

LYON COUNTY PLANNING COMMISSION MEETING MINUTES

February 11, 2020

The February 11, 2020 meeting of the Lyon County Planning Commission was called to order by Chairwoman Betty Retzer.

1. Roll Call – All Commissioners were present and quorum was established

Members present: Betty Retzer, Leonard Lake, Tammy Hendrix, Mike Hardcastle, Harold Ritter, John Cassinelli and Audrey Allan.

Attending staff present: Rob Pyzel, Planner, Tammy Kinsley, Planner, Kerry Page, Planning Technician and Shannon Juntunen, Administrative Assistant.

2. Pledge of Allegiance – Led by Commissioner Ritter

3. Public Participation- None

4. Review and Adoption of Agenda-

Commissioner Lake motioned to adopt the agenda as presented. Commissioner Hendrix seconded, motion carries unanimously (7 ayes; 0 nay; 0 abstentions).

5. Approval of minutes

Commissioner Allan suggested making an amendment to the January 14, 2020 minutes pertaining to the conversation amongst the Planning Commission regarding appointing a County Commissioner as an ex-officio. Planner, Rob Pyzel, responded after listening to the audio he felt the minutes correctly reflect what took place.

Commissioner Ritter made a motion to approve the minutes of the January 14, 2020 Planning Commission meeting as presented. Commissioner Cassinelli seconded, motion carries by **unanimous** vote (7 ayes; 0 nay; 0 abstentions; 0 abstention).

6. Presentation and Reading of Miscellaneous Correspondence- None

7. Advisory Board Reports- None

8. Public Hearing Items-

8.a. (For Possible Action) CORRECTIVE ACTION: For Possible Action: Intent to take corrective action for potential Open Meeting law violation that occurred at the January 14, 2020 Planning Commission meeting during Planning Commissioner Comments. During Planning Commissioner comments, several Commission members may have deliberated toward a position on whether the Planning Commission supports a County Commissioner as ex-officio member to the Planning Commission. The item was not properly agendized for deliberation.

Planner, Rob Pyzel, explained the reason for agenda item 8.a. and how to rectify the possible open meeting law violation. The Planning Commission understood the reason for the corrective action and how to avoid making the same mistake in the future.

8.b. (For Possible Action) Discussion to request staff to relay Planning Commission position regarding BOC member as ex-officio member to Planning Commission.

Planner, Rob Pyzel, summarized how the request to appoint a County Commissioner as an ex-officio to the Planning Commission originated and was then brought back up. The request was brought to Staff and County Manager, Jeff Page, last year. After discussion with the Planning Commission and District Attorney, Steve Rye, it was decided there would not be a County Commissioner appointed to the Planning Commission as an ex-officio at that time. However, it would be re-visited at a later point in time. It was brought up during the January 14, 2020 Planning Commission meeting after several commissioners heard it was discussed at another Public meeting.

Conversation continued among the Planning Commissioners regarding how the topic of appointing an ex-officio came back up, and their position on the matter. It was confirmed that the Planning Commission is not in favor of having a County Commissioner appointed to the Planning Commission as an ex-officio.

Commissioner Cassinelli made a motion to have staff reaffirm to the County Commissioners that the Planning Commission is **not in favor** of the request to appoint a County Commissioner as an ex-officio to the Planning Commission. Commissioner Hardcastle seconded, motion carries **unanimously** (7 ayes; 0 nay; 0 abstentions).

8.c. Presentation and discussion to brief the Planning Commission on the status of Lyon County Utilities Department sewer treatment capacity and effluent disposal in Dayton and Silver Springs

Utilities Director, David Bruketta, made a presentation summarizing the water and sewer capacity and availability; Average influent flow and effluent disposal; Projected budget for upgrades, expansion and repairs to infrastructure on water and sewer lines; storage tanks; wells; waste water treatment plants; rapid infiltration basins; lift stations; water rights management; and staffing.

Current Issues –Water

- Mound House Industrial area Storage tank RR Water rights management
- Ag Wells Staffing resources

Current Issues- Sewer

- Capacity (treatment, disposal, collections) Flow meters
- Aging Infrastructure Staffing Resources
- Master Planning

Water- 5 year Capital Improvement Plan Summary

Item Description	2020	2021	2022	2023	2024	Total
Water Meter Replacement Project	\$400,000	\$150,000				\$550,000
Water Main Replacement - Mound House	\$150,000					\$150,000
Water Storage Tank Coating	\$300,000			\$300,000		\$600,000
Water Main Looping for Improved Flows	\$100,000		\$200,000	\$100,000		\$400,000
Replace old town water main HWY 50	\$1,500,000					\$1,500,000
10 Mile Water Storage Tank	\$25,000	\$2,700,000				\$2,725,000
PRV Relocation	\$50,000					\$50,000
SCADA Server Replacement	\$20,000					\$20,000
Laser Alignment Tool (split w sewer)	\$6,500					\$6,500
Field Talk Work Order Dispatch & Logging System		\$20,000				\$20,000
Grosh/Rose Pk-Main replacement		\$125,000	\$300,000		\$125,000	\$550,000
Field Talk Work Order Dispatch & Logging System		\$20,000				\$20,000
River Park Subdivision Hydraulic Analysis		\$92,000				\$92,000
Hydraulic Modeling		\$200,000				\$200,000
Mira Vida Well				\$250,000	\$1,700,000	\$1,950,000
Water Main Addition			\$2,000,000			\$2,000,000
Well Head Protection Improvements			\$30,000		\$100,000	\$130,000
Replace old town water main, hydrants and meter pits				\$50,000	\$500,000	\$550,000
Holley Ranch Well			\$200,000			\$200,000
Subtotals:	\$2,551,500	\$3,307,000	\$2,730,000	\$700,000	\$2,425,000	\$11,713,500

Commissioner Ritter asked Mr. Bruketta about the repair to the Highway 50 water main in Dayton. Mr. Bruketta stated the emergency repair was due to several holes in the main that allowed 150,000 - 200,000 gallons of storm/river water to flow into the sewer system when the river was high due to rain and runoff. Commissioner Ritter asked if that meant the waste water was also leaking into the river. Mr. Bruketta responded it did not appear so. The punctures were to the top of the line in a vertical direction, which allowed the storm/river water to flow into the line. Commissioner Ritter asked if it was possible to sleeve the pipe. Mr. Bruketta said they have looked at a few different options such as pipe bursting it and sleeving, however all of those require pump arounds so they are planning to open excavate and replace the half mile stretch this summer while the river level is low, and finish the repair/replacement of the remainder of the line next summer.

Commissioner Cassinelli asked what the timeline for securing property for the Rapid Infiltration basin was. Mr. Bruketta said they are in negotiations with a property owner as of last week. He anticipates the project should be completed within 18 months.

Commissioner Hardcastle asked Mr. Bruketta if the county is reimbursed by the sod farm and golf courses for the use of effluent. Mr. Bruketta stated due to a previous agreement, the county does not receive any kind of compensation.

Commissioner Allan stated it seems as though the checks and balances of monitoring the flowrates, current capacity and available connections are all considered before it comes before the Planning Commission. Mr. Bruketta said those were all things his department looked at before issuing will serves and they have to have NDEP'S approval before any final subdivision maps are approved. Commissioner Allan also asked Mr.

Bruketta how it affects the county if the golf course and sod farm can't meet the improvements required by NDEP. Does this mean the county can't send the reclaimed water to them and who is responsible for making those improvements in the event the Golf Course cannot. Mr. Bruketta explained the Golf Course has several storage ponds on site but because they contain reclaimed water, they have to be lined. Since they were put in a number of years ago the lining is starting to fail and NDEP wants them to reline the ponds, which is very costly. These ponds also get all the storm water runoff from the subdivision, which causes other issues such as growth and odor. So they have to have very active management plans to help minimize that. Commissioner Allan went on to ask if the new rapid infiltration basins will be able to meet the need for extra capacity in getting rid of the effluent. Mr. Bruketta responded that the County is buying the property so they can have sufficient room for the ultimate expansion of the treatment plant and putting in enough infrastructure to be able to treat it for the upscale size they plan to do. They are hoping to continue with the reuse applications because it's a benefit for everyone. However they don't want to be solely dependent on that. The new rapid infiltration basins should take care of the issue of not having anywhere to send the effluent in the winter. Commissioner Allan also asked for clarification on the NDEP letter regarding no further approval of Final Subdivision maps based on proposed available capacity. After Mr. Bruketta's presentation she felt more confident there is the capacity to approve Tentative Maps. Mr. Bruketta responded he is in regular contact with the NDEP Director and is continually working to find a solution in procedure differences between our two entities. The tentative map stage is really just a planning tool, we see lots of tentative maps that never make it to the final map stage. If they were to not issue intent to serve letters at tentative map stage that would stop that process. In all of their letters, as applicants get into the tentative and final map stages, we do put qualifiers in, letting them know where we stand with the current capacity and the associated risk with moving forward so that it is very clear but we are supportive of allowing them to continue in the process.

8.d. (For Possible Action) GOLD COUNTRY ESTATES UNIT 3 PHASE 1 – TENTATIVE SUBDIVISION MAP - Request for a Tentative Subdivision Map consisting of 45 single family residential lots, all on an approximately 23.23 total acre parcel; located east of Northgate Drive, on Dayton Village Parkway (APN 016-403-15) PLZ-19-0080

Planner, Tammy Kinsley, presented the staff report. The applicant's request supports the current land use and Master Plan designation. The proposed residential lots range from 6,018 sq. ft. - 9,098 sq. ft. The site is in the Lyon County Utility District for water and sewer. The applicant has received their intent to serve letters for both water and sewer service for the proposed 45 residential lots. The applicant is not proposing a Planned Unit Development as was stated in the staff report. They are anticipating completing this project in one phase. Staff is recommending approval based on the findings and conditions of approval.

Commissioner Retzer asked Planner, Tammy Kinsley what Title the staff report was referring to in the list of conditions of approval. Mrs. Kinsley responded it was referring to Title 15. Commissioner Retzer went on to ask if the projected density of the project is based on the total acreage or just the 6 acres which houses will be built on. Mrs. Kinsley

stated, when looking at density they look at the total acreage. Commissioner Retzer also asked for clarification on lot size. In one section of the staff report it is listed as 6,018 sq. ft.-9,089 sq. ft. and in another it states 9,098 sq. ft. Tammy Kinsley, stated it was a typo and the lot size should be 9,089 square feet. Commissioner Retzer also asked if there was a Phase Two planned for this development. Mrs. Kinsley responded that would be a question for the applicant.

Applicant's representative, Derek Wilson, summarized the applicant's request. There is no Master Plan or zoning change required and the property conforms to minimum lot size requirements per the existing zoning. This development will provide obtainable work force housing for working families.

Applicant, Mr. Hult, went over phasing for the development, projected type of construction for each phase, projected cost of proposed units, how the previous developments and houses have been sold and what happens with the deed restrictions.

Commissioner Allan asked the applicant what their projected timeline was for submittal of the final map. Mr. Hult responded, they were looking at October 2020.

Commissioner Hendrix asked the applicant's representative, Justin Sand, if the current location of the retention basin would be changed. Justin Sand, applicant's representative, responded the retention basin would more than likely be pushed to the East as the project moves on with future phases. The natural slope of the ground is naturally falling to the South East.

Commissioner Retzer expressed concern with the traffic impacts of the projected 1,400 daily trips. Applicant's representative, Justin Sand, responded the traffic study does not reflect the need for any improvements at this time.

Commissioner Allan motioned to **recommend approval** of the request for a Tentative Subdivision Map consisting of 45 single family residential lots, all on an approximately 23.23 total acre parcel. Commissioner Cassinelli seconded, motion carries unanimously (**7 ayes; 0 nay; 0 abstentions**). Approval is based on the recommended findings and subject to the following 29 conditions:

1. Approval of the tentative map shall not constitute acceptance of the final map. Approval of the tentative map shall lapse unless a final map based thereon is presented to the Board of Commissioners within four (4) years from the date of such approval, unless a provision for an extension of time has been granted. The Board of County Commissioners, with the recommendation of the Community Development Department, may grant to the developer a single extension of not more than two (2) years within which to record a final map after receiving approval of the tentative map.
2. The applicant shall comply with all Federal, State, County and special purpose district regulations.
3. The applicant shall submit and receive approval of a street-naming application prior to submittal of an application for a final map or first in a series of final maps. Should any requested street name(s) be denied, the Community Development Director is authorized to administratively process a request for a replacement street name(s), obtain review and comment from the fire district with jurisdiction, Road Department

and any other appropriate agency, and approve a revised street name(s) without the requirement of a public hearing before the Planning Commission.

4. All property taxes must be paid in full through the end of the fiscal year (June 30) and any applicable agricultural deferred taxes shall be paid in full prior to recordation of any final map.
5. The applicant shall comply with the final subdivision map requirements as prescribed by NRS 278 and Title 15 of the Lyon County Code.
6. Required recording fees to be paid at time of recording map.
7. No lot shall be offered for sale or sold until the final subdivision map has been approved and recorded.
8. No building permits shall be accepted for processing until a final subdivision map has been approved and recorded.
9. The applicant shall make corrections of any engineering or drafting errors and other technical map corrections to the satisfaction of the County Engineer and Community Development Director prior to submitting the final subdivision map for recordation.
10. The applicant shall pay the actual costs for County Engineer plan and map checking and County Inspector site improvement inspection fees, in accordance with the adopted County fee resolution in effect at the time, and provide proof of payment to the Community Development Department prior to final subdivision map recordation.
11. The applicant shall provide written evidence (i.e. 'will-serve' letters) demonstrating that the proposed parcels are able to be served by municipal water and sewer systems prior to recordation of a final subdivision map or first in a series of final maps for this project.
12. The applicant shall provide the final subdivision map to the Lyon County GIS Coordinator in form and format compatible with the County geographical information system (GIS) pursuant to Title 15 of the Lyon County Code. The scale of the site plan, improvements, monuments and other items shall be in model space correctly oriented to coordinate system as established by the GIS Coordinator. Cover sheet and standard details need not be included.
13. The applicant shall comply with County requirements, in accordance with Chapter 15.234 of the Lyon County Code, mandating that a site improvement permit(s) be obtained for any disturbance occurring on the subject site. The site improvement permit applications shall also include documentation of approval of a Stormwater Pollution Prevention Plan ("SWPPP") with the Nevada Department of Environmental Protection (NDEP).
14. Revegetation of disturbed areas for dust control shall commence as soon as practical, but no later than the following fall season, with security bonding and temporary irrigation (if necessary) provided to ensure proper re-establishment of disturbed areas. Revegetation shall be a uniform perennial vegetative cover with a density of seventy percent (70%) of the native background vegetative cover for unpaved areas and areas not covered by permanent structures.

15. Slope stabilization for slopes between 3:1 and 2:1 mechanical slopes the standard requirement shall be rock rip-rap containing a minimum of four (4) fractured faces and be placed at a minimum depth of not less than twelve inches/one foot (12"/1'). A minimum of seventy-five percent (75%) of the rip-rap shall be 8-inch diameter rock or greater.
16. The applicant shall obtain any required Air Quality Permit(s) from the (NDEP) and apply appropriate dust abatement processes as part of the development construction prior to any disturbance on the site.
17. The site improvements required by the terms of Title 15 of the Lyon County Code shall be inspected by the County as the work progresses. Such improvements shall not be started until the inspection fee, required as a prerequisite to the filing of the final map, has been paid.
18. Prior to any construction of improvements, a preconstruction conference shall be held between the contractor/developer and the appropriate County inspection personnel.
19. The applicant shall comply with Lyon County requirements as set forth in the adoption of Title 15 of the Lyon County Code including, but not limited to:
 - a. The developer shall obtain all necessary encroachment permits and approvals as well as coordinate and comply with the requirements of the Roads Department;
 - b. The developer shall design the street alignments in compliance with AASHTO standards to the approval of the Road Superintendent;
 - c. The developer shall install all required signage, striping and traffic control improvements in compliance with Nevada Department of Transportation and Lyon County requirements;
 - d. Street name signage shall be installed.
 - e. The developer shall install street lighting in compliance with the requirements of the Roads Department;
 - f. The developer shall submit a detailed geotechnical report with the final map(s) for the project that includes roadway structural sections and the structural section calculations demonstrating that the proposed structural section is adequate to support the weight of the anticipated traffic;
 - g. The developer shall provide a slurry seal onto the streets and roadways in compliance with the current County standards every five (5) years from the date of installation of asphalt concrete paving of the subdivision's streets and roadways until such time as the subdivision is 90% completed and the County accepts the offer for dedication for the rights-of-way for all streets and roadways within the subdivision;
 - h. The developer shall make a perpetual offer of dedication for the right-of-way for all streets and roadways within the proposed subdivision. The County rejects the offer of dedication at this time and will not accept the offer of dedication until at least 90% of the lots within the respective unit have been developed, the improvements are inspected and approved by the County, and the County accepts the improvements for maintenance; and

- i. Prior to the issuance of a Site Improvement permit or a Building permit for the Gold Country Estates Phase 3 – Unit 1, that the Wide cracks (1" or larger) in Retail Road from the end of the old existing asphalt to approximately 350' South into the corner behind Smith's must be saw-cut out and patched back with asphalt, and the smaller cracks in that section of roadway must be crack sealed.
- j. The applicant shall satisfy to the inspection and approval of the Lyon County Road Department, that the Conditions of Approval for Gold Country Estates 2B Tentative Subdivision Map, (PLZ-19-0033) letter dated July 11, 2018 specifically as Conditioned below are completed prior to the issuance of a Site Improvement Permit or a Final recorded map for Gold Country Estates Phase 3 – Unit 1
 - 16. *The developer shall comply with the road improvement standards set forth in Chapter 11.07.01 and 11.07.14 as they relate to on and off-site access, street grading, street alignment, surfacing and width in an NR-1 and NR-2 zoning districts for access to the proposed parcels. The developer shall construct all internal roads and off-site roads necessary to provide legal and physical access according to the County road standards established for the NR-1 and NR-2 zoning districts and in accordance with the following:*
 - f. *Due to the age of existing Kate Peak Road and Retail Road improvements within the project area, the applicant should have all areas where cracking is visible within the improved section shall be saw-cut out and patched back in;*
 - g. *The developer shall provide a slurry seal onto the existing streets within the project area (Kate Peak Road and Retail Road) due to the age of these roads in compliance with the current County standards prior to recordation of the final map or first in a series of final maps for the project.*
 - h. *The developer shall continue to slurry seal a slurry seal onto the streets and roadways in compliance with the current County standards every five (5) years from the date of installation of asphalt concrete paving of the subdivision's streets and roadways until such time as the subdivision is 90% completed and the County accepts the offer for dedication for the rights-of-way for all streets and roadways within the subdivision; and*
 - i. *The developer shall construct full 50-foot width local street improvements for the Halite Road right-of-way to Lyon County standards adjacent to the property to the satisfaction of the Road Superintendent."*
- k. The developer shall comply with the road improvement standards for roadway section - urban streets in the Standard Specifications for Public Works Construction ("Orange Book") as they relate to on and off-site access, street grading, street alignment, surfacing and width to the satisfaction of the Road & Fleet Director of the Lyon County Road Department.

20. The applicant shall comply with Lyon County's 2018 drainage guidelines. The applicant shall demonstrate that the proposed drainage facilities will comply with the Lyon County Drainage Requirements to the satisfaction of the County Engineer and Utilities Department Director prior to recordation of the final subdivision map. Major drainage facilities shall be constructed in the first phase of development and each phase of building development shall have drainage improvements that tie into the major facilities and function without dependency on improvements in future phases of development.
- a. The developer shall demonstrate to the satisfaction of the County Engineer, the County Utilities Department Director and the Community Development Director that provisions for maintenance and continued operation of the stormwater system have been developed and put in place prior to approval of a final subdivision map or first in a series of final maps for this project.
 - b. The applicant shall provide documentation that easements have been recorded to permit discharge of project-generated stormwater to all off-site properties receiving stormwater discharges prior to recordation of a final subdivision map or first in a series of final maps for this project.
 - c. The applicant shall demonstrate to the satisfaction of the County Engineer, the County Road Superintendent, the County Utilities Department Director, and the Community Development Director that facilities necessary to protect source water from potential stormwater contamination have been designed and will be installed prior to approval of a final subdivision map or first in a series of final maps for this project.
 - d. The applicant shall demonstrate to the satisfaction of the County Engineer, the County Road Superintendent, the County Utilities Department Director, and the Community Development Director that facilities necessary for the treatment of stormwater prior to discharge have been designed and installed prior to approval of a final subdivision map or the first in a series of final maps for this project.
 - e. The applicant shall demonstrate to the satisfaction of the County Engineer, the County Road Superintendent, the County Utilities Department Director and the Community Development Director that provisions for maintenance and continued operation of the stormwater system have been developed and put in place prior to approval of a final subdivision map or first in a series of final maps for this project.
 - f. Debris grates are required at the pipe inlets of the retention/detention basins.
21. The applicant shall complete any and all required development improvements and facilities to the satisfaction of the Community Development Director, County Engineer, the County Road Superintendent, Utilities Director, Building Official, Central Lyon County Fire Protection District or other authorized County personnel, as applicable, or an appropriate security must be provided and approved prior to recordation of a final subdivision map or first in a series of final maps for this project. There may be temporary restrictions to obtaining building permits even with an acceptable security instrument depending on the County's approval of the various systems. All facility construction shall be completed/installed to satisfaction of the Community Development Director, the Building Official, the County Engineer, the County Road Superintendent, the Utilities Department Director, the Facilities Department Director,

Central Lyon County Fire Protection District, their respective designees or other authorized County personnel, as applicable prior to the issuance of a Certificate of Occupancy will be allowed in a single family residence for this project or if done in phases, that portion of the project.

22. The applicant shall comply with all applicable building and fire code requirements.
23. The developer will be required to adhere to the terms of the Gold County Lift Station & Force Main Reimbursement Agreement (Doc # 573535) and will be required to purchase capacity in the lift station.
24. The developer is required to apply for service through LCUD prior to submitting for a Site Improvement permit or a Building permit, and must adhere to the requirements outlined in the Lyon County Code.
25. The water system must meet the requirements of the Lyon County Utilities Department and Central Lyon County Fire Protection District and be constructed in accordance with the following:
 - a. The location of fire hydrants shall be determined by the Central Lyon County Fire Protection District.
 - b. A minimum required fire flow is required for each fire hydrant as directed by the Central Lyon County Fire Protection District.
 - c. Prior to any combustible materials being brought on site the following shall occur:
 - i. All required fire hydrants are to be installed and fully operating.
26. Distinct and legible “temporary” addresses are required of any structure under construction until such time as permanent address numbers are installed and posted.
27. The applicant will maintain the property until the development is complete. This maintenance will include the semi-annual mowing of all weeds within the development boundaries and the removal of noxious weeds when they are identified.
28. The applicant shall post and maintain a rules and regulations sign at the entryways to the property until it is fully developed. The signs shall be intended for the subcontractors performing work and shall include:
 - a. No loud music;
 - b. No alcohol or drugs;
 - c. Dispose of personal trash and site debris;
 - d. Clean up any mud and or dirt that is deposited from the construction parcels onto the streets; and
 - e. No burning of construction or other debris on the property.
29. All debris on construction sites must be contained and removed periodically as required for safety and cleanliness to the satisfaction of the Lyon County Community Development Department.

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

9. Public Participation

None

10. Action Items

None

11. Board Member Comments

None

12. Future Agenda Items

None

13. Public Participation

None

ADJOURN TO RECONVENE AS THE LYON COUNTY PLANNING COMMISSION

14. Staff Comments and Commissioner Comments-

14.a. Staff update on recent County Commissioners actions

Mr. Pyzel updated the Planning Commission on the Planning items that went before the Board of Commissioners at the January 2, 2020 meeting. The Board approved the application for a Tentative Subdivision map for Estates at Sutro and denied both the rezoning and Conditional Use Permit applications for the Silver Springs Mobile Estates.

14.b. Staff update on the proposed 2020 Comprehensive Master Plan

Planner, Tammy Kinsley updated the Planning Commission on the 2020 Master Plan update and community workshops. She presented the Planning Commission with the comments from Silver Springs and Stagecoach community work shop survey. The next Community workshop will be in Dayton, on February 11, 2020 at 6:00 p.m.

15. Public Participation

None

16. Adjournment

At approximately 10:53 a.m. it was unanimously motioned, the meeting was adjourned.

Betty Retzer, Chairperson

Shannon Juntunen, Administrative Assistant