

LYON COUNTY PLANNING COMMISSION MEETING MINUTES

June 11, 2019

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

1. Roll Call – A quorum was established.

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, Jeff Page, County Manager, and Olga Walther, Deputy District Attorney.

2. Pledge of Allegiance - Led by Harold Ritter

3. Public Participation- None

4. Review and Adoption of Agenda

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

5. Approval of minutes

Commissioner Lake motioned to approve minutes of the May 14, 2019 meeting as amended. Mike Hardcastle seconded, motion carries unanimously (7 ayes, 0 nay, 0 abstentions).

6. Presentation and Reading of Miscellaneous Correspondence

None

7. Advisory Board Reports-

None

8. Public Hearing Items-

8.a. (For Possible Action) NEVADA COPPER, INC./WALKER RIVER IRRIGATION DISTRICT/SOUTHERN PACIFIC TRANSPORTATION – CONDITIONAL USE PERMIT

– Request for a Conditional Use Permit to expand an existing transfer station use in the ME (Industrial Estates) zoning district; to allow for the trans-loading of copper concentrate from the Nevada Copper (Pumpkin Hollow) mine site, into railcars on a 37.35 acre site located at 259 N. Highway 95A, Mason Valley, NV (APNs 004-023-03 & 004-023-07) PLZ-19-0027

Planner, Rob Pyzel, presented the staff report. Staff is in favor of the proposed Conditional Use Permit, it is in compliance with the land use designation.

Mike Hardcastle asked about condition number five (5) regarding the use of a commercial coach.

Betty Retzer asked for clarification on the difference between the existing Special Use Permit and the current application for a Conditional Use Permit. Rob Pyzel, Planner, explained under Title 10, a Conditional Use Permit was known as a Special Use Permit.

The applicant, Tim Dyhr, of Nevada Copper, summarized the request for the Conditional Use Permit to separate the concentrated ore, process it and then ship it across the country. Nevada Copper has contracted with Savage, a company that specializes in shipping these types of materials.

Audrey Allan asked the applicant if NDOT is making them do a turn lane into the project from the Highway. The applicant said they would not have to put one in since the traffic coming and going would not exceed the 100 car per hour rate that would require a turn lane.

Betty Retzer asked the applicant if they had read and agree with all eight conditions of approval. The applicant responded they had and do agree to all conditions of approval.

Donald Smith, Smith Valley resident, asked what size trailers will be used for transport, hours and days of operation. Applicant, Tim Dyhr, said most likely they will be using single trailer semi-truck trailers but there is a possibility of twin trailers. They anticipate 8-15 loads per day and mostly during daylight hours. However, it will depend on transport schedule such as when trains run.

Mike Hardcastle motioned to **recommend approval** of the request for a Conditional Use Permit to expand an existing transfer station on APNs 004-023-03, 004-023-06 & 004-023-07, based on the recommended findings and subject to the following 8 conditions. Commissioner Lake seconded, motion carries unanimously (7 ayes; 0 nay; 0; abstentions):

1. Any modification, expansion, intensification or material change in use or operation shall require an application for, and public hearings on an amendment to the Conditional Use Permit use pursuant to Lyon County Code.
2. The applicant shall comply with all state, federal and local government regulations to the satisfaction of the appropriate agencies.
3. The applicant shall comply with the requirements of the Nevada Department of Transportation (“NDOT”) for ingress/egress improvements to US 95A for the access to the subject site.
4. The applicant shall comply with the Lyon County drainage guidelines to the approval of the County Engineer prior to the issuance of a Certificate of Occupancy for the trans-load facility.
5. The applicant shall provide satisfactory evidence of approval by the Nevada Division of Environmental Protection of individual sewage disposal system for the office trailer prior to issuance of a commercial couch setup permit through the Lyon County Building Department.
6. The applicant shall comply with all applicable fire, building, and zoning code requirements.

7. All outdoor lighting shall employ cut-off shields that direct the light from the source down and not create glare or allow light to spill onto adjoining properties.
8. The substantial failure to comply with the conditions imposed on the issuance of this conditional use permit or the operation of the conditional use in a manner that endangers the health, safety or welfare of Lyon County or its residents or the violation of ordinances, regulations or laws in the conditional use may result in the institution of revocation proceedings. **Failure to initiate the conditional use permit within one (1) year from the date of approval will result in the expiration of the conditional use permit approval.**

8.b. (For Possible Action) CURFMAN, RUTH – ZONE CHANGE – Request to change the zoning from C-2 (General Commercial) to SR-2 (Suburban Residential – 2 acre minimum) on a 3.17 acre parcel; located at 425 V & T Way, Dayton, NV (APN 19-262-01) PLZ-19-0026

Planner, Rob Pyzel, presented the staff report. Staff is recommending approval. The zone change will bring the property into compliance with the master plan and is consistent with the designated land use.

Applicant, Ruth Curfman, explained the reason for the zone change is to have a residence with enough property to have animals and possibly provide some veterans outreach services.

Gloria Deyhle, Dayton property owner, asked how this zone change may affect her property. Planner, Rob Pyzel, said she is still able to develop her property as it is zoned C-2 (General Commercial). With Title 15 some properties will be rezoned to bring them into compliance with the designated land use and master plan. He offered to meet with her after the meeting to go over allowable uses on a C-2 (General Commercial) property.

Commissioner Hardcastle motioned to **recommend approval** of the request for a Zone Change for APN 019-262-01, based on the recommended findings. Audrey Allan seconded, motion carries unanimously (7 ayes; 0 nay; 0; abstentions):

- A. The proposed amendment is consistent with the policies embodied in the adopted master plan and the underlying land use designation contained in the land use plan;
- B. The proposed amendment will not be inconsistent with the adequate public facilities policies contained in this title;
- C. The proposed amendment is compatible with the actual or master planned adjacent uses.

8.c. (For Possible Action) GOMEZ-HADLEY, KIM E – ZONE CHANGE – Request to change the zoning from C-2 (General Commercial) to RR-1 (Rural Residential – 1 acre minimum) on a 1.61 acre parcel; located at 7020 E. Highway 50, Dayton, NV (APN 19-182-01) PLZ-19-0030

Planner, Tammy Kinsley, presented the staff report. Staff is in favor of the request for a zone change.

Commissioner Allan asked if the watchman's quarters currently on the property will be removed as they are not allowed on residential properties. Planner, Tammy Kinsley, responded that the original watchman's quarters was removed and replaced with the current manufactured home now being used as a residence. Once the zoning is changed the home will be considered the primary residence. Commissioner Retzer asked if the manufactured home meets all requirements. Planner, Tammy Kinsley confirmed that it does.

The applicant asked if the board recommended approval today, can they move forward on the conversion. Tammy Kinsley informed the applicant her application must still go before the Board of County Commissioners August 1, 2019 meeting for final decision. At that point, if approved, they will be able to move forward with the conversion.

Leonard Lake motioned to **recommend approval** of the request for a zone change APN 019-182-01; based on the recommended findings. Audrey Allan seconded, the motion carries unanimously (7 ayes; 0 nay; 0; abstentions):

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-

Planner, Rob Pyzel, updated the Commission on planning applications heard by the Board of County Commissioners at the June 6, 2019 meeting. All three applications were approved.

County Manager, Jeff Page, let the Commission know RCI will be reviewing and amending the Public Lands Policy and helping to develop a Natural Resource Plan. Should be cleaned up and ready sometime next year.

Manhard will be doing the revision to the master plan. Community meetings will be held in Dayton, Silver Springs, Central Lyon and Southern Lyon to gather community input and report back to Manhard with suggestions and modifications.

Jeff Page informed the Planning Commission, one of the County Commissioners is proposing a motion that would eliminate lot sizes less than 6,000 sq. ft., to be heard at the June 20, 2019 County Commissioners meeting. Planner, Rob Pyzel stated staff feels this would take away affordable housing. It would eliminate the opportunity for cottage housing, town homes, in turn, limiting the amount of affordable housing. Jeff Page, expressed the need for affordable housing and the fact that younger generations, as well as our aging population, don't want large areas to maintain.

15. Public Participation-

None

Adjournment

At approximately 11:00 a.m. it was unanimously motioned the meeting be adjourned.

Betty Retzer, Chairperson

Shannon Juntunen, Administrative Assistant