

LYON COUNTY PLANNING COMMISSION MEETING MINUTES
February 12, 2019

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

1. Roll Call/Determination of Quorum - All commissioners were present, a quorum was established

2. Pledge of Allegiance- Led by Tammy Hendrix

Members present: Betty Retzer, Leonard Lake, Tammy Hendrix, John Cassinelli, Mike Hardcastle, Harold Ritter and Audrey Allan. Attending staff present Rob Pyzel, Planner, Tammy Kinsley, Planner, Shannon Juntunen, Administrative Assistant, Kerry Page, Planning Technician, and Olga Walther, Deputy District Attorney.

Quorum established.

3. Public Participation –

None

4. Review and Adoption of Agenda– Commissioner Allan motioned to adopt the agenda as presented. Commissioner Lake second, motion carries unanimously.

5. For Possible Action; Election of Officers- Commissioner Hardcastle motioned to elect Betty Retzer as Chairwoman for 2019. Audrey Allan seconded, motion carries unanimously (7 ayes; 0 nay; 0 abstentions).

Commissioner Lake motioned to elect Mike Hardcastle as Vice Chair for 2019. John Cassinelli seconded, motion carries unanimously (7 ayes; 0 nay; 0 abstentions).

Chairwoman Retzer motioned to elect Audrey Allan as Secretary. Harold Ritter seconded, motion carries unanimously (7 ayes; 0 nay; 0 abstentions).

6. Approval of minutes- Mike Hardcastle motioned to approve minutes of the December 11, 2018 minutes as corrected (4 ayes, 0 nay, 3 abstentions -Audrey Allan, Tammy Hendrix, John Cassinelli, 0 absent)

Audrey Allan motioned to approve the January 12, 2019 minutes as corrected. Leonard Lake seconded, the motion carries unanimously (7 ayes, 0 nay, 0 abstentions)

7. Presentation and Reading of Miscellaneous Correspondence-

None

8. Advisory Board Reports-

None

9. Public Hearing Items-

9.a. For Possible Action: Recommendation to place a Lyon County Commissioner as an Ex Officio/delegate on the Planning Commission.

Planner, Rob Pyzel addressed the recommendation put forth by a former Planning Commissioner and County Commissioner. Spoke to staff concerns of having a Commissioner as an Ex Officio/delegate. Legal concerns as well as the unintentional influence of having a

Commissioner present at meetings. Deputy District Attorney, Olga Walther spoke to Staff's concerns. Stating the District Attorney's major concern was with the title "Ex Officio", which implies they having voting rights. If a Commissioner is appointed as a delegate they should have no undue influence or voting rights. Other concerns were more Staff's concerns versus legal.

Conversation followed with Chairwoman Betty Retzer, Commissioners Allan, Cassinelli, Ritter, Lakes, Hendrix and Hardcastle speaking to their concerns:

Unintentional persuasion of Commissioners' presence on applicants, Planning Commission and public, the possibility of violating open meeting laws, side conversations etc., disruption in the roll of the Planning Commission to gather public concern and comments while reviewing staff recommendations. Betty Retzer expressed what a great job Mr. Pyzel and staff do in communicating and reporting to the Planning Commission and Board of County Commissioners. Audrey Allan stated communication could always be better and requested Staff update the Planning Commission at the monthly meeting on actions taken by the Board of Commissioners in regards to planning items. The Planning Commission as a whole were not in support of having a Commissioner as an Ex Officio/delegate appointed. Planner, Rob Pyzel will report to the Board of Commissioners regarding the Planning Commission's concerns on having a Board of Commissioner appointed as an Ex Officio/delegate.

9.b. For Possible Action: ISBELL, CHARLES C. TRS./ ELLINGER, MICHAEL C. TRS., ETAL – ZONE CHANGE-Request to change the zoning from RR-2 (Rural Residential-2 acre minimum) to SR-1/2 (Suburban Residential - 1/2 acre minimum) on two adjacent parcels, each .51 total acres in size; APN 018-405-53 is located at 3905 Elm St., Silver Springs and APN 018-405-54 is located at 3907 Elm Street, Silver Springs (PLZ-19-0003)

9.c. For Possible Action: ISBELL, CHARLES C. TRS./ ELLINGER, MICHAEL C. TRS., ETAL – PARCEL MAP – Request for a Parcel Map to cause proper legal descriptions for two parcels which were created without the benefit of a Parcel Map at that time causing an illegal split of the parcels; APN 018-405-53 is located at 3905 Elm St., Silver Springs and APN 018-405-54 is located at 3907 Elm Street, Silver Springs (PLZ-19-0004)

Audrey Allan motioned to hear items 9.b. and 9.c. together and vote on them separately. Leonard Lake second, the motion carries unanimously (7 ayes; 0 nay; 0 abstentions)

Planner, Tammy Kinsley presented staff reports for items 9.b and 9.c. Mrs. Kinsley explained the purpose of the zone change is to conform the zoning of the parcels to the parcel size. Staff recommended approval of item 9.b. and 9.c. based on the findings and subject to the conditions in staff report.

John Cassinelli asked how the illegal split, creating two APN'S on one parcel, occurred. Was it simply an oversight? Harold Ritter commented if the property had changed hands previously, why wasn't it caught earlier?

Rick Christian, applicant's representative, responded to the Commissioners questions stating it was fairly common to come across these situations when dealing with things that were done so many years ago.

Mike Hardcastle motioned to **recommend approval** of a zone change for APNS 018-405-53 & 018-405-54. Harold Ritter second, the motion carries unanimously (7 ayes; 0 nay; 0 abstentions) based on the recommended findings:

- A. The zone change is in substantial compliance with and promotes the Master Plan goals, objectives and actions.

- B. The proposed zoning promotes development that is commensurate with the character and current use of the surrounding land and will not have detrimental impacts to other properties in the vicinity.
- C. The proposed zoning is timely and contributes to the orderly and efficient arrangement of transportation and other public facilities and services.

Commissioner Hardcastle motioned to **recommend to approve** the request for a parcel map for on APNs 018-405-53 & 018-405-54. Tammy Hendrix seconded, the motion carries unanimously (7 ayes; 0 nay; 0 abstentions) based on the recommended findings and subject to the following 15 conditions:

1. The applicant shall comply with all Federal, State, County and special purpose district regulations.
2. The applicant shall make corrections of any engineering or drafting errors and other technical map corrections to the satisfaction of the County Engineer and Planning Director prior to submitting the map for recordation.
3. 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 Planning Department prior to map recordation.
4. The applicant shall comply with Lyon County's 1996 drainage guidelines, as revised September 2018.
5. The applicant shall comply with Lyon County improvement requirements as set forth in Chapter 15.03.03 of the Lyon County Code.
6. The applicant shall comply with all applicable fire code requirements to the satisfaction of the Central Lyon Fire Protection District.
7. No lot shall be offered for sale or sold and no building permits shall be accepted for processing until the Final parcel map has been approved and recorded.
8. The applicant shall provide documentation of the dedication or relinquishment of water rights necessary to insure an adequate water supply for residential use of the newly created parcels prior to recordation of the final parcel map.
9. The final parcel map will comply with the current County 7.5-foot and 5-foot public utility easement standards on all parcels prior to recordation.
10. The following items are required of all development:
 - a. All construction shall comply with all applicable building and fire code requirements.
 - b. Building permits shall be issued in compliance with Title 15 of the Lyon County Code.
 - c. Site development work will require a grading permit(s) in accordance with Title 15.234.
 - d. Structures placed on these parcels shall adhere to the County's site and setback standards for the zoning district as it applies to each parcel at the time of development.
 - e. Distinct and legible "temporary" addresses are required of any structures under construction until such time as permanent address numbers are installed and posted.
 - f. All debris on construction sites must be contained and removed periodically as required for safety and cleanliness to the satisfaction of the Lyon County Building Department.

- g. Prior to any combustible materials being brought on site street name signage shall be installed, if applicable.
11. The applicant shall pay in full all property taxes through the end of the fiscal year (June 30) and any applicable agricultural deferred taxes prior to recordation of the final parcel map.
 12. The applicant shall pay required recording fees at time of final parcel map recordation.
 13. Any further division may be subject to the imposition of subdivision improvement standards as may be legally imposed at the time. The applicant shall place a note to this effect on the final parcel map prior to recordation.
 14. Approval of the tentative parcel map shall not constitute acceptance of the Final parcel map. Approval of the tentative parcel map shall lapse unless a final parcel map based thereon is submitted within two (2) years from the date of such approval. No extension may be granted after receiving approval of the tentative parcel map.
 15. The applicant shall provide the parcel map to the Lyon County GIS Coordinator in form and format compatible with the County geographical information system (GIS). The scale of the site plan, improvements, monuments and other items shall be in model space correctly oriented to coordinate system as established by the GIS Coordinator. Cover sheet and standard details need not be include

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

10. Public Participation-

None

11. Action Items- Discussion and possible action regarding the annual review of the Lyon County Public Lands Policy

Chairwoman Betty Retzer suggested this item be continued after reviewing the newest revised version of the Policy she has concerns the Planning Commission doesn't have adequate training or feedback to make appropriate changes and would like to go back to the latest adopted version versus the proposed revised version. Commissioner Ritter stated he agreed that it was beyond the Planning Commission's abilities and scope of knowledge. Unless they have feedback from the appropriate people utilizing the Policy it makes it hard to modify the Policy effectively. Audrey Allan asked Planner, Rob Pyzel, if there had been any more discussion on training. Mr. Pyzel said he would follow up with the County Manager regarding training. Chairwoman, Betty Retzer commented on the County Manager making an effort to send pertinent information regarding Public Lands Policy's and concerns.

12. Board Member Comments-

None

13. Future Agenda Items-

None

14. Public Participation-

None

ADJOURN TO RECONVENE AS THE LYON COUNTY PLANNING COMMISSION

15. Staff Comments and Commissioner Comments-

Planner, Rob Pyzel, informed the Planning Commission of the upcoming community meeting March 12, 2019 regarding the Drainage Master Plan. He updated the Planning Commission on the upcoming Desert Wells project. Discussion continued regarding the changes the applicant recently proposed at the Stagecoach Advisory Board meeting, concerns with waste management and “will serve” ability. Mr. Pyzel went over current wastewater treatment plants in Lyon County, operation status, capacity and future utilization.

Betty Retzer asked about construction of the second bridge in Dayton, who would be funding it? Mr. Pyzel went over the County’s ideas on how to accomplish construction. As of now no decisions have been made on how funding will be obtained. Betty Retzer asked about Master Plan, Community Plans and Land Use designations, how and when will they be changed? Mr. Pyzel went on to discuss the possibility of incorporating Land Use designation into the Master and Community Plans. He went on to say the focus would begin on the US Hwy 50 corridor.

.

16. Public Participation-

Ron Kennedy, Stagecoach resident spoke about the proposed changes presented by Desert Wells representative, wastewater treatment plants and the construction of a second bridge in Dayton.

17. Adjournment

At approximately 10:34 a.m. it was unanimously motioned that the meeting be adjourned.

Betty Retzer, Chairperson

Shannon Juntunen, Administrative Assistant