



**BOARD OF COUNTY COMMISSIONERS
LYON COUNTY, NEVADA**

**27 SOUTH MAIN STREET, YERINGTON, NEVADA 89447
(775) 463-6531
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PLEASE POST

*****COMMISSIONERS' MEETING ROOM***
LYON COUNTY ADMINISTRATIVE COMPLEX
27 S. MAIN STREET
YERINGTON, NEVADA**

**THURSDAY November 3, 2016
A G E N D A**

(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.

NOTE: This is a tentative schedule for the meeting. The Board of Commissioners reserves the right to take items in a different order to accomplish business in the most efficient manner. Items may be combined for consideration by the Board of Commissioners 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.

Members of the Board of County Commissioners also serve as the Liquor Board, Central Lyon County Vector Control District Board, Mason Valley Mosquito Abatement District Board, Walker River Weed Control District Board, Willowcreek General Improvement District Board, the Silver Springs General Improvement District Board and during this meeting may convene as any of those boards as indicated on this or a separately posted agenda.

9:00 A.M. -- OPEN MEETING -- PLEDGE OF ALLEGIANCE

10:00 A.M. – Public Hearing - S V DEVELOPMENT, LTD – PARCEL MAP (for possible action) – APPEAL OF APPROVAL CONDITION #12 – Discussion and possible action on Appeal of a Parcel Map Condition of Approval regarding roadway improvements. Original request was for a Parcel Map to divide approximately 132.90 gross acres into four (4) parcels, ranging in size from 5.00 gross acres, being the smallest, to 117.35 gross acres, being the largest; located at 79 Old Ranch Rd, Smith Valley (APN 10-731-24) PLZ-16-0025

1. Public participation: It is anticipated that public participation will be held at this time, though it may be returned to at any time during the agenda. **Citizens wishing to speak during public participation are asked to state their name for the record and will be limited to 3 minutes. The Board of Commissioners will conduct public comment after discussion of each agenda action item, but before the Board of Commissioners takes any action.**
2. For Possible Action: Review and adoption of agenda
3. Presentation of awards and/or recognition of accomplishments
4. Commissioners/County Manager comments
5. Elected Official's report
6. Appointed Officials comments
7. Advisory Board reports

****CONSENT AGENDA****

(Action will be taken on all items)

(All matters listed under the consent agenda are considered routine, and may be acted upon by the Board of County Commissioners with one action, and without an extensive hearing. Any member of the Board or any citizen may request that an item be taken from the consent agenda, discussed, and acted upon separately during this meeting.)

8. For Possible Action: Approval of changes on Assessor's tax role due to corrections in assessments and review of tax roll changes
9. For Possible Action: Review and possible approval of business license applications:
 - a. Howard, Dan M.; **Dan Howard Consulting**; 6082 Treosti Pl., Valley Springs, CA; Building Accessories & Specialties Contractor
 - b. Dandos, Kimberly A.; **Hometown Landscapes**; 230 James Ave., Dayton, NV; Lawn & Yard Maintenance and Service
 - c. Bravo, Juan R.; **Silver Elite Painting L.L.C.**; 170 Koontz Ln., #54, Carson City, NV; Painting Contractor
 - d. de Braga, Teresa; **Tbirds Pizza**; 8230 US Hwy 50, Stagecoach, NV; Restaurant
10. For Possible Action – Approve promotion of Justice Court Clerk I to a Justice Court Clerk II in the Walker River Justice Court with the additional cost of \$781 to come from contingency. This was erroneously overlooked during the budget process (request by Comptroller)
11. For Possible Action: Approve a County Manager Merit Increase as budgeted in the FY17 budget (requested by Human Resources Manager)

12. For Possible Action - Approve revision to the Personnel Policy, Section 6.3.1. (7) Sick Leave at Separation. The Lyon County Policy revision will be to add a 25 year service payout that matches both the LCEA and LCSEA agreements. The 25+ year payout will provide a maximum sick leave payout of \$3500 when retiring with 25+ years of service (requested by Human Resources Manager)
13. For Possible Action: Accept resignation of Mr. Louis Murray, Jr., from the Dayton Valley Event Center Advisory Board, effective October 18, 2016 (requested by Mr. Murray)
14. For Possible Action: Review and accept travel claims
15. For Possible Action: Review and accept County claims and financial report

****END OF CONSENT AGENDA****

RECESS TO CONVENE AS THE LIQUOR BOARD FOR LYON COUNTY

(Action will be taken on all items unless otherwise noted)

16. Public participation (no action will be taken on any item until it is properly agendized)
17. For Possible Action: Review and possible approval of liquor license application:
 - a. Thorpe, James; Dollar General #13524 & #14469; 1005 Lake Ave., Silver Springs, NV & 101 Ambrose Ln., Dayton, NV; Liquor Manager Retail Packaged Goods
18. Public participation (no action will be taken on any item until it is properly agendized)

ADJOURN TO RECONVENE AS THE LYON COUNTY BOARD OF COMMISSIONERS

**PUBLIC HEARING ON PLANNING ITEMS
(ACTION WILL BE TAKEN ON ALL ITEMS)**

19. **RIVERPARK DUNES, UNIT 2C / RIVERPARK DUNES, LLC - TENTATIVE SUBDIVISION MAP (for possible action)** – Request for a Tentative Subdivision Map for Riverpark Dunes, Unit 2C, a proposed 58 lot, single family residential development, on an approximately 23.34 total acre parcel; located off of Cheatgrass Drive, Dayton (APN 19-924-13) PLZ-16-0027

Planning Commission Recommendation: The Planning Commission unanimously voted to recommend approval of the request for a Tentative Subdivision Map for Riverpark Dunes, Unit 2C, based on the recommended findings, and subject to the 35 conditions listed in the staff report.

****END OF PLANNING APPLICATIONS ****

REGULAR AGENDA

(Action will be taken on all items unless otherwise noted)

20. For Possible Action: Approve a resolution adopting a joint resolution with the Lyon County Business Development Association to create a partnership to meet the needs of the community by recognizing the importance of economic growth within Lyon County (requested by County Manager)
21. Commissioner Comments
22. For Possible Action: Approve Minutes (available in the Clerk/Treasurer's Office)
23. Public participation: It is anticipated that public participation will be held at this time, though it may be returned to at any time during the agenda. **Citizens wishing to speak during public participation are asked to state their name for the record and will be limited to 3 minutes**
24. Adjourn

CERTIFICATE OF POSTING

I, Maureen Williss, Office Manager, do hereby certify that I posted, or caused to be posted, a copy of this agenda at the following locations on or before October 27, 2016: Lyon County Courthouse, Lyon County Administrative Complex, Yerington City Hall, Yerington Post Office, Silver Springs Human Services, Dayton Utilities, City of Fernley

/s/ Maureen Williss

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**

**DAYTON REGIONAL CITIZENS ADVISORY BOARD
MEETING MINUTES-draft October 5, 2016
34 Lakes Blvd., Dayton, Nevada 7:00 PM**

#7

1. **Pledge of Allegiance All participated**
2. **Roll Call/Determination of Quorum**
Board members present: Jon Fabel, Marlene Larson, Ian Murdock and Lyn Patmor. Shawn Keating absent. Quorum established.
3. **Certification of posting of the Agenda for the meeting of October 5, 2016**
Fabel certified posting of the agenda.
4. **Approval of agenda for meeting of October 5, 2016**
MOTION: by Patmor to approve, seconded by Murdock, vote 4-0 in favor.
5. **Approval of minutes for meeting of September 7, 2016 (for possible action)**
MOTION: by Patmor to approve, seconded by Murdock, vote 4-0 in favor.
6. **Approval of reimbursements of expenditures for DRCAB members (for possible action)** There were no reimbursements.
7. **PUBLIC PARTICIPATION: None**
8. **Reports by County Staff and Community Organizations**
Board of Commissioners: Commissioner (BOCC): none present
Planning Department: Rob Pyzel
 - On the BOCC agenda is Title 15 agreements and other items, 11:30 am time certain, 1:00 pm for the code change regarding using an RV as living quarters (temporarily) while a destroyed home is being rebuilt as a result of a disaster.
 - Comstock Mining requesting a change of zoning from RR-2 to Industrial Estates in Silver Springs (98 acres).
 - Union Hotel conversion in Dayton, Granite Point development, old Como Road aggregate pit (letter sent to Granite) reaching out to the neighbors including lighting. Granite and 3D Concrete are present in this meeting wanting to be good neighbors.**Sheriff: Rob Hall Investigation Commander for LCSO**
 - Monthly call statistics 794 calls for service in Dayton(as attachment)
 - LSAC (advisory council) has raised money for K9 purchase of Deputy Bo. K9 vehicle getting ready using funds from seized drugs. We may donate to LSAC for these types of services (see attachment).
 - Field Services Commander position has been filled by Frank Hunewell.
 - Question: Are side-by-side (offroad vehicles) legal on Dayton Valley Road? At this time LCSO is researching the issue. If an offroad vehicle is registered, has street safety equipment and is insured, might be legal. No registration or insurance, then not legal.**Public Works: none present**
Historical Society of Dayton Valley: Linda Clements
 - Railroad Days coincided with Dayton Valley Days September 16 & 17 and was well attended. The V&T Historical Society will be coming from Carson City for a tour at the Dayton Railroad Depot.
 - Thursday October 27, 2016 will be the annual Haunted Hayride at the museum, 5-8 PM.
 - Jon Fabel attended the Sutro Tunnel tour and said it was well worth the money. The grounds are owned by the Leonard family (private property).**Parks and Recreation: none present**
Healthy Communities Coalition: None
Boys and Girls Club: None
Public Comment:
1. **SPECIAL USE PERMIT REVIEW / PLANNING BOARD AGENDA ITEMS CONSENT AGENDA (for discussion and possible action)**

**DAYTON REGIONAL CITIZENS ADVISORY BOARD
MEETING MINUTES-draft October 5, 2016
34 Lakes Blvd., Dayton, Nevada 7:00 PM**

Agenda item 9P Granite Construction (along with 3D Concrete) was discussed by company representatives and members of the public. Issues were noise at 1:00 AM, dust, lighting and backup horns, track out dirt and mud on Old Como Road.

The hours of operation are from 4 AM to 8 PM and maintenance is conducted at night. Night sweeping is done 2 times a week along with washing of the road. Company representatives have an open door policy: please stop by and let them know how things are going. There were lengthy discussions by some participants and company representatives and the openness and ability to speak directly with each other was much appreciated. Patmor commented this is one of the purposes of the public participation at the advisory boards.

Agenda item Q 1 Riverpark Dunes Traffic Control. The original process was not completed in a timely manner and must go for review as there was no final requiring another tentative map review. Must be brought up to current County Code. Public concerns about traffic control as the subdivision must wind through a series of streets and possible need for State Environment Control for dust abatement.

DAYTON AREA SUP REVIEW

M. ACE MINI STORAGE, INC - ZONING – C-2 - Special use permit issued October 2000 to construct eight (8) mini storage buildings with outside storage for vehicles on approximately 2.81 total acres; located at 7003 Highway 50 East, Mark Twain area (APN 19-192-01)

STAFF OBSERVATIONS – Business license is current for Ace Mini Storage, Inc. No complaints have been received. Appears to be in use and compliance

N. RIVER VISTA PROPERTIES, INC. - ZONING – C-2 & NR-2 - Special use permit issued October 2005 for a combination of self storage, watchman's quarters and retail operation on approximately 8.517 total acre parcel; located at 250 Dayton Valley Road, Dayton (APN 16-481-01 through 16-481-09)

STAFF OBSERVATIONS - Business license is current for River Vista Storage. No complaints have been received. Appears to be in use and compliance

O. CARBOLINE COMPANY – ZONED M-E – Special use permit issued October 2011 to operate a manufacturing and distribution facility for high-performance coatings, linings and fireproofing products; located at 95 Airmark Vista Blvd., Dayton (APN 16-364-20)

STAFF OBSERVATIONS – Business license is current. No complaints have been received. Appears to be in use and compliance

P. GRANITE CONSTRUCTION COMPANY – ZONING – M-1 & RR-3 – Special Use Permit issued May 2010 to utilize a commercial coach as an office and scale house at an existing material site and a special use permit issued October 2008 to transfer the special use permits issued to Dayton Materials, LLC to Granite Construction for the operation of an asphalt plant in conjunction with the current aggregate business, the utilization of a commercial coach as a scale house and office, and for the installation of a concrete batch plant on approximately 159.08 total acres at 20 Ricci Road, Dayton (APN 06-091-14 and 06-091-15)

STAFF OBSERVATIONS – Business license is current for Granite Construction Company. Complaints regarding noise, dust and lighting have recently been received and a certified letter was sent to Granite Construction on September 10th, 2016. No response has been received yet.

DAYTON - 5 YEAR REVIEW

Q. LYON COUNTY SCHOOL DISTRICT - ZONING – E-1 - Special use permit issued January 2006 to construct the Riverpark Elementary School on an approximately 10.76 acre parcel; located at 1200 Ferretto Parkway, Dayton (APN: 16-022-39)

STAFF OBSERVATIONS – No business license is required - In use and compliance

PLANNING COMMISSION PUBLIC HEARING ITEMS

- 1. RIVERPARK DUNES, UNIT 2C / RIVERPARK DUNES, LLC – TENTATIVE SUBDIVISION MAP (for possible action) –** Request for a Tentative Subdivision Map and street name request for Riverpark Dunes, Unit 2C, a proposed 58 lot, single family residential development, on an approximately 23.34 total acre parcel; located off of Cheatgrass Drive, Dayton (APN 19-924-13) PLZ-16-0027

MOTION by Fabel seconded by Patmor to recommend approval to Community Planning Department for all agenda items in section 9. 4-0 in favor.

**DAYTON REGIONAL CITIZENS ADVISORY BOARD
MEETING MINUTES-draft October 5, 2016
34 Lakes Blvd., Dayton, Nevada 7:00 PM**

9. **ADVISORY BOARD ACTION ITEM REVIEW (for discussion and possible action)** – Patmor to find an alternate location for the November 2 meeting. The room will be used for voting in the general election.

At the time of the meeting, no progress had been made. Post meeting, as stated during the open meeting, arrangements will be made and placed into these minutes. Patmor contacted Michelle Chapman 775 246-6240 Dayton High School and confirmed the meeting place for the November 2, 2016 meeting will take place at 335 Old Dayton Valley Road at the high school gym. A custodian will set up the area and open the door prior to our meeting.

For the November 2 meeting, a board member will need to take minutes as this secretary will not be available to do so.

10. **PUBLIC PARTICIPATION:**

- Request was made for volunteers to complete DRAC applications as there will be 3 board member terms expiring December 31, 2016. One application has been received and is scheduled for BOCC review in December. The deadline for applications is November 18 to Maureen Willis mwilliss@lyon-county.org. First this board should make recommendations to the BOCC at the November or December meeting.
- Lyon County Park Tour will be October 15, 2016 at 9:00 AM. Meet at the Dayton Lyon County Utilities Building, bus is available for county officials and the public must use their own vehicles for the tour.

11. **CHAIR/MEMBER COMMENTS: none**

ADJOURNMENT at 8:21 PM.

Attachments:

Lyon County Sheriff letter dated June 01, 2016 regarding LSAC
Lyon County Sheriff's Office September 2016 Call Report

1/5/16

LYON COUNTY SHERIFF

Al McNeil
Sheriff



“Protect and Serve”

June 01, 2016

Dear Community Friends,

As many of you know, Lyon County's economy was extremely hard hit during the 2007 housing and bank crises. With double digit unemployment rates and crime rate increases, Lyon County continued to put public safety funding as a top priority despite drastic general fund revenue decreases. Unfortunately, over the past several years, operational and equipment replacement funds saw further reduction or elimination to help balance the county's decreasing budget. Consequently, we are concerned we may be close to an economic and physiological law enforcement breaking point. As Plato once stated,

“It does not matter if the cobblers and the masons fail to do their jobs well, but if the Guardians fail, the democracy will crumble.”

Last year a group of like-minded citizens formed a non-profit 501c3 corporation to support Lyon County Sheriff's Office equipment needs. The Lyon Sheriff's Advisory Council (LSAC) solicits community business owners and neighbors to support the agency's critical needs in an effort to provide you the best law enforcement services. Our four highest needed projects are:

- Implementation of a K-9 program to deter illegal drugs from entering our county schools, to improve officer safety, and to increase narcotic seizure effectiveness.
- Replace degraded handheld officer radios to eliminate and minimize “communication dead zones” while deputies are in rural environments or inside buildings.
- Replace obsolete less-lethal Taser devices.
- Purchase and install radar speed warning signs for school zones and on highly dense residential streets.

The strength of our republic and the quality of life enjoyed by our citizens is determined in large measure by the ability of our deputies to discharge their duties. Through this non-profit organization you can make a difference in your communities and help our deputies come home safe each day by making a tax deductible donation to the LSAC for any specific project. Your contribution can be mailed directly to P.O. Box 1477, Fernley, NV. 89408 or can be dropped off at the Sheriff's Office or at any substation. Together, we can make a difference.

Thank you for your support,

A handwritten signature in black ink, appearing to read 'Al McNeil'.

Al McNeil
Sheriff

199/14



LYON COUNTY SHERIFF'S OFFICE
End of Month Cad Call Report
September 2016

TOTAL FOR DAYTON LAW ZONE - 794

911 Hangup	29
Accident	10
Alarm	38
Animal Call	18
Assist	46
Civil Papers	27
Criminal	60
Domestic Violence	19
Follow up	75
Mental	9
No Response	10
Non-Criminal	293
Public Service	65
Traffic	91
Unclassified	4

Total Arrests: 38

Total Charges: Felonies: 12 - Total Misdemeanors: 51 - Total Gross Misdemeanors: 0

**Mound House Advisory Board
Mound House Fire Station
56 Red Rock Road
Mound House, Nevada 89706**

Minutes for Tuesday October 4th, 2016

Meeting called to order by Chairman Melinda Cash, at 7:00pm. The other board members present were, Rae Ann Stevenson and John Diffenbaugh. Absent board members were Orion Davis, and Lori Trowbridge.

Guests: Donna Cupp (LC Sheriff Office). Rick Zierenberg running for CLCFD Director, district 4, Silver Spring. C.W. Craven (MHVFD Station Commander).

Pledge of Allegiance

1) Public Participation: Resident Bud Clements sent Commissioner Ray Fierro some pictures of the trouble spot on Linehan Rd., showing washed out portion and other problems. Commissioner Fierro forward these pictures on to the road department. Dustin Homan, road department director said it is on their list for this winter or fall. Rick Zierenberg candidate for CLCFD Director., gave a presentation of his qualification for the position he is running for.

2) Review and adoption of the agenda for: October 4th, 2016. John made a motion to approve, Rae Ann second. Motion carries.

3) Review and approval of the minutes: from the MHAB meeting of Sept 6th, 2016. John made a motion to approve, Melinda second. Motion carries.

4) Presentation by Jesi McKee, safety manager for the Art Wilson Company, regarding safety issues that pertain to Mound House residents. Jesi was unable to attend.

5) Reports, and or, discussions, regarding the following:

a. Sheriff's Department: Donna Cupp Reports: No stats received this month. The K-9 unit had a successful drug bust. They are working on getting another drug dog. They are in Phase 1 of the approved new radio system.

b. Commissioner and/or Lyon County staff report: None

c. Fire Department: CW Craven reports: Always looking for volunteer's. Open burning will start on Saturday October 8th, burn permit is required. John Diffenbaugh reports: The trailer program is still on going. BLM has an area in Dayton for wood cutting. It is the Hackett East Wood Cutting area. You do need a permit to cut, and there are some rules you need to know.

d. Public Works (water & sewer dept, roads & highways, parks): None

e. Central Lyon County Parks & Rec. report: There will be a Central Lyon County Parks Tour on Sat., October 15th. Convene meeting at 34 Lakes Blvd, Dayton at 9 o'clock.

f. MHAC correspondence: None

g. Nevada Network of Fire Adapted Communities: Will be on March 27th in Reno at the Atlantic Casino. You can register on line.

6) Discussion and for possible action regarding Special Use Permit applications, special use permit reviews and ordinance reviews and public hearing items scheduled to come before the Planning Commission.

SPECIAL USE PERMIT REVIEWS

A. HAAS, RICHARD & VICKI E.- wrecking yard located at 11 Martin Dr.

B. V & T MANAGEMENT (COMSTOCK ENTERPRISES #1)- fill and topsoil operation located off of Industrial Parkway.

C. V & T MANAGEMENT (COMSTOCK ENTERPRISES #2)- gravel pit located at 95 Industrial Pkwy.

D. V & T MANAGEMENT (COMSTOCK ENTERPRISES #3)- aggregate processing operation located at 10015 Hwy 50 E.

E. PAUGH, RONALD- to utilize a mobile home for watchman's quarters located at 60 Industrial Pkwy.

F. STOR-ALL, LLC- self-storage business to include indoor self-storage, outdoor RV & boat storage, a car/truck wash, and a caretaker's facility with an office, located at 10221 & 10225 Hwy. 50 E.

G. LEON-LAVADO, HERMAN/ESPINOZA-LAVADO, ANTONIO/LEON-TINOCO, GREGORIO- watchman's quarters located at 42 Newman Lane.

H. WALLIS STEEL, INC/ WALLIS LIVING TRUST- to utilize a 24' X 44' commercial coach for office space, located at 32 Stokes Dr.

I. ASPHALT CONCRETE RECYCLING CENTER- watchman's quarters at an existing recycling center, located at 65 Newman Ct.

J. COLUMBIA MINE PROJECT/ KONA GOLD, LLC/MH EQUIPMENT CORP- to operate a mill site located at 62 Laxalt Dr., and a mining operation with watchman's quarters on two parcels, located at 115 & 139 Hwy 341.

John made a motion to approve Items A-I only as one consent agenda item. Melinda second, motion carries. **John made a motion to remove item J from the consent agenda to be discussed separate, Melinda second, motion carries. Concerns were voiced that this company had not taken steps after a one-year period of time to start operations and the lack of operating at this time, the SUP should not be renewed. John made a motion to deny this SUP because this business license has not yet been applied for as business is not yet operating. Rae Ann second the motion, motion carries.

7) Applications for Mound House Advisory Board members whose terms are to expire the end of Dec are being accepted. We are taking applications at this time. Will review them at the November meeting. Recommendation have to be into the Commissioner by Nov.18th.

8) Advisory Board member's comments and future agenda items.

1. Maybe asking Jesi McKee to our November meeting.

9) Public Participation: None

10) Adjournment: 8:00 pm

NEXT Meeting – November 1st, 2016

Silver City Citizen Advisory Board Meeting Minutes DRAFT
Silver City Community Center, 385 High St., Silver City, NV 89428
October 4, 2016, at 7 p.m.

1. **Call to Order @ 7:02 p.m.:** Erich Obermayr, Cal Dillon, Lorraine Richmond present.

Present: Larry Gorell, Michael Carlson, Carol Godwin, Will Godwin, Mike Workman, Scott Jolcover.

2. **For Possible Action: Approval of the Agenda.** Erich motioned to approve; Lorraine seconded. All in favor, motion passed.

3. **For Possible Action: Approval of the September Advisory Board meeting minutes.** Erich motioned to approve; Cal seconded. All in favor. Motion passed.

4. **Public Comment and Participation:** None.

5. **Correspondence:** Erich said he's been in touch with Maureen Williss at the county about board members' terms expiring.

6. **Reports**

Commissioners: None.

Lyon County Sheriff's Department Michael Carlson of the Lyon County Sheriff's Office gave an overview of recent events in his department, including a new commander at the jail, the new resource officer program, Crisis Intervention training, Suicide Hotline training, and a class for use of less-than-lethal force. He also spoke about different hours at the Dayton sub-station. Will Godwin asked about disposal of prescription meds.

County Officials/Lyon County Parks & Recreation Mike Workman was here to "wear both hats." Mike said he was covering for Doug Green, and told us that the painting of the Community Center should be done this week. The old sign at the cemetery has been removed, and the new one with new contact numbers is coming in the next few weeks. Gates for the new area are in process and will, hopefully, be in the new budget year. The county has put together a spray program for us to deal with the weeds. This would be a post-emergent (weeds 4" - 6") herbicide application about four times yearly, or as needed. The spraying could be on the entire area or in just certain areas, using Roundup; however, this would not be the same formulation as the one used on the the highways. Mike went on to say that the cleanup of the cemetery would be before Memorial Day but would have to be coordinated with the county as other cemeteries need it, as well, during that time period. Erich asked Carol G. what the cemetery committee thought about all of this. She inquired about the pets with regard to the spraying. Mike said that, ideally, they shouldn't be in the area when the spraying occurs, but he said there's never been an issue. Erich believes we should leave this with the cemetery committee to discuss. Cal suggested notifying the community ahead of time so people can plan accordingly.

Silver City Fire Department None.

Lyon County Planning Commission None. Erich said Kona Gold is up for renewal of their SUP. They don't have a business license, as yet. Our board recommended approval before,

Silver City Citizen Advisory Board Meeting Minutes DRAFT
Silver City Community Center, 385 High St., Silver City, NV 89428
October 4, 2016, at 7 p.m.

and there's nothing more to do at this time. The fire station SUP is also on the agenda. There's no problem there, either.

Silver City Arts Group Carol G. told us about what is up-and-coming in the arts community, including a concert on October 16. A list of help needed for the concert is on the website. Erich suggested posting it at the Post Office. Carol said the memorial for Mary MacDonald went really well. It was well-attended and many affectionate stories were told. Carol brought with her the album they put together, containing pictures, articles, and notes from those in attendance, and this will be given to Mary's sons.

Advisory Board Member Comments None.

7. For Discussion Only: Application and Procedure for Becoming a Member of the Silver City Citizen Advisory Board. Erich said he's put in his application; Cal said he still needs to. Lorraine is moving in November and will no longer be on the board. The deadline is November 18. Maureen Willis suggested that we accept applications at the November board meeting, and make recommendations at the December meeting. Erich sees no problem with accepting applications as long as they meet the November 18 deadline. Erich will put up a notice at the Post Office with info RE the application process.

8. For Discussion and Possible Action: Publicizing and Distribution of the Silver City Town Survey. Erich said the survey is on the county website, with a disclaimer stating that we are not acting on behalf of the board of commissioners. He said there was an article in the Comstock Chronicle, and one in the Mason Valley News.

9. For Discussion and Possible Action: Recommendation to the Lyon County Board of Commissioners RE Draft Lyon County Land Use and Development Code Nothing new. Erich will check with Dave Snelgrove about how things are going and meet with him, if he can.

10. For Discussion Only: Candidates Open Forum None.

11. Public Comment and Participation: Citizens speaking during public participation are asked to state their name for the record & may be limited to three minutes. Public comment is permitted on any agonized or rnegendized Item & may be returned to at any time during the agenda. Scott Jolcover said he'll be giving a talk at the Gold Hill Hotel about Comstock Mining, Inc., at 7:30 p.m., on October 14.

12. For Possible Action: Adjournment. Erich motioned to adjourn, Cal seconded. All in favor. Motion passed.

AGENDA SUMMARY

CONSENT: Y



Meeting Date: 11/3/2016

ITEM #8

TITLE: Assessor's Office factual corrections and uncollectable accounts (i.e. out of business, no forwarding address, exemptions, corrections, etc.)

SUMMARY:

ALTERNATIVES AND/OR RECOMMENDED ACTION: Approve changes as requested.

Budget Implications (Comptroller):

Approved as to Legal Sufficiency:

County Manager's Comments:

For Information:

List of Attachments: Secured Property accounts with factual corrections.

**BUSINESS LICENSE APPLICATIONS SUBMITTED TO LYON COUNTY COMMISSIONERS
AGENDA November 03, 2016**

ITEM #9

	APPLICANTS	BUSINESS NAME	LOCATION	NATURE OF BUSINESS	H	F	B	Z	S
A	Howard, Dan M.	Dan Howard Consulting	6082 Treosti Pl. Valley Springs, CA	Building Accessories & Specialties Contractor	C				
B	Dandos, Kimberly A.	Hometown Landscapes	230 James Ave. Dayton, NV	Lawn & Yard Maintenance and Service	M				
C	Bravo, Juan R.	Silver Elite Painting L.L.C.	170 Koontz Ln. #54 Carson City, NV	Painting Contractor	C				
D	de Braga, Teresa	Tbirds Pizza	8230 US Hwy 50 Stagecoach, NV	Restaurant	X	X	X	X	

AGENDA SUMMARY

CONSENT: Y N



Meeting Date: November 3, 2016

ITEM #10

TITLE: For Possible Action – Approve promotion of Justice Court Clerk I to a Justice Court Clerk II in the Walker River Justice Court with the additional cost of \$781 to come from contingency. This was erroneously overlooked during the budget process.

SUMMARY: During the budget process, all employees eligible for promotion based on experience and job descriptions are to be identified and properly budgeted. Unfortunately, this position was not included as a promotion. This action will correct the issue.

ALTERNATIVES AND/OR RECOMMENDED ACTION: Approval recommended.

Budget Implications (Comptroller): This is estimated to cost \$781 in additional salaries and benefits.

Approved as to Legal Sufficiency:

County Manager's Comments:

For Information: Josh Foli

List of Attachments:

AGENDA SUMMARY



CONSENT: Y

MEETING DATE: November 3, 2016

ITEM #11

TITLE: For Possible Action: Approve a County Manager Merit Increase as budgeted in the FY17 budget

SUMMARY: The Board of County Commissioners to consider and approve a merit increase as budgeted in the FY17 Lyon County Budget.

RECOMMENDED ACTION AND/OR ALTERNATIVES: The BOCC reviewed the County Manager's performance during the October 20, 2016 meeting and deemed his performance as meeting and exceeding expectations. The Board will need to determine and approve merit for the County Manager. The County Manager position has been budgeted for FY17 a 2.5% merit increase.

FINANCIAL DEPARTMENT COMMENTS:

APPROVED AS TO LEGAL FORM:

COUNTY MANAGERS COMMENTS:

FOR INFORMATION: Christie Reeder

LIST OF ATTACHMENTS: County Manager Performance Review

LYON COUNTY MANAGER'S PERFORMANCE APPRAISAL

SECTION I: ASSISTING COMMISSION WITH ITS POLICY-MAKING ROLE

	Needs Improvement	Meets Expectations	Exceeds Expectations
A. Providing Information			
The County Manager provides information which is:			
Detailed and reliable		D5, D2, D3	D4, D1
Explained in a thorough manner and includes alternatives or recommendations		D2	D5, D4, D1, D3
Timely		D5, D2, D1, D3	D4
Helpful in preventing trivial administrative matters from being reviewed by the Commission		D5, D2, D1	D4, D3
Helpful and adequate to assist County Commission in making sound decisions		D5, D2	D4, D1, D3
The County Manager:			
Provides members of County Commission with the opportunity to set long-term organizational goals and to establish the future direction of County policy		D5, D2	D4, D1, D3
Keeps County Commission informed, in a timely manner, of the things Commission wants to know		D5, D2, D3	D4, D1
Keeps County Commission well informed with concise written and oral communications		D5, D2, D3	D4, D1
<i>Provides County Commission members with information on an equal basis</i>		D5, D2, D1, D3	D4
Informs the County Commission of administrative developments		D5, D2	D4, D1, D3
Follows up in a timely manner on County Commission requests for information or action	D3	D5, D4, D2, D1	
B. Providing Advice			
The County Manager:			
Has adequate knowledge of municipal affairs, including the County's laws and ordinances		D2	D5, D4, D1, D3
Considers alternatives before making recommendations		D5, D2	D4, D1, D3
Plans ahead, anticipates needs and recognizes potential problems		D5, D2, D3	D4, D1
Has a good sense of timing in bringing issues to the Commission for action		D5, D2, D1, D3	D4
Comments:			
<u>District 1:</u> Overall Jeff does a good job informing the Commissioners of issues at both the county and administrative level.			
<u>District 2:</u> In my opinion all of the managers are doing an excellent job along with County Manager Jeff.			
<u>District 3:</u> Jeff has improved over the years with back and forth communications with the board.			
<u>District 4:</u> Jeff provides excellent information and continues to point out pros and cons of topics.			

LYON COUNTY MANAGER'S PERFORMANCE APPRAISAL

District 5: Jeff explains in detail about questions I have asked, is well versed in county code.

SECTION II: INTERNAL ADMINISTRATION

	Needs Improvement	Meets Expectations	Exceeds Expectations
A. Implementation of Commission Policies			
The County Manager is effective in the following areas:			
Carrying out Commission directives		D5, D2, D1, D3	D4
Assigning work so that it is performed efficiently and effectively		D5, D4, D2, D3	D1
Paying sufficient attention to detail to avoid error or things "slipping through the cracks"		D5, D2, D1, D3	D4
Analyzing problems or issues and identify causes, reasons, and implications		D5, D2, D3	D4, D1
Accurately interpreting the direction given by Commission		D5, D2, D3	D4, D1
Carrying out the directives of Commission as a whole rather than those of any one Commission member, but recognizes the concerns of the minority		D5, D2, D1, D3	D4
Supporting the actions of the County Commission after a decision is made		D5, D2, D3	D4, D1
Assuming responsibility for staff performance		D5, D2, D3	D4, D1
Providing members of County Commission with periodic status reports on projects or tasks which may overlap months or years in implementation		D5, D2	D4, D1, D3
Insuring that the management staff maintains normal service delivery operations as well as the flexibility to manage emergency situations		D5, D2	D4, D1, D3

B. Financial Management

Are you satisfied with the County Manager's:

Approach to budget preparation and review		D5, D2, D1	D4, D3
Use of standard financial management procedures to meet Commission's policy guidelines		D5, D2, D1	D4, D3
Implementation of Commission's policy regarding the expenditure of budgeted funds		D5, D2	D4, D1, D3
Cost control through economical use of labor, materials and equipment		D5, D2	D4, D1, D3
Information on the financial status of County government		D5, D2, D1	D4, D3

LYON COUNTY MANAGER'S PERFORMANCE APPRAISAL

Use of available funds and his ability to operate the County efficiently and effectively		D5, D2	D4, D1, D3
Knowledge of financial matters		D5, D2, D1, D3	D4
Information pertaining to long or short-term financing for capital projects or equipment purchases		D5, D2, D1, D3	D4
Information on opportunities for federal and state grant funding		D5, D4, D2, D1, D3	

	Needs Improvement	Meets Expectations	Exceeds Expectations
C. Personnel Management			
The County Manager is:			
Successful in guiding people as a team toward common objectives		D5, D2, D1, D3	D4
Effective in selecting qualified and highly competent staff members		D5, D2, D1, D3	D4
Effective in maintaining professional relationships with Department Directors		D5, D2, D1, D3	D4
Effective in assuring that staff members make a positive impression on citizens		D5, D2, D3	D4, D1
The County Manager:			
Insures that the County's personnel policies and practices are administered by County Department Directors and management staff in an equitable manner		D5, D2, D1, D3	D4
Develops and motivates employees so that they are increasingly effective		D5, D2, D1, D3	D4
Addresses disciplinary problems and takes action when warranted		D5, D2, D1, D3	D4
Monitors performance of employees and initiates corrective action as needed		D5, D2, D1, D3	D4

LYON COUNTY MANAGER'S PERFORMANCE APPRAISAL

SECTION III: EXTERNAL RELATIONS

	Needs Improvement	Meets Expectations	Exceeds Expectations
A. Citizen Relations			
The County Manager:			
Makes a positive impression on citizens		D5, D2, D1, D3	D4
Has appropriate visibility or identity in the community		D2, D1, D3	D5, D4
Assists the Commission in resolving problems at the administrative level to avoid unnecessary Commission action		D5, D2	D4, D1, D3
Is willing to meet with members of the community and discuss issues of concern		D2, D1, D3	D5, D4
Is skillful with the news media, avoiding political positions and partisanship		D5, D2	D4, D1, D3
Provides information to the public in a timely fashion on matters which will cause public reaction		D5, D4, D2, D1, D3	
Represents Commission positions and policies accurately and effectively		D5, D2, D1, D3	D4
Thinks and acts in a manner reflecting an attitude that client (Commission, staff or citizens) perceptions and satisfactions are important		D5, D2, D1, D3	D4
Responds completely and in a timely manner to citizen complaints		D5, D2, D1, D3	D4
B. Intergovernmental Relations			
The County Manager is:			
Effective representing the County's interests in dealing with other agencies		D2, D3	D5, D4, D1
Participative in enough intergovernmental activity to have an impact on behalf of the County		D2, D3	D5, D4, D1
Cooperative with the county, state and federal governments		D5, D2, D3	D4, D1
Comments:			
<u>District 1:</u> Jeff works well with outside organizations.			
<u>District 2:</u> When I put my hat in the ring as commissioner, I could see a real need for someone who knows something about federal issues. The Lyon County Interim Plan for federally managed public land was a real waste of time and money in my opinion. It does not protect private property rights on federal lands. There is no one to make the feds toe the line; let alone know where the line is or what it looks like.			
<u>District 3:</u> Jeff has increased the amount of time visiting the different communities.			
<u>District 4:</u> Jeff is straight-forward with citizens, elected officials, and the press. He is very good at this.			
<u>District 5:</u> The Manager is visible in Lyon County. He works well with concerned citizens about issues. He			

LYON COUNTY MANAGER'S PERFORMANCE APPRAISAL

represents Lyon County well with other governmental agencies.

SECTION IV: PERSONAL ACCOMPLISHMENTS

	Needs Improvement	Meets Expectations	Exceeds Expectations
A. Communications			
With regard to communications, the County Manager is:			
Easy to talk to and a good listener		D5, D2, D3	D4, D1
Thoughtful, clear and to the point		D5, D2, D3	D4, D1
Sensitive to the concerns of others		D5, D2, D3	D4, D1
Candid and forthright in discussing County business matters with members of County Commission		D5, D2, D3	D4, D1
B. Management Style			
The County Manager			
Demonstrates interest and enthusiasm in performing his duties		D2, D1, D3	D5, D4
Commands respect and good performance from staff		D5, D2, D1, D3	D4
Shows initiative and creativity in dealing with issues, problems and unusual situations		D5, D2, D1	D4, D3
Is open to new ideas and suggestions for change		D5, D2, D1, D3	D4
Works well under pressure		D5, D2, D3	D4, D1
Consistently puts aside personal views and implements Commission policy and direction		D5, D2, D1, D3	D4
Displays the ability to resolve the numerous conflicts inherent in municipal government		D5, D2, D1, D3	D4
Responds well to a changing world and local conditions; is adaptive		D5, D2, D1, D3	D4
Is accessible to County Commission members		D5, D2, D1	D4, D3
Conforms to the high standards of the profession; follows the "ICMA Code of Ethics		D5, D2, D1, D3	D4
Exhibits a commitment to continuing education in order to encourage his professional development		D5, D2, D1, D3	D4
Is receptive to constructive criticism and advice		D5, D2, D1, D3	D4

	Needs Improvement	Meets Expectations	Exceeds Expectations
C. Job Effectiveness			
The County Manager:			

LYON COUNTY MANAGER'S PERFORMANCE APPRAISAL

Demonstrates interest and enthusiasm about the Commission's Vision for the County		D5, D2, D1, D3	D4
Gives his staff the tools necessary to provide efficient, responsive County services		D5, D2, D1, D3	D4
Coordinates the implementation of County goals and objectives		D5, D2, D1, D3	D4
Creates a positive atmosphere for successful economic development in the County		D5, D2, D1, D3	D4
Supports responsible infrastructure expansion and maintenance		D5, D2, D1	D4, D3
Emphasizes the need for employee training and technological improvements		D5, D2, D1	D4, D3

Comments:

District 1: No Comments

District 2: This is costing the county ranchers and related agribusiness millions of dollars each year. We desperately need a resource management person that can go out in the field and represent all agricultural interests.

District 3: Jeff is constantly working on getting technology updated for all departments. He has worked hard getting new facilities for the Sheriff and Health & Human Services in the Silver Springs areas.

District 4: Jeff continues to push for improved technology. This improves service and is one of the few areas where we can save money by reducing labor costs.

District 5: The County Manager is accessible and is very good at discussing and explaining county matters.

SECTION V: NARRATIVE RESPONSES

ACHIEVEMENTS FROM THIS PAST YEAR:

- **What were the Manager's most notable accomplishments during the past year?**

District 1: The completion of the salary study and re-organization of the Community Development department

District 2: Reorganizing the Community Development Department

District 3: Bringing on Farr West Engineering for Community Development

District 4: Improving the Planning and Building Department and continuing to work on Title 15.

District 5: After meeting with Jeff the other day, I believe his descriptions of his strengths and weaknesses are very notable accomplishments. Again, he has provided the county a balanced budget with no layoffs.

LYON COUNTY MANAGER'S PERFORMANCE APPRAISAL

- **Which of the Manager's qualities were most instrumental in fulfilling the role of County Manager this past year?**

District 1: I believe that the County Manager's knowledge (NRS, Legislative, Lands, etc.) is a benefit to the Commissioners. That knowledge allows us to make good decisions.

District 2: Contact with communities

District 3: Being able to consider alternative ideas and implement them.

District 4: Jeff is always open with people and pushes for what is best for Lyon County.

District 5: His ability to listen to people and an explanation to their questions and concerns.

PERFORMANCE OBJECTIVES FOR COMING YEAR:

- **What does the Manager do that you would like him to continue?**

District 1: Open and honest communication

District 2: No comment

District 3: Continue to be available to Advisory Boards and citizens

District 4: I don't want change. I like the direction we are going and want to continue.

District 5: Keeping the Board informed on issues that involve the county. Continue to work on economic development.

- **Is there anything that the Manager does that you would like him to do differently?**

District 1: The county manager does a good job on giving information on larger issues. It would be helpful if similar information was given on the smaller issues (Lakes property, Animal Services building).

District 2: Stop using Resource Concepts

District 3: He is doing what I suggested from last year

District 4: no

District 5: no

- **In what areas should the Manager focus his attention in this coming year?**

District 1: Closure of Title 15, AMP and overall economic development. Also, working on a plan to implement the salary study.

District 2: Finding room for a Resource Person

District 3: One stop shop Community Development and Business licenses

LYON COUNTY MANAGER'S PERFORMANCE APPRAISAL

District 4: We need to finish Title 15 and the Airport Master Plan.

District 5: Economic growth. Especially with the Parkway coming to Silver Springs. Try and budget for a Code Compliance Officer.

- **Do you have any other general comments to share with the County Manager?**

District 1: I believe Jeff helps me to be a better Commissioner through communication and information.

District 2: I am enclosing an 89 page paper titled, "Property Rights Workshop: Recommendations for Ranchers Having Grazing Allotments on U.S. Forest Service, Bureau of Land Management, or State Land," for Jeff to read so he can grasp some of the private property on the rangelands.

District 3: It has been a pleasure working with Jeff.

District 4: Jeff could retire now. That means he is working for ¼ of his salary. Jeff continues to work because he loves this County as his job. It would cost the County \$130,000 to \$140,000 per year to replace him, which is what we paid the last County Manager. Therefore, Jeff is saving the County \$20,000 per year by being the County Manager. Thank you Jeff from me, and thank you again on behalf of our constituents.

District 5: I have enjoyed working with Mr. Page this last year. Even when we have disagreed, he still respects my opinion. Also, I appreciate him being available when I ask if we can meet.

County Manager Goals/Objectives for the next performance period:

- Develop a County Wide Strategic Plan with the assistance of UNR to include Community input from the Citizen Advisory Boards, two cities, GID's, Fire Protection Districts and School District. "BUILDING A HEALTHY COUNTY 2017-2027.
- Reorganize Community Development to include: Planning, Building, Licensing and Code Enforcement.
- Develop a Transportation Plan for Lyon County to include enhanced arterial roads to remove local traffic from highways, public transportation, recommendations to add/remove roads from the maintained list and discussion on revenue to build/maintain roads.
- Review and recommend revisions to the County Public Lands Policy and consider possible adoption of this policy into the County Wide Master Plan.
- Implement the Compensation and Classification Study and LCEA/LCSEA Collective Bargaining Agreements
- Complete simulcast public safety radio system and upgrades to communication sites.
- Develop processes to enhance the use of our website and social media to better inform the public.
- Develop and conduct a public information series: Local Government 101. a 6-8 week (one night a week) class to inform and educate the public on what local government does and why.
- Implement Agenda software with enhancements to our recording system.
- Implement Community Development/Licensing/Facilities Software
- Continue drive to improve behavior health services in Lyon County.

LYON COUNTY MANAGER'S PERFORMANCE APPRAISAL

- Continue to refine and enhance the capabilities and capacity of FASTT/MOST
- Explore and report on options to reduce the need of the State to provide services that we pay for. (Community Health, Pre-sentencing, etc)
- Explore NFP organizations to partner with to provide some social services by community
- Work with NFP/FP companies to bring necessary health care and substance abuse treatment to Lyon County.

APPROVAL OF APPRAISAL

Commissioner Bob Hastings, District 1

Date

Commissioner Don Alt, District 2,

Date

Commissioner Ray Fierro, District 3

Date

Commissioner Joe Mortensen, District 4

Date

Commissioner Greg Hunewill, District 5

Date

AGENDA SUMMARY

CONSENT: Y N



Meeting Date: November 3, 2016

ITEM #12

TITLE: For Possible Action - Approve revision to the Personnel Policy, Section 6.3.1. (7) Sick Leave at Separation. The Lyon County Policy revision will be to add a 25 year service payout that matches both the LCEA and LCSEA agreements. The 25+ year payout will provide a maximum sick leave payout of \$3500 when retiring with 25+ years of service.

SUMMARY: The current personnel policy specifies a maximum sick leave payout of \$3000 after 20 years of service with Lyon County. The change will add a payout of \$3500 for 25 or more years of service.

ALTERNATIVES AND/OR RECOMMENDED ACTION: Approval recommended.

Budget Implications (Comptroller): There are currently only a few positions that are qualify each year for this benefit. Thus the budgetary impact should be minimal.

Approved as to Legal Sufficiency:

County Manager's Comments:

For Information: Christie Reeder

List of Attachments: Proposed Policy

6.3. *Sick Leave*

6.3.1. *Policy*

Lyon County expects that each employee be available for work on a regular and reliable basis. Attendance and leave use is monitored from this perspective whether or not the employee has accumulated leave balances remaining in his/her sick leave account.

7. *Sick Leave at Separation*

Upon separation from employment due to PERS retirement from Lyon County, an eligible employee shall be entitled to payment for unused sick leave in excess of thirty (30) days, according to his/her number of years of Lyon County public service, calculated by using the employee's basic hourly rate of pay as of the effective date of the retirement as follows:

- At least ten (10) years of service, but less than fifteen (15) years, maximum of \$2,000.00;
- At least fifteen (15) years of service, but less than twenty (20) years, maximum of \$2,500.00; or
- For twenty (20) or more years of service, maximum of \$3,000.00.
- For twenty-five (25) years of service or more, not more than Three Thousand Five Hundred Dollars (\$3,500.00).

To be eligible for this benefit, the employee must be approved for a Nevada PERS retirement, be in good standing with Lyon County and not subject to disciplinary discharge or resignation to avoid a disciplinary discharge. The employee must repay any sick leave payoff received pursuant to this policy prior to the employee being eligible for re-employment with Lyon County.

AGENDA SUMMARY

CONSENT: Y



MEETING DATE: November 3, 2016

ITEM #13

TITLE: For Possible Action: Accept resignation of Mr. Louis Murray, Jr., from the Dayton Valley Event Center Advisory Board, effective October 18, 2016

SUMMARY: Mr. Murray has submitted his letter of resignation

RECOMMENDED ACTION AND/OR ALTERNATIVES:

Accept resignation

FINANCIAL DEPARTMENT COMMENTS:

APPROVED AS TO LEGAL FORM:

COUNTY MANAGERS COMMENTS:

FOR INFORMATION:

LIST OF ATTACHMENTS:

Letter of resignation

18 Oct 2016

To: Maureen Willis
Office Manager
Lyon County, Nevada

Subject: Dayton Valley Event Center (DVEC) Advisory Board membership

Dear Maureen:

I have enclosed my letter of resignation from the DVEC Advisory Board to be effective at the conclusion of the regularly scheduled meeting on Oct 18, 2016.

I would appreciate if you would arrange the proper processing of my resignation.

Thank you for your assistance on this matter.

Sincerely

A handwritten signature in black ink, appearing to read "Louis", with a horizontal line extending to the right.

Louis Murray, Jr.

10 October 2016

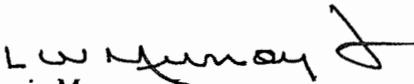
To: Lyon County Board of County Commissioners, Lyon County, Nevada
27 South Main Street
Yerington, Nevada 89947

Subject: Dayton Valley Event Center (DVEC) Advisory Board Membership

I am resigning as a member of the DVEC Advisory Board effective immediately. My term of office expires on 31 Dec 2016. However, the press of personal commitments in other areas are extremely heavy at this time and preclude my effective participation in the affairs of the Event Center.

The Event Center Board is now in the annual "Off-Season" period with a relatively minimal agenda until next season starts up in the spring so I feel it is best to start the staffing of the Board at this time.

Respectfully Submitted


Louis Murray, Jr.
Chair
Dayton Valley Events Center Advisory Board

AGENDA SUMMARY

CONSENT: Y N



Meeting Date: November 3, 2016

ITEM #14

TITLE: For Possible Action: Review and accept travel claims.

SUMMARY:

Per NRS 245.062 and Lyon County Personnel Policy Section 8, the Board of Commissioners needs to approve travel claims paid by the Comptroller's office. Individual department travel claims have been compiled for acceptance by the Board of Commissioners.

ALTERNATIVES AND/OR RECOMMENDED ACTION:

Approve travel claims as presented.

Budget Implications (Comptroller):

N/A.

Approved as to Legal Sufficiency:

N/A.

County Manager's Comments:

N/A.

For Information:

N/A.

List of Attachments:

County travel report.

November 3, 2016

LYON COUNTY TRAVEL

NAME	DESCRIPTION	AMOUNT
Bennett, Library Board	Mileage for Library Board Meeting 09/27/16	28.08
Don Alt, Joel Mortensen Commissioners	July - Sept 2016 travel	1,145.88
Roger Sayre Juvenile Probation	Meal for meeting in Carson City, NV 10/19/16	12.00
Julie Vaughn, Bridget Hill Child Support	Airfare, Lodging, Meals for IV-D Strategic Planning in Las Vegas 10/16-10/19	700.40
Sinnott, Pace, Lucia Distirct Attorney	Lodging while in Lake Tahoe NV Prosecutor's Conference 09/14/16	491.55
Anna Coons Human Services	Lodging while in Denver, CO at WIC conference 09/7-09/10/16	695.40
Julie Redmond, Jeff Peebles Sheriff's Department	Airfare & Rental Car for travel to Las Vegas, NV for Joining Forces Conference 09/26-09/27	808.02
Bryan Parsons Sheriff's Department	Lodging to attend Aerosol Instructor Course in Boise, ID 10/10-10/12/16	176.70
Jerry Pattison Sheriff's Department	Meals while in San Mateo, CA for Officer Involved Investigation Class 11/7-11/08/16	145.00
Sean McNeill Sheriff'd Department	Meals while in Winnemucca, NV for Interrogation Training 10/10/16-10/12/16	46.00
Allan, Hardcastle, Retzer, Jones Ritter, Bennett	Mileage for Planning Commission meeting 10/11/16	247.32
Ingrid Walker Utilities	Meals, Lodging & Baggage Fee for travel to Palm Springs for Meter Seminar 11/6-11/9/16	1,051.24
M Smith, Richard Eichom Utilities	Airport Parking, Rental Car, Lodging while at Western Detention Locks Trainging in San Diego, CA 09/12-09/16/2016	1,129.82
Warr, Talbot, Kassebaum Recorder	Lodging while in Fallon for CFOA conference 09/13-09/16/16	350.43
Anna Coons Human Services	Meals for various travel and Training Sept 2016 Grant Funded	72.00
Sean Lacow Human Services	Meal while in Reno for CANS Training 09/22/16	16.00
Molly Pezzuto UNR Co-Op Ext	Meals for travel to Reno meetings 09/20 09/24/16	59.00
Joy Newton UNR Co-Op Ext	Mileage for travel to Reno Meeting 10/13/16	49.14
	Total	7,223.98

TRAINING

		AMOUNT
Summer Bell Library	On-Line Training	1,847.50
Edrie LaVoie Human Services	Registration for NAMI Western Nevada 10/13/16	80.00
Bryan Parsons Sheriff's Department	Registration for Aerosol Instructor Course in Boise, ID 10/10-10/12/16	100.00
Ingrid Walker Utilities	Registration for Meter Seminar in Palm Springs 11/16-11/19	700.00
Margie Kassebaum Recorder	Registration for On-Line Notary Class 09/22/16	45.00
Dawna Warr Recorder's Office	NACO Registration 11/15/2016	225.00
	Total	2,997.50

AGENDA SUMMARY

CONSENT: Y N



Meeting Date: November 3, 2016

ITEM #15

TITLE: For Possible Action: Review and accept County claims and financial reports.

SUMMARY:

Per NRS 244.210, the Board of Commissioners needs to approve claims paid by the Comptroller's office.

ALTERNATIVES AND/OR RECOMMENDED ACTION:

Approve claims as presented. Any claim being refused will be presented separately.

Budget Implications (Comptroller):

N/A.

Approved as to Legal Sufficiency:

N/A.

County Manager's Comments:

N/A.

For Information:

N/A.

List of Attachments:

County claims and financial report.

TOTAL BILLS SUBMITTED FOR APPROVAL ON NOVEMBER 3, 2016

<u>UNDER DIRECT CONTROL OF BOARD OF COMMISSIONERS</u>	<u>BILLS</u>	<u>PAYROLL</u>
General Fund	329,824.83	817,465.70
Employees Benefits Fund	19,887.71	
Park Construction Tax Fund		
Home Consortium		
Co-Op Extension Fund	2,140.04	3,222.37
Unemployment Fund		
Room Tax Fund	297.91	
Aid to Domestic Violence Fund	125.00	
Vehicle Acquisition Fund		
Fair and Rodeo Fund	90.23	
Capital Improvements Fund	204,525.72	
Justice Court Special Assessment Fund		
District Court Restricted Fee's Fund	17,500.00	
Juvenile Probation Special Assessment Fund		77.99
County Library Gift Fund		
Western Regional Youth Facility	13,056.68	49,278.60
911 Surcharge Fund		
Mining Claim Map Fund		
Road Fund	18,277.04	38,490.29
R T C Fund	24,148.36	
Road Improvement Fund		
Indigent Fund	14,593.84	41,746.28
Medical Indigent Fund	118,569.77	6,477.52
Senior Services Fund	12,480.48	30,224.58
Senior Services Donations Fund	589.79	
Animal Control Donations		
<u>ENTERPRISE FUNDS</u>		
Dayton Water Utility Fund	72,212.04	50,970.27
Dayton Sewer Utility Fund	47,465.70	25,859.73
SUB TOTAL CONTROL OF BOARD OF COMMISSIONERS	895,785.14	1,063,813.33

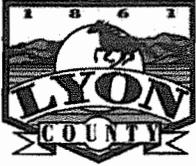
<u>TRUST AND AGENCY FUNDS</u>	<u>BILLS</u>	<u>PAYROLL</u>
Mason Valley Mosquito Control District Fund	62.81	3,530.30
Central Lyon Vector Control District Fund		
Walker River Weed Control District Fund	105.02	861.20
Silver Springs GID	2,522.06	
Willowcreek GID Fund	3,865.93	
DNA Testing	2,207.00	
Mason Valley Swimming Pool Fund	1,042.09	
Silver Springs/Stagecoach Hospital Fund	630.59	2,479.95
Fernley Swimming Pool Fund	4,996.26	16,582.40
City of Fernley	749,204.08	
Mason Valley Fire District Funds	12,282.15	25,538.16
North Lyon Fire District Funds	189,191.78	
Smith Valley Fire District Funds	5,080.45	2,041.41
Stagecoach General Improvement District Fund		
South Lyon Hospital District Fund		
State of Nevada	1,088,696.89	
City of Yerington	24,553.54	
Fish and Game		
Walker River Irrigation District Fund		
Range Improvement Fund		
Lyon County Bond Fund		
Coroner Estate Proceeds		
County Trust Property		
Social Security Payee Program		
Central Lyon Fire District Funds	499,721.91	
Carson Water Sub-Conservancy District Fund		
Dayton Valley Ground Water	10,236.24	
Smith Valley Artesia	20,283.21	
Mason Valley Artesia	52,480.61	
Churchill Valley Ground Water	4,324.45	
Truckee Carson Irrigation District Fund		
Fernley Ground Water	2,675.35	
Lyon County Schools	2,322,606.40	
TOTAL BILLS SUBMITTED FOR APPROVAL	5,892,553.96	1,114,846.75

LIQUOR LICENSE APPLICATION SUBMITTED TO LYON COUNTY

LIQUOR BOARD on November 03, 2016

ITEM # 17

	APPLICANTS	BUSINESS NAME	LOCATION	LICENSE TYPE
A	Thorpe, James	Dollar General #13524 & #14469	1005 Lake Ave. Silver Springs, NV 101 Ambrose Ln. Dayton, NV	Liquor Manager Retail Packaged Goods
b				



LYON COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT
BUILDING • DEVELOPMENT ENGINEERING • PLANNING
DAVE SNELGROVE
COMMUNITY DEVELOPMENT DIRECTOR

27 S. MAIN STREET
YERINGTON, NEVADA 89447
(775) 463-6581
FAX: (775) 463-5305

34 LAKES BOULEVARD
DAYTON, NEVADA 89403
(775) 246-8135
FAX: (775) 246-8147

19

Lyon County Planning Commission

PLZ-16-0027 Tentative Map of the Riverpark Dunes, Unit 2C, Subdivision

Meeting Date: October 11, 2016

Owner: Riverpark Dunes, LLC/Randy Butler, Esq.

Applicant: Same

Area Location: Dayton

Parcel Numbers: 019-924-013

Zoning: E-1 (First Estate Residential – 12,000 square feet)

Master Plan: Suburban Residential

Flood Zone: X Shaded

Case Planner: Rob Pyzel

Community Development Director Approval:

Request:

The applicant requests to re-establish an expired tentative subdivision map for Riverpark Phase 2B (also known as Riverpark Dunes Unit 2). The remainder Parcel 2 shown on the recorded final map of Riverpark Dunes Unit 2B (Document #451840) is 23.34 acres in size. The applicant requests approval of a tentative subdivision map to create 58 lots with the same lot configuration, same street layout and the same lot widths, lengths and acreage as the previously approved original tentative map that has expired.

Staff Recommendation:

Staff recommends approval of the proposed Tentative Map based on the Findings as listed below and subject to the Conditions of Approval as listed below in the staff report.

Suggested Motion:

The Lyon County Planning Commission finds that the Tentative Subdivision Map for Riverpark Dunes Unit 2C Subdivision:

- A. Is consistent with the applicable provisions of Lyon County Code and the Nevada Revised Statutes;
- B. Will not be detrimental to the public health, safety, convenience and welfare; and
- C. Will not result in material damage or prejudice to other property in the vicinity.

Based on the aforementioned findings, the Lyon County Planning Commission recommends approval of the request for the Tentative Subdivision Map for Riverpark Dunes Unit 2C Subdivision in Dayton, as identified on Assessor's Parcel Map 019-924-013 (PLZ 16-0027), subject to the following conditions:

1. Approval of the tentative map shall be conditional, subject to the following terms and conditions:
 - a. The improvements required by the terms of Title 11 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.
 - b. Prior to any construction of improvements, a preconstruction conference shall be held between the contractor/developer and the appropriate County inspection personnel.
2. The applicant shall comply with all Federal, State, County and special purpose district regulations.
3. 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.
4. 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.
5. The applicant shall comply with Lyon County improvement requirements as set forth in Chapter 11.07 of the Lyon County Code including, but not limited to:
 - a. The applicant 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 E-1 zoning district for access to the proposed parcels.
6. The applicant 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 E-1 zoning district and in accordance with the following:
 - a. The street alignments (both horizontal and vertical) must be designed in accordance with "A Policy on Geometric Design of Highways and Streets", latest addition, published by the American Association of State Highway Transportation Officials. Local streets serving less than 75 lots must be posted with the appropriate speed limit signs. The minimum slope on asphalt paving shall be 2-percent.
 - b. Street lighting shall be installed to County standards.
 - c. Road and traffic signage shall be installed to County standards.
 - d. The existing paved streets, gutter and curbs may need some repair work due to possible shrinkage and lack of use. The Road Superintendent will make the determination as to whether the existing pavement, curbs and gutters will need to be repaired/replaced. If replacement/repair is necessary, then the new street infrastructure would need to comply with the current County Standards.

7. The applicant 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.
8. The final map will include the dedication on all of the lots a 10-foot public utility easement across the front property lines of the lots and 5-foot public utility easements along the remaining property lines with the final subdivision map.
9. The applicant shall provide the proposed Covenants, Conditions and Restrictions ("CC&Rs"), agreements, easements and other legal instruments containing sufficient detail to constitute enforceable provisions necessary for easements and maintenance for all drainage easements and facilities, landscaping, building location restrictions and/or envelopes, pedestrian/bicycle access to the commercial parcel and public land to the south and other provisions necessary for the subdivision as approved, for review by the Community Development Director and District Attorney's Office.
10. The developer shall obtain all necessary approvals and encroachment permits, and coordinate and comply with any requirements placed on this subdivision by the Lyon County Road Department.
11. A detailed final geotechnical report must be submitted with the final subdivision map application that includes roadway structural sections. The minimum thickness of asphalt concrete pavement shall be 4-inches in accordance with the Lyon County Standard Roadway Sections, Drawing L-1 (dated 6/12). Roadway sections must be based on R-values taken at subgrade level. Prior to aggregate base being placed for roadways, R-value testing must be done at subgrade to verify that the subgrade soils have the structural section design minimum R-value. The minimum number of R-value tests shall be one test per 1000 feet of street and must be evenly distributed throughout the site or as approved by the Lyon County Road Superintendent. A note to this effect must be placed prominently on the plans. Structural section calculations must be submitted with the final subdivision map application that show the proposed structural section is adequate.
12. The applicant shall comply with Lyon County's 1996 drainage guidelines (as revised 2006). 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.
13. The applicant shall demonstrate to the satisfaction of the County Engineer, 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 for this project.
14. The applicant shall demonstrate to the satisfaction of the County Engineer, the County Utilities Department Director, and the Community Development Director that facilities necessary for the treatment of stormwater prior to discharge to the Carson River have been designed and installed prior to approval of a final subdivision map for this project.

15. The applicant 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 for this project.
16. The applicant shall conduct further investigation and testing is needed to ensure that the existing sewer and storm drain lines to verify they are in good working condition. If the existing water lines have been in use, then they should be fine. However if the water lines have not been in use, then the water lines would need to be inspected and tested as well. If the existing water, sewer and storm drain infrastructure does need to be replaced/repaired, then the repair/replacement would need to comply with the current County Standards.
17. The applicant shall complete any and all required development improvements and facilities to the satisfaction of the Community Development Director, County Engineer, Road Director, 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 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 and inspected to the Building Official's satisfaction prior to the issuance of a Certificate of Occupancy will be allowed in any single family residence for this project.
18. The applicant shall comply with all applicable building and fire code requirements.
 - a. No building permits shall be accepted for processing until a final subdivision map has been approved and recorded.
 - b. Building permits shall be issued in compliance with Title 10 and 11 of the Lyon County Code.
19. The applicant shall comply with County requirements, in accordance with Chapter 11.07.14(F) of the Lyon County Code, mandating that a grading permit(s) be obtained for any site development work prior to any disturbance occurring on the subject site.
20. The applicant shall provide written evidence demonstrating that the proposed parcels are able to be served by municipal water and sewer systems prior to recordation of a final subdivision map for this project.
21. 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.
22. Prior to any combustible materials being brought on site the following shall occur:
 - a. All required fire hydrants are to be installed and fully operating.
 - b. Street name signage shall be installed.

23. Distinct and legible "temporary" addresses are required of any structures under construction until such time as permanent address numbers are installed and posted.
24. No lot shall be offered for sale or sold until the final subdivision map has been approved and recorded.
25. 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.
26. The applicant shall obtain any required air quality permit(s) from the Nevada Division of Environmental Protection (NDEP) and apply appropriate dust abatement processes as part of the development construction.
27. 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: 1) no loud music 2) no alcohol or drugs 3) dispose of personal trash and site debris 4) clean up any mud and or dirt that is deposited from the construction parcels onto the streets 5) no burning of construction or other debris on the property.
28. 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.
29. 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.
30. The applicant shall comply with the final subdivision map requirements as prescribed by NRS 278 and Title 11 of the Lyon County Code.
31. Required recording fees to be paid at time of recording map.
32. A phasing plan must be submitted prior to the recordation of the first final map if the development is to be phased.
33. All appropriate fees and actual costs for map reviews and field inspections must be paid prior to map recordation in accordance with the adopted County fee resolution in effect at the time.
34. 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.
35. 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 11.05.09 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.

Location:

The subdivision is generally located south of Fort Churchill Road and west of Stratton Drive and specifically at the current terminus of Almond Creek Road, Cheatgrass Road, Ryegrass Road and Teakwood Road, Dayton, NV.



Size:

The subject site is 23.34 acres in size.

The Tentative Map proposes to create 58 single family residential lots varying in size from 12,000 square feet ("sq. ft.") to 21,445 sq. ft. on 23.34 acres, a density of approximately 2.5 dwelling units per acre. The proposed lots would be in compliance with the minimum lot size requirements of the E-1 zoning district. The proposed lots are also in conformance with the E-1 zoning district's minimum average lot width (70 feet). The proposed lot layout appears to match the previously approved tentative subdivision map in terms of lot configuration and layout (in regard to lot size, lot widths and depths, and street design).

Background:

The original Tentative Subdivision Map for Riverpark Dunes (originally designated as Riverpark Phase 2) was originally approved by the Board of Commissioners on April 4, 2002. Phases 5 and 6 of that Tentative Subdivision Map were later changed to Riverpark Dunes Units 1, 2 & 3. Riverpark Dunes Unit 2 was subsequently to be developed as Units 2A, 2B and 2C.

Nevada Revised Statutes ("NRS") Section 278.360 regulates the time line requirements for the filing of final subdivision maps after a tentative subdivision map has been approved by the Commission:

"NRS.278.360 Requirements for presentation of final map or series of final maps; extensions of time.

1. *Unless a longer time is provided in an agreement entered into pursuant to NRS 278.0201 or 278.350:*
 - (a) *Unless the time is extended, the subdivider shall present to the governing body, or the planning commission or the director of planning or other authorized person or agency if authorized to take final action by the governing body, within 4 years after the approval of a tentative map:*
 - (1) *A final map, prepared in accordance with the tentative map, for the entire area for which a tentative map has been approved; or*
 - (2) *The first of a series of final maps covering a portion of the approved tentative map. If the subdivider elects to present a successive map in a series of final maps, each covering a portion of the approved tentative map, the subdivider shall present to the governing body, or the planning commission or the director of planning or other authorized person or agency if authorized to take final action by the governing body, on or before the second anniversary of the date on which the subdivider recorded the first in the series of final maps:*
 - (I) *A final map, prepared in accordance with the tentative map, for the entire area for which the tentative map has been approved; or*
 - (II) *The next final map in the series of final maps covering a portion of the approved tentative map.*
 - (b) *If the subdivider fails to comply with the provisions of paragraph (a), all proceedings concerning the subdivision are terminated.*
 - (c) *The governing body or planning commission may grant an extension of not more than 2 years for the presentation of any final map after the 2-year period for presenting a successive final map has expired." (Underlining for emphasis by staff)*

In essence the developer (or subdivider per NRS) has up to four (4) years from the date of the approval of a tentative subdivision map to submit either:

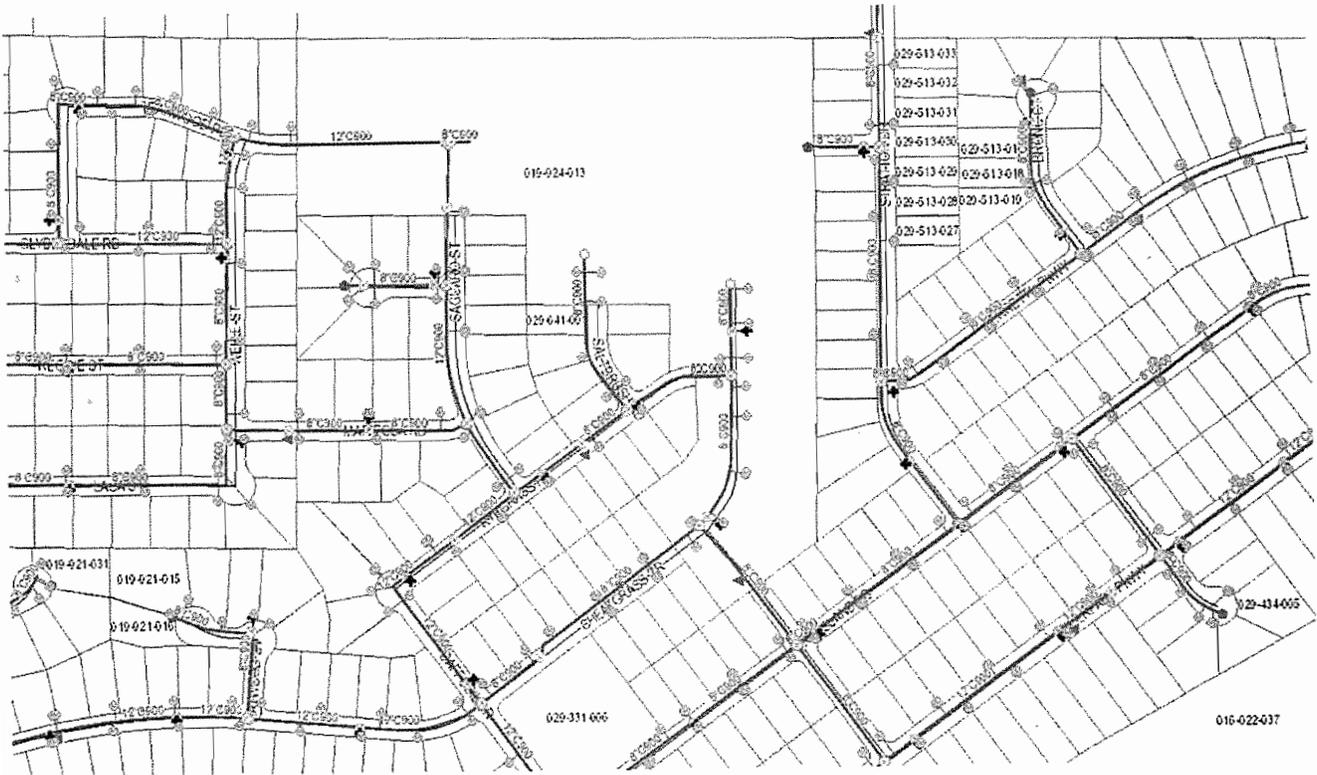
- a) a final map of the subject site approved for development through the tentative subdivision map; or
- b) the first in a series of final maps covering subject site if the subdivision is to be developed in phases.

If the developer elects to do a phased approach to the subdivision, then the developer has two years from the date the last in the series of final maps recorded to submit the next in the series of final maps. If the developer fails to submit the next in a series of final maps to the governing body, then the tentative subdivision map approval is terminated. In order to re-institute the subdividing of the subject site, a new tentative subdivision map must be approved in order to file final subdivision maps for the remaining portion of the subject site.

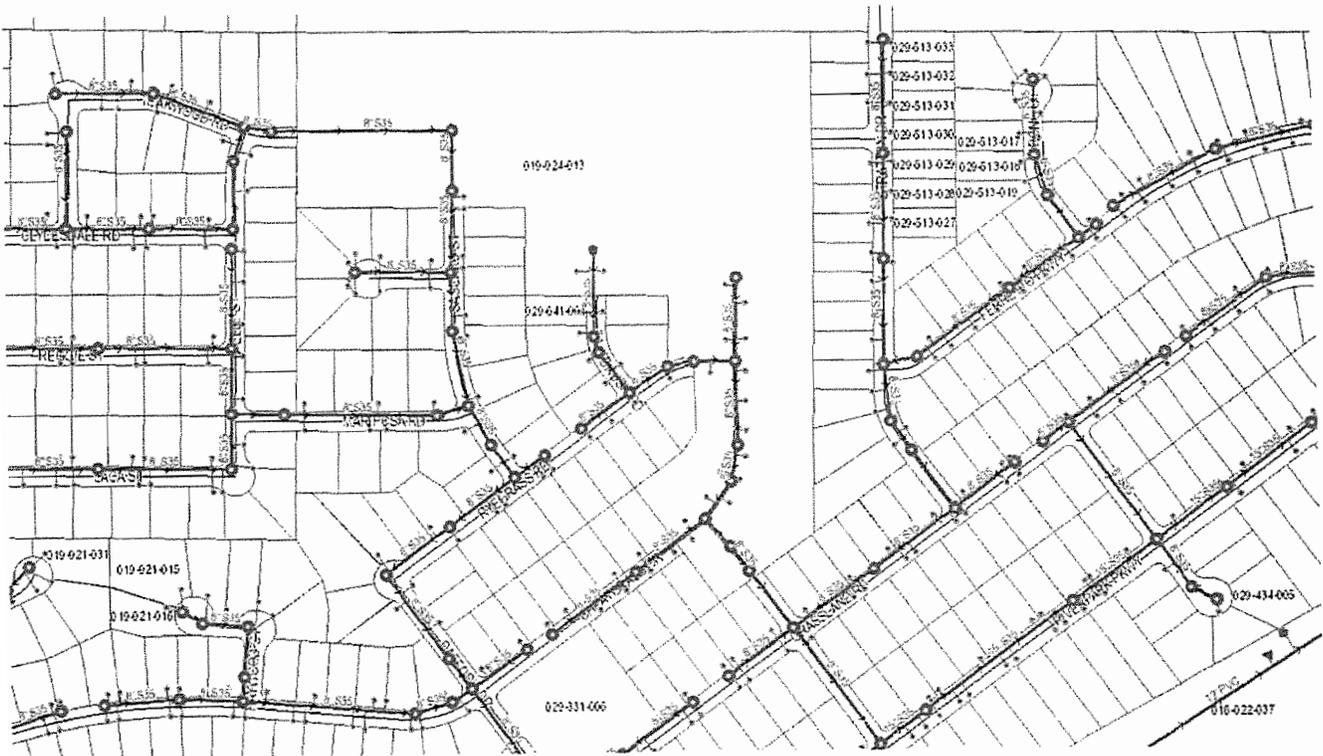
The last recorded final subdivision map involving the Riverpark Dunes Subdivision was for Riverpark Dunes Unit 2B (Document #451840) was recorded on December 3, 2009. The length of time between the current date and the last recorded final map date exceeds the two-year time line in which to submit the next-in-a-series final subdivision maps for the Riverpark Dunes tentative subdivision map. As such, a new tentative subdivision map is required in order to proceed with the further development of the subject site as envisioned between 2002 through 2009 by the developer and the County.

All of the off-site improvements required with the April 2002 approval of the original Tentative Subdivision Map for Riverpark Dunes have been completed as a part of the development of Unit 2A and Unit 2B. These improvements include the domestic water, domestic sewer, storm drain and roadway infrastructure have been installed up to the subject site.

Water:



Sewer:



(b) The availability of water which meets applicable health standards and is sufficient in quantity for the reasonably foreseeable needs of the subdivision;

The development will be provided domestic water service from Lyon County Utilities that complies with the applicable health standards. The developer is required to dedicate water rights of sufficient quantity to adequately serve the development.

(c) The availability and accessibility of utilities;

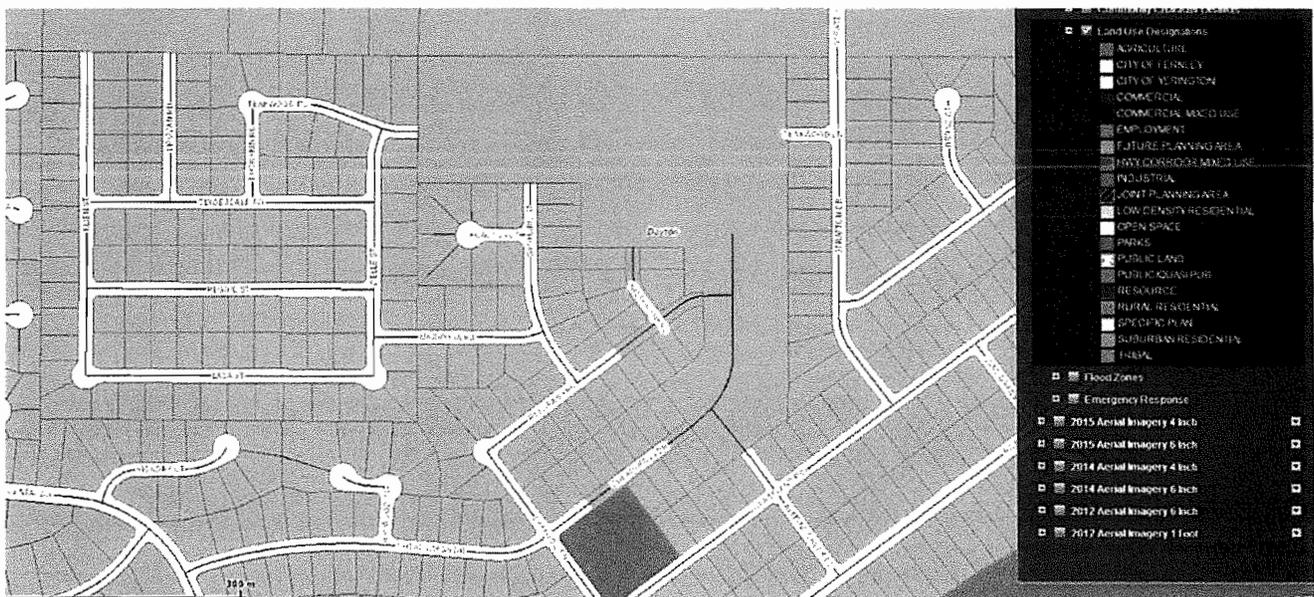
The subject site is located adjacent to existing telephone, water, sewer, natural gas and electrical facilities. The developer has submitted will-serve letters from AT&T Nevada, NV Energy and Southwest Gas as well as intent-to-serve letters from Lyon County Utilities.

(d) The availability and accessibility of public services such as schools, police protection, transportation, recreation and parks;

The subject site is located within walking distance of Riverview Elementary School as well as a County park located on the east side of Daffodil Drive between Grassland Road and Cheatgrass Drive. The site is also within a short drive to both the Sheriff's Dayton satellite office and Central Lyon County Fire Protection District Fire Station #38.

(e) Conformity with the zoning ordinances and master plan, except that if any existing zoning ordinance is inconsistent with the master plan, the zoning ordinance takes precedence;

The 2010 Comprehensive Master Plan has Dayton designated as a Suburban Character District and has the land use designation of Suburban Residential for the subject site. The Suburban Residential land use designation includes a range of residential density from one dwelling unit per acre (1 DU/AC) to 18 DU/AC. As noted above, the density of the proposed tentative subdivision map is 2.5 DU/AC which is in conformance with the 2010 Comprehensive Master Plan land use designation for the area that the subject site is located.



The subject site is currently zoned E-1 (First Estates).



The tentative subdivision map is in compliance with the E-1 zoning district as:

- The tentative subdivision map will create single family residential lots;
- The minimum lot areas will be equal to or greater than the net 12,000 square feet minimum requirement;
- The minimum lot widths will be greater than the minimum 70 feet;
- The building setbacks from adjoining property lines for the single family residential development will conform to the E-1 zoning district standards (front yard setbacks: 25 feet; rear yard setbacks: 20 feet; and side yard setbacks: 10 feet) in compliance with the minimum E-1 zoning setbacks;

(f) General conformity with the governing body's master plan of streets and highways;

The project is in conformance with the 2010 Comprehensive Master Plan's Integrated Roadway Network for Dayton. The project will have access to Highway 50 by way of Fort Churchill Road via Teakwood Lane, Cheatgrass Drive, Almond Creek Road, Grassland Road and Stratton Drive.

(g) The effect of the proposed subdivision on existing public streets and the need for new streets or highways to serve the subdivision;

As noted above, the original tentative subdivision map included the subject site as consisting of 58 single family residential lots. The traffic report submitted with that application indicated that the effect of the proposed subdivision on existing public streets would be minimal as the streets were design to accommodate the anticipated traffic from full build-out of the Riverpark area which included the Riverpark Dunes site. As a part of the current Riverpark Dunes Unit 2C tentative subdivision map, a traffic letter from a professional engineer licensed in the State of Nevada who specializes in traffic engineering was submitted indicating that in his professional opinion, there would be no adverse traffic impacts caused by this project.

(h) Physical characteristics of the land such as floodplain, slope and soil;



LYON COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT

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October 12, 2016

Riverpark Dunes, LLC
Attn: Randy Butler, Esq.
P.O. Box 10989
Zephyr Cove, NV 89448

RE: **RIVERPARK DUNES, UNIT 2C / RIVERPARK DUNES, LLC – TENTATIVE SUBDIVISION MAP (for possible action)** – Request for a Tentative Subdivision Map for Riverpark Dunes, Unit 2C, a proposed 58 lot, single family residential development, on an approximately 23.34 total acre parcel; located off of Cheatgrass Drive, Dayton (APN 19-924-13) PLZ-16-0027

Dear Mr. Butler:

The Lyon County Planning Commission, at a duly noticed public hearing held on Tuesday, October 11, 2016, considered the above-referenced application.

The Planning Commission unanimously voted to **recommended approval** of your request for a Tentative Subdivision Map for Riverpark Dunes, Unit 2C, based on the recommended findings, and subject to the following conditions as amended by mutual agreement:

1. Approval of the tentative map shall be conditional, subject to the following terms and conditions:
 - a. The improvements required by the terms of Title 11 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.
 - b. Prior to any construction of improvements, a preconstruction conference shall be held between the contractor/developer and the appropriate County inspection personnel.
2. The applicant shall comply with all Federal, State, County and special purpose district regulations.
3. 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.
4. 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.

5. The applicant shall comply with Lyon County improvement requirements as set forth in Chapter 11.07 of the Lyon County Code including, but not limited to:
 - a. The applicant 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 E-1 zoning district for access to the proposed parcels.
6. The applicant 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 E-1 zoning district and in accordance with the following:
 - a. The street alignments (both horizontal and vertical) must be designed in accordance with "A Policy on Geometric Design of Highways and Streets", latest addition, published by the American Association of State Highway Transportation Officials. Local streets serving less than 75 lots must be posted with the appropriate speed limit signs. The minimum cross-slope on asphalt paving shall be 2-percent.
 - b. Street lighting shall be installed to County standards.
 - c. Road and traffic signage shall be installed to County standards.
 - d. The existing paved streets, gutter and curbs may need some repair work due to possible shrinkage and lack of use. The Road Superintendent will make the determination as to whether the existing pavement, curbs and gutters will need to be repaired/replaced. If replacement/repair is necessary, then the new street infrastructure would need to comply with the current County Standards.
7. The applicant 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.
8. The final map will include the dedication on all of the lots a 10-foot public utility easement across the front property lines of the lots and 5-foot public utility easements along the remaining property lines with the final subdivision map.
9. The applicant shall provide the proposed Covenants, Conditions and Restrictions ("CC&Rs"), agreements, easements and other legal instruments containing sufficient detail to constitute enforceable provisions necessary for easements and maintenance for all drainage easements and facilities, landscaping, building location restrictions and/or envelopes, pedestrian/bicycle access to the commercial parcel and public land to the south and other provisions necessary for the subdivision as approved, for review by the Community Development Director and District Attorney's Office.
10. The developer shall obtain all necessary approvals and encroachment permits, and coordinate and comply with any requirements placed on this subdivision by the Lyon County Road Department.
11. A detailed final geotechnical report must be submitted with the final subdivision map application that includes roadway structural sections. The minimum thickness of asphalt concrete pavement shall be 4-inches in accordance with the Lyon County Standard Roadway Sections, Drawing L-1 (dated 6/12). Roadway sections must be based on R-

values taken at subgrade level. Prior to aggregate base being placed for roadways, R-value testing must be done at subgrade to verify that the subgrade soils have the structural section design minimum R-value. The minimum number of R-value tests shall be one test per 1000 feet of street and must be evenly distributed throughout the site or as approved by the Lyon County Road Superintendent. A note to this effect must be placed prominently on the plans. Structural section calculations must be submitted with the final subdivision map application that show the proposed structural section is adequate.

12. The applicant shall comply with Lyon County's 1996 drainage guidelines (as revised 2006). 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.
13. The applicant shall demonstrate to the satisfaction of the County Engineer, 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 for this project.
14. The applicant shall demonstrate to the satisfaction of the County Engineer, the County Utilities Department Director, and the Community Development Director that facilities necessary for the treatment of stormwater prior to discharge to the Carson River have been designed and installed prior to approval of a final subdivision map for this project.
15. The applicant 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 for this project.
16. The applicant shall conduct further investigation and testing is needed to ensure that the existing sewer and storm drain lines to verify they are in good working condition. If the existing water lines have been in use, then they should be fine. However if the water lines have not been in use, then the water lines would need to be inspected and tested as well. If the existing water, sewer and storm drain infrastructure does need to be replaced/repared, then the repair/replacement would need to comply with the current County Standards.
17. The applicant shall complete any and all required development improvements and facilities to the satisfaction of the Community Development Director, County Engineer, Road Director, 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 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 and inspected to the Building Official's satisfaction prior to the issuance of a Certificate of Occupancy will be allowed in any single family residence for this project.
18. The applicant shall comply with all applicable building and fire code requirements.

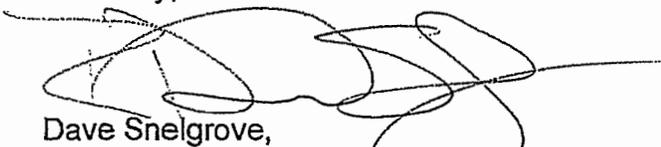
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19. The applicant shall comply with County requirements, in accordance with Chapter 11.07.14(F) of the Lyon County Code, mandating that a grading permit(s) be obtained for any site development work prior to any disturbance occurring on the subject site.
20. The applicant shall provide written evidence demonstrating that the proposed parcels are able to be served by municipal water and sewer systems prior to recordation of a final subdivision map for this project.
21. 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.
22. Prior to any combustible materials being brought on site the following shall occur:
- a. All required fire hydrants are to be installed and fully operating.
 - b. Street name signage shall be installed.
23. Distinct and legible "temporary" addresses are required of any structures under construction until such time as permanent address numbers are installed and posted.
24. No lot shall be offered for sale or sold until the final subdivision map has been approved and recorded.
25. 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.
26. The applicant shall obtain any required air quality permit(s) from the Nevada Division of Environmental Protection (NDEP) and apply appropriate dust abatement processes as part of the development construction.
27. 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: 1) no loud music 2) no alcohol or drugs 3) dispose of personal trash and site debris 4) clean up any mud and or dirt that is deposited from the construction parcels onto the streets 5) no burning of construction or other debris on the property.
28. 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.

29. 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.
30. The applicant shall comply with the final subdivision map requirements as prescribed by NRS 278 and Title 11 of the Lyon County Code.
31. Required recording fees to be paid at time of recording map.
32. A phasing plan must be submitted prior to the recordation of the first final map if the development is to be phased.
33. All appropriate fees and actual costs for map reviews and field inspections must be paid prior to map recordation in accordance with the adopted County fee resolution in effect at the time:
34. 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.
35. 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 11.05.09 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.

This is not the final hearing or action on this application. The Board of County Commissioners will hear your application on November 3, 2016. Their office will notify you of this hearing.

If you have any questions or concerns please feel free to contact this office.

Sincerely,



Dave Shelgrove,
Community Development Director

cc: File

Dayton Regional Advisory Board, Attn: Jon Fabel, 725 Clydesdale Rd., Dayton, NV 89403
TEC Civil Engineering, Attn: JR Hildebrand, 9480 Double Diamond Pkwy., Reno, NV 89521

EXCERPT OF MINUTES FROM THE OCTOBER 11, 2016 PLANNING COMMISSION MEETING

RIVERPARK DUNES, UNIT 2C / RIVERPARK DUNES, LLC – TENTATIVE SUBDIVISION MAP (for possible action) – Request for a Tentative Subdivision Map and street name request for Riverpark Dunes, Unit 2C, a proposed 58 lot, single family residential development, on an approximately 23.34 total acre parcel; located off of Cheatgrass Drive, Dayton (APN 19-924-13) PLZ-16-0027

Rob Pyzel, Planner, introduced Randy Butler as the developer and his representative, J.R. Hildebrand. Mr. Pyzel explained the request and the staff report.

Mr. Pyzel read a list of 7 questions asked by Mrs. Yvonne Anderson, resident of Dayton and property owner adjacent to this proposed development. A copy of those questions were provided to each of the Planning Commissioners prior to the meeting. Mr. Pyzel had replied to Mrs. Anderson's questions via email, the previous day and provided the answers to the Planning Commission. The list of questions were entered into the record by reading and reference.

A discussion followed regarding flood zones, noting that the subject property is within a "shaded X" flood zone which is not a special flood hazard area.

Audrey Allan stated that the existing streets in the area of this proposed subdivision are cracked and are in poor condition. Mr. Pyzel said that during the initial meeting to discuss this development the issue of the condition of the roads was brought up. It was determined at that meeting that the Roads Director could require the developer to bring the streets up to current county standards if the existing infrastructure has failed. Mr. Pyzel added that there is a concern that the existing infrastructure already in the ground may need attention and the developer will have to provide inspection reports for that infrastructure. Dustin Homan, Roads Director, showed a video of the condition of the existing roads in the immediate area of this development. He said that 3 years ago the roads were slurry sealed but the asphalt has pulled away from the slurry over time due to a lack of use. Harold Ritter asked if the cracking was caused from inadequate compaction of the materials at the time. Mr. Homan said it may have to do with the quality of the materials available at that time and that all of the roads in the area were constructed of the same materials and are having the same issues today. Discussion followed regarding the difficulties faced in repairing this problem. Rick Jones mentioned that the City of Fernley is having the same problem and is looking at 3-4 million dollars to replace the roadways. He agreed that there is no easy fix for this problem.

Doug Bennett asked if there were conditions imposed on the previous tentative map that were not met that caused the lapse in the completion of the original project. Rob Pyzel said that the applicant was in compliance with all of the conditions of approval at that time. He explained that the developer has a finite amount of time in which to complete all improvements and record the final maps, to avoid the expiration of the tentative map. If the map is allowed to expire the developer must start over. Mr. Pyzel said that this developer tried to keep this tentative map alive by recording smaller phases but was eventually overcome by the economic turndown.

Doug Bennett asked why the agenda item mentions a street name request when none are being requested. Mr. Pyzel said that was an oversight when reviewing the draft agenda. He added that the only roads being improved within this subdivision are extensions of existing roads and no new roads are being developed.

Henry Butler, Riverpark Dunes, developer, said he has contacted a civil engineering company who has developed a "fix" for the problem with the roads in the area and will be working with the county to correct that problem. He said there is only one really bad road and a portion of another that will need to be removed and replaced. Mr. Butler said he was also a victim of the economy at that time. He added that he will provide all dust mitigation measures necessary to maintain the dust problem. He said they had, at one time, placed a palliative over the dirt to control the dust, no-trespassing signs and barriers but over time, people have driven over the property with their motorcycles and ATVs and have removed the palliative, the signs and the barriers. Mr. Butler said that they have established a temporary sales office to promote the subdivision and hope to be at full completion in about 40+ months. Mr. Butler then introduced JR Hildebrand of TEC Engineering.

Mr. Hildebrand said he will contact Mrs. Anderson to answer those questions that could not be answered by staff. He said, in response to Mrs. Anderson's concern for maintenance of any existing fences adjoining this development that they do not plan to work away from any of the existing fences along any of the common property lines. He added that the property will be graded so that the elevation of the property is gradual, which was also a concern for Mrs. Anderson. Mr. Hildebrand said, speaking for the general contractors who have not yet been selected, that the intended hours of operation will likely be during daylight hours, probably 7AM until

5PM, Monday through Friday, and there will not be any lights used for evening work. He said the only possibility for after-hours work would be if there was a large dust storm and they would have to work odd hours to abate the dust with water trucks. Doug Bennett cautioned the Planning Commission against restricting the hours of operation for this type of work and added that some work, such as electrical contractors working inside a house, would not be offensive to adjoining property owners. Mr. Hildebrand explained the phasing plan and said that there are about 15 existing lots from the previous mapping that will be recorded as a phase almost immediately and the entire remainder will likely be developed as one phase. He said at the construction of approximately 2 homes per month it is likely to be a 4-6 year build-out plan.

Mr. Hildebrand said that the cracks in the roadways are likely due to the use of inferior aggregates available at that time which were very porous. He said that this is not a localized or isolated problem and is not due to inferior compaction.

Doug Bennett asked if there is an understood definition for slope and for grade in the county code. Mr. Hildebrand clarified his understanding of those terms. A lengthy discussion followed. Mr. Pyzel said that it is not the county's job to be designing the developer's improvements but the developer should be designing for the county to review. He added that we are trying to get away from imposing a long list of conditions when we should be simply stating that they must comply with the county's standards implying that the developer must design the improvements and the county will review them for compliance. Dave Snelgrove suggested that the last sentence in approval condition #6 (a) should read "The minimum **cross-slope** on asphalt paving shall be 2-percent". Mr. Bennett and Mr. Hildebrand both agreed with that suggestion.

Betty Retzer said that some of the lots, specifically lots 43 & 52, are smaller than the 12,000 sq. ft. minimum allowed. Mr. Hildebrand said that they will correct that.

Yolanda Anderson, adjoining property owner, stated that her main concern is for traffic control during the construction period. She asked if there will be anything provided to inhibit the construction workers from speeding through their neighborhoods on their way to work. Her other concerns were for the quality of the road repairs currently occurring and wondered about the build-out plan. Henry Butler depicted their build-out plan on the displayed map.

Jennifer Cleppe and Liz Peto, both of Central Lyon County Fire Protection District, expressed, on behalf of the district, their concern for the placement of the fire hydrants. The district requests that any future hydrants be installed per current fire standards. Mr. Hildebrand said that all improvement plans will be sent to the fire district for approval prior to commencement.

Betty Retzer asked if there is any appetite to include a condition limiting the hours of operation. Harold Ritter suggested that it should be considered in the county code but not within an individual project. Dave Snelgrove said that can be considered for inclusion in Title 15. Rob Pyzel said that hours of operation are typically only enforced for outdoor construction.

Mike Hardcastle made a motion recommending approval of the Tentative Subdivision Map for Riverpark Dunes, Unit 2C, based on the recommended findings and subject to the following conditions as amended by mutual agreement:

1. Approval of the tentative map shall be conditional, subject to the following terms and conditions:
 - a. The improvements required by the terms of Title 11 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.
 - b. Prior to any construction of improvements, a preconstruction conference shall be held between the contractor/developer and the appropriate County inspection personnel.
2. The applicant shall comply with all Federal, State, County and special purpose district regulations.
3. 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.
4. 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.

5. The applicant shall comply with Lyon County improvement requirements as set forth in Chapter 11.07 of the Lyon County Code including, but not limited to:
 - a. The applicant 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 E-1 zoning district for access to the proposed parcels.
6. The applicant 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 E-1 zoning district and in accordance with the following:
 - a. The street alignments (both horizontal and vertical) must be designed in accordance with "A Policy on Geometric Design of Highways and Streets", latest addition, published by the American Association of State Highway Transportation Officials. Local streets serving less than 75 lots must be posted with the appropriate speed limit signs. The minimum *cross-slope* on asphalt paving shall be 2-percent.
 - b. Street lighting shall be installed to County standards.
 - c. Road and traffic signage shall be installed to County standards.
 - d. The existing paved streets, gutter and curbs may need some repair work due to possible shrinkage and lack of use. The Road Superintendent will make the determination as to whether the existing pavement, curbs and gutters will need to be repaired/replaced. If replacement/repair is necessary, then the new street infrastructure would need to comply with the current County Standards.
7. The applicant 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.
8. The final map will include the dedication on all of the lots a 10-foot public utility easement across the front property lines of the lots and 5-foot public utility easements along the remaining property lines with the final subdivision map.
9. The applicant shall provide the proposed Covenants, Conditions and Restrictions ("CC&Rs"), agreements, easements and other legal instruments containing sufficient detail to constitute enforceable provisions necessary for easements and maintenance for all drainage easements and facilities, landscaping, building location restrictions and/or envelopes, pedestrian/bicycle access to the commercial parcel and public land to the south and other provisions necessary for the subdivision as approved, for review by the Community Development Director and District Attorney's Office.
10. The developer shall obtain all necessary approvals and encroachment permits, and coordinate and comply with any requirements placed on this subdivision by the Lyon County Road Department.
11. A detailed final geotechnical report must be submitted with the final subdivision map application that includes roadway structural sections. The minimum thickness of asphalt concrete pavement shall be 4-inches in accordance with the Lyon County Standard Roadway Sections, Drawing L-1 (dated 6/12). Roadway sections must be based on R-values taken at subgrade level. Prior to aggregate base being placed for roadways, R-value testing must be done at subgrade to verify that the subgrade soils have the structural section design minimum R-value. The minimum number of R-value tests shall be one test per 1000 feet of street and must be evenly distributed throughout the site or as approved by the Lyon County Road Superintendent. A note to this effect must be placed prominently on the plans. Structural section calculations must be submitted with the final subdivision map application that show the proposed structural section is adequate.
12. The applicant shall comply with Lyon County's 1996 drainage guidelines (as revised 2006). 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.

13. The applicant shall demonstrate to the satisfaction of the County Engineer, 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 for this project.
14. The applicant shall demonstrate to the satisfaction of the County Engineer, the County Utilities Department Director, and the Community Development Director that facilities necessary for the treatment of stormwater prior to discharge to the Carson River have been designed and installed prior to approval of a final subdivision map for this project.
15. The applicant 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 for this project.
16. The applicant shall conduct further investigation and testing is needed to ensure that the existing sewer and storm drain lines to verify they are in good working condition. If the existing water lines have been in use, then they should be fine. However if the water lines have not been in use, then the water lines would need to be inspected and tested as well. If the existing water, sewer and storm drain infrastructure does need to be replaced/repared, then the repair/replacement would need to comply with the current County Standards.
17. The applicant shall complete any and all required development improvements and facilities to the satisfaction of the Community Development Director, County Engineer, Road Director, 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 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 and inspected to the Building Official's satisfaction prior to the issuance of a Certificate of Occupancy will be allowed in any single family residence for this project.
18. The applicant shall comply with all applicable building and fire code requirements.
 - a. No building permits shall be accepted for processing until a final subdivision map has been approved and recorded.
 - b. Building permits shall be issued in compliance with Title 10 and 11 of the Lyon County Code.
19. The applicant shall comply with County requirements, in accordance with Chapter 11.07.14(F) of the Lyon County Code, mandating that a grading permit(s) be obtained for any site development work prior to any disturbance occurring on the subject site.
20. The applicant shall provide written evidence demonstrating that the proposed parcels are able to be served by municipal water and sewer systems prior to recordation of a final subdivision map for this project.
21. 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.
22. Prior to any combustible materials being brought on site the following shall occur:
 - a. All required fire hydrants are to be installed and fully operating.
 - b. Street name signage shall be installed.
23. Distinct and legible "temporary" addresses are required of any structures under construction until such time as permanent address numbers are installed and posted.
24. No lot shall be offered for sale or sold until the final subdivision map has been approved and recorded.

25. 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.
26. The applicant shall obtain any required air quality permit(s) from the Nevada Division of Environmental Protection (NDEP) and apply appropriate dust abatement processes as part of the development construction.
27. 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: 1) no loud music 2) no alcohol or drugs 3) dispose of personal trash and site debris 4) clean up any mud and or dirt that is deposited from the construction parcels onto the streets 5) no burning of construction or other debris on the property.
28. 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.
29. 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.
30. The applicant shall comply with the final subdivision map requirements as prescribed by NRS 278 and Title 11 of the Lyon County Code.
31. Required recording fees to be paid at time of recording map.
32. A phasing plan must be submitted prior to the recordation of the first final map if the development is to be phased.
33. All appropriate fees and actual costs for map reviews and field inspections must be paid prior to map recordation in accordance with the adopted County fee resolution in effect at the time.
34. 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.
35. 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 11.05.09 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.

Audrey Allen seconded and the motion, asking that the reference to "street name request" be removed from the agenda item, passed unanimously (6 ayes; 0 nay; 0 abstentions)



Kerry Page <kpage@lyon-county.org>

Dayton Advisory Board Mtg 10/05/2016

1 message

Jon W. Fabel <jonfabel@att.net>

Thu, Oct 6, 2016 at 1:45 PM

To: Kerry Page <kpage@lyon-county.org>

Cc: "Keating, Shawn" <keating0011@gmail.com>

Kerry,

The Dayton Advisory Board approved with a 4-0 vote all of the Dayton SUPs and the RiverPark Dunes 2c tentative map with the following points of discussion and concern.

1. Regarding the complaints received regarding the aggregate mining operation being conducted by 3D under the Granite Construction SUP (SUP Item P), representatives from both 3D and Granite attended last night's Advisory Board meeting and addressed the concerns of residents in attendance. Company representatives indicated they had already initiated some remedial step which may have been indicative of a much lower resident turnout vs the previous month's Advisory Board meeting. The owner of 3D also outlined several additional steps his company would take in the near future to further reduce issues raised by the nearby residents. Overall, I think both sides left the meeting better understanding the needs of the other and having more open lines of communication to address future issues.
2. Regarding the Riverpark Dunes 2c- 58 lot residential development, existing homeowners with lots abutting the proposed development expressed concerns based upon the necessary re-grading and associated dust. There were concerns over traffic flows onto Welle St. and also traffic exiting the new area via Cheatgrass, Ryegrass, and Occidental. It has also been observed that the builder has, to date, been very lax in keeping construction waste cleaned from the work site in a timely manner.

Regards, Jon

Jon W. Fabel
Chair, Dayton Regional Citizen Advisory Board
jonfabel@att.net
585-797-3305



Fw: URGENT: Questions for 10/11 meeting

Rob Pyzel <rpyzel@lyon-county.org>

Mon, Oct 10, 2016 at 4:58 PM

To: momofthree2001@hotmail.com, Kerry Page <kpage@lyon-county.org>

Dear Ms. Anderson; In reference to your questions received by this office on October 10, 2016 at 3:25 P.M., I have attempted to provide answers to your questions:

1. During the duration of the project what will be done to mitigate the dust that will be generated?

The developer is required to secure an air quality permit from the State of Nevada Department of Environmental Protection - Air Quality Division as they propose to disturb more than one acre of land. The NDEP - Air Quality Division monitors air quality complaints (including dust control complaints) for these projects.

2. What traffic control will be put into place to insure the safety of children, cars passing through, and residents traveling in and out of Riverpark area?

This project was a part of the original Riverpark Dunes tentative map area and as such, the developer will install streets, sidewalks and curb and gutters to help convey vehicles, bikes, pedestrians and storm water through the subject site to existing infrastructure to Riverview Elementary School, the park, Rolling A open space and the existing street system to Highway 50. Much of the required traffic controls necessary to provide safe passage of children, vehicles, bikes and pedestrians has already installed. The developer will be connecting to this existing infrastructure to allow for the safe passage through the subject site.

3. Who will be monitoring the work of all contractors and sub-contractors?

The Building Inspectors for the County and the County's contract County Engineering firm.

4. What grading will be done for the homes being built on Teakwood Road. The dirt field is approximately 10 feet above our home, will that be graded so that the new homes are level with existing homes on Teakwood Road?

The preliminary grading plan submitted with the tentative map application indicates the developer will be grading the site in a manner that attempts to balance out the site as opposed to removing dirt. The preliminary grading plan proposes that the building pad immediately east of your address will actually wind up being approximately 1.6 feet lower than the building pad upon which your house is located.

5. Some of the new homes being built appear to be directly next to existing homes. Will the builder be repairing/replacing shared fences?

I don't know.

6. What will the hours of operation be?

The County Codes do not restrict the hours of operation for the development of a subdivision. The Planning Commission may add a Condition of Approval establishing construction hours of operation, typically limiting the work to daylight hours out of necessity (the construction workers need to be able to see what they're doing).

7. What is the project timeline?

TEC Job # RDunes006

Riverpark Dunes Tentative Subdivision Map

Prepared for:
Riverpark Dunes, LLC
PO Box 10989
Zephyr Cove, NV 89448
Attn: Randy Butler, Esq
(775) 815-7385

Prepared by:
TEC Civil Engineering Consultants
9480 Double Diamond Parkway, Suite 200
Reno, Nevada 89521
Attn: J.R. Hildebrand, PE
(775) 352-7800 X-241



August 15, 2015

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Introduction:

This is a residential tentative subdivision map application for a 58 lot project located within the Mark Twain area of Dayton, Nevada. The property carries a Lyon County Master Plan Land Use Designation of 'Suburbanizing' which is described to be *'areas that are predominately medium to high density residential developments with regional/community commercial, neighborhood, industrial and employment uses. Improvement standards will reflect the "suburban" character of these areas and will include requirements for municipal water and sewer, roadway design appropriate to the planned land uses, landscaping of public areas, and pedestrian facilities (sidewalks and paths).'*

The subject property carries a Zoning designation of E-1 First Estates Residential District which has the following site and structure requirements:

1. Lot Area: Required area is twelve thousand (12,000) square feet minimum, excluding road rights of way.
2. Lot Width: Each lot shall be a minimum of seventy feet (70') average width.
3. Density: There may only be one single-family dwelling on each lot or parcel.
4. Setbacks: Except as otherwise provided, setbacks shall be as follows:
 - a. Front yard: Not less than twenty five feet (25').
 - b. Side yards: Not less than ten feet (10').
 - c. Rear yard: Not less than twenty feet (20').

The property had previously been Tentative Mapped; it was a portion of the approved Riverpark Phase 2 Tentative Subdivision which expired several years ago. This application seeks to reinstate the previously approved tentative map with the same number of residential lots, same roadway patterns, same lot configuration, lot widths, depths and acreage.

Under the previously approved Tentative Map, the developer of the subject site completed several civil land improvements. These include but may not be limited to: the design, review and permitting for the mass grading of the entire site, the design review and permitting for various domestic water, sanitary sewer and storm drainage infrastructure and the design, review and permitting for surface roadway improvements including asphalt streets, concrete curb gutter and sidewalks, street lamps, stop signage, etc.

The northerly portion, previously known as Unit 3, has been planned for, and grading plans were designed, reviewed and permitted by Lyon County and the site was mass graded to accommodate the street configuration and residential lots of this proposed tentative subdivision map. In addition to the mass grading, an adjoining section of the Riverpark residential community, coordinated with Riverpark Dunes to record a public utility, maintenance and access easement through what would be a future public street. Within this easement corridor, the adjacent property constructed domestic water, sanitary sewer and storm drainage infrastructure that was designed, reviewed and permitted by Lyon County, and is in such a condition to serve the future lots of this project.

Project Description:

This is a residential tentative subdivision map application for a 58 lot project located within the Mark Twain area of Dayton, Nevada. The project is being proposed as such:

Residential Lots: The overall lot density is proposed to be 2.5 Lots per Acre. The largest lot proposed is 21,445 sq ft (0.49 Ac) whereas the smallest is 12,000 sf conforming to the minimum lot size allowed under the E1 zoning. The typical lot would be 76' wide and an approximate 157' deep; incorporating the 10' sideyard setbacks, these residential lots would accommodate a housing model as wide as 56' wide.

Roadways: Every right of way street within the tentative map are proposed to be standard Lyon County 50' wide residential street. This consist of 37' of asphalt (two 14' travel lanes plus 4.5' of asphalt shoulder on each side of centerline), a standard Lyon County rolled concrete curb, and 4' wide concrete sidewalks on both sides of the street.

All future roadways are proposed to conform to existing (2016) Lyon County design standards and specifications. The southerly portion of the project, previously known as Unit 2C, was designed, permitted and constructed in 2006 and conformed to the Lyon County design standards and specifications at that time. Lyon County has changed very little within the design code between 2006 and 2016, however there are some slight modifications to some of the specifications. This application proposes to allow all the previously constructed infrastructure and surface improvements, and would seek to dedicate them to Lyon County at the appropriate time of final mapping as acceptable facilities.

Project Location:

The subject site is a 23.34 acre area at the terminus of Cheatgrass Road, Dayton Nevada in the Mark Twain area. The project is an infill site, centrally located within the Riverpark residential community. Currently there are comparable residential homes located upon identical lot configurations on three of the four adjacent property boundaries, and the property to the north, the fourth boundary was approved for a comparable tentative map less than a year ago.

The subject site can be located upon the vicinity map attached to this report, and is further known as Lyon County APN 19-924-13.

Existing Conditions:

The site currently consists primarily in two different conditions:

The southerly portion, previously known as Riverpark Dunes Unit 2C, would consist of the first final map phase of this tentative map. It would include a total of 15 residential lots that was previously designed, reviewed, permitted and full residential subdivision civil improvements that include, domestic water, sanitary sewer and storm drainage infrastructure and the design, review and permitting for surface roadway improvements including asphalt streets, concrete curb gutter and sidewalks, street lamps, stop signage, were constructed and inspected by Lyon County Staff.

At the conclusion of the construction work, a final review of the site with Lyon County Staff was conducted, and the roadway and utility infrastructure was deemed acceptable at the time for dedication to Lyon County, however no Final Subdivision Map for the subject area Unit 2C was ever recorded. Units 2A and 2B, each 10 lot residential tracts, located immediately adjacent to 2C were recorded and the right of ways for those two phases were dedicated to Lyon County, however never the areas of Unit 2C.

Without a map that would indicate the phase lines, as one walks the site it would be impossible to recognize where the Lyon County roadways from Units 2A and 2B end and where the non-dedicated roadway from Unit 2C would begin. Although legal easements were created for these improvements, and Lyon County has been performing some maintenance upon them, because the final map was never recorded, these were not officially dedicated. The development would seek to have those roadways dedicated in their current state with the final map.

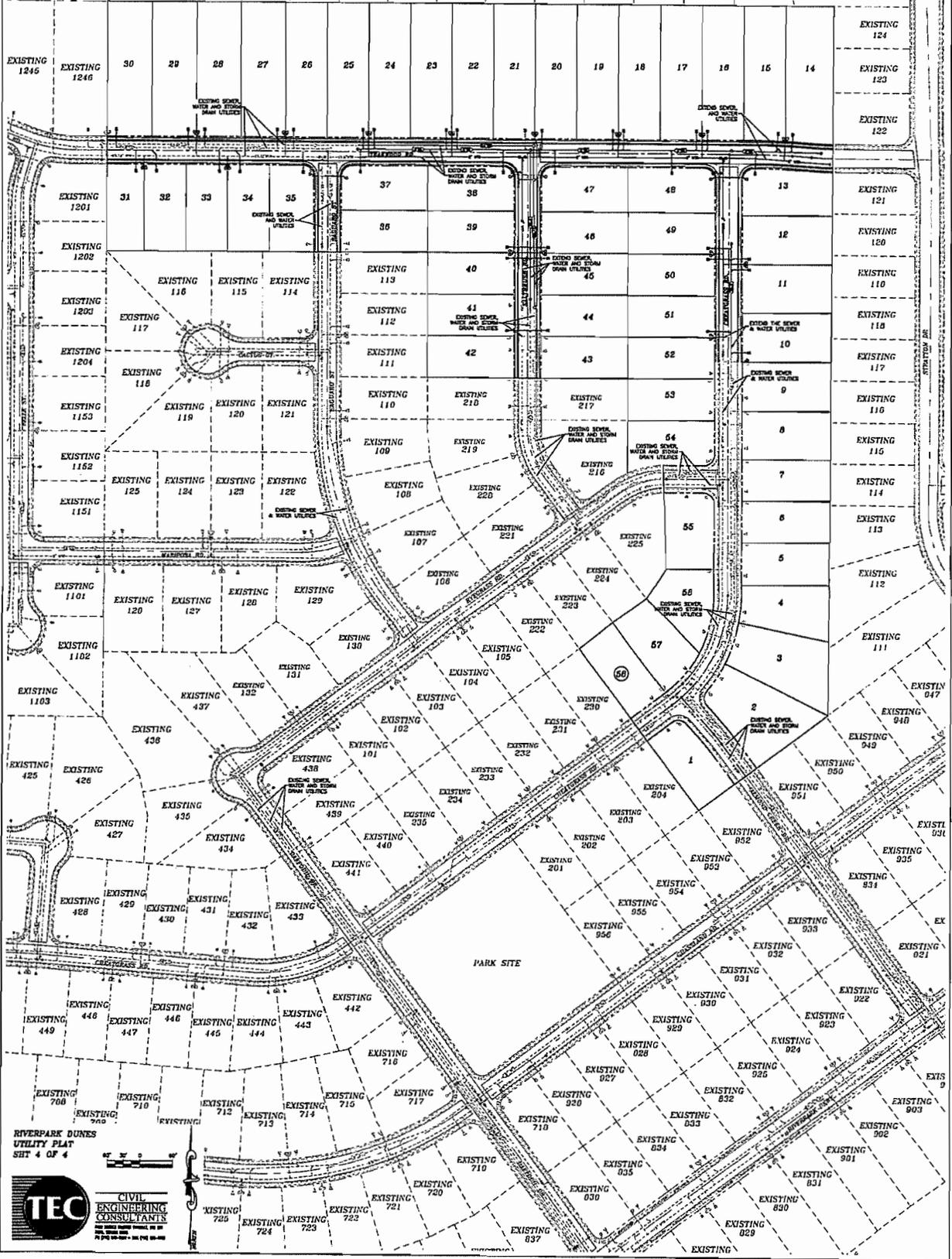
Utilities: All proposed lots will have domestic water serviced by and sanitary sewer disposal serviced by Lyon County Utilities. Electricity for the community, including both residential lots and street lighting will be provided by Nevada Energy. Natural gas will be provided by Southwest Gas. Telephone service provided by AT&T and cable television by Charter Communications.

Grading, slopes and adjacent properties: The proposed tentative map is an infill site that had previously been planned for, designed around, mass graded and laid out in a configuration that will allow for a seamless intertie to the adjoining properties and roadways. One small length of Cheatgrass Road (approximately 100') would be as steep as 7% however most all areas of the community would be constructed at a mild grade of 1% to 2% and no sideyard or backyard slopes would be steeper than a 3:1 horizontal to vertical. No offsite grading of properties outside of the boundary limits of this tentative map are proposed, and due to the fact that it was previously mass graded, we do not anticipate much, if any, importation or exportation of soils off the site.

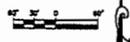
Justification:

The proposed tentative map is an infill property that was previously planned for, designed around, mass graded and/or has completed subdivision civil improvements in place. The site was previously tentatively mapped for this configuration and residential lot mix, however the tentative map approval did expire. The proposed tentative map conforms to the Lyon County Master Plans policies and goals and the proposed map conforms to the criteria of the E-1 First Estates residential zoning with no variances.

FUTURE RIVERPARK PHASE 4
EXISTING TENTATIVE MAP

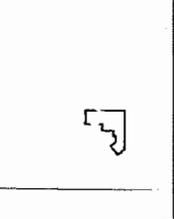
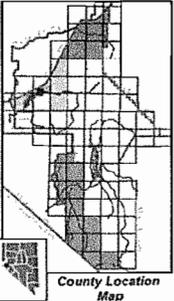
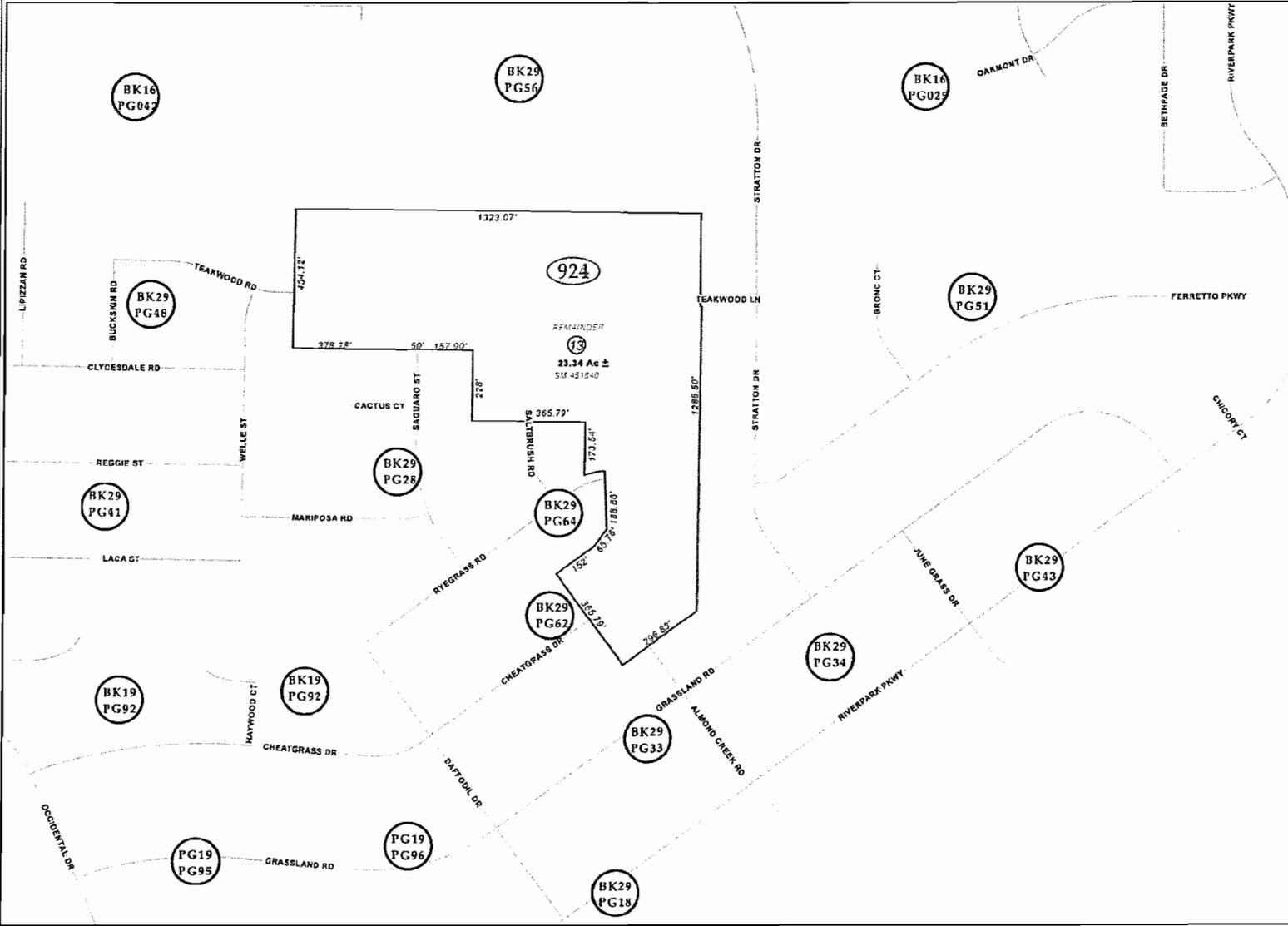


RIVERPARK DUNES
UTILITY PLAN
SHEET 4 OF 4



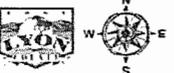
Portion S 1/2 Sections 33 & 34, T17N-R22E, MD&M

19-924



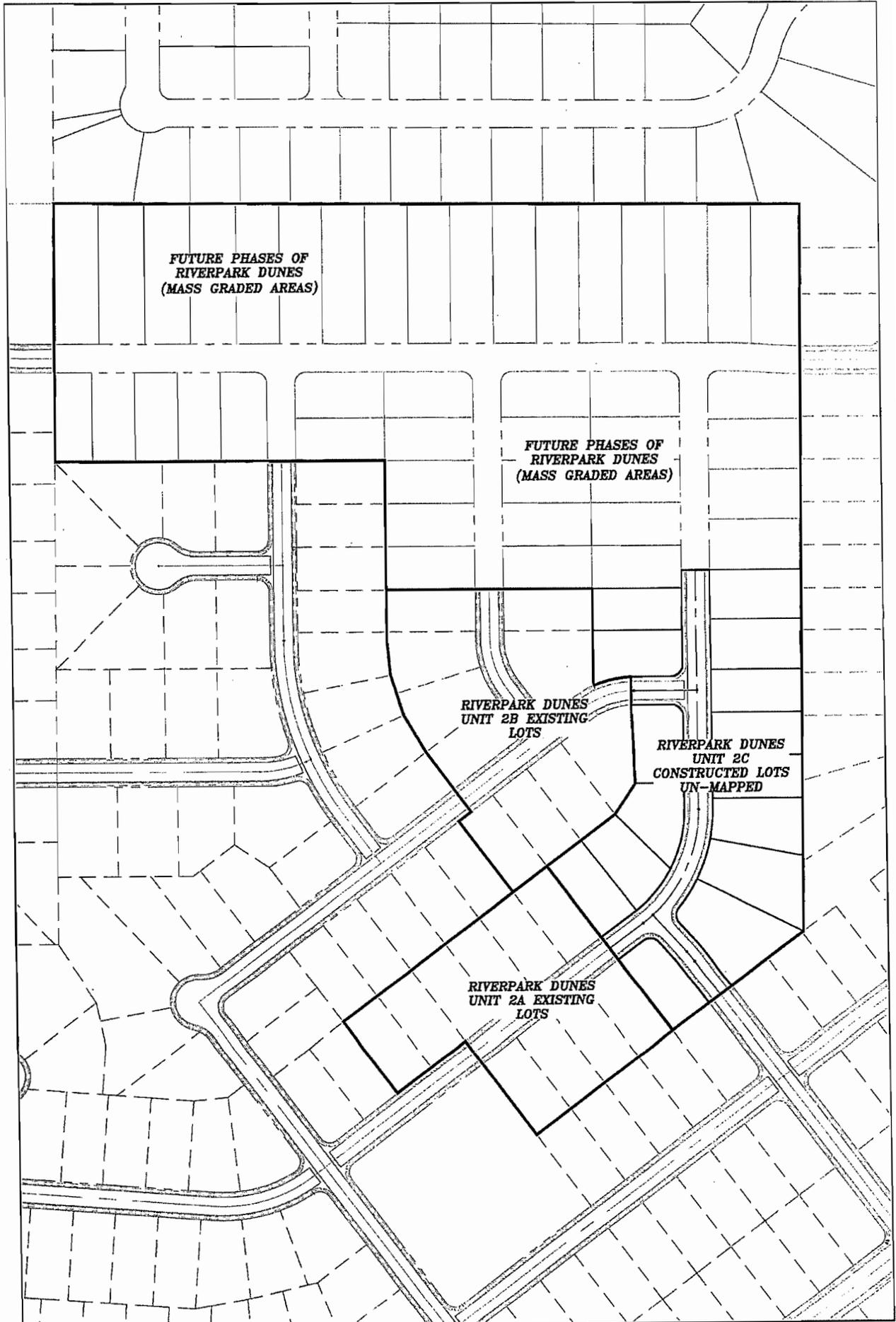
- Map Elements
- H 1/4 Corner Section
 - ◆ Section Ties
 - 300' Dimensions
 - f Parcel Lot
 - ⊙ Parcel Number
 - 0.13 AC. Acreage of Parcel
 - 021 025 143 Recorded Map Image
 - ▭ Parcel Boundaries
 - Ⓜ Block Number
 - Ⓜ PG Parcel Book & Page Number
 - PG Page Number
- Cities & Townships
- Dayton
 - Dayton Valley
 - Farmley
 - Mark Twain
 - Mason Valley
 - Mound House
 - Silver City
 - Silver Springs
 - Smith Valley
 - Gladosoach
 - Yerington

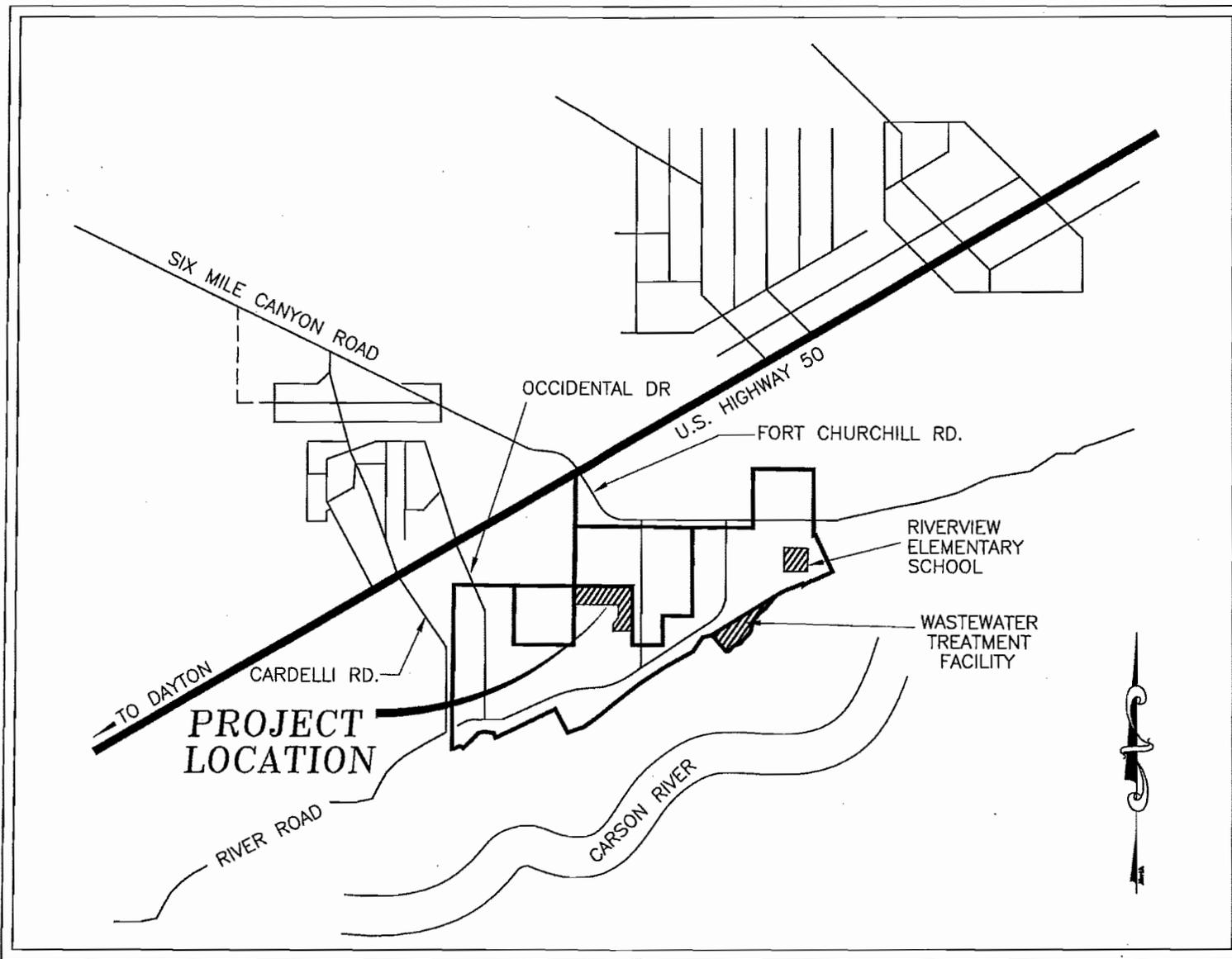
Scale: 1" = 300'
Revised: December 7, 2009



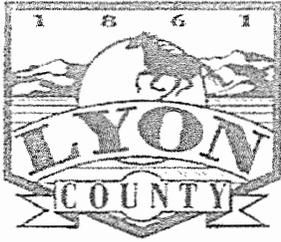
NOTE: This is for assessment use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon. Use of this plat for other than assessment purposes is forbidden unless approved by the Lyon County Assessor's Office.

UNIT 2 EXHIBIT





VICINITY MAP



LYON COUNTY UTILITIES DEPARTMENT

34 Lakes Blvd. Suite 103
P.O. Box 1699
Dayton, Nevada 89403

Phone: (775) 246-6220 Fax: (775) 246-6223
www.lyon-county.org

This Institution is an Equal Opportunity Provider and Employer.

August 10, 2016

Department of Human Resources
Health Division
901 S. Stewart Street, Suite 4001
Carson City, NV 89701

RE: Intent to Serve - Sewer
Riverpark Dunes Tentative Map - APN #019-924-13
58 Single Family Residential Units

Ladies and Gentlemen:

This is to advise that it is our intent to serve sewer to the Riverpark Dunes Tentative Map with 58 single family residences located on APN # 019-924-13 in the Riverpark area.

The following conditions apply to this intent to serve:

- 1) Any needed on or offsite sewer system improvements are to be built by the developer, approved by Lyon County and the State and upon Lyon County inspection and acceptance, must be turned over to Lyon County Utilities. Please note that the actual location of the water and sewer mains differ from the plans submitted with your application for this Intent to Serve Request. (See Attached Map)
- 2) Lyon County Utilities will be supplied with a legal description of the proposed subdivision.
- 3) Acceptance by and expansion of Lyon County Utilities sewer system appurtenant to this property will be done at the developer's expense including engineering, consulting and legal fees.
- 4) Expansion of the Lyon County Utilities service area (if required) will be done at the developer's expense including, but not limited to, engineering, consulting and legal fees.

Prior to connecting to the Lyon County Utility Department sewer system, the developer must contact our office for an Application for Acceptance to the Lyon County Utilities Sewer System and payment of all associated fees, or this intent to serve is void. The fees are due upon application for a building permit along with the completion of a utility encroachment permit.

This letter will be in effect for one year from date of issue. A development agreement may be required and is to be signed by the developer and Lyon County Utilities prior to a will serve being issued. If the development agreement requirements are not fulfilled, this intent to serve is null and void.

A utility permit must be completed by the developer and approved by Lyon County Utilities prior to the start of construction.

As-built plans in both hard copy and in an electronic form compatible with the County's GIS system must be submitted to Lyon County Utilities by the developer upon completion of the project.

Should there be any questions concerning this intent to serve, please contact me at your convenience.

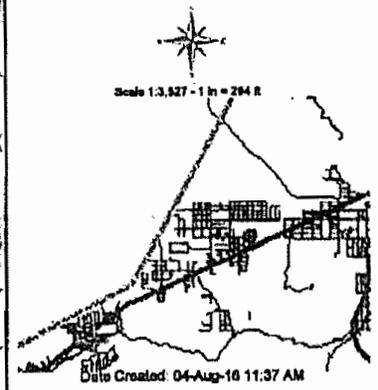
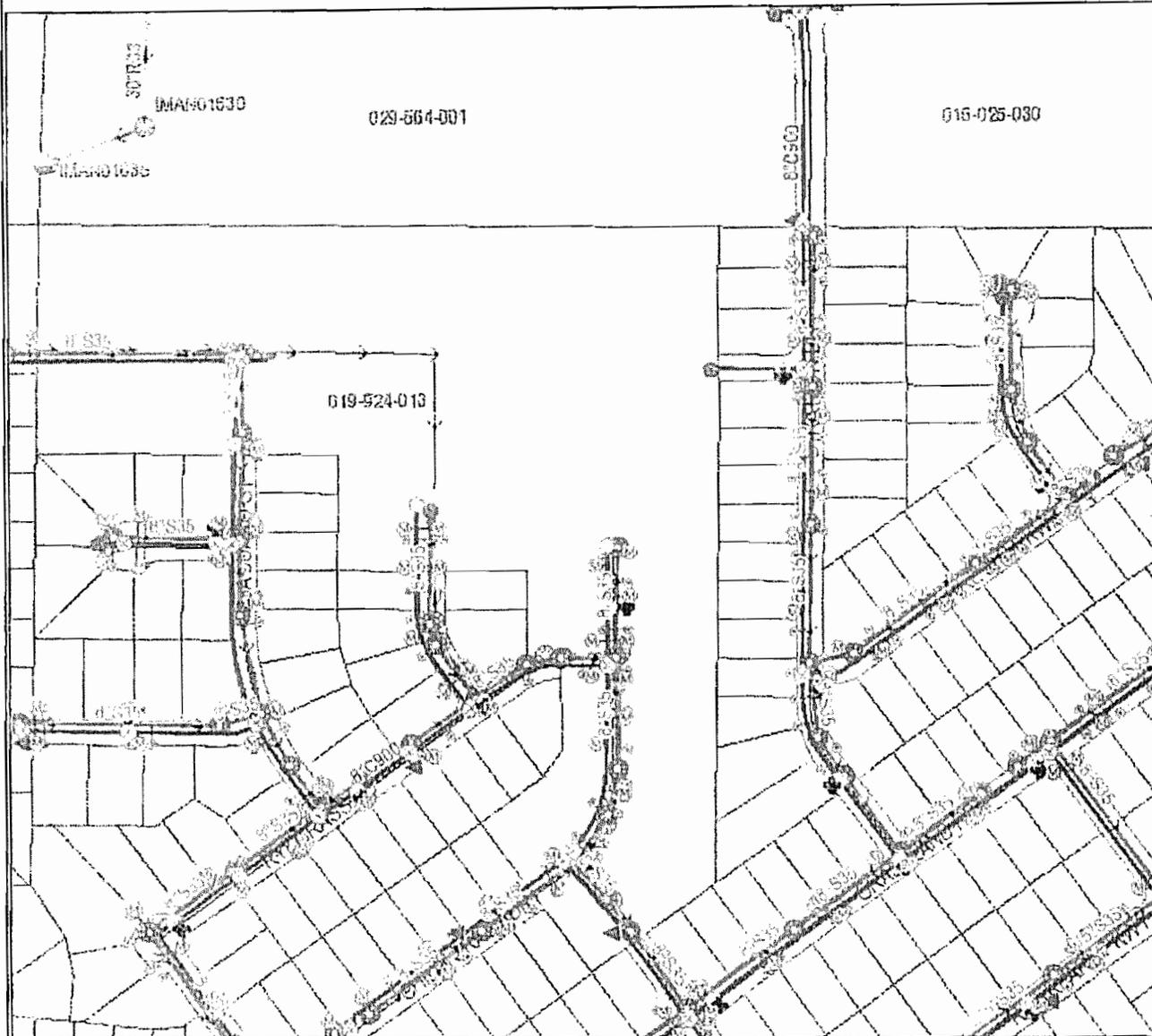
Sincerely,



Mike Workman
Utilities Department Director

MW/mmm

cc: Nevada Div. Of Environmental Protection
Dept. Of Conservation and Natural Resources
- Water Resources Division
Lyon County Community Development Department
Lyon County Building Department
Lyon County Commission
Gary Thornton, TEC Engineering
J. R. Hildebrand, TEC Engineering
Randy Butler, Riverpark Dunes LLC.
File (2)



DISCLAIMER: The data contained herein does not represent survey delineation and should not be construed as a replacement for the authoritative source. No liability is assumed by Farr West Engineering as to the sufficiency or accuracy of the data.



LYON COUNTY UTILITIES DEPARTMENT

34 Lakes Blvd. Suite 103
P.O. Box 1699
Dayton, Nevada 89403

Phone: (775) 246-6220 Fax: (775) 246-6223
www.lyon-county.org

This Institution is an Equal Opportunity Provider and Employer.
August 10, 2016

Department of Conservation and Natural Resources
Water Resources Division
901 S. Stewart Street, Suite 4001
Carson City, NV 89701

RE: Intent to Serve - Water
Riverpark Dunes Tentative Map – APN #019-924-13
58 Single Family Residential Units

Ladies and Gentlemen:

This is to advise that it is our intent to serve water to the Riverpark Dunes Tentative Map with 58 single family residences located on APN # 019-924-13 in the Riverpark area.

The following conditions apply to this Intent to Serve:

- 1) Water rights must to be obtained and deeded in good standing to Lyon County by Developer and turned over to Lyon County Utilities to serve said property development and open areas.
- 2) Any needed on or offsite water system improvements are to be built by the developer, approved by Lyon County and the State and upon Lyon County inspection and acceptance, must be turned over to Lyon County Utilities. Please note that the actual location of the water and sewer mains differ from the plans submitted with your application for this Intent to Serve Request. (See Attached Map)
- 3) Lyon County Utilities must be supplied with a legal description of the proposed subdivision.
- 4) Acceptance by and expansion of Lyon County Utilities water system appurtenant to this property will be done at the developer's expense.
- 5) Expansion of the Lyon County Utilities service area (if required) will be done at the developer's expense including, but not limited to, engineering, consulting and legal fees.

Prior to connecting to the Lyon County Utility Department water system, the developer must contact our office for an Application for Acceptance to the Lyon County Utilities Water System and payment of all associated fees, or this intent to serve is void. The fees are due upon application for a building permit along with the completion of a utility encroachment permit.

This letter will be in effect for one year from date of issue. A development agreement may be required and is to be signed by the developer and Lyon County Utilities prior to a will serve being issued. If the development agreement requirements are not fulfilled, this intent to serve is null and void.

A utility permit must be completed by the developer and approved by Lyon County Utilities prior to the start of construction. It is understood that the developer will pay for water meters, water meter sets and pay \$250 (or current costs) per meter pit to Lyon County Utilities to cover the costs of radio read technology before a Will Serve will be issued.

As-built plans in both hard copy and in an electronic form compatible with the County's GIS system must be submitted to Lyon County Utilities by the developer upon completion of the project.

Should there be any questions concerning this intent to serve, please contact me at your convenience.

Sincerely,



Mike Workman
Utilities Department Director

MW/mmm

cc: Nevada Div. Of Environmental Protection
Dept. Of Human Resources - Health Division
Lyon County Community Development Department
Lyon County Building Department
Lyon County Commission
Gary Thornton, TEC Engineering
J. R. Hildebrand, TEC Engineering
Randy Butler, Riverpark Dunes LLC.
File (2)

From northerly end of subject site, looking East at
Teakwood Road with Stratton Drive in background at
the Stop sign.



From northerly terminus of Cheatgrass Rd looking
North into the mass graded portions of the subject site.



From the northerly terminus of Cheatgrass Rd looking
Northwest at the mass graded areas of subject site



Cheatgrass Rd looking north. Existing utilities of what would be Lot 53 on left side of picture. Terminus of roadway and mass graded areas of subject site in background



Cheatgrass Rd looking Northeast from corner in front of what would be Lot 57



Cheatgrass Rd and Almond Creek Rd intersection
looking easterly at Lot 2



From north side of subject site looking south at what would be Lot 47. Future extension of Saltbrush Rd on right side of picture



Existing open channel in the alignment of future Saltbrush Road. Drainage to be piped with future roadway improvements.



Existing Sanitary Sewer infrastructure within future
Teakwood Rd at the intersection of Saguaro St looking
south and Unit 1 in background



Existing Storm Drain infrastructure located within
future Teakwood Rd at intersection of Saguaro St.



Terminus of Teakwood Rd looking west into Unit 11



From property north boundary in the center of the site looking south at mass graded areas of property



From Northeast corner of site looking west along boundary line. Mass graded subject site left side of picture and mass graded neighbor site on the right



FUTURE RIVERPARK PHASE 4
EXISTING TENTATIVE MAP



RIVERPARK DUNES
UTILITY PLAN
SET 4 OF 4



CIVIL
ENGINEERING
CONSULTANTS

AGENDA SUMMARY



CONSENT: N

MEETING DATE: November 3, 2016

ITEM #20

TITLE: For Possible Action: Approve a resolution adopting a joint resolution with the Lyon County Business Development Association to create a partnership to meet the needs of the community by recognizing the importance of economic growth within Lyon County

SUMMARY: Request for this resolution is to enable the Lyon County Business Development Association to assist Lyon County with economic growth.

RECOMMENDED ACTION AND/OR ALTERNATIVES:

Approve resolution

FINANCIAL DEPARTMENT COMMENTS:

APPROVED AS TO LEGAL FORM:

COUNTY MANAGERS COMMENTS:

FOR INFORMATION:

LIST OF ATTACHMENTS:

Resolution

RESOLUTION NO. _____

A RESOLUTION ADOPTING A JOINT RESOLUTION WITH THE LYON COUNTY BUSINESS DEVELOPMENT ASSOCIATION TO MEET THE NEEDS OF THE COMMUNITY BY RECOGNIZING THE IMPORTANCE OF ECONOMIC GROWTH WITHIN LYON COUNTY.

WHEREAS, the Lyon County Business Development Association is a non-profit association located in Lyon County, Nevada; and

WHEREAS, the purpose of the Lyon County Business Development Association is to promote economic growth, increase the base of local employment, and provide local expertise to businesses desiring to expand and/or relocate to Lyon County; and

WHEREAS, all of the Executive Board members of the Lyon County Business Development Association have a proven track record of community assistance; and

WHEREAS, Lyon County does not have an office of Economic Development; and

WHEREAS, Lyon County staff is undermanned, and less able than the Lyon County Business Development Association to meet with businesses and provide tours and on-ground data

NOW, THEREFORE, BE IT RESOLVED that effective _____, 2016, the Lyon County Business Development Association will support and encourage Lyon County; and Lyon County may provide Lyon County Business Development Association contact information to inquiries.

BE IT FURTHER RESOLVED that the Lyon County Business Development Association assist the efforts of Lyon county economic growth by marketing Lyon County to expanding/relocating businesses.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2016 by the following vote of the Lyon County Board of Commissioners:

AYES:

NAYES:

ABSENT:

ABSTENTIONS:

LYON COUNTY
BOARD OF COMMISSIONERS

Attest:

By: Chairman

County Clerk



LYON COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT

BUILDING • DEVELOPMENT ENGINEERING • PLANNING

27 S. MAIN STREET
YERINGTON, NEVADA 89447
(775) 463-6591
FAX: (775) 463-5305

34 LAKES BOULEVARD
DAYTON, NEVADA 89403
(775) 246-6135
FAX: (775) 246-6147

10:00 Am

Lyon County Board of Commissioners

PLZ-16-0025 APPEAL of Condition 12 from the Planning Commission's decision of approval of a Parcel Map to subdivide an existing 132.90 gross acre property into 4 parcels

Meeting Date: November 3, 2016

Owner(s): S V Development, LTD

Surveyor: Owens Engineering / Wyatt Owens

Location: 79 Old Ranch Road, Wellington, NV

Parcel Number: (APN) 010-731-24

Master Plan: Rural Residential

Zoning: RR-3 (Third Rural Residential - 5 acres)

Flood Zone(s): Flood Zone D (areas with possible but undetermined flood hazards)

Request:

The applicant is appealing a condition relative to the September 13, 2016 approval of a Parcel Map application (PLZ-16-0025) proposed by SV Development, LTD. The appeal is appealing the requirement in condition 12 from the planning commission's approval, which requires the installation of type 2 gravel base material upon Old Ranch Road from the intersection of Old Ranch Road/Wellington Cutoff to the easterly boundary of the subject site, a distance of 5,229+/- feet.

Background

Condition 12 from the staff report and Planning Commission's decision for PLZ-16-0025 reads as follows:

12. The applicant shall install Type 2 gravel base material upon Old Ranch Road from the intersection of Old Ranch Road/Wellington Cut Off to the eastern boundary of the subject site to the satisfaction of the County's Road Superintendent prior to the issuance of any grading/building permits on the subject parcels.

It was identified within the Planning Commission Staff Report that LCC 11.07.D.6 details the standards for roadway improvement required for county roads existing or proposed at the time of subdivision. LCC Chapter 11.07.14(D)(6) requires that in the RR-3 zoning district, for both initial subdivision and subsequent parcel maps, are subject to asphalt concrete paving road improvement standards. However, in staff's discussions with the County Road Superintendent, Old Ranch Road does not currently serve a sufficient number of residences to require asphalt concrete road improvements at this time. Per staff's discussion of Old Ranch Road with the Road Superintendent, it was recommended that the applicant shall install Type 2 gravel base material upon Old Ranch Road from the intersection of Old Ranch Road/Wellington Cut Off to the eastern boundary of the subject site to the satisfaction of the County's Road Superintendent prior to the recordation of the final parcel map. This recommendation is supported by the Smith valley Fire Chief in order to support emergency vehicles that may need to utilize the access, to provide services to the residences. In addition the Road Superintendent did recommend the applicant add as a Condition of Approval a note on the map that any further subdivision of the subject parcels may require additional access improvements due to the increase in traffic created by further subdivisions.

The lesser level of improvement to the roadway was identified within the staff report and addressed through testimony at the Planning Commission hearing. The applicant's concern about Condition 12 was presented by his representative, Wyatt Owens of Owens Engineering. During that hearing, the Lyon County Road Superintendent also presented testimony regarding his direction to Community Development Department regarding the conditional requirement regarding the roadway surfacing. After hearing the testimony of concern over the proposed language of Condition #12 and the justification from the Road Superintendent, the Planning Commission approved the parcel map request without modifying the language of Condition 12 from that which was initially presented by staff.

STAFF RECOMMENDATION:

It was identified within the staff report and during testimony at the Planning Commission hearing that LCC Chapter 11.07.14 requires that parcel maps in the RR-3 zoning district are subject to Plate 3 Gravel road standards. Additionally, it was recognized both in the staff report and during testimony that a softened stance to the type of roadway surface paving had been conditionally required through Condition 12. It is for these reasons that recommendation is made that the Lyon County Board of Commissioners uphold the recommendation and conditions, as approved by the Lyon County Planning Commission, denying the appeal that has been presented to Condition 12, but approving the parcel map, as had been approved by the Planning Commission.

RECOMMENDED MOTION:

I move that the Lyon County Board of Commissioners deny the requested appeal of Condition #12 from the Planning Commission's decision of September 13, 2016 for PLZ-16-0025. The Lyon County Board of Commissioners approves the parcel map request with the conditions of approval, as approved by the Planning Commission for the parcel map consisting of four (4) parcels, the smallest being 5.00 acres, within the 132.9 total acre subject site for SV Development, LLC, APN 010-731-24 (PLZ 16-0025),

The following findings are required with approval

Findings:

- A. The proposed parcel map conforms to the requirements set forth for the RR-3, Third Rural Residential (5 acres) zoning district in Title 10 of the Lyon County Code, or such requirements can be met with the imposition of reasonable conditions of approval.
- B. The proposed parcel map conforms to the requirements set forth in Title 11 of the Lyon County Code or such requirements can be met with the imposition of reasonable conditions of approval.

Conditions of Approval:

- 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.
- 5. The applicant shall comply with Lyon County improvement requirements as set forth in Chapter 11.07 of the Lyon County Code.
- 6. Any on-site improvements existing at the time of final parcel map recordation (e.g., buildings, wells and septic systems) must be in compliance with current County setback requirements from property lines.

7. The applicant shall comply with all applicable fire code requirements to the satisfaction of the Smith Valley Fire Protection District.
8. The applicant shall complete any and all required development improvements and facilities to the satisfaction of the Community Development Director, County Engineer and Road Superintendent, as applicable, or an appropriate security must be provided and approved prior to map recordation. There may be temporary restrictions to obtaining building permits even with an acceptable security instruments depending on the County's approval of the various systems.
9. 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.
10. The applicant shall comply with 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.
11. Prior to recordation of the final parcel map for the project, the 50-foot access/utility/ditch easement that establishes the extension of Old Ranch Road access to the subject site will be established by separate document and that the recorded document number will be included on the final parcel map to the satisfaction of the Community Development Director prior to recordation of the final parcel map.
- 12. The applicant shall install Type 2 gravel base material upon Old Ranch Road from the intersection of Old Ranch Road/Wellington Cut Off to the eastern boundary of the subject site to the satisfaction of the County's Road Superintendent prior to the issuance of any grading/building permits on the subject parcels.**
13. The applicant shall relabel the proposed parcel currently labeled as "Remainder" to "Parcel 4" prior to the recordation of the final parcel map.
14. 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 Titles 10 and 11 of the Lyon County Code.
 - c. Site development work will require a grading permit(s) in accordance with Title 11.07.14 (F).
 - 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.
15. 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.
16. The applicant shall comply with the final parcel map requirements as prescribed by NRS 278 and Title 11 of the Lyon County Code.
17. The applicant shall pay required recording fees at time of final parcel map recordation.
18. Any further division may be subject to the imposition of subdivision improvement standards, including access improvements to Old Ranch Road 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.
19. 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.
20. 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) pursuant to 11.05.09 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.

General Information

Property Location:

The parcel is located at 79 Old Ranch Road, approximately 3,596 feet east of the Wellington Cutoff/Old Ranch Road intersection in Smith Valley, Nevada.

Size:

The subject site is 132.9 acres in size.

Background:

The parcel in question was created in 2000 by Parcel Map # 254728 as a further subdivision of Parcel 1 of Parcel Map #97348. The site is currently occupied by agricultural uses (productive fields), various out-buildings (well house, sheds, etc.) and a single family dwelling (constructed in 1958 per the Assessor's records). The application materials proposes to subdivide the existing 132.9 acres in order to create three 5-acre minimum "home sites" (Parcel 1 – 5.00 acres; Parcel 2 – 5.00 acres; and Parcel 3 – 5.56 acres). Parcel #3 would include the existing single family dwelling currently located on the property. The remaining proposed Parcel 4 (Remainder) would remain in agricultural production.

Staff Review and Comments:

The subject site has a land use designation of Rural Residential within the 2010 Comprehensive Master Plan. The existing zoning of the subject site is RR-3 (Third Rural Residential – 5 acres) which requires a minimum lot size of 5 acres. The current uses on the property in question are agricultural fields with a single family dwelling, associated accessory out-buildings and associated agricultural activities. The proposed parcel map would split off three 5-acre parcels (one of which would include the existing single family dwelling) with the remaining 117.35 acres remaining in agricultural production. The existing uses are in compliance with the 2010 Comprehensive Master Plan and current zoning district regulations. The proposed parcel map would be in compliance with the RR-3 minimum lot size and land use regulations.

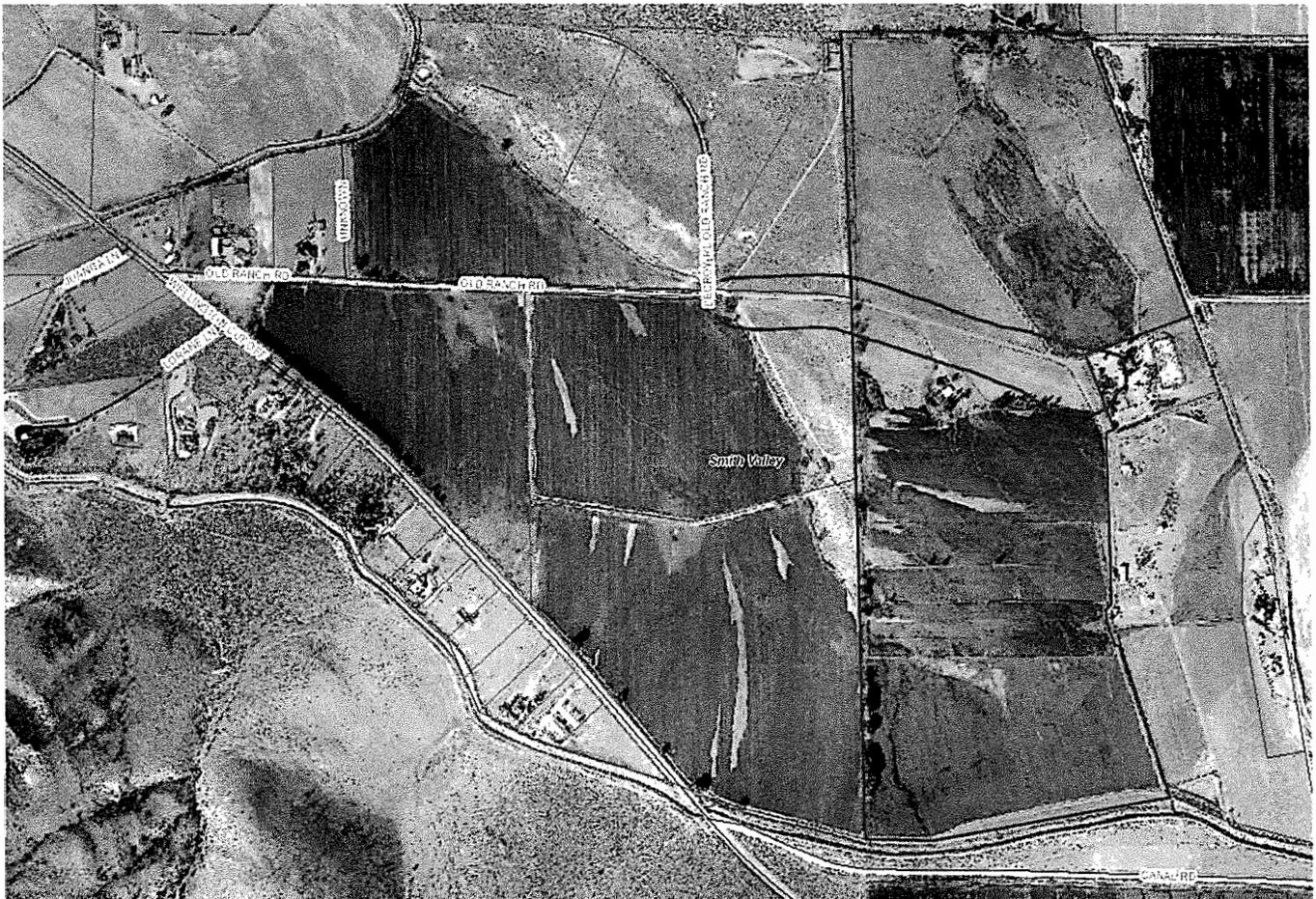
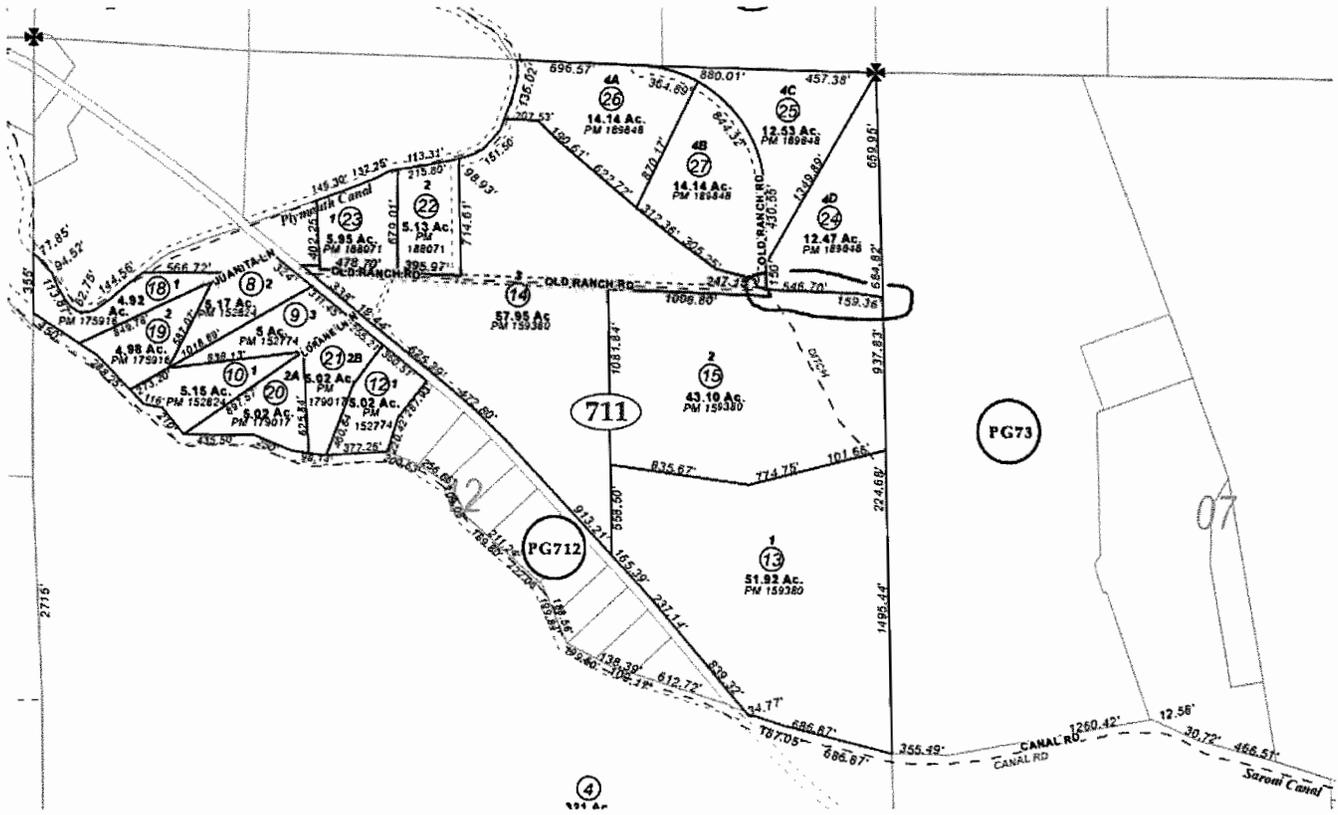
Access:

LCC Chapter 11.07.14(A)(2)(c) requires a minimum road easement width of 50 feet with an improved section of not more than 36 feet width if the local road has the future potential to provide access for more than forty (40) lots.

The subject parcel is located off of Old Ranch Road, which runs east from the Wellington Cutoff that connects State Route 208 and State Route 338 in Smith Valley. Old Ranch Road is a non-maintained graveled minor County road that ends approximately 706.06 feet from the subject site (refer to LDM #159380) Access to the subject site from the end of Old Ranch Road is currently gained via a 15-foot wide prescriptive easement for ingress and egress (refer to Easement Agreement Document #150393). Access to properties located east and south of the subject site is via additional 15-foot wide access easements (Roadway Easement Document #147973 and Parcel Map #254728).

As a part of the current parcel map application materials, Sheet 3 of the map shows details of "Easement To Be Acquired", a 701.65-foot long, 50-foot wide easement that would include the existing 15-foot wide prescriptive easement. The parcel map under consideration would extend a 50-foot access easement across proposed Parcels 1 and 2 all the way up to the eastern edge of proposed Parcel 3. Staff recommends a Condition of Approval that requires the 50-foot access/utility/ditch easement that establishes the 50-foot wide access easement that would extend the full width of Old Ranch Road access to the western edge of the subject site must be established by separate document and that the recorded document number will be included on the final parcel map to the satisfaction of the Community Development Director prior to recordation of the final parcel map.

The area in question is highlighted and circled in red below on the Assessor Parcel Map as well as the aerial photograph containing the subject site:



LCC 11.07.14(D)(6) details the standards for roadway improvement required for county roads existing or proposed at the time of subdivision. LCC Chapter 11.07.14 requires that parcel maps in the RR-3 zoning district, both initial and repeat parceling, are subject to Plate 3 Gravel road standards. However, in staff's discussions with the County Road Superintendent, Old Ranch Road does not currently serve a sufficient number of residences to require Plate 3 gravel road improvements at this time. Per staff's discussion of Old Ranch Road with the Road Superintendent, the applicant shall install Type 2 gravel base material upon Old Ranch Road from the intersection of Old Ranch Road/Wellington Cut Off to the eastern boundary of the subject site to the satisfaction of the County's Road Superintendent prior to the recordation of the final parcel map. In addition the Road Superintendent did recommend the applicant add as a Condition of Approval a note on the map that any further subdivision of the subject parcels may require additional access improvements due to the increase in traffic created by further subdivisions. The 50-foot wide private access and public utility easement will not be maintained by the County.

Justification for Appeal:

In their justification of the appeal request, the property owner acknowledges the need to improve the access road from the easterly end of the 50 foot wide road easement to the terminus of Old Ranch Road (a distance of approximately 1,841 feet), but not for the entire 5,229 feet as recommended in staff's Condition of Approval 12.

The property owner notes that:

- Old Ranch Road currently serves 12 parcels in total;
- The proposed parcel map will only add 2 additional parcels;
- That the easement cannot be extended at a future date;
- That currently there are two existing homes that use the easement (beyond the existing 50-foot wide easement);
- The existing access road within the 50-foot wide easement is 17 feet in width at its narrowest point;
- There are existing irrigation ditches on the north and south sides of the access road with the northern ditch having concrete diversion structures spaced approximately 110 feet apart;
- That a power line runs along the northern irrigation ditch; and
- That the existing road surface within the existing 50-foot wide easement is relatively smooth and well-graveled without potholes or low spots to slow traffic down.

As such, the property owner is appealing the recommended Condition of Approval 12 to improve the access road with Type II base material.

























EXCERPT OF MINUTES FROM THE SEPTEMBER 13, 2016 PLANNING COMMISSION MEETING

S V DEVELOPMENT, LTD – PARCEL MAP (for possible action) - Request Parcel Map to divide approximately 132.90 gross acres into four (4) parcels, ranging in size from 5.00 gross acres, being the smallest, to 117.35 gross acres, being the largest; located at 79 Old Ranch Rd, Smith Valley (APN 10-731-24) PLZ-16-0025

Rob Pyzel, Planner, discussed the staff report and the details of the application. He explained that the extension of the existing, 50' access will have to be created by separate document and not a part of this parcel map because it is located on property not under separate ownership. Extension of this access easement is currently represented on sheet 3 of the tentative parcel map. Mr. Pyzel said that the recommendation of the Road Director, Dustin Homan, is to improve the access road to a Type II aggregate base rather than AC paving, from the highway to the easterly edge of the subject property. He said that the standard, water rights relinquishment for the additional parcels being created, is required with this parcel map. Mr. Pyzel said that staff is recommending approval based on the findings and conditions listed in the staff report.

Harold Ritter said that the Smith Valley Advisory Board brought up a question about when paving is required. Mr. Pyzel said that there is a standard in the county code which says that if the access will provide access to 40 lots or more, then AC paving is required. He said that the Road Director recommended the lesser standard as it is compatible with the roads in the surrounding areas.

Wyatt Owens, Owens Engineering, represented the applicant. Mr. Owens said he had not received a copy of the staff report and he was offered that opportunity. Betty Retzer recommended that the item be continued until 10:30 AM.

Audrey Allan made a motion to continue this item until 10:30AM to allow Mr. Owens sufficient time to review the staff report. Mike Hardcastle seconded and the motion passed by a unanimous vote of those members present: 4 ayes; 0 nay; 2 absent (Rick Jones & Doug Bennett)

Mr. Owens returned at approximately 11:20 AM. He stated that the requirement for a separate document to be recorded to create the additional easement for Old Ranch Rd will actually have to be two separate easements as there are two intervening property owners. Mr. Pyzel agreed and a brief discussion followed.

Mr. Owens said he objected to condition #12 which requires the developer to improve the entire length of the right of way for Old Ranch Rd to county specifications for a gravel standard. He feels this is an unreasonable requirement because the roadway was accepted by the county in 1993 and improvement requirements should have been imposed on the roadway at that time and not the sole responsibility of this developer. Mr. Pyzel said that the requirement to provide a graveled roadway was the recommendation made by the Road Director and was reduced from the typical standard this zoning district which would have been AC Paving. Road Director, Dustin Homan, stated that this standard is required because the fire district will require an all-weather surface on the roadway for ease of access in the case of an emergency. He said we cannot go back and change the sins of the past so all we can do is move forward from here. Mr. Homan believes that requiring a gravel standard is in the best interest of the fire district and the developer.

Mr. Homan did state that this roadway, known as Old Ranch Rd., will not be maintained by Lyon County due to the minimal improvement requirement.

Mr. Owens said that this improvement requirement is not justified because of the minimal amount of traffic that will be created by addition of only two lots. Harold Ritter said he has experience in driving a fire vehicle down an undeveloped roadway and feels that if someone wants to develop their land they should have to bear the burden of the cost of that development. He added that just because it was not required in the past doesn't mean that this developer should not be held to current standards. Dave Snelgrove said he attended the Smith Valley Advisory Board meeting and heard questions by attendees about why past developers were held to an AC Paving standard and this developer only has to provide a minimal gravel standard. Mr. Pyzel said that the Road Director suggested condition #18 which will require additional improvements should the parcel(s) be further developed in the future. It was the consensus of the Planning Commission that condition #12 not be waived.

Mike Hardcastle made a motion to approve the parcel map consisting of four (4) parcels, for SV Development, LLC, APN 010-731-24, based on the findings listed in the staff report and subject to the following 20 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 Community Development 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 Community Development Department prior to map recordation.
4. The applicant shall comply with Lyon County's 1996 drainage guidelines, as revised.
5. The applicant shall comply with Lyon County improvement requirements as set forth in Chapter 11.07 of the Lyon County Code.
6. Any on-site improvements existing at the time of final parcel map recordation (e.g., buildings, wells and septic systems) must be in compliance with current County setback requirements from property lines.
7. The applicant shall comply with all applicable fire code requirements to the satisfaction of the Smith Valley Fire Protection District.
8. The applicant shall complete any and all required development improvements and facilities to the satisfaction of the Community Development Director, County Engineer and Road Director, as applicable, or an appropriate security must be provided and approved prior to map recordation. There may be temporary restrictions to obtaining building permits even with an acceptable security instruments depending on the County's approval of the various systems.
9. 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.
10. The applicant shall comply with 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.
11. Prior to recordation of the final parcel map for the project, the 50-foot access/utility/ditch easement that establishes the extension of Old Ranch Road access to the subject site will be established by separate document and that the recorded document number will be included on the final parcel map to the satisfaction of the Community Development Director prior to recordation of the final parcel map.
12. The applicant shall install Type 2 gravel base material upon Old Ranch Road from the intersection of Old Ranch Road/Wellington Cut Off to the eastern boundary of the subject site to the satisfaction of the County's Road Superintendent prior to the issuance of any grading/building permits on the subject parcels.
13. The applicant shall relabel the proposed parcel currently labeled as "Remainder" to "Parcel 4" prior to the recordation of the final parcel map.
14. 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 Titles 10 and 11 of the Lyon County Code.
 - c. Site development work will require a grading permit(s) in accordance with Title 11.07.14 (F).
 - 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.
15. 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.
16. The applicant shall comply with the final parcel map requirements as prescribed by NRS 278 and Title 11 of the Lyon County Code.
17. The applicant shall pay required recording fees at time of final parcel map recordation.

18. Any further division may be subject to the imposition of subdivision improvement standards, including access improvements to Old Ranch Road 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.
19. 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.
20. 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) pursuant to 11.05.09 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.

Harold Ritter seconded and the motion passed by a unanimous vote of those members present: 4 ayes; 0 nay; 2 absent (Rick Jones & Doug Bennett)



LYON COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT

BUILDING • DEVELOPMENT ENGINEERING • PLANNING

DAVE SNELGROVE
COMMUNITY DEVELOPMENT DIRECTOR

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September 13, 2016

S V Development
Attn: Steven Fulstone
P.O. Box 16
Smith, NV 89430

RE: **NOTICE OF FINAL ACTION – S V DEVELOPMENT, LTD – PARCEL MAP (for possible action) -**
Request Parcel Map to divide approximately 132.90 gross acres into four (4) parcels, ranging in size from 5.00 gross acres, being the smallest, to 117.35 gross acres, being the largest; located at 79 Old Ranch Rd, Smith Valley (APN 10-731-24) PLZ-16-0025

Dear Mr. Fulstone:

The Lyon County Planning Commission, at a duly noticed public hearing held on Tuesday, September 13, 2016, considered the above-referenced application.

By a unanimous vote of those members present, the Planning Commission **approved** your request for a Parcel Map, based on the recommended findings, and subject to the following 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.
5. The applicant shall comply with Lyon County improvement requirements as set forth in Chapter 11.07 of the Lyon County Code.
6. Any on-site improvements existing at the time of final parcel map recordation (e.g., buildings, wells and septic systems) must be in compliance with current County setback requirements from property lines.
7. The applicant shall comply with all applicable fire code requirements to the satisfaction of the Smith Valley Fire Protection District.
8. The applicant shall complete any and all required development improvements and facilities to the satisfaction of the Community Development Director, County Engineer and Road Superintendent, as applicable, or an appropriate security must be provided and approved prior to map recordation. There may be temporary restrictions to obtaining building permits even with an acceptable security instruments depending on the County's approval of the various systems.
9. 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.

10. The applicant shall comply with 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.
11. Prior to recordation of the final parcel map for the project, the 50-foot access/utility/ditch easement that establishes the extension of Old Ranch Road access to the subject site will be established by separate document and that the recorded document number will be included on the final parcel map to the satisfaction of the Community Development Director prior to recordation of the final parcel map.
12. The applicant shall install Type 2 gravel base material upon Old Ranch Road from the intersection of Old Ranch Road/Wellington Cut Off to the eastern boundary of the subject site to the satisfaction of the County's Road Superintendent prior to the issuance of any grading/building permits on the subject parcels.
13. The applicant shall relabel the proposed parcel currently labeled as "Remainder" to "Parcel 4" prior to the recordation of the final parcel map.
14. 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 Titles 10 and 11 of the Lyon County Code.
 - c. Site development work will require a grading permit(s) in accordance with Title 11.07.14 (F).
 - 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.
15. 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.
16. The applicant shall comply with the final parcel map requirements as prescribed by NRS 278 and Title 11 of the Lyon County Code.
17. The applicant shall pay required recording fees at time of final parcel map recordation.
18. Any further division may be subject to the imposition of subdivision improvement standards, including access improvements to Old Ranch Road 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.
19. 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.
20. 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) pursuant to 11.05.09 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.

Applicants aggrieved by the decision of the Planning Commission may appeal that decision in accordance with Chapter 10.12.03(G) and (H) and Chapter 10.12.02 of the Lyon County Code. Application for Appeal must be submitted on forms available from the Community Development

Department, to the Lyon County Clerk/Treasurer's office for submission to the Lyon County Board of Commissioners.

The Notice of Final Action for this matter was filed with the Planning Commission Secretary and Lyon County Clerk on September 13, 2016. If you have any questions or concerns please feel free to contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read "Dave Snelgrove", written over a horizontal line.

Dave Snelgrove,
Community Development Director

cc: File

Smith Valley Advisory Board, Attn: Julie Cosner, 459 Upper Colony Rd., Wellington, NV 89444

Owens Engineering, Attn: Wyatt Owens, P.O. Box 44, Smith, NV 89430

Filed with the Lyon County Clerk-Treasurer on September 13, 2016



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COMMUNITY DEVELOPMENT DEPARTMENT

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Lyon County Planning Commission

PLZ-16-0025 Parcel Map to subdivide an existing 132.90 gross acre property into 4 parcels
Meeting Date: September 13, 2016
Owner(s): S V Development, LTD
Surveyor: Owens Engineering / Wyatt Owens
Location: 79 Old Ranch Road, Wellington, NV
Parcel Number: (APN) 010-731-24
Master Plan: Rural Residential
Zoning: RR-3 (Third Rural Residential - 5 acres)
Flood Zone(s): Flood Zone D (areas with possible but undetermined flood hazards)

Request:

The applicant proposes that the above-referenced parcel be subdivided into four (4) parcels through the parcel map land division process. Three of the proposed parcels would be approximately 5.00 acres (gross) with a remainder parcel of 117.35 total acres. The property is currently zoned RR-3 (Rural Residential Third – 5 acre minimum). As such, all of the proposed parcels would be in conformance with the minimum lot size requirement for the RR-3 zoning district.

STAFF RECOMMENDATION:

Staff is in favor of the proposed parcel map if it is subject to necessary conditions of approval. The parcel map is in compliance with the 2010 Comprehensive Master Plan land use designation as well as the minimum lot size requirements of the RR-3 zoning district. As conditioned, adequate access will be provided and secured.

Staff's recommendation is based on the findings and recommended conditions as listed in this staff report and substantiated in the public record.

RECOMMENDED MOTION:

I move that the Lyon County Planning Commission approves the parcel map consisting of four (4) parcels, the smallest being 5.00 acres, within the 132.9 total acre subject site for SV Development, LLC, APN 010-731-24 (PLZ 16-0025), based on the following findings and subject to the conditions of approval contained in the staff report and substantiated in the public record:

Findings:

- A. The proposed parcel map conforms to the requirements set forth for the RR-3, Third Rural Residential (5 acres) zoning district in Title 10 of the Lyon County Code, or such requirements can be met with the imposition of reasonable conditions of approval.
- B. The proposed parcel map conforms to the requirements set forth in Title 11 of the Lyon County Code or such requirements can be met with the imposition of reasonable conditions of approval.

Conditions of Approval:

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.
5. The applicant shall comply with Lyon County improvement requirements as set forth in Chapter 11.07 of the Lyon County Code.
6. Any on-site improvements existing at the time of final parcel map recordation (e.g., buildings, wells and septic systems) must be in compliance with current County setback requirements from property lines.
7. The applicant shall comply with all applicable fire code requirements to the satisfaction of the Smith Valley Fire Protection District.
8. The applicant shall complete any and all required development improvements and facilities to the satisfaction of the Community Development Director, County Engineer and Road Superintendent, as applicable, or an appropriate security must be provided and approved prior to map recordation. There may be temporary restrictions to obtaining building permits even with an acceptable security instruments depending on the County's approval of the various systems.
9. 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.
10. The applicant shall comply with 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.
11. Prior to recordation of the final parcel map for the project, the 50-foot access/utility/ditch easement that establishes the extension of Old Ranch Road access to the subject site will be established by separate document and that the recorded document number will be included on the final parcel map to the satisfaction of the Community Development Director prior to recordation of the infal parcel map.
12. The applicant shall install Type 2 gravel base material upon Old Ranch Road from the intersection of Old Ranch Road/Wellington Cut Off to the eastern boundary of the subject site to the satisfaction of the County's Road Superintendent prior to the issuance of any grading/building permits on the subject parcels.
13. The applicant shall relabel the proposed parcel currently labeled as "Remainder" to "Parcel 4" prior to the recordation of the final parcel map.
14. 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 Titles 10 and 11 of the Lyon County Code.
 - c. Site development work will require a grading permit(s) in accordance with Title 11.07.14 (F).
 - 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.
15. 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.
16. The applicant shall comply with the final parcel map requirements as prescribed by NRS 278 and Title 11 of the Lyon County Code.
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18. Any further division may be subject to the imposition of subdivision improvement standards, including access improvements to Old Ranch Road 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.
19. 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.
20. 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) pursuant to 11.05.09 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.

General Information

Property Location:

The parcel is located at 79 Old Ranch Road, approximately 3,596 feet east of the Wellington Cutoff/Old Ranch Road intersection in Smith Valley, Nevada.

Size:

The subject site is 132.9 acres in size.

Background:

The parcel in question was created in 2000 by Parcel Map # 254728 as a further subdivision of Parcel 1 of Parcel Map #97348. The site is currently occupied by agricultural uses (productive fields), various out-buildings (well house, sheds, etc.) and a single family dwelling (constructed in 1958 per the Assessor's records). The application materials proposes to subdivide the existing 132.9 acres in order to create three 5-acre minimum "home sites" (Parcel 1 – 5.00 acres; Parcel 2 – 5.00 acres; and Parcel 3 – 5.56 acres). Parcel #3 would include the existing single family dwelling currently located on the property. The remaining proposed Parcel 4 (Remainder) would remain in agricultural production.

Staff Review and Comments:

The subject site has a land use designation of Rural Residential within the 2010 Comprehensive Master Plan. The existing zoning of the subject site is RR-3 (Third Rural Residential – 5 acres) which requires a minimum lot size of 5 acres. The current uses on the property in question are agricultural fields with a single family dwelling, associated accessory out-buildings and associated agricultural activities. The proposed parcel map would split off three 5-acre parcels (one of which would include the existing single family dwelling) with the remaining 117.35 acres remaining in agricultural production. The existing uses are in compliance with the 2010 Comprehensive Master Plan and current zoning district regulations. The proposed parcel map would be in compliance with the RR-3 minimum lot size and land use regulations.

The proposed parcel map must meet the minimum discretionary requirements and mandatory water rights requirements set forth in Lyon County Code ("LCC") Section 11.05.02 – Requirements:

"Discretionary requirements and mandatory water rights requirements are as follows:

- A. *Discretionary Requirements: Requirements which may be imposed by the planning commission are as follows:*
1. *Street grading, drainage provisions and lot designs as are reasonably necessary.*
 2. *Off-site access, street alignment, surfacing and width, water quality and sewage provisions as are reasonably necessary and consistent with the existing use of any land zoned for similar use which is within six hundred sixty feet (660') of the proposed parcel. The planning commission may require additional improvements that are reasonably necessary and consistent with the use of land if it is developed as proposed.*
 3. *For a second or subsequent parcel map with respect to a single parcel, or contiguous tract of land under the same ownership, any reasonable improvement, but not more than would be required if the parcel was developed as a subdivision.*
- B. *Mandatory Water Rights Dedication or Relinquishment Requirements: All parcel maps submitted for approval must dedicate or relinquish water rights as follows:*
1. *If the parcel map is not within the existing boundaries of a municipal or private water system and the newly created parcels are to be served by domestic well:*
 - (a) *The parcel owner shall relinquish to the State Engineer water rights necessary to insure an adequate water supply for the domestic use of the newly created parcels from within the water basin in which the parcel is located; and*
 - (b) *Relinquishment of water rights in paragraph 1(A) shall be at the applicant's cost; and*
 - (c) *For purposes of this section, necessary water rights required by paragraph 1(a) shall be 2.00 acre feet per year valid underground water rights; and*
 - (d) *No parcel map shall be recorded by the County until the requirements in paragraph 1 have been satisfied."*
 2. *If the parcel map is within the existing boundaries of a municipal or private water system:*
 - (a) *The dedication or relinquishment of water rights necessary to ensure an adequate water supply for the domestic use of the newly created parcels shall follow the rules and requirements of that system, or a written statement from the municipal or private water system that no dedication or relinquishment requirements exist, or that dedication or relinquishment requirements have been satisfied, must be submitted before any map may be recorded; and*
 - (b) *Dedication or relinquishment of the water rights shall be at the applicant's cost; and*
 - (c) *For purposes of this section, necessary water rights required by subsection B2a of this section shall be determined by the rules and requirements of the municipal or private water system. (Ord. 520, 7-3-2008)*

Access:

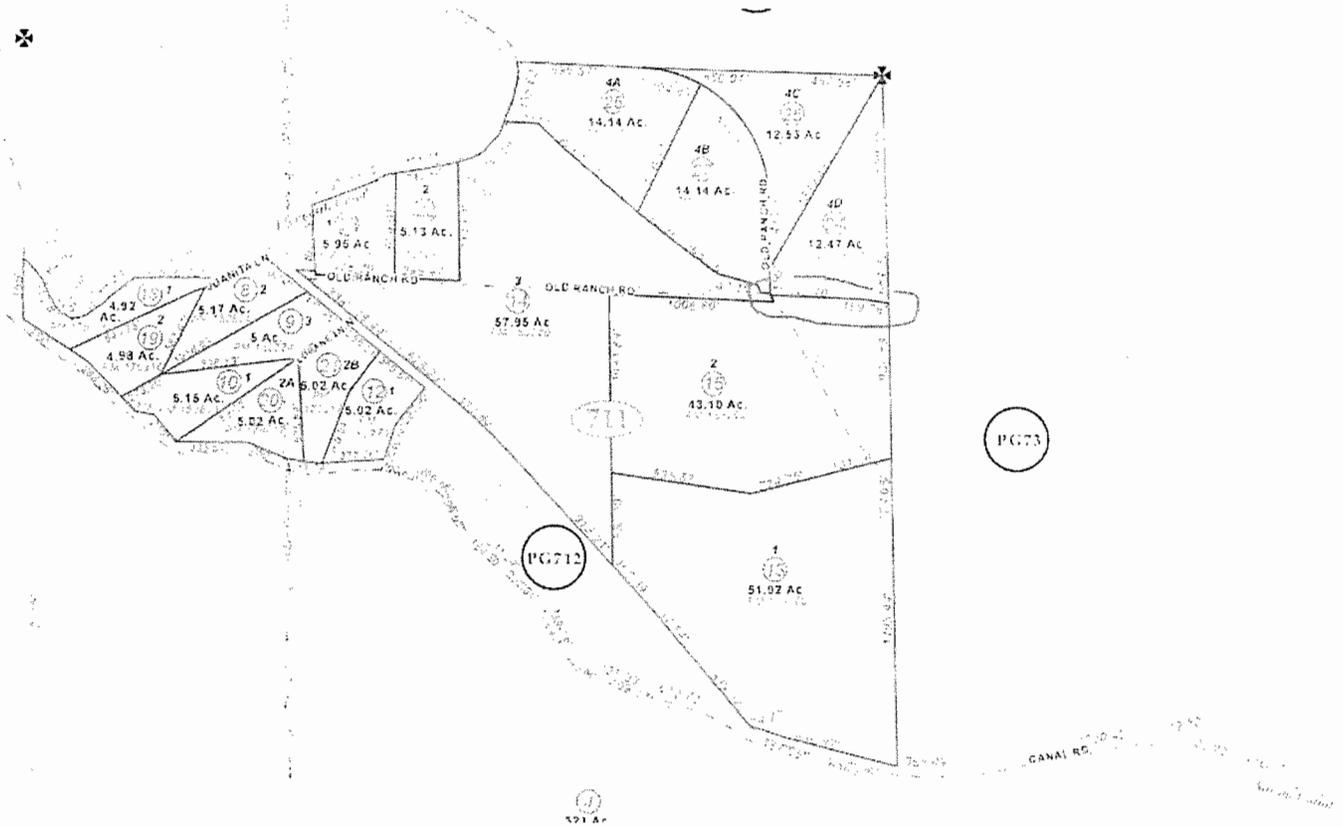
LCC Chapter 11.07.14(A)(2)(c) requires a minimum road easement width of 50 feet with an improved section of not more than 36 feet width if the local road has the future potential to provide access for more than forty (40) lots.

The subject parcel is located off of Old Ranch Road, which runs east from the Wellington Cutoff that connects State Route 208 and State Route 338 in Smith Valley. Old Ranch Road is a non-maintained graveled minor County road that ends approximately 706.06 feet from the subject site (refer to LDM #159380) Access to the subject site from the end of Old Ranch Road is currently gained via a 15-foot wide prescriptive easement for ingress and egress (refer to Easement Agreement Document #150393). Access to properties located east and south of the subject site is via additional 15-foot wide access easements (Roadway Easement Document #147973 and Parcel Map #254728).

As a part of the current parcel map application materials, Sheet 3 of the map shows details of "Easement To Be Acquired", a 701.65-foot long, 50-foot wide easement that would include the existing 15-foot wide prescriptive easement. The parcel map under consideration would extend a 50-foot access easement across proposed Parcels 1 and 2 all the way up to the eastern edge of proposed Parcel 3. Staff recommends a Condition of Approval that requires the 50-foot access/utility/ditch easement that

establishes the 50-foot wide access easement that would extend the full width of Old Ranch Road access to the western edge of the subject site must be established by separate document and that the recorded document number will be included on the final parcel map to the satisfaction of the Community Development Director prior to recordation of the final parcel map.

The area in question is highlighted and circled in red below.





LCC 11.07.D.6 details the standards for roadway improvement required for county roads existing or proposed at the time of subdivision. LCC Chapter 11.07.14 requires that parcel maps in the RR-3 zoning district, both initial and repeat parceling, are subject to Plate 3 Gravel road standards. However, in staff's discussions with the County Road Superintendent, Old Ranch Road does not currently serve a sufficient number of residences to require Plate 3 gravel road improvements at this time. Per staff's discussion of Old Ranch Road with the Road Superintendent, the applicant shall install Type 2 gravel base material upon Old Ranch Road from the intersection of Old Ranch Road/Wellington Cut Off to the eastern boundary of the subject site to the satisfaction of the County's Road Superintendent prior to the recordation of the final parcel map. In addition the Road Superintendent did recommend the applicant add as a Condition of Approval a note on the map that any further subdivision of the subject parcels may require additional access improvements due to the increase in traffic created by further subdivisions.

The 50-foot wide private access and public utility easement will not be maintained by the County.

Public Utility Easements:

Lyon County's current standard for public utility easements listed in Chapter 11.07.14(E) requires a minimum 7.5-foot utility easement in the front yard of a parcel and a minimum 5-foot utility easement along all other property lines. In addition to the proposed 50-foot wide right-of-way and utility easement from the current terminus of Old Ranch Road to the subject site, new 7.5-foot wide utility easements must be added to the parcel frontages adjacent to the access easement and 5-foot wide public utility easements must be provided along all other property lines for proposed Parcels 1, 2, and 3. At this point in time, staff believes that no other utility easements are necessary for proposed Parcel 4 (Remainder). However, future division of proposed Parcel 4 (Remainder) may trigger the need for additional utility easements at that point in time.

Land Use:

The subject property is currently being used for residential and agricultural purposes. As noted above, there is currently one single family residence and various outbuildings associated with the residential and agricultural use currently occurring on the property. The subject site is currently designated as Rural Residential in the 2010 Comprehensive Master Plan and zoned Third Rural Residential. The current land uses taking place on the subject site are compatible with the 2010 Comprehensive Master Plan land use designation of Rural Residential as well as the Third Rural Residential zoning.

Water Rights:

LCC Chapter 11.05.02(B) states that:

“B. Mandatory Water Rights Dedication Or Relinquishment Requirements: All parcel maps submitted for approval must dedicate or relinquish water rights as follows:

1. If the parcel map is not within the existing boundaries of a municipal or private water system and the newly created parcels are to be served by domestic well:

a. The parcel owner shall relinquish to the state engineer water rights necessary to ensure an adequate water supply for the domestic use of the newly created parcels from within the water basin in which the parcel is located; and

b. Relinquishment of water rights in subsection B1a of this section shall be at the applicant's cost; and

c. For purposes of this section, necessary water rights required by subsection B1a of this section shall be 2.00 acre-feet per year valid underground water rights; and

d. No parcel map shall be recorded by the county until the requirements in this subsection B1 have been satisfied. ”

LCC Chapter 11.05.04 sets out the mandatory and discretionary requirements for Parcel Maps. County Code and Nevada Revised Statutes permits the imposition of reasonable requirements as part of the approval of a parcel map. The subject site is not located not within the existing boundaries of a municipal or private water system. This parcel map would permit the additional development of three (3) residences with one domestic well for each new parcel. Water rights relinquishment for Parcels 1, 2 and 4 (Remainder) would be required prior to recordation the parcel map.

Water Supply and Sewer Service:

The subject property is currently served by domestic well and by individual sewage disposal system (ISDS or septic systems). Municipal water and sewer service are not currently available in this area. Any future residential development of the Parcels 1, 2 and the Remainder Parcel (Parcel 4) will be served by wells and individual septic systems.

Drainage:

No drainage report was submitted as part of the parcel map application. The property is designated on the County’s FEMA Flood Insurance Rate Map Geographic Information System (“GIS”) as Zone “D”. Zone “D” identifies areas with possible but undetermined flood hazards.

Fire Protection:

The property is within the Smith Valley Fire Protection District.

Alternatives to the Staff Recommendations:

Alternative for Continuance

If the Planning Commissioners determine that there is insufficient information with which to make a decision on the application before them, that additional information, discussion and public comment are necessary to have a more complete and thorough review of the proposed parcel map, then the Planning Commission should make the appropriate findings and move to continue the Public Hearing for the parcel map application.

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 parcel map.

Based on the finding listed above and the applicant's concurrence, the Planning Commission continues the parcel map consisting of four (4) parcels, the smallest being 5.00 acres, within the 132.9 total acre subject site for SV Development, LLC, APN 010-731-24 (PLZ 16-0025), for ___ days.

Alternative Motion for Denial:

If the Planning Commission determines that they should deny the parcel map application, then the Planning Commission may wish to consider a motion similar to the following:

The Lyon County Planning Commission finds that:

- A. The parcel map is not in substantial compliance with the Master Plan goals, objectives and actions.
- B. The parcel map is not in substantial compliance with the requirements of Title 11 of the Lyon County Code.
- C. The proposed use will be detrimental to the public health, safety, convenience and welfare,
- D. The proposed use will result in material damage or prejudice to other properties in the area.

Based on the aforementioned findings, the Lyon County Planning Commission denies the parcel map consisting of four (4) parcels, the smallest being 5.00 acres, within the 132.9 total acre subject site for SV Development, LLC, APN 010-731-24 (PLZ 16-0025).

***LCC 11.05.05.C:** 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.*

DESCRIPTION OF PROJECT

S. V. Development , LTD., proposes to divide APN 10-731-24 (132.90 acres) into three 5 acre parcels and a remainder. The remainder will remain in agriculture. The project land is presently in agriculture and occupied by a single family residence.

Access to the proposed project will be from State Route 829 along a 50 foot easement (Old Ranch Road). See Record Map 189848.

The Parcel Map in support of this project will continue the 50 foot easement to the easterly end of the easterly 5 acre parcel,

**JUSTIFICATION FOR PARCEL MAP FOR
THE S. V. DEVELOPMENT, LLD**

The following justifies the requirements for the Parcel Map.

- A. The property to be divided is zoned for the intended use of the property and the density and design of the division conforms to the requirements of the zoning regulations contained in the Development Code.
- B. The proposed Parcel Map conforms to public facilities and improvement standards of the Land Development Code.
- C. The proposed Parcel Map conforms to the improvement and design standards of Lyon County.
- D. There are no delinquent taxes or assessments on the land to be divided as certified by the County Treasurer.
- E. The project is not located within an identified archeological/cultural study area as recognized by Lyon County.

TRAFFIC REPORT

As stated in the Description of The Project, the access to the parcel to be divided will be from State Route 829 and proceed in an easterly direction to the project.

Two additional 5 acre parcels will be created upon recording the Parcel Map.

A 15 foot wide access easement exists through the project. A gravel road exists within the easement and serves the residence within the project and a 5.64 acre parcel (APN 10-731-07) just east of the project.

In urban areas, 10 round trips per household is generally used for traffic generated within a residential area. Because this project is in an agricultural valley with no or little shopping, entertainment and etc., It would seem that 5 round trips per household would be more realistic. This should not create any traffic problems.

The existing 50 foot access easement (Old Ranch Road) begins at Hwy 829 and ends approximately 706 feet from the westerly end of the proposed project, a distance of approximately 2,830 feet. Most of the traveled way within the easement is 17 feet in width and would not present any problem for emergency vehicles.

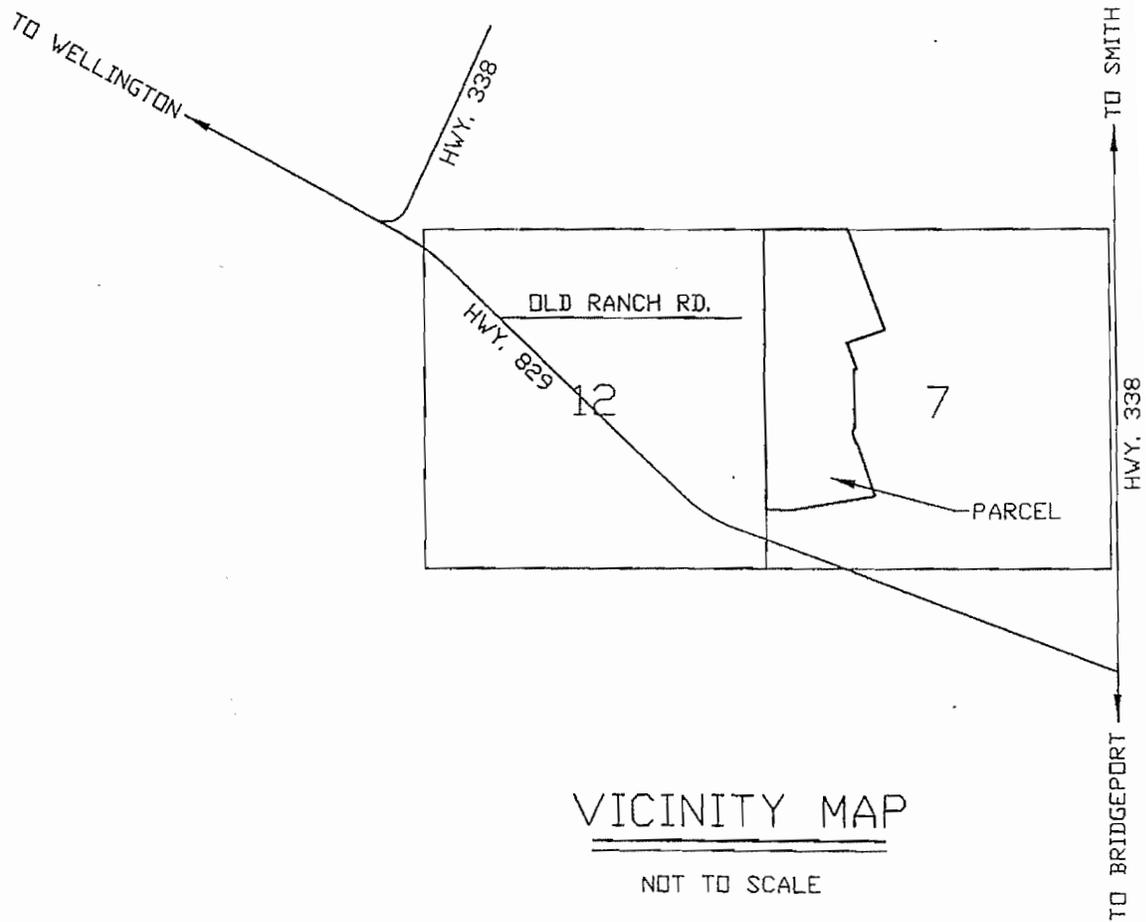
DRAINAGE REPORT

The project land (132.90 acres) has been graded for agricultural use to a uniform slope of 0.01 (1%). The land drains to the west-northwest.

No natural water courses enter the property, nor are any generated within the property. All sheet flow from the south will be intercepted by the Saroni Canal which runs the entire length of the property from west to east.

There are approximately 360 acres of agricultural land east of the project. Runoff generated within this area will be intercepted by irrigation ditches running south-north with very little water reaching the project area.

The FEMA flood zone designation for the project area is "x shaded". Areas within this zone have a 0.2% annual-chance flood plain (500 yr. Storm) or a 15 annual-chance flood plain (100 yr. Storm) with sheet flows having a depth less than 1 foot. No flood insurance is required in this zone.



VICINITY MAP

NOT TO SCALE

-S

THE FOLLOWING PUBLIC UTILITY EASEMENTS ARE HEREBY MADE A PART OF THIS MAP:
A. A 5' PUBLIC UTILITY EASEMENT ALONG ALL ROAD FRONTAGES.
B. A 5' PUBLIC UTILITY EASEMENT ALONG ALL SIDE AND REAR LOT LINES.

NOTICE: ACCEPTANCE BY LYON COUNTY OF THIS SUBDIVISION MAP IS NOT A COMMITMENT THAT ANY OR ALL OF THE LOTS ARE ELIGIBLE FOR A COUNTY BUILDING PERMIT.

ROAD NOTE: ROADWAYS DESIGNATED AS PUBLIC ROADS AS SHOWN UPON THIS MAP WILL NOT BE ELIGIBLE FOR COUNTY MAINTENANCE UNTIL THE ROADWAYS ARE IMPROVED AT NO COST TO THE COUNTY TO PUBLIC MAINTENANCE ROAD STANDARDS APPROVED BY THE BOARD OF COMMISSIONERS AND IN EFFECT AT SUCH TIME THAT THE ROADWAYS ARE CONSIDERED FOR ACCEPTANCE INTO THE COUNTY'S ROAD SYSTEM.

NOTICE: THE CITY, COUNTY, SENIOR, DISTRICT AND SPECIAL DISTRICTS ARE NOT OBLIGATED TO FURNISH ANY SERVICES, SPECIFICALLY HOUSING FIRE PROTECTION AND ROADS, TO THE LAND SO DIVIDED, AND THAT ANY PUBLIC UTILITY MAY BE UNLAWFULLY FREE OF OBLIGATION.

A PUBLIC UTILITY EASEMENT IS ALSO HEREBY GRANTED WITHIN EACH PARCEL FOR THE EXCLUSIVE PURPOSE OF INSTALLING AND MAINTAINING UTILITY SERVICE FACILITIES TO THAT PARCEL, AND THE RIGHT TO EXIT THAT PARCEL WITH SAID UTILITY FACILITIES FOR THE PURPOSE OF SERVING ADJACENT PARCELS BY LOCATIONS MUTUALLY AGREED UPON BY THE OWNER OF RECORD AT THAT TIME AND THE UTILITY COMPANY.

THIS MAP IS NOT IN COMPLIANCE WITH THE REQUIREMENTS OF NRS 409B TO FURNISH THE DETAILS AND THE REGULATIONS OF TRANSACTIONS PERTAINING THEREIN SHALL BE COMPLIED WITH.

NOTE: A DIGITAL COPY OF THIS MAP HAS BEEN PROVIDED TO THE LYON COUNTY GIS DEPARTMENT.

SURVEYOR'S CERTIFICATE

1. I, WYATT J. OWENS, A REGISTERED LAND SURVEYOR REGISTERED IN THE STATE OF NEVADA, CERTIFY THAT:
2. THIS IS A TRUE AND ACCURATE REPRESENTATION OF THE LANDS SURVEYED UNDER MY SUPERVISION AT THE INSTANCES OF STEVE FULSTON.
3. THE LANDS SURVEYED LIE WITHIN SECTION 7, TOWNSHIP 10 NORTH RANGE 14 EAST, MERIDIAN AND THE SURVEY WAS COMPLETED ON MARCH 14, 2014.
4. THIS PLAN COMPLES WITH THE APPLICABLE STATE STATUTES AND ANY LOCAL ORDINANCES IN EFFECT ON THE DATE THAT THE GOVERNING BODY GAVE ITS FINAL APPROVAL.
5. THE MONUMENTS DEPICTED ON THE PLAN WILL BE OF THE CHARACTER SHOWN AND WILL OCCUPY THE POSITIONS INDICATED.

WYATT J. OWENS, PLS 3299 DATE _____

WALKER RIVER IRRIGATION DISTRICT CERTIFICATE

THE IRRIGATION AND DRAINAGE EASEMENTS SHOWN ON THIS MAP HAVE BEEN CHECKED AND APPROVED TOGETHER WITH A REVIEW AND CONFIRMATION OF APPROPRIATE WATER RIGHT ACRES WITHIN THE BOUNDARIES OF THE WALKER RIVER IRRIGATION DISTRICT.

BY _____, DIRECTOR DATE _____

PLANNING DEPARTMENT AND PLANNING COMMISSION CERTIFICATE

THIS PLAN HAS BEEN EXAMINED AND FOUND TO BE IN SUBSTANTIAL CONFORMANCE WITH THE TENTATIVE PARCEL MAP APPROVED BY THE PLANNING COMMISSION ON THE _____ DAY OF _____, 2014, AND ALL CONDITIONS IMPOSED UPON ITS APPROVAL HAVE BEEN SATISFIED.

ROBERT C. LOVINGOOD DATE _____ BY _____
COMMUNITY DEVELOPMENT DIRECTOR PLANNING COMMISSION CHAIRPERSON

RIGHT TO FARM

THE LANDS SHOWN HEREON ARE SUBJECT TO THE PROVISIONS OF NEVADA REVISED STATUTES CHAPTER 213 AND CHAPTER 215 OF THE LYON COUNTY CODE. THE RIGHT TO FARM, LYON COUNTY HAS DETERMINED THAT THE HIGHEST AND BEST USE FOR AGRICULTURE LAND IS TO BE DEVOTED TO PROTECTIVE SAID LANDS FOR THE PURPOSES OF AGRICULTURE OPERATIONS AND IT WILL NOT CONSIDER THE INCONVENIENCES OR DISCOMFORTS ARISING FROM OR RELATED TO AGRICULTURAL OPERATIONS TO BE A PRACTICABLE OBSTACLE IF SUCH OPERATIONS ARE LEGAL, CONSISTENT WITH ACCEPTED CUSTOMS AND STANDARDS OPERATED IN A NON-NEGLECTFUL MANNER.

OWNER'S CERTIFICATE

THIS IS TO CERTIFY THAT THE UNDERSIGNED, S.V. DEVELOPMENT, L.L.C. IS THE OWNER OF THE TRACT OF LAND REPRESENTED ON THIS PLAN, AND HAS CONSENTED TO THE PREPARATION AND RECORDATION OF THIS PLAN, AND THAT THE SAME IS EXECUTED IN COMPLIANCE WITH AND SUBJECT TO THE PROVISIONS OF THE NEVADA REVISED STATUTES, CHAPTER 213 AND LYON COUNTY CODE, TITLE 11. THE ACCESS AND PUBLIC UTILITY EASEMENTS SHOWN HEREON ARE HEREBY GRANTED AS PERMANENT EASEMENTS FOR THE STATED PURPOSES.

THE OWNER OF THIS PARCEL MAP AND THEIR HEIRS, ASSIGNS AND SUCCESSORS, AGREE TO PROVIDE NOTICE OF THE PROVISIONS OF NRS 409B AND CHAPTER 215 OF THE LYON COUNTY CODE TO ANY AND ALL SUCCESSOR PURCHASERS.

WE DECLARE THAT WE EXECUTE THIS CERTIFICATE FOR THE PURPOSE STATED HEREIN, IN WITNESS WHEREOF, THE UNDERSIGNED HAVE AFFIXED THEIR NAMES.

STEVE FULSTON DATE _____
OWNER

STATE OF NEVADA S.S.
COUNTY OF LYON

ON THIS _____ DAY OF _____, 2014, I, _____, PERSONALLY APPEARED BEFORE ME, A NOTARY IN AND FOR SAID COUNTY AND STATE, KNOWN TO ME TO BE THE PERSON WHOSE SIGNATURE IS HEREON, AND I HAVE EXAMINED THE FOREGOING INSTRUMENT, IN WITNESS WHEREOF I HAVE HEREONTO SET MY HAND AND SEAL ON THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

NOTARY PUBLIC

COUNTY ENGINEER'S CERTIFICATE

I, _____, P.E. HEREBY CERTIFY THAT I HAVE EXAMINED THIS FINAL PARCEL MAP FOR S.V. DEVELOPMENT, L.L.C., LOCATED IN SECTION 7, T. 10 N., R. 14 E., S. 14 N. AS SHOWN ON THIS PLAN, THAT IT IS ESSENTIALLY AS IT APPEARS ON THE APPROVED TENTATIVE MAP AND I AM SATISFIED THAT THIS MAP IS TECHNICALLY CORRECT.

DATE _____
CLERK TREASURER'S CERTIFICATE

I, NICOI BRYAN, LYON COUNTY CLERK/TREASURER HEREBY CERTIFY THAT THERE ARE NO LIENS FOR UNPAID STATE, COUNTY, CITY OR LOCAL TAXES OR SPECIAL ASSESSMENTS AND THAT ALL TAXES FOR THE FISCAL YEAR HAVE BEEN PAID ON PROPERTY THAT IS THE SUBJECT OF THIS MAP.
APR 10-17-14

NICOI BRYAN, COUNTY CLERK/TREASURER DATE _____

RECORDER'S CERTIFICATE

FILED FOR RECORD THIS _____ DAY OF _____, 2014,
AT _____ MINUTES PAST _____ O'CLOCK _____ M. IN THE OFFICE RECORDS
OF LYON COUNTY, NEVADA, AT THE REQUEST OF STEVE FULSTON.

FEE: _____ LYON COUNTY RECORDER

FILE NO. _____ BY: _____ DEPUTY

SHEET 1 OF 2

OWENS
ENGINEERING
Civil Engineering, Land Surveying
P.O. BOX 44
LEWIS, NEVADA 89420
702-782-2880 OR 702-483-8472
www.owens-engineering.com

TENTATIVE PARCEL MAP
FOR
S.V. DEVELOPMENT, L.L.C.
WITHIN THE V1/2 OF SECTION 7, T. 10 N., R. 14 E., S. 14 N. & N.
LYON COUNTY, NEVADA
APRIL, 2014

BASIS OF BEARINGS

THE BASIS OF BEARINGS OF THIS MAP IS THE WEST LINE OF THE SW1/4 OF SECTION 7, T. 18 N., R. 24 E., MDB. & C. STATE LINE BEARS N07°09'38"W.

LEGEND

- SET 3/8" BEAR WITH PLASTIC CAP STAMPED PLS 3098
- GO RECORD MAP #254728 (2008)
- (RI) RECORD MAP #159290 (1992)
- CO MEASURED
- CD CALCULATED
- POWER POLE
- ▲ POLE LOCATION

NOTES

- 1 THIS IS A SURVEY OF PARCEL 2 OF DEED DOCUMENT #201379, WHICH REFERS TO RECORD MAP #254728 RECORDED IN 2008. THIS MAP SHOWS ONLY THE NW CORNER AND THE SW CORNER OF SECTION 7 BEING FOUND AND USED TO ESTABLISH THE WEST LINE OF SECTION 7. HOWEVER, IN 1993 RECORD MAP #159290 SHOWS THE WEST 1/4 CORNER AS BEING FOUND. THIS MAP WILL REFLECT THE WAY THE WEST LINE OF SECTION 7 WAS ESTABLISHED IN 1993 BY RECORD MAP #159290 AND HOW IT EXISTED IN 2008. THE WEST LINE OF THE SECTION HAS BEEN RETAINED FROM RECORD MAP #159290 TO RECORD MAP #254728.
- 2 AN EXISTING 15' WIDE ACCESS EASEMENT (DOCUMENT #147923) LIES WITHIN THE 50' ACCESS EASEMENT CREATED BY THIS MAP AND EXTENDS TO THE EAST PROPERTY LINE. FOR MAP CLARITY, IT IS NOT SHOWN WITHIN THE 50' EASEMENT.
- 3 THIS IS A DIVISION OF APN 10-731-24.

EASEMENTS

DOCUMENT NO. 84789
10 FOOT WIDE STRIPS OF LAND FOR TELEPHONE AND COMMUNICATIONS STRUCTURES. THE STRIPS ARE AS FOLLOWS: STRIP NO. 1 - BEGINNING AT THE WESTERLY PROPERTY LINE AND GOING IN AN EASTERLY DIRECTION TO THE WESTERLY PROPERTY LINE OF APN 10-731-07. THE ALIGNMENT APPROXIMATES THE 15 FOOT ACCESS EASEMENT. STRIP NO. 2 - BEGINS 25259 FEET ALONG STRIP NO. 1 FROM THE WEST PROPERTY LINE AND GOES IN A SOUTHEASTERLY DIRECTION 485.47 FEET TO THE EXISTING EASEMENT. STRIP NO. 3 - A 14 FOOT STRIP GOING IN A NORTHERLY DIRECTION FROM STRIP NO. 1 AT A POINT 35352 FEET FROM THE WESTERLY PROPERTY LINE. STRIP NO. 4 - THIS STRIP BEGINS AT STRIP NO. 1 AT A POINT 11585 FEET FROM THE WESTERLY PROPERTY LINE AND GOES 125434 FEET IN A SOUTHEASTERLY DIRECTION AND THE EASTERLY END OF THE PROJECT PROPERTY. STRIP NO. 5 A 100 FOOT STRIP GOING IN A SOUTHERLY DIRECTION FROM STRIP NO. 1 AT A POINT 10000 FEET FROM THE WESTERLY PROPERTY LINE.

DOCUMENT NO. 84908
NOT ON PROJECT PROPERTY.

DOCUMENT NO. 84900
A 5 FOOT WIDE STRIP OF LAND FOR POWER LINES OVER THE PROJECT PARCEL DESCRIBED AS FOLLOWS: N87°38'12"W ALONG THE NORTH PROPERTY LINE; THENCE S22°44'31" TO THE NORTHEASTERLY PROPERTY CORNER OF APN 10-731-07; THENCE S57°34'26"W ALONG THE NORTHERLY PROPERTY LINE OF APN 10-731-07; THENCE APPROXIMATELY S04°27'00"E A DISTANCE OF 15000 FEET MORE OR LESS.

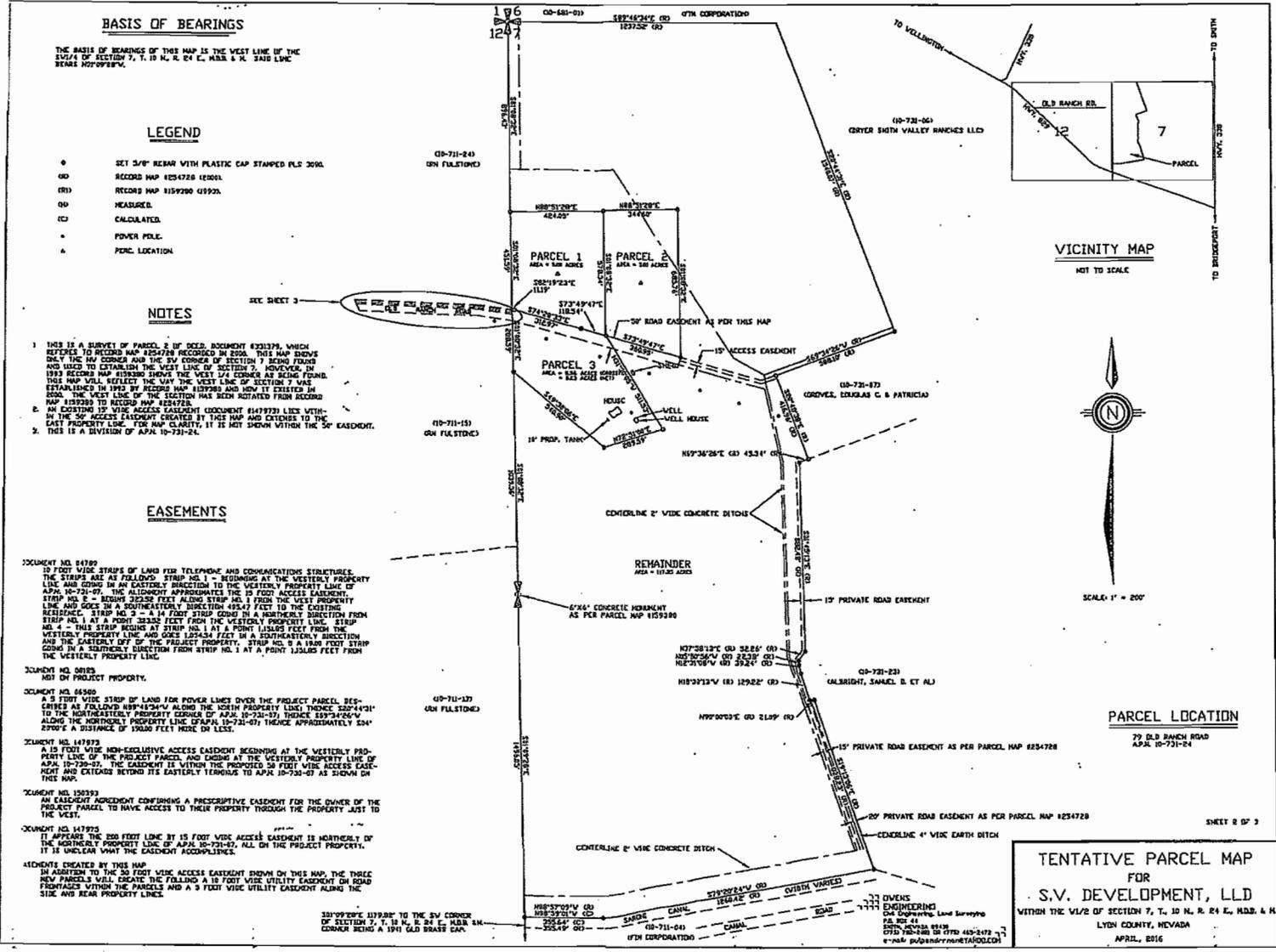
DOCUMENT NO. 147973
A 15 FOOT WIDE NON-EXCLUSIVE ACCESS EASEMENT BEGINNING AT THE WESTERLY PROPERTY LINE OF THE PROJECT PARCEL AND ENDING AT THE WESTERLY PROPERTY LINE OF APN 10-731-07. THE EASEMENT IS WITHIN THE PROPOSED 50 FOOT WIDE ACCESS EASEMENT AND EXTENDS BEYOND ITS EASTLY TERMINUS TO APN 10-731-07 AS SHOWN ON THIS MAP.

DOCUMENT NO. 120393
AN EASEMENT AGREEMENT CONFIRMING A PRESCRIPTIVE EASEMENT FOR THE OWNER OF THE PROJECT PARCEL TO HAVE ACCESS TO THEIR PROPERTY THROUGH THE PROPERTY JUST TO THE WEST.

DOCUMENT NO. 147925
IT APPEARS THE 800 FEET LINE BY 15 FOOT WIDE ACCESS EASEMENT IS NORTHEASTLY OF THE NORTHERLY PROPERTY LINE OF APN 10-731-07. ALL ON THE PROJECT PROPERTY. IT IS UNCLEAR WHAT THE EASEMENT ACCOMPLISHES.

EASEMENTS CREATED BY THIS MAP
IN ADDITION TO THE 50 FOOT WIDE ACCESS EASEMENT SHOWN ON THIS MAP, THE THREE NEW PARCELS WILL LOCATE THE FOLLOWING A 10 FOOT WIDE UTILITY EASEMENT (ON ROAD FRONTAGES WITHIN THE PARCELS) AND A 5 FOOT WIDE UTILITY EASEMENT ALONG THE SIDE AND REAR PROPERTY LINES.

S01°09'29"W STRIP TO THE SW CORNER OF SECTION 7, T. 18 N., R. 24 E., MDB. & C. CORNER BEING A 1911 OLD BRASS CAP.

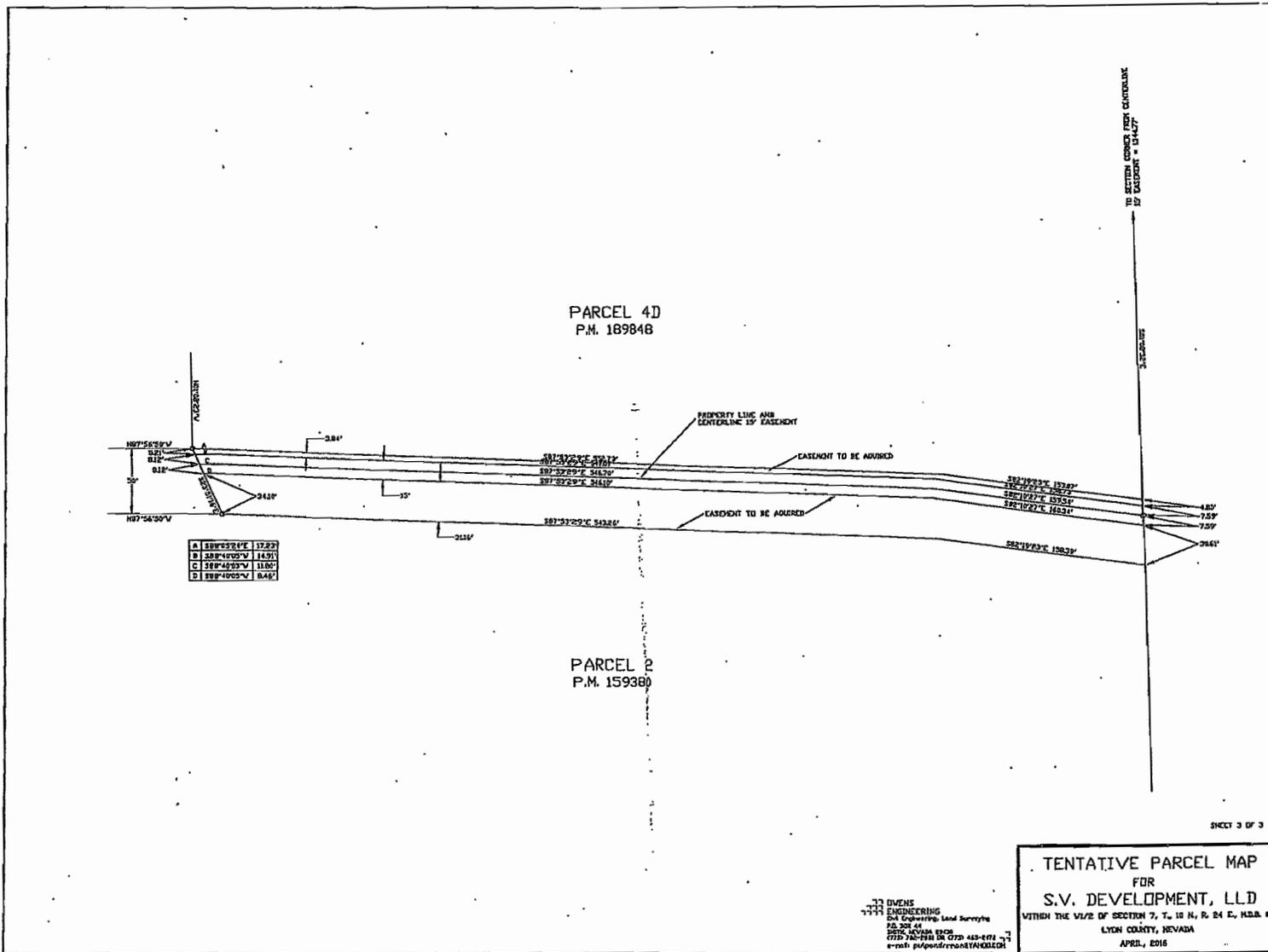


VICINITY MAP
NOT TO SCALE



PARCEL LOCATION

TENTATIVE PARCEL MAP
FOR
S.V. DEVELOPMENT, L.L.C.
WITHIN THE 1/2 OF SECTION 7, T. 18 N., R. 24 E., MDB. & C.
LYON COUNTY, NEVADA
APRIL, 2016



SHEET 3 OF 3

TENTATIVE PARCEL MAP
FOR
S.V. DEVELOPMENT, LLD
WITHIN THE 1/2 OF SECTION 7, T. 10 N., R. 24 E., M.D.A. & M.
LYON COUNTY, NEVADA
APRIL, 2016

DIWENS
ENGINEERING
Civil Engineering, Land Surveying
2010 S. VANDERBILT
SUITE 100-1000 IN Q120-445-010
SPRINGFIELD, NEVADA