running 24 hours, 7 days a week.

The owner reports that ag production is no longer feasible. Though he has the option to drill his own well, the cost ($138,000) is not reasonable for this hobby farm with about 12 acres in hay production.

Future Intent
With the approval of the requested master plan and zoning map amendments, the Owner intends to file a parcel map application to create three additional parcels. Each parcel will be a minimum of five acres in size—to allow the development of the parcels for residential use with allowance for certain agricultural activities. The new parcels will rely on well, septic, and propane as well as utility services from NV Energy and Frontier.
The property is within an X-Unshaded Flood Zone per Firm Panel 32019C0950E (effective date: 01/16/2009). The Owner’s contact information is available in the signed application included with this submittal.

**Justification & Findings**

**15.210.03: Findings for Master Plan Amendments**

A. Findings for Master Plan Amendments.

1. When making an approval, modification, or denial of an amendment to the master plan land use map or text, the commission and the Board shall, at a minimum, consider each of the following and base approval, modification, or denial based on the combined weight of the findings. Each finding shall be supported by a statement of evidence, facts, and conclusion.

**Finding 1a: Consistency with the Master Plan**

The applicant has demonstrated that the amendment is in substantial compliance with and promotes the master plan goals, objectives, and actions.

**Response:** The 2020 Lyon County Master Plan (Lyon County Master Plan) states that “Over 90 percent of the county is zoned for Rural Residential” (2020 Lyon County Master Plan, p. 2.3, “Key Facts and Trends”). Master Plans, as explained in Chapter 1 of the 2020 Plan, are advisory—and serve as a “general policy document to guide the physical development of the county.” The goals, policies, and strategies outlined in the Master Plan provide guidance for the reviewing parties to weigh. The proposed land use for this application, Rural Residential, would be matched with RR-5 zoning to align the land use with the zoning.

**Chapter 2: Communities**

In Chapter 2 of the Lyon County Master Plan, each of the Lyon County communities and their land use goals are described. The Smith Valley Community, where this parcel resides, includes two goals “especially relevant in Smith Valley” (p. 2.16).

- **Goal LU 4: Viable Agriculture**

  The Land Use Table in Chapter 3 of the LCMP outlines agricultural uses permitted under RR-5 zoning. These uses include animal keeping (livestock, poultry, etc.), field crops, plant nursery, and vineyard. The
limitations and requirements associated with these uses are clearly defined in Title 15.335.03 Uses Permitted Based on Standards.

For example, ag-related standards applicable to RR-5 zoning establish requirements for animal keeping. The number of animals or poultry on the property is limited by the following requirements.

- A quantity that will cause no harm to the animals
- A quantity that will cause no harm to the environment or groundwater
- And a quantity that will cause no harm to neighboring lots, parcels, and/or owners.

These requirements are expanded upon as the discussion progresses—establishing two points.

1. Viable agriculture may continue on this property under RR-5 zoning.
2. The established standards for this use (and others) are clearly defined—including the management of any impacts on neighbors, groundwater, and/or livestock.

Chapter 3, Land Use, Economy, and Growth identifies accommodating both ag uses and residential uses as a fundamental goal: “The County desires to continue agricultural production and the retention of agricultural lands but allow residential development especially in alternative “rural patterns” (Chapter 3, p. 3.2, LCMP). The uses allowed in Rural Residential zoning are exemplified as “ranchettes” and “farmettes” in the RR-5 definition of Title 15 zoning (Land Use Table, p. 3.10)—a reference that carries with it the integration of agricultural and residential uses.

- **Goal NR: Clean Water**

Per the 2020 Lyon County Master Plan, 10 percent of the County’s land use is Agricultural. The proposed change to the land use and zoning would allow both a residential use and an agricultural one. This mix can preserve a measure of the land while expanding the opportunities to enjoy it—and potentially develop productive uses for that land.

While the County has abundant natural resources (over 75% of the County is public land, “Key Facts and Trends,” p. 2.3, LCMP), the community values these resources and actively identifies strategies to protect them.
Water is fundamental to life—and protecting this resource is particularly important to Smith Valley—where agricultural land is gradually converting to residential uses.

Should the County approve a Master Plan (and Zone change) as required to permit the development of four parcels, each a minimum of 5-acres, each owner will rely on a well for water and a septic system for sewage disposal. The Department of Water Resources will oversee the requirements for any wells. State law and Lyon County Code regulate the treatment and disposal of sewage, and Lyon County will oversee these efforts and require compliance with state and local codes.

Agriculture and Residential uses both impact water quality. The productive mix of the two may be a healthy alternative to intensive ag uses and dense residential developments.

The goals and policies discussed below are found in Chapter 3: Land Use, Economy, and Growth of the 2020 Lyon County Master Plan.

**Goal LU 1: Orderly Growth Patterns**

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

The development patterns outlined in the Land Use Plan act as a point of reference when contemplating a change in the plan. This policy notes that the “county’s future urban and suburban growth will develop largely around existing communities” (p. 3.25, 2020 Lyon County Master Plan”). The strategy recommends using the plan to guide decisions on development approvals. The proposed change of the current land use and zoning at 60 Artesia Road would fit well with the established Land Use Plan—as illustrated in the response to finding b, below.

**Goal LU 4: Viable Agriculture**

*Policy LU 4.1: Encourage the Continuation of an Agricultural Lifestyle in appropriate areas of the County.*

In Smith Valley, a mix of residential and agricultural uses have been supporting agricultural lifestyles for decades. This policy encourages ranching and farming activities with a goal to “strive to preserve water rights to ensure continued agricultural potential” (p. 3.29, 2020 LCMP). The development of four parcels on this property in Smith Valley would support the agricultural
lifestyle many residents value while, as discussed above, balancing ag and residential uses that may offset the impacts of dense development and/or the extensive use of ag chemicals.

Finding 1b: Compatible Land Uses
The proposed amendment is compatible with the existing or master planned adjacent land uses and reflects a logical change in land uses.

Response: The Land Use Map in the 2020 LCMP for Smith Valley is primarily green, the color assigned for Agricultural Land Use. On this map, purple indicates areas with a Rural Residential Land Use. The Smith Valley Land Use map is attached to this document for your further reference (Attachment B). The exhibits below illustrate the current and proposed Land Use.

Figure 1: Existing and Proposed Master Plan Land Uses.
The exhibits above demonstrate the compatibility of the adjacent land use. The parcel at 60 Artesia Road is directly across from Pinion Ranch Estates, a subdivision with a Rural Residential Land Use and RR-5 zoning, the same density the owner seeks for the property across the road.
Finding 1c: Response to Change in Conditions

The proposed amendment has demonstrated and responds to changed conditions or further studies that have occurred since the master plan was adopted by the Board, and the requested amendment represents a more desirable utilization of land.

Response: When the current owners purchased this property with the intention to run a hay operation, the initial crops were satisfactory. However, this parcel, located at the end of the irrigation line, has, at times, received ½ of the 11% allotment for this parcel. In an effort to improve the irrigation, the owners have invested in these facilities by installing a water line with spigots along Artesia Road. In 2020, he re-lasered and reseeded the hay field and invested in weed abatement. He also purchased additional water rights for the property.

However, in the last few years, the distribution of water has been inadequate to sustain the haying operation. One year, they ended up with a total of four acre-feet. While the allotment of water on this property is anticipated to be 100% (2023) this year, this increase is unlikely to address the inadequacy of the end of line tailings they have received in the past.

The Lyon County Master Plan (LCMP) does not directly address the potential inadequacy of irrigation distribution. While the goals for Smith Valley in Chapter 2 of the LCMP do not address this potential issue, Policy LU 4.1 states the following intent: “Encourage the Continuation of an Agricultural Lifestyle in appropriate rural areas of the County” and recommends that the community “Celebrate the County’s agricultural past through land-use policies and programs designed to encourage ranching and farming activities” (2020 LCMP, p. 2.16). The Smith Valley community values also include that the county “will protect the water supply and encourage the efficient use of water resources” (p. 2.17).

Finding 1d: No Adverse Effects

The proposed amendment will not adversely affect the implementation of the master plan goals, objectives, and actions, and will not adversely impact the public health, safety, or welfare.

Response: Approval of a Master Plan Amendment would not adversely affect the implementation of the master plan goals. The site faces parcels with a Rural Residential land use. The opportunities and limitations for this land use are clearly defined in Title 15.335.03 Uses Permitted Based on Standards. Under the oversight and in compliance with the County’s development requirements for the construction of wells, septic,
access, and structures, the site will not adversely impact the health, safety, or welfare of the public.

Smith Valley is located in Basin 107. The Nevada Division of Environmental Protection regulations allow up to 127 septic systems within a one-mile radius when reviewing subdivision maps proposing to utilize septic systems for sewage disposal. Figure 2 illustrates the septic radius for this property.

While a few more parcels have been developed since this aerial image was obtained, the existing RR-5 south of Artesia Road and the agricultural parcels north and west of the project location are not likely to impact the maximum number of septic systems for Smith Valley as determined by NDEP.

A full-page copy of this exhibit is provided under Attachment B.

Finding 1e: Desired Pattern of Growth
The proposed amendment will promote the desired pattern for the orderly physical growth of the County, allows infrastructure to be extended in efficient increments and patterns, maintains relatively compact development patterns, and guides the development of the County based on the consideration of natural resources, the physical geography and the efficient expenditure of funds for public services. (Ord. 603, 11-1-2018)

Response: With the approval of the requested Master Plan and Zoning Map Amendments, the proposed 5-acre parcels would connect to an existing pattern of Rural Residential Land Use to the south of this parcel. The infrastructure in this rural area is limited to cable, phone service, and power; the properties will rely on well, septic, and propane. The parcel size—significantly larger and less dense than the 2-acre, "Low Density Residential" properties in the Wellington area—is shown in Attachment A: Smith Valley Land Use Map.
Rural infrastructure is already established in the area—as demonstrated by the development of Pinion Ranch Estates. The five-acre parcels proposed for development across the road from this subdivision would create a few additional parcels—and would be served by available infrastructure.

15.220.05: Findings for Zoning Map Amendments

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.

Project Details

<table>
<thead>
<tr>
<th>APN &amp; Address</th>
<th>Acres</th>
<th>Current &amp; Proposed Zoning</th>
<th>Current &amp; Proposed Master Plan Status</th>
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<tr>
<td>010-081-43</td>
<td>23.41 acres</td>
<td>RR-5 (Fifth Rural Residential, 20-acre minimum – Title 10)</td>
<td>Agricultural</td>
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<tr>
<td>60 Artesia Rd</td>
<td></td>
<td>RR-5 (Rural Residential, 5-acre minimum per Title 15 zoning district)</td>
<td>Rural Residential</td>
</tr>
</tbody>
</table>

**Finding 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:** With the approval of a Master Plan Amendment, changing the land use from Agricultural to Rural Residential, the proposed zone change, from RR-5 (Fifth Rural Residential, 20-acre minimum – Title 10) to RR-5 (Rural Residential, 5-acre minimum per Title 15 zoning district) would align with the adopted master plan and the underlying land use designation.

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

**Response:** The proposed amendment would not be inconsistent with public facilities policies in this title. As noted above, rural residential communities may rely on well and septic according to the requirements established by the County.
Finding C: That the proposed amendment is compatible with the actual or planned adjacent uses.

Response: Pinion Ranch Estates, directly across Artesia Road and south of the subject site is a subdivision with approximately 40 five-acre parcels. The proposed amendment is compatible with neighbors in Pinion Ranch Estates as the zoning matches the proposed future zoning for this property.

Figure 3: Existing and Proposed Master Plan Land Uses.

In addition, the proposed zoning is compatible with the existing agricultural zoning adjacent to both this parcel and the Pinion Ranch Estates Subdivision.

Thank you for your consideration of this project. Please let us know if you need additional information.
Sincerely,

R.O. ANDERSON ENGINEERING, INC.

Kate Cunningham, MA
Associate Planner

Attachment A: Recorded Documents
Attachment B: Smith Valley Land Use Map
Attachment C: Septic Radius Map
Attachment D: Title 15.311.03
### Photos: 60 Artesia Road

**Master Plan and Zone Change Amendments**

<table>
<thead>
<tr>
<th>View from west to east along frontage on Artesia Road</th>
<th>From east to driveway Well house visible</th>
</tr>
</thead>
<tbody>
<tr>
<td><img src="image1" alt="View from west to east along frontage on Artesia Road" /></td>
<td><img src="image2" alt="From east to driveway Well house visible" /></td>
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</tbody>
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<thead>
<tr>
<th>View from northwest corner of property looking east at site development</th>
<th>Electrical and distant well sites - looking west from northeast side of property</th>
</tr>
</thead>
<tbody>
<tr>
<td><img src="image3" alt="View from northwest corner of property looking east at site development" /></td>
<td><img src="image4" alt="Electrical and distant well sites - looking west from northeast side of property" /></td>
</tr>
</tbody>
</table>
Photos: 60 Artesia Road
Master Plan and Zone Change Amendments

Irrigation looking north from curve
NE corner view of shed
Lyon County Planning Commission Agenda Summary

Meeting Date: July 11, 2023

Agenda Item Number: 8.c

Subject: For Possible Action: To forward a recommendation to the Board of Commissioners for the request for a Zoning Map Amendment from Mark and Sheryle Jones to amend the zoning Map designation from the Title 10 district of RR-5, Fifth Rural Residential - 20 acre minimum, to the Title 15 district of RR-5, Rural Residential – 5 acre minimum, on a 21.60-acre parcel generally located to the northeast of the intersection of Madison Way and Artesia Road at 60 Artesia Road in Smith Valley (APN 010-081-43) PLZ-2023-021.

Recommendation:

Staff recommends that the Planning Commission forward a recommendation of approval of the Zoning Map Amendment request based on the Findings as listed in the staff report as the request would be in general conformance with the 2020 Comprehensive Master Plan designation for the property. A Zoning Map Amendment request cannot be conditioned.

Summary:

The Applicant requests a Zoning Map Amendment to change the designation from Agriculture to Rural Residential on a 21.60-net-acre parcel in Smith Valley. The stated future intent of the proposed Zoning Map Amendment, and the predecessor Master Plan Amendment that would go before it to allow for the rezoning, is to subdivide the parcel into four parcels of a minimum five acres in size for future rural residential use.

Attachments:

Staff Report
PLANNING COMMISSION

PLZ-2023-021: Request for a Zoning Map Amendment from Mark and Sheryle Jones to amend the zoning Map designation from the Title 10 district of RR-5, Fifth Rural Residential - 20 acre minimum, to the Title 15 district of RR-5, Rural Residential – 5 acre minimum, on a 21.60-acre parcel generally located to the northeast of the intersection of Madison Way and Artesia Road at 60 Artesia Road in Smith Valley (APN 010-081-43) PLZ-2023-021.

Proposed Action: Zoning Map Amendment from the Title 10 district of RR-5, Fifth Rural Residential - 20 acre minimum, to the Title 15 district of RR-5, Rural Residential – 5 acre minimum.

Meeting Date: July 11, 2023

Property Owners: Mark H. & Sheryle L. Jones

Applicant: Mark H. & Sheryle L. Jones

Location: Smith Valley

Parcel Number: 010-081-43

Parcel Size: 21.60 acres

Current Master Plan: Agriculture

Proposed Mater Plan: Rural Residential

Current Zoning: RR-5 (Fifth Rural Residential- 20 acre minimum – Title 10)

Proposed Zoning: RR-5 (Rural Residential – 5 acre minimum – Title 15)

Flood Zone(s): X Unshaded per FIRM 32019C0950E

Case Planner: Bill Roth

REQUEST

The Applicant requests a Zoning Map Amendment to change the designation from Agriculture to Rural Residential on a 21.60-net-acre parcel in Smith Valley. The stated future intent of the proposed Zoning Map Amendment, and
the predecessor Master Plan Amendment that would go before it to allow for the rezoning, is to subdivide the parcel into four parcels of a minimum five acres in size for future rural residential use.

**STAFF RECOMMENDATION**

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

A Zoning Map Amendment request cannot be conditioned.

**RECOMMENDED MOTION**

If the Planning Commission determines that they will forward a recommendation of approval of the requested Zoning Map Amendment application to the Board of Commissioners, then the Planning Commission should make a motion similar to the following.

**The Planning Commission finds that:**

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

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

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

**Based on the aforementioned Findings, I move that the Planning Commission forward a recommendation of approval to the Board of Commissioners for a Zoning Map Amendment request by Mark H. & Sheryle L. Jones to amend the Zoning Map designation from the Title 10 zoning district of RR-5, Fifth Rural Residential - 20 acre minimum, to the Title 15 district of RR-5, Rural Residential – 5 acre minimum, for a 21.60-acre parcel in Smith Valley (APN 010-081-43) PLZ-2023-021.**
BACKGROUND INFORMATION

Location, Size, Topography

The subject parcel is located in the Smith Valley Rural Character District, to the northeast of the intersection of Madison Way and Artesia Road at 60 Artesia Road in Smith Valley (APN 010-081-43). The parcel is 21.60 net acres (23.41 gross acres) in size and is relatively flat as are the parcels surrounding it.
Site Photos
The images below were provided by the applicant.
Master Plan and Zoning

The current Master Plan designation for the site is Agriculture, which the applicant requests to change to Rural Residential. That Master Plan Amendment application is addressed in a separate staff report (PLZ-2023-020).

Should the Master Plan Amendment be approved, the applicant also requests to rezone the site from RR-5 (Fifth Rural Residential, 20 acre minimum – Title 10) to RR-5 (Rural Residential – 5 acre minimum – Title 15) to be consistent with that new Rural Residential Master Plan designation and to facilitate the future subdivision of the parcel into four five-plus-acre parcels for residential use.

| Current Zoning Map Designation – RR-5 Title 10 | Proposed Zoning Map Designation – RR-5 Title 15 |

PROPOSED ZONING

The current zoning of the subject parcel, RR-5 (Fifth Rural Residential, 20 acre minimum), is from the County’s expired Development Code, Title 10. Per the Zoning Consistency Matrix, adopted in 2018 with Title 15, the corresponding district in Title 15, as indicated in the Matrix excerpt below, is RR-20 (Rural Residential – 20 acre minimum). However, as previously noted, the applicant’s intent is to subdivide the existing, approximately twenty-acre parcel into four approximately five-acre parcels to facilitate future rural residential uses. A rezoning to RR-5 (Rural Residential – 5 acre minimum) is necessary to allow the smaller lot sizes and to make the zoning map designation consistent with the Master Plan designation. As shown and discussed in the next section, 2020 Master Plan – Table 2: Land Use Table, the proposed Zoning Map designation of RR-5 (Rural Residential – 5 acre minimum) would be consistent with the Master Plan designation of Rural Residential.
2020 Master Plan – Table 2: Land Use Table

The image below is from Chapter 3 of the Master Plan, *Land Use, Economy and Growth*. The table describes the intended uses under the Rural Residential designation and the zoning districts that are consistent with that Master Plan designation. The applicant intends to create four five-plus-acre parcels to facilitate future residential uses under a zoning designation of RR-5 (Title 15), which would be consistent with the description and the examples of uses for properties with a Rural Residential Master Plan designation (see yellow highlights).

Rural Character District

The subject parcel is located in the Smith Valley Rural Character District. Rural Character Districts include those areas that are predominately low density residential development with limited neighborhood commercial uses. They may or may not have agricultural land uses or grazing lands. Improvement standards will reflect the “rural” character of the area. Rural districts are not likely to have municipal water and sewer. Roads are likely to have dirt shoulders, some equestrian paths as well as bike facilities within road rights-of-way.
STAFF REVIEW AND COMMENTS

Proposed Zoning Map Amendments are first reviewed by staff and the Planning Commission, who then make recommendations to the Board of Commissioners. The Board makes the final vote on whether or not to approve the request.

FINDINGS FOR REVIEWING A ZONING MAP AMENDMENT REQUEST

Chapter 15.220.05 of Lyon County Code states that when considering approval of a Zoning Map Amendment, three Findings must be considered and supported by a statement of evidence, facts and conclusions. Staff has included those three Findings in bold type below. Each Finding is listed with the applicant’s response in italics and then staff’s comments.

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

Applicant’s Response

With the approval of a Master Plan Amendment, changing the land use from Agricultural to Rural Residential, the proposed zone change, from RR-5 (Fifth Rural Residential, 20-acre minimum – Title 10) to RR-5 (Rural Residential, 5-acre minimum per Title 15 zoning district) would align with the adopted master plan and the underlying land use designation.

Staff Comment

The proposed Zoning Map Amendment would facilitate the development of the subject property in a manner consistent with the Master Plan designation of Rural Residential. As highlighted in the Master Plan and Zoning section of this report, the proposed RR-5 (Rural Residential, 5-acre minimum) zoning designation would be consistent with the 2020 Master Plan designation of Rural Residential. Properties with a designation of Rural Residential have varying lot sizes and layouts and are typically found in rural districts and on the suburbanizing fringe, as is the case for the area around the proposed parcel. Smaller parcels designated for rural residential uses would also be supportive of a ranchette or farmette use that is consistent with the Rural Residential Master Plan designation. This Finding is met.
Finding B: The proposed amendment will not be inconsistent with the adequate public facilities policies contained in this title.

**Applicant’s Response**

The proposed amendment would not be inconsistent with public facilities policies in this title. As noted above, rural residential communities may rely on well and septic according to the requirements established by the County.

**Staff Comment**

As the proposed parcel is contiguous with other similarly designated rural residential parcels, it would not result in a “leap frog” development. It would be served by local phone and electric utilities but would need to have separate well and septic services installed, similar to the other existing parcels in the area. It would not be inconsistent with the adequate public facilities policies nor would it introduce a significant new need for public services that are not already provided to existing residents in the area. This Finding is met.

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

**Applicant’s Response**

Pinion Ranch Estates, directly across Artesia Road and south of the subject site is a subdivision with approximately 40 five-acre parcels. The proposed amendment is compatible with neighbors in Pinion Ranch Estates as the zoning matches the proposed future zoning for this property.

![Figure 3: Existing and Proposed Master Plan Land Uses.](image-url)

In addition, the proposed zoning is compatible with the existing agricultural zoning adjacent to both this parcel and the Pinion Ranch Estates Subdivision.
**Staff Comment**

The proposed Zoning Map Amendment to rezone the parcel as RR-5 (Rural Residential – 5 acre minimum) would be consistent with the Master Plan designation of Rural Residential. The subject property is already developed with a ranchette-style use, so the proposed Master Plan Amendment to facilitate a rezoning and the subdivision of that property into four smaller ranchettes, each on five-acre parcels, would increase density but it would not introduce a new or incompatible use to the area. The proposed zoning would match that of the five-acre rural residential properties to the south and support a consistent development pattern. This Finding is met.

**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 Mark H. & Sheryle L. Jones to amend the Zoning Map designation from RR-5 (Fifth Rural Residential, 20 acre minimum – Title 10) to RR-5 (Rural Residential – 5 acre minimum – Title 15) for a 21.60-acre parcel in Smith Valley (APN 010-081-43); PLZ-2023-021 for ___ days.

**Alternative Motion for Denial**

If after review and public comment the Planning Commission determines that they should recommend denial of the Master Plan Amendment application, then the Planning Commission may wish to consider a motion similar to the following:

**The Lyon County Planning Commission has considered:**

15.210.03: FINDINGS:

When making an approval, modification or denial of an amendment to the master plan land use map or text, the commission and the Board shall, at a minimum, consider each of the following and base approval, modification, or denial based on the combined weight of the findings. Each finding shall be supported by a statement of evidence, facts and conclusions.

A. The applicant has demonstrated that the amendment is in substantial compliance with and promotes the master plan goals, objectives and actions;

B. The proposed amendment is compatible with the existing or master planned adjacent land uses, and reflects a logical change in land uses;
C. The proposed amendment has demonstrated and responds to changed conditions or further studies that have occurred since the master plan was adopted by the Board, and the requested amendment represents a more desirable utilization of land;

D. The proposed amendment will not adversely affect the implementation of the master plan goals, objectives and actions, and will not adversely impact the public health, safety or welfare; and

E. The proposed amendment will promote the desired pattern for the orderly physical growth of the County, allows infrastructure to be extended in efficient increments and patterns, maintains relatively compact development patterns, and guides development of the County based on the consideration of natural resources, the physical geography and the efficient expenditure of funds for public services.

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 Mark H. & Sheryle L. Jones to amend the Zoning Map designation from RR-5 (Fifth Rural Residential, 20 acre minimum – Title 10) to RR-5 (Rural Residential – 5 acre minimum – Title 15) for a 21.60-acre parcel in Smith Valley (APN 010-081-43); PLZ-2023-021.

**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.
For Attachments to this report, please see the Attachments to the Jones Master Plan Amendment report (PLZ-2023-020) also found in this agenda packet.
Meeting Date: 7/5/23

Advisory Board: Smith Valley Citizens Advisory Board

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

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

Agenda Item:

10. For Possible Action: To forward a recommendation to the Board of Commissioners for the request for a Master Plan Amendment from Mark and Sheryle Jones to amend the Master Plan designation from Agriculture to Rural Residential on a 21.60-acre parcel generally located to the northeast of the intersection of Madison Way and Artesia Road at 60 Artesia Road in Smith Valley (APN 010-081-43) PLZ-2023-020.

Recommended Motion and/or Report:

A motion was made to deny the request. The resulting vote was 2-2 (one member abstained due to residing on the subject property) thus, the board was not able to reach a for or against majority recommendation.

Advisory Board or Public Concerns:

Rationale for the motion made to deny: applicants’ reasons were not sufficient cause to amend the code. Doing so would have an adverse effect – more water usage, loss of greenbelt areas, increased home building.

Rationale for opposing the motion to deny: the applicants’ findings were sufficient cause to amend the code. Particularly important was that the legal process to request such an amendment was in place, followed, and the sense that property owners should be able to do what is allowed by existing law.

Public sentiments: The major concerns expressed were the applicants’ rationale being questionable and not sufficient cause to amend the code. Approving the request would set in place a risky precedent – a slippery slope - that would dramatically alter the agricultural character of Smith Valley, water use, and population density should other ag property owners follow suit.

Submitted By: Ted Stec, Chair
Meeting Date: 7/5/23

Advisory Board: Smith Valley Citizens Advisory Board

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

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

Agenda Item:

11. For Possible Action: To forward a recommendation to the Board of Commissioners for the request for a Zoning Map Amendment from Mark and Sheryle Jones to amend the zoning Map designation from Title 10 district of RR-5 (Fifth Rural Residential - 20 acre minimum) to the Title 15 district of RR-5 (Rural Residential - 5 acre minimum) on a 21.60-acre parcel generally located to the northeast of the intersection of Madison Way and Artesia Road at 60 Artesia Road in Smith Valley (APN 010-081-43) PLZ-2023-021.

Recommended Motion and/or Report:

A motion was made to deny the request. The resulting vote was 2-2 (one member abstained due to residing on the subject property) thus, the board was not able to reach a for or against majority recommendation.

Advisory Board or Public Concerns:

Refer to item 10, as the same type of sentiment was briefly expressed.

Submitted By: Ted Stec, Chair
Re Public Comment, Planning Commission, Items 8b & 8c

1 message

James Kinninger <jameskinninger6@gmail.com>
To: County Clerks <countyclerks@lyon-county.org>
Cc: Dave Hockaday <dhockaday@lyon-county.org>

Sun, Jul 9, 2023 at 5:46 PM

Dear Planning Commissioners,
I respectfully request that you deny both Items 8b & 8c on the July 11th agenda, for the following reasons:

8b: Request to change Ag zoning to RR Zoning.
The owners knew this was Ag zoned when they bought it. And they either didn’t research the water rights well enough or simply made a poor decision to buy this property. In any event, it is not the County’s responsibility to remedy their hardships. I’m sure others could make similar claims if this kind of logic carries the day.

8c: Request to change 20 acre zoning to 5 acre zoning.
The owners knew this was a 20 acre minimum zoning when they bought it. Smith Valley has a Master Plan and to allow this request based on the owner’s request would open the door to every other owner of a 20 acre (or larger) parcel to make a similar request and thus completely undercut our Master Plan. Please do not allow such a precedent to be set.

Sincerely,
James Kinninger
Former Chair, Land Use Committee, SV Master Plan
87 Pinon Dr
Wellington, NV 89444
Hello, in regards to items 8.b and 8.c I would like to voice my strong opposition. When I purchased a home in Smith valley, it was because of the rural, agricultural roots and corresponding mentality and lifestyle. The properties in question were purchased as agricultural, larger lots. There is no justification for re-zoning. While the property owner would no doubt profit from this proposed change, the rest of the area will suffer. I want smith valley to remain smith valley, not the overdeveloped central valley of California.

Respectfully, -Grant Swain (smith valley resident)
Amy Smith <amymsq81@gmail.com>

Sat, Jul 8, 6:12 PM (2 days ago)

to me

I am not in favor of this change, because historically, this property was a cattle and alfalfa ranch, and there are too many new homes going up in this area. Once they get it changed to rural residential, they will sell the water rights and subdivide it into 5 acre lots.

Amy Smith

Sent from my iPhone
Lyon County Planning Commission Agenda Summary

Meeting Date: July 11, 2023
Agenda Item Number: 8.d

Subject: For Possible Action: To forward a recommendation to the Board of Commissioners for the request for a Conditional Use Permit from Mr. Darrell Bluhm of Lyon County School District to allow a bus storage yard, commercial coach office building, vehicle maintenance building, bus fueling station, and an employee parking area at an existing Educational Facility in the RR-5 (Rural Residential-5 acre minimum) zoning district on a 60-acre parcel generally located to the south east of the intersection of Spruce Avenue and Topaz Street in Silver Springs (APN 15-131-26) PLZ-2023-031.

Recommendation:

Summary:

Attachments:
Staff Report
Backup
PLANNING COMMISSION

PLZ-2023-031

Proposed Action: Conditional Use Permit for a bus storage yard, commercial coach office building, vehicle maintenance building, bus fueling station, and an employee parking area at an existing Educational Facility.

Meeting Date: July 11, 2023

Property Owner: Lyon County School District (LCSD)

Applicant: Darrell Bluhm (LCSD Facilities)

Location: Silver Springs

Parcel Number: 15-131-26

Parcel Size: 60 acres

Master Plan: Public/Quasi Public

Zoning: RR-5 – Rural Residential (5 acre minimum)

Flood Zone(s): X Unshaded per FIRM 32019C0200E

Case Planner: Bill Roth

REQUEST

The Applicant is requesting a Conditional Use Permit (CUP) to allow for a bus storage yard, commercial coach office building, pre-engineered metal vehicle maintenance building, bus fueling station, and an employee parking area at an existing Educational Facility in Silver Springs.

PROJECT SUMMARY

The Applicant’s proposal includes the construction of a storage yard for twenty-five (25) school buses, an employee parking area with forty (40) parking spaces, a 1,440 square foot (sf) commercial coach transportation staff office building, a 4,800 sf pre-engineered metal bus maintenance building (“bus barn”), a bus fueling station, and a bus wash pad at an existing Educational Facility. The proposed bus yard would replace LCSD’s existing bus yard that is located across the street from the proposed project site at the northeast corner of Spruce Avenue and Topaz Street. LCSD staff states that, should the proposed project be approved, the site of the existing bus yard would remain as-is as there are currently no planned uses for that site.
The subject property has a Master Plan designation of Public/Quasi Public and is zoned RR-5 – Rural Residential (5 acre minimum). Educational Facilities and commercial coach structures may be allowed in the RR-5 zoning district subject to the approval of a Conditional Use Permit.

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 Mr. Darrell Bluhm of Lyon County School District for a Conditional Use Permit to allow a bus storage yard, commercial coach office building, vehicle maintenance building, fueling station, and an employee parking area at an existing Educational Facility on a 60-acre parcel in the Rural Residential (5 acre minimum) zoning district, accessed by Spruce Avenue west of Ramsey Weeks Cutoff in Silver Springs, located on APN 015-131-26, subject to the following Conditions of Approval (PLZ-2023-031).

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 (CLCFPD) and the Lyon County Building Department for review and approval to obtain a Building Permit.
a. Fire plan review by CLCFPD is required.
b. Plan review by Silver Springs Mutual Water Company is required.
c. An encroachment permit from the Lyon County Road Department (LCRD) is required for work in the public right of way.

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

5. The fueling station and wash pad shall be used only for Lyon County School District (LCSD) vehicles. Commercial fuel sales are not permitted.

6. Any connection to the sewer system will require submission and approval by Lyon County Utilities District (LCUD).
   a. If the concrete wash pad is to be connected to the sewer system, a properly sized sand oil separator will be required, to the satisfaction of LCUD.

7. Exterior lighting shall be downward facing and shielded such that light is not shed onto adjacent properties and public rights-of-way.

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

9. 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.**
BACKGROUND INFORMATION

Location

The subject parcel is located in the Silver Springs Suburban Character District, to the west of the intersection of Spruce Avenue and Ramsey Weeks Cutoff, south of Highway 50. Vehicular access to the parcel would be provided via a proposed driveway on Spruce Avenue (see Preliminary Site Plan included with this report).
Subject Parcel Size

The subject parcel is 60 acres in size and sits within the LCSD land holdings in this area that include the campuses of Silver Stage Elementary, Middle School, and High School. In the second image below, the boundaries of the LCSD holdings are indicated with a dashed white line and the proposed project site is indicated with a red star.
Topography

The subject parcel is relatively flat. The image to the right is from the County GIS system. A 50’ contour line is shown in light brown.

Site Photos

The two images below, taken from Spruce Avenue by the Applicant, show the northern frontage of the subject property.

Master Plan and Zoning

The Master Plan designation for the site is Public/Quasi Public. The subject parcel is zoned RR-3 Second Rural Residential District (3 acres) under Title 10 and is subject to the development standards of the RR-5 – Rural Residential (5 acre minimum) under the County’s current land use and development code, Title 15. The surrounding zoning is a mix of RR-5 to the west and north, NC – Neighborhood Commercial to the northwest, and NR-H – Neighborhood Residential (4,500 sq. ft. minimum) to the east and the south.
**Suburban Character District**

The subject parcel is located in the Silver Springs Suburban Character District. Suburban Districts include those areas that are predominately medium to high density residential development with regional/community commercial, neighborhood, industrial and employment uses.

**Flood Zone Designation**

The subject site is located within Zone X Unshaded - Area of Minimal Flood Hazard per the FEMA Flood Insurance Rate Map Panel 32019C0200E (effective date: 1/16/2009). A Floodplain Development permit will not be necessary for development on site.
Public Facilities

Lyon County Utilities Department (LCUD) provides sewer service and Silver Springs Mutual Water Company (SSMWC) provides potable water service to this area via lines under Spruce Avenue. Any fixture units serving the project would require connection to these lines and would need to comply with SSMWC requirements, including potential additional water rights dedication for water service. As included in the Conditions of Approval for the proposed project, should the concrete wash pad be connected to the sewer system, a sand oil separator will be required, to the satisfaction of LCUD.

Project Description

The applicant’s proposal includes the construction of a storage yard for twenty-five (25) school buses, an employee parking area with forty (40) parking spaces, a 1,440 square foot (sf) commercial coach transportation staff office building, a 4,800 sf pre-engineered metal bus maintenance building (“bus barn”), a bus fueling station, and a bus wash pad at an existing Educational Facility. The employee parking area would provide parking for the personal vehicles of the twenty-five (25) bus drivers as well as the on-site employees that would work in the proposed transportation office and the vehicle maintenance barn. The proposed employee parking and bus parking areas would be surfaced with compacted aggregate base (gravel) over a scarified and conditioned subbase. The driveway apron for ingress/egress off of Spruce Avenue would be concrete-paved, as would the wash pad and fueling station.

The proposed bus yard would replace LCSD’s existing bus yard that is located across the street from the proposed project site at the northeast corner of Spruce Avenue and Topaz Street. LCSD staff states that, should the proposed project be approved, the site of the existing bus yard would remain as-is as there are currently no planned uses for that site.

Per the applicant, the proposed development is described as follows:

The proposed bus yard facilities will be on the east side of the High School parcel, in a currently vacant area. The bus yard will front Spruce Avenue, with the entrance approximately 780 feet west of the Onyx Street and Ramsey Weeks Cutoff intersection. Facilities at the site will include a modular office building for LCSD’s Transportation Operations staff, a vehicle maintenance building, fueling station, parking with battery charging outlets for up to 25 buses, and up to 40 standard vehicle parking spaces for employees. Stormwater mitigation improvements are also included, as well as utility service laterals to the site and on-site electrical improvements.

The modular building will be 60 ft long x 24 ft wide. It will come pre-plumbed, pre-wired, and will include architectural finishes upon delivery. It will contain two restrooms, as well as a small kitchenette with sink, and partitions for the office spaces. It will have exterior lighting and an ADA accessible ramp from the onsite paved walkways and van-accessible parking stall. Two employees will be staffed at the modular office building. The vehicle maintenance building will be an 80 ft long by 60 ft wide metal building that will have three bays for servicing and repairing buses. It includes an eye wash station, utility sink, and an HVAC system. Two employees will be staffed at the vehicle maintenance building. An above-ground 1,500 gallon split tank with unleaded and diesel fuel pumps will also be provided for LCSD vehicle fueling.

Up to 25 buses will be able to park at the site. Parking for bus drivers, in addition to the four operations and maintenance staff, will also be provided. There are 40 parking spaces provided in total, including one paved accessible space. Code compliance for parking is demonstrated in the Traffic Study prepared in support of this CUP. The entire disturbed area (4.5 acres) of the site will be laid with Type-II aggregate designed for vehicular circulation, and site lighting is provided. The buildings and fuel station will be founded on concrete pads, per structural design.
Parking
The proposed parking area would provide forty (40) parking spaces that are intended to serve the on-site parking needs for the personal vehicles of the school bus drivers and the employees working in the transportation office and the bus barn. As cited in the Applicant’s On-Site Parking Analysis attached to this report, the required parking for the proposed office and the bus barn is based on Lyon County Code Table 15.401-2. The parking for the bus drivers that will drive the twenty-five (25) buses is based on a one-to-one (1-1) ratio of one parking space per bus driver. As shown in the following table, the proposed project requires thirty-eight (38) on-site employee parking spaces in total and, as proposed, provides forty (40) parking spaces – a surplus of two.

<table>
<thead>
<tr>
<th>Use</th>
<th>Use Area</th>
<th>Parking Ratio</th>
<th>Parking Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office Use</td>
<td>1,420 sf (new)</td>
<td>1 space per 300 sf</td>
<td>4.7 parking spaces</td>
</tr>
<tr>
<td>Indoor storage/vehicle service</td>
<td>4,800 sf (new)</td>
<td>1 space per 650 sf</td>
<td>7.4 parking spaces</td>
</tr>
<tr>
<td>Bus Drivers</td>
<td>25 buses</td>
<td>1 space per bus driver</td>
<td>25 parking spaces</td>
</tr>
<tr>
<td><strong>Total Parking Required:</strong></td>
<td></td>
<td></td>
<td><strong>38 spaces (37.1)</strong></td>
</tr>
</tbody>
</table>

Traffic
A traffic analysis, based on the International Transportation Engineers (ITE) Manual and comparing the traffic generated by the existing Educational Facility uses and the proposed project, is attached to this report. The analysis estimates an approximately 2.94% increase in daily trips with the addition of the proposed project. As previously noted, the proposed bus yard would replace the function of the existing bus yard that is located at the northeast corner of Spruce Avenue and Topaz. As such, the trip count increase, which would result from the addition of several on-site employees for the new office and bus barn, would be minimal.

**Building Permit Required**
Should the proposed CUP be approved, the proposed buildings and structures would be subject to Building Permit Review.
**Preliminary Site Plan**

The site plans and images that follow were included in the applicant’s submittal. Additional materials submitted by the applicant are included in the attachments to this report.
Preliminary Elevations and Floor Plan – Office Building
**Conditional Use Permit**

With the adoption of Title 15, the Board of Commissioners also adopted Exhibit A – Zoning Consistency Matrix. The Zoning Consistency Matrix is to be used to determine the correct land use and development regulations to use until staff completes the Title 15 rezoning to convert properties from the Title 10 zoning districts over to the Title 15 zoning districts. As previously stated, the parcel under consideration is currently zoned RR-3 Second Rural Residential District (3 acres); however, as shown in the adopted Zoning Consistency Matrix, the corresponding Title 15 zoning districts is RR-5 – Rural Residential (5 acre minimum).

The proposed bus yard, transportation office, and vehicle maintenance facilities would be part of the existing LCSD Educational Facility use. Educational Facilities may be allowed in the RR-5 zoning district subject to the approval of a Conditional Use Permit. Commercial coaches, such as that proposed for the office building, also require approval of a Conditional Use Permit.

<table>
<thead>
<tr>
<th>TABLE 15.320-1</th>
<th>TO ALLOWED USES - RURAL RESIDENTIAL, COMMERCIAL MIXED USE, COMMERCIAL AND AGRICULTURAL/RESOURCE ZONING DISTRICTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use Type</td>
<td>Rural Residential</td>
</tr>
<tr>
<td>Use Category</td>
<td>RR-20</td>
</tr>
<tr>
<td>Educational facilities</td>
<td>C</td>
</tr>
<tr>
<td>Post-secondary, trade, or technical education</td>
<td>-</td>
</tr>
<tr>
<td>Animal raising and production</td>
<td>P</td>
</tr>
<tr>
<td>Commercial (stable)</td>
<td>P</td>
</tr>
</tbody>
</table>

When considering applications for a CUP, the commission or Board 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 Under the 2020 Lyon County Master Plan and Silver Springs Land Use Map, the Land Use of the site is listed as Public/Quasi Public, and the site is zoned under Title 15 of the Development Code as RR-5 (Rural Residential, 5-acres minimum). Parking and maintenance of school buses and transportation staff offices for K-12 school use falls under the Educational Facility: School, K-12 land use category, which is an allowable use with CUP approval per Table 15.320-1 of the Lyon County Development Code. In addition, one of the Master Plan Goals for Public Lands (FS3.1) is to ‘support efforts by the LCSD to provide adequate school facilities ... and cooperate with the School District in facilities planning.’ The Bus Yard facility is intended to increase public accessibility to the adjacent schools, in support of furthering education within the District.
**Staff Comment**

The proposed uses are associated with the existing LCSD educational facility, replacing an existing bus yard that is located across the street, and will not introduce a new use that might be incompatible with the intent of the Silver Springs Suburban Character District. The modern bus yard, fueling, and vehicle wash facilities and the associated transportation staff office and vehicle maintenance building would be supportive of efforts to provide access to adequate school facilities and quality education. The proposed development is consistent with the following Lyon County Master Plan Goal and Policies:

1. **Goal FS 3: Schools.**
   Lyon County will support the school district in its goal to see all students graduate with successful futures in college and in careers.

2. **Policy FS 3.1: Quality Schools**
   Lyon County will continue to support efforts by the Lyon County School District to provide adequate school facilities and quality education for all children.

   **Strategies:**
   - Coordinate development review with the School District and actively seek School District comments and requirements.
   - Cooperate with the School District in facilities planning.

   This Finding is met.

**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 Bus Yard will be located adjacent to other school and educational facilities, on currently vacant lands, in a relatively undeveloped area of Silver Springs. The modular office building will not produce noise other than those from basic utilities, such as heating and cooling units. Maintenance of buses will be performed within the proposed metal building, which will help mitigate any noise generated from tools used during maintenance operations. The fueling station is not expected to make any noise that could be heard from adjacent properties. Noise produced by the buses and vehicles is consistent with adjacent educational uses and not expected to create adverse impact to adjacent properties.

Erosion and dust control measures will be implemented during construction at the site in conformance with the Storm Water Pollution Prevention Plan (SWPPP) developed for the site per NDEP requirements. Earth disturbance will be limited as required for parking and circulation. Driving and parking surfaces will be covered with aggregate base to minimize dust dispersion by buses and cars driving around the facility. No odors, visual nuisances, or adverse impacts to adjacent developments are anticipated.

A trip generation analysis was conducted in support of these Findings to analyze the impact of the proposed site on traffic in the area. This was done using the Institute of Transportation Engineers Trip General Manual, 11th Edition. According to the study, negligible impacts to traffic are expected amongst the surrounding school...
traffic/activities. Approximately 94 trips per day expected to be produced by the proposed facilities, compared to the estimated 3,194 trips/day experienced by the surrounding land uses.

**Staff Comment**

The proposed bus yard and associated buildings would be located outside of the setbacks required in the RR-5 zoning district and would not exceed the maximum building height, helping to ensure that the proposed project will be compatible with the surrounding parcels, which are also predominantly zoned RR-5. The proposed use represents the replacement of an existing bus yard that is located across the street with a more modern facility and is a moderate expansion of the existing educational facility use on the LCSD Silver Stage campus. As such, the project would generate negligible additional traffic related to the addition of several on-site workers. As such, the proposed project would not introduce a substantial increase in traffic or noise to the area. 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 is expected to be impacted negligibly amongst the surrounding school traffic/activities, per the above Finding (B) and trip generation analysis. It is assumed that existing roadway infrastructure in the area can accommodate this traffic load and, therefore, is also able to accommodate the very minor increase in vehicular traffic generated by the modular office building.

**Staff Comment**

The proposed use would replace an existing bus yard that is located across the street and would not result in an increase to vehicular traffic other than that related to the addition of several new on-site workers. The proposed driveway on Spruce Avenue would be subject to review by the Lyon County Road Department during the building permit stage, which would ensure compatibility with the existing roadway infrastructure. The proposed employee parking area provides more than the required parking for the proposed use, ensuring that all required parking will be provided on-site. 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**

A negligible increase in traffic is expected based on the two employees who will utilize the modular office and two employees who will be stationed at the maintenance building on a regular basis. The use is consistent with the adjacent school facilities and necessary for providing transportation-related services to the public who use them. It is assumed that the level of service of the existing roadways will not be impacted by the minor amount of traffic generated by the modular building. Therefore, no permanent roadway or traffic control improvements are proposed.

**Staff Comment**

As the proposed bus yard replaces an existing bus yard across the street and the associated buildings would result in only several new on-site workers, the project would not significantly increase or impact area traffic flow such that mitigation would be necessary. The Lyon County Road Department has reviewed the proposed project and found it would not significantly impact traffic flow. 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

The modular and vehicle maintenance buildings are designed to be consistent with other adjacent modular recently approved by Lyon County through the CUP process. The buildings will be located approximately 50 feet away from the adjacent High School’s baseball fields, separated by employee parking, and will be consistent with the existing site uses. Other components of the site such as the bus parking and fuel station are set-back from the frontage road and High School by at least 200 feet and will not create adverse effects on adjacent properties.

Staff Comment

The size and location of the proposed bus yard and associated buildings would meet the requirements of the RR-5 zoning district, which is intended to avoid impacts to adjacent sites. The proposed project would replace an existing bus yard function that is located across the street and would expand upon the existing Educational Facility use with the addition of a small transportation office and a vehicle maintenance building. The project has been located such that it would not generate visual impacts or adverse noise effects on adjacent properties. As conditioned, lighting for the project shall be screened to ensure there is no light spillage on adjacent properties. 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

Lyon County Design Criteria was reviewed during the preparation of the proposed facility’s design and are believed to have been met. Parking requirements are included in the Traffic Study submitted in support of this CUP. The modular building will be consistent with the structural and architectural components of other recently CUP-permitted modulars in proximity to the site. Compliance with Building Design Criteria is as certified by the modular manufacturer. The fueling station was designed to be above-ground and was checked with the Nevada Division of Environmental Protection (NDEP). As such, NDEP permitting was found to not be required for the fuel station. The total soil disturbance for the site is less than 5 acres, therefore not requiring a Surface Area Disturbance permit through NDEP either.

Staff Comment

As conditioned, the use is consistent with the zoning standards of Title 15 and has been reviewed by outside agencies. 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

Per the standards outlined for the conditional use, no detriment to public safety, welfare or prejudice to the current area anticipated. This project will allow LCSD to better serve the public for school transportation operations.

Staff Comment

The proposed use is a moderate expansion of the Educational Facility use by replacing a bus yard that already serves the existing school campus with a more modern bus yard facility. The proposed buildings will be subject to Building Permit review, which will ensure that the structure will not be detrimental to health and safety. This Finding is met.
Alternatives to Approval

Alternative for Continuance

If the Planning Commissioners determine that there is insufficient information with which to make a decision on
the Conditional Use Permit 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 Conditional Use Permit
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 Conditional Use Permit application.

Based on the aforementioned finding, and with the applicant’s concurrence, the Planning Commission continues
the Conditional Use Permit request from Mr. Darrell Bluhm of Lyon County School District to allow a bus storage
yard, commercial coach office building, vehicle maintenance building, fueling station, and an employee parking
area at an existing Educational Facility on a 60-acre parcel in the Rural Residential (5 acre minimum) zoning
district, accessed by Spruce Avenue west of Ramsey Weeks Cutoff in Silver Springs (APN 015-131-26); PLZ-2023-
010 for ___ days.

Alternative Motion for Denial

If after review and public comment the Planning Commission determines that they should recommend denial of
the Conditional use Permit application, then the Planning Commission may wish to consider a motion similar to the
following:

The Lyon County Planning Commission has considered:

15.230.06: FINDINGS:

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

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

After consideration of the above-listed Findings, the Lyon County Planning Commission has determined that the Conditional Use Permit would not be in conformance with the above-listed considerations and recommends denial of the Conditional Use Permit request from Mr. Darrell Bluhm of Lyon County School District to allow a bus storage yard, commercial coach office building, vehicle maintenance building, fueling station, and an employee parking area at an existing Educational Facility on a 60-acre parcel in the Rural Residential (5 acre minimum) zoning district, accessed by Spruce Avenue west of Ramsey Weeks Cutoff in Silver Springs (APN 015-131-26); PLZ-2023-010.

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.
May 1st, 2023

Lyon County Community Development
34 Lakes Boulevard,
Dayton, NV 89403
(775) 245-6135

Subject: Project Narrative - Conditional Use Permit
Silver Springs Bus Yard

This Project Narrative is to supplement the Conditional Use Permit application for a new Bus Yard proposed by the Lyon County School District (LCSD) next to Silver Springs High School (APN 15-131-26). The proposed bus yard facilities will be on the east side of the High School parcel, in a currently vacant area. The bus yard will front Spruce Avenue, with the entrance approximately 780 feet west of the Onyx Street and Ramsey Weeks Cutoff intersection. Facilities at the site will include a modular office building for LCSD’s Transportation Operations staff, a vehicle maintenance building, fueling station, parking with battery charging outlets for up to 25 buses, and up to 40 standard vehicle parking spaces for employees. Stormwater mitigation improvements are also included, as well as utility service laterals to the site and on-site electrical improvements.

The modular building will be 60 ft long x 24 ft wide. It will come pre-plumbed, pre-wired, and will include architectural finishes upon delivery. It will contain two restrooms, as well as a small kitchenette with sink, and partitions for the office spaces. It will have exterior lighting and an ADA accessible ramp from the onsite paved walkways and van-accessible parking stall. Two employees will be staffed at the modular office building. The vehicle maintenance building will be an 80 ft long by 60 ft wide metal building that will have three bays for servicing and repairing buses. It includes an eye wash station, utility sink, and an HVAC system. Two employees will be staffed at the vehicle maintenance building. An above-ground 1,500 gallon split tank with unleaded and diesel fuel pumps will also be provided for LCSD vehicle fueling.

Up to 25 buses will be able to park at the site. Parking for bus drivers, in addition to the four operations and maintenance staff, will also be provided. There are 40 parking spaces provided in total, including one paved accessible space. Code compliance for parking is demonstrated in the Traffic Study prepared in support of this CUP. The entire disturbed area (4.5 acres) of the site will be laid with Type-II aggregate designed for vehicular circulation, and site lighting is provided. The buildings and fuel station will be founded on concrete pads, per structural design.

Please feel free to call with any questions at (775)588-6490.

Sincerely,

Justin Sand, P.E.
Senior Project Manager
May 1, 2023

Lyon County Community Development
34 Lakes Boulevard,
Dayton, NV 89403
(775) 245-6135

Subject: Findings - Conditional Use Permit
Silver Springs Bus Yard

Per Section 15.235.04 of the Lyon County Development Code, the following Findings are applicable to the Conditional Use Permit (CUP) for the Bus Yard proposed by the Lyon County School District (LCSD) in Silver Springs, Nevada. The Bus Yard will be built on the vacant portion of the Silver Stage High School property, east of the baseball fields. The Bus Yard will include a modular office building, vehicle maintenance building, fueling station, and parking/charging stations for up to 25 electric buses. All Findings related to this proposed project are described below.

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

Under the 2020 Lyon County Master Plan and Silver Springs Land Use Map, the Land Use of the site is listed as Public/Quasi Public, and the site is zoned under Title 15 of the Development Code as RR-5 (Rural Residential, 5-acres minimum). Parking and maintenance of school buses and transportation staff offices for K-12 school use falls under the Educational Facility: School, K-12 land use category, which is an allowable use with CUP approval per Table 15.320-1 of the Lyon County Development Code. In addition, one of the Master Plan Goals for Public Lands (FS3.1) is to 'support efforts by the LCSD to provide adequate school facilities ... and cooperate with the School District in facilities planning.' The Bus Yard facility is intended to increase public accessibility to the adjacent schools, in support of furthering education within the District.

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

The proposed Bus Yard will be located adjacent to other school and educational facilities, on currently vacant lands, in a relatively undeveloped area of Silver Springs. The modular office building will not produce noise other than those from basic utilities, such as heating and cooling units. Maintenance of buses will be performed within the proposed metal building, which will help mitigate any noise generated from tools used during maintenance operations. The fueling station is not expected to make any noise that could be heard from adjacent
properties. Noise produced by the buses and vehicles is consistent with adjacent educational uses and not expected to create adverse impact to adjacent properties.

Erosion and dust control measures will be implemented during construction at the site in conformance with the Storm Water Pollution Prevention Plan (SWPPP) developed for the site per NDEP requirements. Earth disturbance will be limited as required for parking and circulation. Driving and parking surfaces will be covered with aggregate base to minimize dust dispersion by buses and cars driving around the facility. No odors, visual nuisances, or adverse impacts to adjacent developments are anticipated.

A trip generation analysis was conducted in support of these Findings to analyze the impact of the proposed site on traffic in the area. This was done using the Institute of Transportation Engineers Trip General Manual, 11th Edition. According to the study, negligible impacts to traffic are expected amongst the surrounding school traffic/activities. Approximately 94 trips per day expected to be produced by the proposed facilities, compared to the estimated 3,194 trips/day experienced by the surrounding land uses.

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

Traffic is expected to be impacted negligibly amongst the surrounding school traffic/activities, per the above Finding (B) and trip generation analysis. It is assumed that existing roadway infrastructure in the area can accommodate this traffic load and, therefore, is also able to accommodate the very minor increase in vehicular traffic generated by the modular office building.

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

A negligible increase in traffic is expected based on the two employees who will utilize the modular office and two employees who will be stationed at the maintenance building on a regular basis. The use is consistent with the adjacent school facilities and necessary for providing transportation-related services to the public who use them. It is assumed that the level of service of the existing roadways will not be impacted by the minor amount of traffic generated by the modular building. Therefore, no permanent roadway or traffic control improvements are proposed.

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

The modular and vehicle maintenance buildings are designed to be consistent with other adjacent modular recently approved by Lyon County through the CUP process. The buildings will be located approximately 50 feet away from the adjacent High School’s baseball fields, separated by employee parking, and will be consistent with the existing site uses. Other components of the site such as the bus parking and fuel station are set-back from the frontage road and High School by at least 200 feet and will not create adverse effects on adjacent properties.
F. The proposed development complies with all additional standards imposed on it by the particular provisions of this Title, the Lyon County Design Criteria and Improvement Standards and all other requirements of this title applicable to the proposed development and uses within the applicable base zoning district, including but not limited to, the adequate public facility policies of chapter 110 of this title.

Lyon County Design Criteria was reviewed during the preparation of the proposed facility’s design and are believed to have been met. Parking requirements are included in the Traffic Study submitted in support of this CUP. The modular building will be consistent with the structural and architectural components of other recently CUP-permitted modulars in proximity to the site. Compliance with Building Design Criteria is as certified by the modular manufacturer. The fueling station was designed to be above-ground and was checked with the Nevada Division of Environmental Protection (NDEP). As such, NDEP permitting was found to not be required for the fuel station. The total soil disturbance for the site is less than 5 acres, therefore not requiring a Surface Area Disturbance permit through NDEP either.

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

Per the standards outlined for the conditional use, no detriment to public safety, welfare or prejudice to the current area anticipated. This project will allow LCSD to better serve the public for school transportation operations.

Please feel free to call with any questions at (775)588-6490.

Sincerely,

Justin Sand, P.E.
Senior Project Manager
April 27, 2023

Lyon County Community Development
34 Lakes Boulevard,
Dayton, NV 89403
(775) 245-6135

Subject: Traffic Study- Conditional Use Permit
Silver Springs Bus Yard

This Traffic Study was produced for the bus yard proposed by the Lyon County School District (LCSD) next to Silver Springs High School in Silver Springs, Nevada. The bus yard will include a modular office building, vehicle maintenance building, fueling station, and parking for buses as well as employees. The modular building is 1,420 square-feet (SF) and will be staffed with two employees. The vehicle maintenance building will be 4,800 SF and have two additional employees staffed. The proposed bus yard will have capacity for 25 buses to be parked. Parking for the site and traffic generated by the site are analyzed below.

On-Site Parking Analysis:

- **Vehicle Maintenance Building**
  Per Lyon County Development Code (Title 15), Table 15.401-2, the maintenance building will require 1 parking space per 650 SF. This equates to the following:
  \[ \text{4,800 SF} \times \frac{1 \text{ Space}}{650 \text{ SF}} = 7.4 \text{ Spaces} = 8 \text{ spaces (rounded up)} \]

  The maintenance building may also be defined by the 5th Edition ITE Parking Generation Manual (ITE Parking Manual) as Land Use 110: ‘General Light Industrial’. This Land Use requires 0.65 parking spaces per 1,000 SF of Gross Floor Area (GFA) or 0.55 spaces per employee. Based on the proposed facility, the following parking is required for the ITE standard:
  \[ \text{4,800 SF} \times \frac{0.65 \text{ Space}}{1,000 \text{ SF}} = 3.12 \text{ Spaces} = 4 \text{ spaces (rounded up)}, \text{ or} \]
  \[ 2 \text{ employees} \times \frac{0.55 \text{ Space}}{\text{employee}} = 1.1 \text{ spaces} = 2 \text{ spaces (rounded up)} \]

  To conservatively provide parking for this facility, the site has allowed for 8 parking spaces.

- **Modular Office Building**
  Per Title 15, Table 15.401-2, the maintenance building will require 1 parking space per 300 SF. This equates to the following:
  \[ \text{1,420 SF} \times \frac{1 \text{ Space}}{300 \text{ SF}} = 4.7 \text{ Spaces} = 5 \text{ spaces (rounded up)} \]

  The office building may also be defined by the ITE Manual as Land Use 538: ‘School District Office’. This Land Use requires 2.36 parking spaces per 1,000 SF of GFA or 1.13 space per employee. Based on the proposed facility, the following parking is required for the ITE standard:
  \[ \text{1,420 SF} \times \frac{2.36 \text{ Space}}{1,000 \text{ SF}} = 3.35 \text{ Spaces} = 4 \text{ spaces (rounded up)}, \text{ or} \]
  \[ 2 \text{ employees} \times \frac{1.13 \text{ Space}}{\text{employee}} = 2.26 \text{ spaces} = 3 \text{ spaces (rounded up)} \]
To conservatively provide parking for this facility, the site has allowed for 5 parking spaces for the, including one accessible / ADA space.

- **Bus Yard**
  Parking on the site is provided to meet the maximum expected number of bus drivers with anticipated future growth of the school district. Therefore, 25 employee parking spaces were provided for this facility at the site.

- **Total Parking**
  The total parking required at the site is as follows:
  - Vehicle Maintenance Building Parking = 8 spaces
  - Modular Office Building Parking = 5 spaces
  - Bus Yard Employee Parking = 25 spaces
  - Total = 38 spaces required

There are 40 total spaces provided at the proposed site, which exceeds the minimum parking requirement.

**Trip Generation Analysis:**

Using the 11th Edition ITE Trip Generation Manual (ITE Manual), traffic generated by the proposed site was compared to existing traffic volume estimates.

- **Proposed Site Trips**
  The proposed site is classified per the ITE Manual as follows:
  - Vehicle Maintenance Building (2 employees) = Land Use 110: ‘General Light Industrial’
  - Modular Office Building (2 employees) = Land Use 528: ‘School District Office’

Based on the above information, trip generation estimates can be estimated from Table 1.

<table>
<thead>
<tr>
<th>Facility</th>
<th>ITE Trip Rate / Employee</th>
<th>Employees</th>
<th>Estimated Trips Generated</th>
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</thead>
<tbody>
<tr>
<td>Maintenance Building</td>
<td>3.10</td>
<td>2</td>
<td>6.20</td>
</tr>
<tr>
<td>Office Building</td>
<td>5.08</td>
<td>2</td>
<td>10.16</td>
</tr>
<tr>
<td>Bus Yard</td>
<td>3.10</td>
<td>25</td>
<td>77.50</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td><strong>94 Trips/Day</strong></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(rounded up)</td>
</tr>
</tbody>
</table>
Existing Surrounding Area Trips

Existing traffic estimates characteristic of the surrounding area were used for comparison, which are consistent with the Findings for the Conditional Use Permit of this site. The Existing Land Use for the area, for the purposes of this study, was based on the mapped information in Figure 1, and includes the following:

Silver Springs High School (Population\(^1\) = 323 students, 12 teachers)
Silver Stage Middle School (Population\(^1\) = 315 students, 19 teachers)
Silver Stage Elementary School (Population\(^1\) = 349 students, 18 teachers)

Resulting ITE analysis codes = Land Use 525, 522, and 520 for High Schools, Middle Schools, and Elementary Schools respectively.

There are minimal residences in the surrounding area that are very sparsely dispersed and, therefore, excluded from the existing traffic analysis due to negligible impact on peak traffic volumes. The majority of the surrounding land is vacant, used for agriculture, or undeveloped. Additional facilities such as the Silver Stage Library and Park, Lyon County Animal Services Center, and other nearby business were also excluded from the existing traffic estimate as they are not expected to impact traffic volumes at the peak hour.

Based on the above information, trip generation estimates are summarized in Table 2.

Table 2. Existing Traffic Estimates Surrounding the Proposed Bus Yard

<table>
<thead>
<tr>
<th>Facility</th>
<th>ITE Trip Rate / Student</th>
<th>ITE Trip Rate / Staff</th>
<th>Estimated Trips Generated</th>
</tr>
</thead>
<tbody>
<tr>
<td>High School</td>
<td>1.94</td>
<td>21.95</td>
<td>890.02</td>
</tr>
<tr>
<td>Middle School</td>
<td>2.10</td>
<td>23.41</td>
<td>1,106.29</td>
</tr>
<tr>
<td>Elementary School</td>
<td>2.27</td>
<td>22.50</td>
<td>1,197.23</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td><strong>3,194 Trips/Day (rounded up)</strong></td>
</tr>
</tbody>
</table>

\(^1\) School population data is based on 2021 and varies by year. It is used for reference only for the purposes of comparison for this study. Data was sourced from the publicly available site, Public School Review, [https://www.publicschoolreview.com/](https://www.publicschoolreview.com/)
As demonstrated by the above analyses, the proposed daily trips generated by the bus yard will be 94 trips/day of the existing 3,194 trips/day seen by the surrounding area. The estimated increase in traffic on the adjacent roads is therefore approximately 2.94%, which is considered a negligible amount with the assumption that these roads are functioning at an acceptable level of service. In addition, the proposed bus yard will improve accessibility and operations to provide public transportation for students to and from the surrounding schools. Therefore, it can be expected that most, or all, of the anticipated traffic increase from the development will be offset by a reduction in individual trips to the schools from passenger vehicles.

Please feel free to call for any further clarification or questions at (775) 588-6490.

Sincerely,

Justin Sand, P.E.
Senior Project Manager
Land Use: 110 General Light Industrial

Description
A light industrial facility is a free-standing facility devoted to a single use. The facility has an emphasis on activities other than manufacturing and typically has minimal office space. Typical light industrial activities include printing, material testing, and assembly of data processing equipment. Industrial park (Land Use 130) and manufacturing (Land Use 140) are related uses.

Time of Day Distribution for Parking Demand
The following table presents a time-of-day distribution of parking demand on a weekday at 29 general urban/suburban study sites.

<table>
<thead>
<tr>
<th>Hour Beginning</th>
<th>Percent of Weekday Peak Parking Demand</th>
</tr>
</thead>
<tbody>
<tr>
<td>12:00–4:00 a.m.</td>
<td>0</td>
</tr>
<tr>
<td>5:00 a.m.</td>
<td>2</td>
</tr>
<tr>
<td>6:00 a.m.</td>
<td>15</td>
</tr>
<tr>
<td>7:00 a.m.</td>
<td>41</td>
</tr>
<tr>
<td>8:00 a.m.</td>
<td>83</td>
</tr>
<tr>
<td>9:00 a.m.</td>
<td>100</td>
</tr>
<tr>
<td>10:00 a.m.</td>
<td>99</td>
</tr>
<tr>
<td>11:00 a.m.</td>
<td>98</td>
</tr>
<tr>
<td>12:00 p.m.</td>
<td>94</td>
</tr>
<tr>
<td>1:00 p.m.</td>
<td>90</td>
</tr>
<tr>
<td>2:00 p.m.</td>
<td>94</td>
</tr>
<tr>
<td>3:00 p.m.</td>
<td>88</td>
</tr>
<tr>
<td>4:00 p.m.</td>
<td>68</td>
</tr>
<tr>
<td>5:00 p.m.</td>
<td>49</td>
</tr>
<tr>
<td>6:00 p.m.</td>
<td>9</td>
</tr>
<tr>
<td>7:00 p.m.</td>
<td>3</td>
</tr>
<tr>
<td>8:00 p.m.</td>
<td>3</td>
</tr>
<tr>
<td>9:00 p.m.</td>
<td>3</td>
</tr>
<tr>
<td>10:00 p.m.</td>
<td>0</td>
</tr>
<tr>
<td>11:00 p.m.</td>
<td>0</td>
</tr>
</tbody>
</table>
Additional Data

The number of employees for this land use was the total number of employees working on all shifts. Facilities with employees that work on shifts may peak at different hours. It is unclear from the data collected for this land use whether the parking demand counts occurred during, prior to, or after shift changes at the study sites.

The average parking supply ratio for the nine study sites with parking supply information is 1.2 spaces per 1,000 square feet GFA.

The sites were surveyed in the 1980s, the 1990s, and the 2010s in California, Illinois, Oklahoma, Texas, and Washington.

Source Numbers

149, 151, 201, 235, 261, 560, 561
General Light Industrial (110)

Peak Period Parking Demand vs: 1000 Sq. Ft. GFA
On a: Weekday (Monday - Friday)
Setting/Location: General Urban/Suburban
Peak Period of Parking Demand: 9:00 a.m. - 3:00 p.m.
Number of Studies: 40
Avg. 1000 Sq. Ft. GFA: 56

Peak Period Parking Demand per 1000 Sq. Ft. GFA

<table>
<thead>
<tr>
<th>平均率</th>
<th>范围</th>
<th>33rd / 85th 百分位数</th>
<th>95% 阈值区间</th>
<th>标准误差（变异系数）</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.65</td>
<td>0.11 - 7.89</td>
<td>0.58 / 1.94</td>
<td>0.52 - 0.78</td>
<td>0.41 (63%)</td>
</tr>
</tbody>
</table>

Data Plot and Equation

\[ P = 0.60(X) + 2.77 \]

\[ R^2 = 0.85 \]
General Light Industrial (110)

Peak Period Parking Demand vs: Employees

On a: Weekday (Monday - Friday)

Setting/Location: General Urban/Suburban

Peak Period of Parking Demand: 9:00 a.m. - 3:00 p.m.

Number of Studies: 38

Avg. Num. of Employees: 68

Peak Period Parking Demand per Employee

<table>
<thead>
<tr>
<th>Average Rate</th>
<th>Range of Rates</th>
<th>33rd / 85th Percentile</th>
<th>95% Confidence Interval</th>
<th>Standard Deviation (Coeff. of Variation)</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.55</td>
<td>0.23 - 3.00</td>
<td>0.68 / 1.39</td>
<td>0.48 - 0.62</td>
<td>0.23 (42%)</td>
</tr>
</tbody>
</table>

Data Plot and Equation

Fitted Curve Equation: \( P = 0.44(X) + 7.57 \)

\( R^2 = 0.99 \)
Land Use: 538 School District Office

Description

A school district office is an administrative office building that provides services and support to parents, students, and the community. School district offices typically offer centralized services for multiple schools in a district including staff training, purchasing, technology services, strategic planning, public information, student transportation, and student assessments.

Time of Day Distribution for Parking Demand

The following table presents a time-of-day distribution of parking demand on a weekday at 11 study sites in a general urban/suburban setting.

<table>
<thead>
<tr>
<th>Hour Beginning</th>
<th>Percent of Weekday Peak Parking Demand</th>
</tr>
</thead>
<tbody>
<tr>
<td>12:00–4:00 a.m.</td>
<td>0</td>
</tr>
<tr>
<td>5:00 a.m.</td>
<td>0</td>
</tr>
<tr>
<td>6:00 a.m.</td>
<td>0</td>
</tr>
<tr>
<td>7:00 a.m.</td>
<td>2</td>
</tr>
<tr>
<td>8:00 a.m.</td>
<td>61</td>
</tr>
<tr>
<td>9:00 a.m.</td>
<td>78</td>
</tr>
<tr>
<td>10:00 a.m.</td>
<td>83</td>
</tr>
<tr>
<td>11:00 a.m.</td>
<td>79</td>
</tr>
<tr>
<td>12:00 p.m.</td>
<td>61</td>
</tr>
<tr>
<td>1:00 p.m.</td>
<td>73</td>
</tr>
<tr>
<td>2:00 p.m.</td>
<td>90</td>
</tr>
<tr>
<td>3:00 p.m.</td>
<td>100</td>
</tr>
<tr>
<td>4:00 p.m.</td>
<td>88</td>
</tr>
<tr>
<td>5:00 p.m.</td>
<td>25</td>
</tr>
<tr>
<td>6:00 p.m.</td>
<td>0</td>
</tr>
<tr>
<td>7:00 p.m.</td>
<td>0</td>
</tr>
<tr>
<td>8:00 p.m.</td>
<td>0</td>
</tr>
<tr>
<td>9:00 p.m.</td>
<td>0</td>
</tr>
<tr>
<td>10:00 p.m.</td>
<td>0</td>
</tr>
<tr>
<td>11:00 p.m.</td>
<td>0</td>
</tr>
</tbody>
</table>
Additional Data

The sites were surveyed in the 2010s in Texas.

Source Number

570
School District Office
(538)

Peak Period Parking Demand vs: 1000 Sq. Ft. GFA

On a: Weekday (Monday - Friday)

Setting/Location: General Urban/Suburban

Peak Period of Parking Demand: 10:00 a.m. - 4:00 p.m.

Number of Studies: 10

Avg. 1000 Sq. Ft. GFA: 19

Peak Period Parking Demand per 1000 Sq. Ft. GFA

<table>
<thead>
<tr>
<th>Average Rate</th>
<th>Range of Rates</th>
<th>33rd / 85th Percentile</th>
<th>95% Confidence Interval</th>
<th>Standard Deviation (Coeff. of Variation)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.36</td>
<td>1.26 - 3.31</td>
<td>2.13 / 3.00</td>
<td>***</td>
<td>0.43 (18%)</td>
</tr>
</tbody>
</table>

Data Plot and Equation

\[
P = 2.29(X) + 1.25
\]

\[R^2 = 0.94\]
School District Office
(538)

Peak Period Parking Demand vs: Employees
On a: Weekday (Monday - Friday)
Setting/Location: General Urban/Suburban
Peak Period of Parking Demand: 10:00 a.m. - 4:00 p.m.
Number of Studies: 9
Avg. Num. of Employees: 27

Peak Period Parking Demand per Employee

<table>
<thead>
<tr>
<th>Average Rate</th>
<th>Range of Rates</th>
<th>33rd / 85th Percentile</th>
<th>95% Confidence Interval</th>
<th>Standard Deviation (Coeff. of Variation)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.13</td>
<td>0.74 - 1.44</td>
<td>1.12 / 1.42</td>
<td>***</td>
<td>0.24 (21%)</td>
</tr>
</tbody>
</table>

Data Plot and Equation

Fitted Curve Equation: \( \ln(P) = 0.95 \ln(X) + 0.31 \)

\( R^2 = 0.96 \)
ATTACHMENT B:

ITE TRIP GENERATION MANUAL 11TH EDITION
General Light Industrial

Vehicle Trip Ends vs: Employees
On a: Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 37
Avg. Num. of Employees: 71
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per Employee

<table>
<thead>
<tr>
<th>Average Rate</th>
<th>Range of Rates</th>
<th>Standard Deviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.10</td>
<td>1.53 - 23.50</td>
<td>1.81</td>
</tr>
</tbody>
</table>

Data Plot and Equation

Fitted Curve Equation: \( \ln(T) = 0.77 \ln(X) + 2.15 \)

\( R^2 = 0.83 \)
General Light Industrial
(110)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 37
Avg. 1000 Sq. Ft. GFA: 45
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

<table>
<thead>
<tr>
<th>Average Rate</th>
<th>Range of Rates</th>
<th>Standard Deviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.87</td>
<td>0.34 - 43.86</td>
<td>4.08</td>
</tr>
</tbody>
</table>

Data Plot and Equation

Fitted Curve Equation: \( T = 3.76(X) + 50.47 \)
\( R^2 = 0.61 \)
Vehicle Trip Ends vs: Employees
On a: Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 11
Avg. Num. of Employees: 54
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per Employee

<table>
<thead>
<tr>
<th>Average Rate</th>
<th>Range of Rates</th>
<th>Standard Deviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.08</td>
<td>2.88 - 12.89</td>
<td>3.04</td>
</tr>
</tbody>
</table>

Data Plot and Equation

Fitted Curve Equation: \( \ln(T) = 0.71 \ln(X) + 2.91 \)
\( R^2 = 0.88 \)
High School (525)

Vehicle Trip Ends vs: Students
On a: Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 31
Avg. Num. of Students: 1498
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per Student

<table>
<thead>
<tr>
<th>Average Rate</th>
<th>Range of Rates</th>
<th>Standard Deviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.94</td>
<td>0.51 - 3.30</td>
<td>0.61</td>
</tr>
</tbody>
</table>

Data Plot and Equation

Fitted Curve Equation: Not Given  
\( R^2 = **** \)
High School
(525)

Vehicle Trip Ends vs: Employees
On a: Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 30
Avg. Num. of Employees: 132
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per Employee

<table>
<thead>
<tr>
<th>Average Rate</th>
<th>Range of Rates</th>
<th>Standard Deviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>21.95</td>
<td>4.57 - 35.35</td>
<td>5.89</td>
</tr>
</tbody>
</table>

Data Plot and Equation

Fitted Curve Equation: $T = 20.67(X) + 168.10$

$R^2 = 0.59$
Middle School/Junior High School
(522)

Vehicle Trip Ends vs: Students
On a: Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 14
Avg. Num. of Students: 1048
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per Student

<table>
<thead>
<tr>
<th>Average Rate</th>
<th>Range of Rates</th>
<th>Standard Deviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.10</td>
<td>1.48 - 2.81</td>
<td>0.42</td>
</tr>
</tbody>
</table>

Data Plot and Equation

Fitted Curve Equation: \( \ln(T) = 0.97 \ln(X) + 0.95 \)

\( R^2 = 0.83 \)
Middle School/Junior High School
(522)

Vehicle Trip Ends vs: Employees
On a: Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 6
Avg. Num. of Employees: 92
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per Employee

<table>
<thead>
<tr>
<th>Average Rate</th>
<th>Range of Rates</th>
<th>Standard Deviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>23.41</td>
<td>11.85 - 28.47</td>
<td>4.88</td>
</tr>
</tbody>
</table>

Data Plot and Equation

Fitted Curve Equation: $T = 32.33(X) - 816.18$

$R^2 = 0.94$
Elementary School
(520)

Vehicle Trip Ends vs: Students
On a: Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 16
Avg. Num. of Students: 651
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per Student

<table>
<thead>
<tr>
<th>Average Rate</th>
<th>Range of Rates</th>
<th>Standard Deviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.27</td>
<td>1.51 - 5.89</td>
<td>0.93</td>
</tr>
</tbody>
</table>

Data Plot and Equation

Fitted Curve Equation: Not Given

R² = ****

Trip Gen Manual, 11th Edition
• Institute of Transportation Engineers
Elementary School
(520)

Vehicle Trip Ends vs: Employees
On a: Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 12
Avg. Num. of Employees: 71
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per Employee

<table>
<thead>
<tr>
<th>Average Rate</th>
<th>Range of Rates</th>
<th>Standard Deviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>22.50</td>
<td>14.57 - 34.91</td>
<td>6.04</td>
</tr>
</tbody>
</table>

Data Plot and Equation

Fitted Curve Equation: Not Given

\[ R^2 = **** \]

Tit Gen Manual, 11th Edition  Institute of Transportation Engineers