



**LYON COUNTY PLANNING COMMISSION
TUESDAY, MARCH 10, 2026
9:00 AM
LYON COUNTY ADMINISTRATIVE COMPLEX
27 S. MAIN STREET
YERINGTON, NV 89447**

Join Zoom Meeting
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Planning Commission meetings are open to the public and members of the public may attend in person and the meetings are also virtual and the public may attend via Virtual Zoom.

Public Comment: Lyon County allows the following alternatives for public comment. If you are attending the virtual Zoom meeting, public comment may be provided by raising your hand and requesting to provide public comment. This can occur in several ways, including by dialing *9 from your phone to raise your hand and request to speak for public comment. To unmute yourself, dial *6. You can also provide public comment for this meeting by sending an email to countyclerks@lyon-county.org, the day prior to the posted meeting date. Be sure to type, **PUBLIC COMMENT**, in the subject line.

Written public comments may also be mailed to the Lyon County Community Development Office at 27 S. Main Street, Yerington, Nevada 89447, but all public comments must be received prior to the date of the meeting if the comments are to be included in the supplemental materials. Any written public comment received the day of the meeting will be compiled and added as supplemental materials to the County's website and distributed to the Planning Commission within 24 hours after the meeting. Members of the Public may attend the meeting in person at the Greg Hunewill Lyon County Commission Chambers, 27 S. Main Street, Yerington, Nevada.

1. Roll Call

2. Pledge of Allegiance

3. Public Participation (no action will be taken on any item until it is properly agendaized) - *Members of the public who wish to address the Planning Commission may approach the podium and speak on matters related to the Lyon County Planning Commission, but not on items appearing on the Agenda. Speakers are asked to state their name for the record and to sign and print their name on the form at the lectern. Comments are limited to three*

minutes per person or topic. The Commission reserves the right to reduce this three minute time limit, as well as limit the total time for public comment. If your item requires extended discussion, please request the Chair to calendar the matter for a future Planning Commission meeting. The Planning Commission will not restrict comments based on viewpoint. The same applies to public testimony on each Agenda item. The Chair may reopen public participation at any time during the meeting. No action may be taken upon a matter raised under this item of the Agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken.

4. Review and Adoption of Agenda (for possible action)

5. For Possible Action: Approval of Minutes

- 5.a For Possible Action: To approve the minutes from the February 10, 2026 meeting.
- [February 10, 2026 Minutes](#)

6. Advisory Board Reports

7. Public Hearing Items

- 7.a For Possible Action: To forward a recommendation to the Board of County Commissioners for the request from Mark Jones for a Conditional Use Permit for an Indoor Vertical Farm System on land zoned AG (Agriculture) located at 60 Artesia Road in Wellington on an approximately 21.60-acre parcel (APN 010-081-43); PLZ-2026-003.
- [Staff Report](#)
 - [Backup](#)
 - [Public Comment](#)
- 7.b For Possible Action: To forward a recommendation to the Board of County Commissioners for the request from Nevada Cement Company LLC for Master Plan Amendments to change the designations from Employment and Resource to Industrial on three parcels that total approximately 462.27 acres in Fernley at 1290 W. Main Street and two unaddressed locations (APNs 021-042-01, 021-571-08 and 021-581-01); PLZ-2025-106.
- [Staff Report](#)
 - [Parcel Pictures](#)
 - [Project Description](#)
- 7.c For Possible Action: To forward a recommendation to the Board of County Commissioners for the request from Nevada Cement Company LLC for Zoning Map Amendments to change the zoning from the Title 10 district name of RR-5 (Fifth Rural Residential, 20-acre minimum) and M1 (General Industrial) on four parcels that total approximately 475.50 acres, located at 1290 West Main Street and three unaddressed locations in Fernley. (APNs 021-581-01, 021-571-08, 021-571-05 and 021-042-01); PLZ-2026-002.
- [Staff Report](#)
 - [Backup](#)

8. Community Development Director

- 8.a For Discussion Only: Community Development Director comments and updates.

9. Commissioner Comments and Agenda Requests

10. Public Participation (no action will be taken on any item until it is properly agendized) - *Members of the public who wish to address the Planning Commission may approach the podium and speak on matters related to the Lyon County Planning Commission but not on items appearing on the Agenda. Comments are limited to three minutes per person or topic and will not be restricted based on viewpoint. No action may be taken upon a matter*

raised under this item of the Agenda until the matter itself has been specifically included on an Agenda as an item upon which action may be taken.

11. ADJOURNMENT

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

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

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

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

Lyon County is an equal opportunity provider.

**Agenda and Backup Material is
Available at www.lyon-county.org**

Lyon County Planning Commission Agenda Summary

Meeting Date: March 10, 2026

Agenda Item Number:

5.a

Subject:

For Possible Action: To approve the minutes from the February 10, 2026 meeting.

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS

- [February 10, 2026 Minutes](#)

LYON COUNTY PLANNING COMMISSION MEETING MINUTES

FEBRUARY 10, 2026

The February 10, 2026 meeting of the Lyon County Planning Commission was called to order by Commission Chairwoman Shannon Ceresola, at approximately 9:00 a.m. at the Lyon County Administrative Complex, 27 S. Main Street, Yerington, NV, 89447.

Attending staff: Community Development Director, Gavin Henderson; County Manager, Andrew Haskin; District Attorney, Steve Rye; Senior Planners Louis Cariola and Lisa Nash; and Administrative Assistant, Brandi Lathrop were present.

1. **Roll Call:** Members present: Commissioners Shannon Ceresola, Audrey Allan, Loretta Sell, Wendy Loomis, Mark Jones, Andrew Merritt and Katie Baker attended in chambers. A quorum was noted.
2. **Pledge of Allegiance**
3. **Public Participation** - None
4. **Review and Adoption of the Agenda**

Commissioner Allan motioned to adopt the agenda as presented.

Commissioner Jones seconded and the motion passed by unanimous vote (7 Ayes, 0 Nay, 0 Abstentions)

There was no public comment.

5. **For Possible Action: Approval of Minutes**
 - 5.a. **For Possible Action: To approve the minutes from the January 13, 2026 meeting.**

Commissioner Loomis motioned to approve the minutes from the January 13, 2026 meeting.

Commissioner Sell seconded and the motion passed by unanimous vote (7 Ayes, 0 Nay, 0 Abstentions)

There was no public comment.

6. **Advisory Board Reports** - None
7. **Public Hearing Items**

7.a. For Possible Action: To forward a recommendation to the Board of County Commissioners for the request from GDA Degree Inc. for a Zoning Map Amendment to amend the Zoning Map split-zoned designations from the Title 10 districts of Limited Commercial District (C-1) and Fifth Rural Residential District (20 Acres) (RR-5) to the Title 15 district of Rural Residential, 20 Acre Minimum (RR-20), for an 18.00-acre parcel located at 20 Hoyer Canyon Road in Smith Valley (APN 010-631-32), PLZ-2025-102.

Senior Planner Lisa Nash gave a presentation of the item. The Applicant requests a Zoning Map Amendment to amend the Zoning designation from the expired Title 10 districts of Limited Commercial District (C-1) and Fifth Rural Residential District (20 Acres) (RR-5) to the Title 15 district of Rural Residential, 20 Acre Minimum (RR-20) on one parcel approximately 18.00 acres in size. The property is currently split zoned, however the following Tentative Parcel Maps would bring this into compliance. The current zoning is not compatible with the Master Plan, but the proposed zoning is.

Commissioners and Senior Planner Lisa Nash discussed the split zoning and how the applicant would be bringing the parcel into compliance. Commissioner Jones had concerns over the future development of the property and if there is water available.

Public Comment – None

Commissioner Allan motioned to forward a recommendation of approval to the Board of County

Commissioners for the request from GDA Degree Inc. for a Zoning Map Amendment to amend the Zoning Map split-zoned designations from the Title 10 districts of Limited Commercial District (C-1) and Fifth Rural Residential District (20 Acres) (RR-5) to the Title 15 district of Rural Residential, 20 Acre Minimum (RR-20), for an 18.00-acre parcel located at 20 Hoye Canyon Road in Smith Valley (APN 010-631-32), PLZ-2025-102 based on the findings listed in the staff report.

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

Commissioner Sell seconded and the motion passed by unanimous vote (7 Ayes, 0 Nay, 0 Abstentions)

7.b. For Possible Action: To approve the request from GDA Degree Inc. for a Tentative Parcel Map to merge and re-subdivide three (3) parcels into three (3) parcels with differing acreages, the smallest being 3.72 acres, located at 20 and 30 Hoye Canyon Road and 2805 Hwy 208 in Smith Valley (APNs 010-631-32, -33, and -37); PLZ-2025-107.

Senior Planner Lisa Nash gave a combined presentation of items 7.b. and 7.c. She discussed the Master Plan designation. The Zoning Map Amendment will be required to go to the Board of County Commissioners if approved and there is a condition of approval in the Staff Report that does not allow the applicant to record the Tentative Parcel Maps unless the Zoning Map Amendment is approved by the Board. The Tentative Parcel Maps are conditioned to be recorded together. With these Tentative Parcel Maps, all split zoning would be removed and each RR-5 zoned parcel would be over the required 20-acre minimum. All parcels would require a well and septic for future development.

Commissioners and Senior Planner Lisa Nash discussed the parcel access. Jerit Shuman, the applicant's representative, clarified that there is access to the parcels. If there is not a current easement for access, one will be created. They discussed the bridge access, the uses, and the project fixing current issues to bring the parcel into compliance.

Public Comment – Jim Dechambeau had comments around being unsure where the bridge is located on Hoye Canyon.

Robin Biggs had questions around access to water and expressed concern around natural vegetation being cleared from the property during future development.

Commissioner Jones motioned to approve the request from GDA Degree Inc. for a Tentative Parcel Map to merge and re-subdivide three (3) parcels into three (3) parcels with differing acreages, the smallest being 3.72 acres, located at 20 and 30 Hoye Canyon Road and 2805 Hwy 208 in Smith Valley (APNs 010-631-32, -33, and -37); PLZ-2025-107 based on the Conditions of Approval listed in the Staff Report.

1. The developer shall comply with all Federal, State, County and special purpose district regulations.
2. The developer 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 parcel map for recordation.
3. The developer shall pay the actual costs for County Engineer plan and map checking fees 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 final parcel map recordation.

4. Dedication of water rights may be necessary to serve the newly created parcels. Prior to the recordation of a Final Map, the applicant shall relinquish any required and appropriate water rights to the State of Nevada.
5. Each residence/development on a separate lot will be required to have an individual system for sewage disposal and well. Verification of the availability of water and sewage disposal for each of the existing buildings currently on APN 010-631-37 will need to be provided prior to recordation of the Final Parcel Maps.
6. The developer shall pay in full all property taxes through the end of the fiscal year (June 30) prior to recordation of the final parcel map.
7. The developer shall provide the parcel map to the Lyon County GIS Coordinator in form and format compatible with the County geographical information system (GIS). The scale of the site plan, improvements, monuments and other items shall be in model space correctly oriented to coordinate system as established by the GIS Coordinator. Cover sheet and standard details need not be included.
8. The developer shall pay the required recording fees at time of final parcel map recordation.
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 developer shall comply with Lyon County's storm drainage guidelines (revised 2024).
11. The applicant must work with WRID to create language for the Saroni Canal easement through these properties that will satisfy the property owner as well as the District and Canal Company. This language will be shared with all stakeholders for input. The existing WRID water cards that are associated with these properties, both belonging to Mr. Garms and Lyon County, will have to be changed to fit within the changed parcels.
12. The final parcel map will comply with the current Lyon County standards requiring a 7.5-foot public utility easement along the front property lines and 5-foot public utility easement along all side property lines for the proposed parcels prior to recordation.
13. If the Zoning Map Amendment application (PLZ-2025-102) associated with APN 010-631-32 is not approved by the Board of County Commissioners, the applicant cannot submit for a Final Parcel Map.
14. The Final Parcel Map for TPM No. 1 shall be recorded simultaneously with the Final Parcel Map for TPM No. 2. They may not be submitted separately.
15. Approval of the tentative parcel map shall not constitute acceptance of the final parcel map. **Failure to submit a complete final parcel map and pay the required fees within one (1) year from the date of approval shall render the tentative parcel map approval as expired.** No extension may be granted after receiving approval of the tentative parcel map.

Commissioner Sell seconded and the motion passed by unanimous vote (7 Ayes, 0 Nay, 0 Abstentions)

7.c. For Possible Action: To approve the request from GDA Degree Inc. for a Tentative Parcel Map to merge and re-subdivide four (4) parcels into four (4) parcels with differing acreages, the smallest being 3.96 acres, located at 20, 40, 50, and 80 Hoyo Canyon Road in Smith Valley (APNs 010-631-34, -35, -36 and Parcel 3 from TPM 1); PLZ-2025-103.

Senior Planner Lisa Nash gave presentation of this item with item 7.b.

Public Comment – None

Commissioner Loomis motioned to approve the request from GDA Degree Inc. for a Tentative Parcel Map to merge and re-subdivide four (4) parcels into four (4) parcels with differing acreages, the smallest being 3.96 acres, located at 20, 40, 50, and 80 Hoyo Canyon Road in Smith Valley (APNs

010-631-34, -35, -36 and Parcel 3 from TPM 1); PLZ-2025-103 based on the conditions listed in the Staff Report.

1. The developer shall comply with all Federal, State, County and special purpose district regulations.
2. The developer 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 parcel map for recordation.
3. The developer shall pay the actual costs for County Engineer plan and map checking fees 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 final parcel map recordation.
4. Dedication of water rights may be necessary to serve the newly created parcels. Prior to the recordation of a Final Map, the applicant shall relinquish any required and appropriate water rights to the State of Nevada.
5. Each parcel will be required to have an individual system for sewage disposal and well with any future development.
6. The developer shall pay in full all property taxes through the end of the fiscal year (June 30) prior to recordation of the final parcel map.
7. The developer shall provide the parcel map to the Lyon County GIS Coordinator in form and format compatible with the County geographical information system (GIS). The scale of the site plan, improvements, monuments and other items shall be in model space correctly oriented to coordinate system as established by the GIS Coordinator. Cover sheet and standard details need not be included.
8. The developer shall pay the required recording fees at time of final parcel map recordation.
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 developer shall comply with Lyon County's storm drainage guidelines (revised 2024).
11. The applicant must work with WRID to create language for the Saroni Canal easement through these properties that will satisfy the property owner as well as the District and Canal Company. This language will be shared with all stakeholders for input. The existing WRID water cards that are associated with these properties, both belonging to Mr. Garms and Lyon County, will have to be changed to fit within the changed parcels.
12. The final parcel map will comply with the current Lyon County standards requiring a 7.5-foot public utility easement along the front property lines and 5-foot public utility easement along all side property lines for the proposed parcels prior to recordation.
13. If the Zoning Map Amendment application (PLZ-2025-102) associated with APN 010-631-32 is not approved by the Board of County Commissioners, the applicant cannot submit for a Final Parcel Map.
14. The Final Parcel Map for TPM No. 2 shall be recorded simultaneously with the Final Parcel Map for TPM No. 1. They may not be submitted separately.
15. Approval of the tentative parcel map shall not constitute acceptance of the final parcel map. **Failure to submit a complete final parcel map and pay the required fees within one (1) year from the date of approval shall render the tentative parcel map approval as expired.** No extension may be granted after receiving approval of the tentative parcel map.

Commissioner Sell seconded and the motion passed by unanimous vote (7 Ayes, 0 Nay, 0 Abstentions)

7.d. For Possible Action: To forward a recommendation to the Board of County Commissioners

for the request from Microsoft Corporation for a Conditional Use Permit to construct a 345/120-kilovolt electrical substation, two high voltage power lines, and other associated infrastructure for the Nighthawk Substation over approximately 32.59 acres of five parcels with Neighborhood Commercial (NC) zoning located north of US Highway 50 in Silver Springs at 1200 W US Highway 50 (Portion of APN 015-141-13 and 018-551-03, 018-551-04, 018-552-01, 018-552-02); PLZ-2025-109.

Senior Planner Louis Cariola gave a presentation of the item. Microsoft requests approval for a Conditional Use Permit to construct an electrical power substation to support a data center campus under separate review. There is a Tentative Parcel Map under review with the Community Development Department that will create a single parcel for this project area once recorded. Senior Planner Louis Cariola is working on an ADR application for a Data Center for Microsoft. Silver Springs Mutual Water Company will provide water services, and Silver Springs GID will provide sewer service. Microsoft has been working with Lyon County for some time prior to getting to this point of the process. The applicant will be required to obtain approval from the Federal Aviation Authority. He discussed the reasons why the applicant chose this location for the project and the construction phase not requiring improvements to county roads. Staff recommends approval.

Staci Huggins with Wood Rodgers, the applicant's representative, gave presentation of the item. The substation is part of a much larger project area. She discussed the substation, what it is anticipated to look like, lighting, access, maintenance, and noise concerns. In the future, the substation could potentially provide backup service for the residents of Silver Springs. She also discussed Condition 2 listed in the Staff Report requiring the applicant to come before the Board again if there are any changes to the CUP. They request this to be modified to be reviewed by Staff for determination if they would need to go before the Board for review.

Commissioner's discussed public comment received, when the substation would be constructed, and limitations to development surrounding the project. Stacie Huggins stated construction to begin in 2028-2029. This project will tie into the Greenlink substations previously approved for NV Energy. There were questions around the access road maintenance and why it would be turned back into gravel, the only parts of the access road that will be turned back to gravel will be inside the property lines.

Commission Chairwoman Ceresola had questions around the language in the Conditions of Approval. Senior Planner Louis Cariola discussed Staff being in support of the amendments to Condition 2 as discussed. Community Development Director discussed minor changes being 10% or less, anything exceeding the 10% would be required to go before the Board for approval.

There was discussion around the zoning for neighboring properties and clarification on where the current and future projects would be located within the parcel.

Public Comment – Robin Biggs discussed the project location and had concerns around water. She also requested written public comments received to be read into record.

Community Development Director Gavin Henderson, clarified that public comment received would be included as backup.

Brent Lovett shares the east property line with the project location. He was under the impression this would be a commercial site for an office and expressed concern around the location of the project and the impact to his neighboring project.

Commission Chairwoman Ceresola called for a recess 10:26 a.m.

Commission resumed at 10:40 a.m.

Community Development Director Gavin Henderson discussed the applicant accepting conditions with no modifications.

Commissioner Jones abstained from voting on this item due to a conflict.

Commissioner Allan motioned to forward a recommendation of approval to the Board of County Commissioners for the request from Microsoft Corporation for a Conditional Use Permit to construct a 345/120-kilovolt electrical substation, two high voltage power lines, and other associated infrastructure for the Nighthawk Substation over approximately 32.59 acres of five parcels with Neighborhood Commercial (NC) zoning located north of US Highway 50 in Silver Springs at 1200 W US Highway 50 (Portion of APN 015-141-13 and 018-551-03, 018-551-04, 018-552-01, 018-552-02); PLZ-2025-109 based on the Conditions of Approval listed in the Staff Report.

1. The project activities shall be constructed and operated in accordance with the conceptual site plan and construction drawings as submitted and reviewed as part of this approval. Any further expansion will require modification of this Conditional Use Permit or an additional Conditional Use Permit and/or other approvals.
2. Any modification, expansion, intensification or material change in use or operation shall require an application for, and public hearings on, an amendment to the Conditional Use Permit use pursuant to Lyon County Code.
3. The applicant shall comply with all state, federal and local government regulations to the satisfaction of the appropriate agencies for the proposed uses. The applicant shall comply with all applicable Fire, building, zoning and improvement code requirements and obtain any necessary public inspections.
4. All construction documents, to include separate applications, must be submitted to Lyon County Utilities, Central Lyon Fire Protection District and Lyon County Building for review and approval to obtain a Building Permit.
5. The applicant is required to submit for a separate and independent Fire Plan review and will be required to comply with the 2024 Northern Nevada Code Amendments package and all applicable NFPA standards.
6. All contractors doing any construction, modifications, or remodel must be licensed in the State of Nevada.
7. The applicant shall maintain a Lyon County business license for the use while occupying the site.
8. The applicant shall receive approval from the Federal Aviation Administration (FAA) of a Form 7460-1 and supply it to the County prior to the issuance of Building Permits.
9. The applicant shall receive approval from the County Roads Department of an encroachment permit to pave access roads to the site prior to initiation of construction and grading on-site.
10. In accordance with the project description, the substation building pad shall be secured with a 14 foot tall CMU (Concrete Masonry Unit) wall.
11. The operations authorized per this Conditional Use Permit shall not exceed 65 dBA (A-weighted decibel) during daytime hours or 60 dBA during night time hours as averaged from a two-hour monitoring period from the property boundary. The Community Development Director reserves the right to require a sound study to verify sound levels of the functioning operations. If a sound study determines that the use permitted per this Conditional Use Permit exceeds the limit allowed, the authorization may be rescinded at the discretion of the Director.
12. Exterior site and building lighting shall be installed as to eliminate any nuisance to adjoining properties. No unshaded light sources shall be permitted.
13. The applicant shall comply with the Lyon County drainage guidelines (2024 updated edition) to the satisfaction of the County Engineer. The property owner shall be responsible for maintenance of all

roads, parking areas and drainage facilities within the parcel, as well as any storm water detention facilities.

14. The substantial failure to comply with the conditions imposed on the issuance of this conditional use permit or the operation of the conditional use in a manner that endangers the health, safety or welfare of Lyon County or its residents or the violation of ordinances, regulations or laws in the conditional use may result in the institution of revocation proceedings. **Failure to initiate the conditional use permit within two (2) years from the date of approval will result in the expiration of the conditional use permit approval.**

Commissioner Merritt seconded and the motion passed by majority vote (6 Ayes, 0 Nay, 1 Abstentions-Commissioner Jones)

7.e. For Possible Action: To forward a recommendation to the Board of County Commissioners for the request from Microsoft Corporation for a Conditional Use Permit to construct a 120-kilovolt electrical substation and other associated infrastructure over approximately 18.70 acres of two parcels with Neighborhood Commercial (NC) zoning located north of US Highway 50 in Silver Springs at 1200 W US Highway 50 (Portion of APN 015-141-13 and 015-141-04); PLZ-2025-110.

Senior Planner Louis Cariola gave a presentation of the item. Microsoft requests approval for a Conditional Use Permit to construct an electrical power substation to support a data center campus under separate review. The project configuration is under review by staff for recordation. He discussed prior items that have come before the Board dating back to 2022 and the requirement for the applicant to obtain approval from the FAA. The substation will tie into NV Energy's Greenlink project. Staff recommends approval.

Commissioners and Senior Planner Louis Cariola discussed the visual mitigation measures. Stacie Huggins discussed what the project is anticipated to look like.

Stacie Huggins with Wood Rodgers, the applicant's representative, gave presentation of the item. This project will be fed from the Nighthawk Substation, from there it will power the future data center. The project meets the setbacks in County Code, there will be motion censored lighting, and no employees on site other than during construction or maintenance. Commissioner's had concerns around fencing and visual impacts. This included a discussion of the chain link fencing versus the walls proposed around the Nighthawk substation.

Public Comment – Brent Lovett with Mineral Heights Apartments discussed existing residential lots to the East and the incompatibility with the area.

Commissioner Merritt motioned to forward a recommendation of approval to the Board of County Commissioners for the request from Microsoft Corporation for a Conditional Use Permit to construct a 120-kilovolt electrical substation and other associated infrastructure over approximately 18.70 acres of two parcels with Neighborhood Commercial (NC) zoning located north of US Highway 50 in Silver Springs at 1200 W US Highway 50 (Portion of APN 015-141-13 and 015-141-04); PLZ-2025-110 based on the 14 Conditions of Approval listed in the Staff Report.

1. The project activities shall be constructed and operated in accordance with the conceptual site plan and construction drawings as submitted and reviewed as part of this approval. Any further expansion will require modification of this Conditional Use Permit or an additional Conditional Use Permit and/or other approvals.
2. Any modification, expansion, intensification or material change in use or operation shall require an application for, and public hearings on, an amendment to the Conditional Use Permit use pursuant to Lyon County Code.

3. The applicant shall comply with all state, federal and local government regulations to the satisfaction of the appropriate agencies for the proposed uses. The applicant shall comply with all applicable Fire, building, zoning and improvement code requirements and obtain any necessary public inspections.
4. All construction documents, to include separate applications, must be submitted to Lyon County Utilities, Central Lyon Fire Protection District and Lyon County Building for review and approval to obtain a Building Permit.
5. The applicant is required to submit for a separate and independent Fire Plan review and will be required to comply with the 2024 Northern Nevada Code Amendments package and all applicable NFPA standards.
6. All contractors doing any construction, modifications, or remodel must be licensed in the State of Nevada.
7. The applicant shall maintain a Lyon County business license for the use while occupying the site.
8. The applicant shall receive approval from the Federal Aviation Administration (FAA) of a Form 7460-1 and supply it to the County prior to the issuance of Building Permits.
9. The applicant shall receive approval from the County Roads Department of an encroachment permit to pave access roads to the site prior to initiation of construction and grading on-site.
10. The project area shall be fenced with at least six feet of chain link for security purposes.
11. The operations authorized per this Conditional Use Permit shall not exceed 65 dBA (A-weighted decibel) during daytime hours or 60 dBA during night time hours as averaged from a two-hour monitoring period. The Community Development Director reserves the right to require a sound study to verify sound levels of the functioning operations. If a sound study determines that the use permitted per this Conditional Use Permit exceeds the limit allowed, the authorization may be rescinded at the discretion of the Director.
12. Exterior site and building lighting shall be installed as to eliminate any nuisance to adjoining properties. No unshaded light sources shall be permitted.
13. The applicant shall comply with the Lyon County drainage guidelines (2024 updated edition) to the satisfaction of the County Engineer. The property owner shall be responsible for maintenance of all roads, parking areas and drainage facilities within the parcel, as well as any storm water detention facilities.
14. The substantial failure to comply with the conditions imposed on the issuance of this conditional use permit or the operation of the conditional use in a manner that endangers the health, safety or welfare of Lyon County or its residents or the violation of ordinances, regulations or laws in the conditional use may result in the institution of revocation proceedings. **Failure to initiate the conditional use permit within two (2) years from the date of approval will result in the expiration of the conditional use permit approval.**

Commissioner Sell seconded and the motion passed by majority vote (6 Ayes, 0 Nay, 1 Abstentions-Commissioner Jones)

Commission Chairwoman called a recess at 11:06 a.m.

Commission resumed at 11:46 a.m.

7.f. For Possible Action: To forward a recommendation to the Board of County Commissioners for the request from Traditions North LLC for a Zoning Map Amendment to amend the Zoning Map split-zoned designations from the Title 10 districts of First Rural Residential District (1 Acre) (RR-1), First Estates Residential District (E-1), Single-Family Nonrural Residential District (NR-1), and General Commercial District (C-2), to the Title 15 district of Planned Unit

Development (PUD), generally located north of the intersection of Nevada Station and Rock Creek Parkways in Dayton on an approximately 230.76-acre parcel (APN 016-406-07), PLZ-2025-093.

Senior Planner Lisa Nash gave a combined presentation of items 7.f. and 7.g. She discussed the Master Plan designations and the PUD restricting this project to strictly residential uses and recreational uses allowed in open space. There will be 415 residences.

Commissioners and Senior Planner Lisa Nash discussed the commercial space not being included in this project and the findings listed in the Staff Report. Staff recommends approval for both items.

Carter Williams, the applicant's representative, gave a presentation of the item. He discussed collaboration with the Friends of the Sutro Tunnel, the applicant will be making a land donation which will be excluded from the PUD. The reduction of proposed homes provides the applicant more area for open space.

Citizens on Zoom were unable to hear the presentation, Carter Williams went through his presentation again.

Commissioners had discussion around the original plan and Chris Baker clarified that the original Traditions PUD had been dissolved.

Public Comment – Stephen Snow is in support of this project. He discussed the importance of this project to Dayton and to the Friends of the Sutro Tunnel.

Robin Biggs had questions around power, water, and how far the project is from the Sutro Tunnel.

Dan Birchfield, on behalf of the applicant discussed sewer and water being provided by Lyon County Utilities.

Commissioner Jones motioned to forward a recommendation of approval to the Board of County Commissioners for the request from Traditions North LLC for a Zoning Map Amendment to amend the Zoning Map split-zoned designations from the Title 10 districts of First Rural Residential District (1 Acre) (RR-1), First Estates Residential District (E-1), Single-Family Nonrural Residential District (NR-1), and General Commercial District (C-2), to the Title 15 district of Planned Unit Development (PUD), generally located north of the intersection of Nevada Station and Rock Creek Parkways in Dayton on an approximately 230.76-acre parcel (APN 016-406-07), PLZ-2025-093 based on the Findings listed in the Staff Report.

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

Commissioner Sell seconded and the motion passed by unanimous vote (7 Ayes, 0 Nay, 0 Abstentions)

7.g. For Possible Action: To forward a recommendation to the Board of County Commissioners for the request from Traditions North LLC for a Planned Unit Development (PUD) for the Traditions North Residential Development. The project consists of 415 single-family residential units, open space, a neighborhood park, and pocket parks and is generally located north of the intersection of Nevada Station and Rock Creek Parkways in Dayton on an approximately 230.76-acre parcel (APN 016-406-07), PLZ-2025-094.

Senior Planner Lisa Nash gave a combined presentation of items 7.f. and 7.g.

Public Comment – None

Commissioner Loomis motioned to forward a recommendation of approval to the Board of County Commissioners for the request from Traditions North LLC for a Planned Unit Development (PUD) for the Traditions North Residential Development. The project consists of 415 single-family residential units, open space, a neighborhood park, and pocket parks and is generally located north of the intersection of Nevada Station and Rock Creek Parkways in Dayton on an approximately 220.76-acre parcel (APN 016-406-07), PLZ-2025-094 based on the Findings listed in the Staff Report.

- A. In what respects the plan is or is not consistent with the statement of objectives of this chapter;
- B. The extent to which the plan departs from zoning and planned unit development regulations otherwise applicable to the property, including but not limited to density, size and use, and the reasons such departures are or are not deemed to be in the public interest;
- C. The purpose, location and amount of the open space in the planned unit development, the reliability of the proposals for maintenance and conservation of the open space and the adequacy or inadequacy of the amount and purpose of the open space as related to the proposed density and type of residential development;
- D. A physical design of the plan and in the manner in which such design does or does not make adequate provision for public services, provide adequate control over vehicular traffic, parking requirements, and further the amenities of light and air, recreation and visual enjoyment;
- E. The relationship, beneficial or adverse, of the proposed planned unit development to the neighborhood in which it is proposed;
- F. In the case of a plan which proposes a development over a period of years, the sufficiency of the terms and conditions intended to protect the interest of the public and the residents of the planned unit development in the integrity of the plan.

Commissioner Allan seconded and the motion passed by unanimous vote (7 Ayes, 0 Nay, 0 Abstentions)

7.h. For Possible Action: To forward a recommendation to the Board of County Commissioners for the request from Traditions North LLC for a Tentative Subdivision Map. The request is for 358 detached single-family residential units, including 116-acres of common area open space, parks, and trails, and is generally located north of the intersection of Nevada Station and Rock Creek Parkways in Dayton on an approximately 230.76-acre parcel (APN 016-406-07), PLZ-2025-095.

Senior Planner Lisa Nash gave a combined presentation of items 7.h and 7.i. This Tentative Parcel Map is for the first 358 parcels of the project. The land uses allowed will be very restrictive. The maximum allowed residences will be 415, with open space consisting of 43.3% of the project area. The applicant is required to meet the conditions of approval for the Tentative Parcel Map.

There was discussion around the Traffic Impact Study, and the Street Name Request having been reviewed by all necessary entities.

Carter Williams, the applicant's representative, gave a presentation of the item. He further discussed the land use plan and amendments to the Conditions of Approval. The applicant would like to make amendments to Conditions 8, 22, 26, and 28. Staff has agreed to the amendments of these Conditions.

Dan Birchfield, on behalf of the applicant, discussed conditions 23 and 24 needing additional discussion. They are requesting to continue the approval process while working with Staff on the Conditions language.

Senior Planner Lisa Nash clarified the changes being made to the Conditions of Approval. Staff requests condition 24 be removed, and read the language be added to condition 23.c.

Commissioners, Carter Williams, and Lisa Nash discussed the driveway slope maximum being 14%. Community Development Director Gavin Henderson clarified there is not a maximum. The applicant will try to keep driveway slopes as flat as possible in their final design, Staff agrees there should be some flexibility with this condition. Staff recommends the commission forward a recommendation of approval to the Board of County Commissioners with the proposed amendments.

Public Comment – Robin Biggs had questions around septic and water.

Senior Planner Lisa Nash clarified these lots will be connected to Lyon County Utilities.

Commissioner Loomis motioned to forward a recommendation of approval to the Board of County Commissioners for the request from Traditions North LLC for a Tentative Subdivision Map. The request is for 358 detached single-family residential units, including 116-acres of common area open space, parks, and trails, and is generally located north of the intersection of Nevada Station and Rock Creek Parkways in Dayton on an approximately 220.76-acre parcel (APN 016-406-07), PLZ-2025-095 subject to the 34 Conditions of Approval with the amendments staff has proposed.

1. Approval of the tentative map shall not constitute acceptance of the final map. **Approval of the tentative map shall lapse unless a final map based thereon is recorded within four (4) years from the date of such approval.** unless a provision for an extension of time has been granted. The Board of County Commissioners, with the recommendation of the Community Development Department, may grant to the developer a single extension of not more than two (2) years within which to record a final map after receiving approval of the tentative map.
2. The applicant shall comply with all Federal, State, County and special purpose district regulations.
3. The developer shall provide the proposed Covenants, Conditions and Restrictions (“CC&Rs”), landscape maintenance association/homeowners association agreements, easements and/or other legal instruments containing sufficient detail to constitute enforceable provisions necessary for operation and maintenance by the developer and his successors, and assignees as well as the individual subdivision lot property owners as the project is subdivided and the individual lots sold for all common areas and storm drainage facilities (easements, channels and basins) as well as any other provisions necessary for the subdivision as approved, for review by the Community Development Director, the Utilities Director, the County Engineer and District Attorney’s Office. The approved legal instrument shall be signed and recorded prior to recordation of a final map or first in a series of final maps for the project.
4. Prior to issuance of any Final Map, the applicant shall submit for the County’s approval a landscape/treatment development plan for all common areas on the site, for that phase.
5. The applicant shall provide the approved street-naming application (PLZ-2025-098) with all submittals of an application for a final map or first in a series of final maps.
6. A phasing plan must be submitted prior to the recordation of the first final map if the development is to be phased.
7. Before requesting a Will-Serve Letter for the final subdivision map, the developer must submit an LCUD application for water and sewer service and meet the requirements outlined in County Code, Title 9. The applicant shall provide written evidence (i.e. ‘will-serve’ letters) demonstrating that the proposed parcels are able to be served by municipal water and sewer systems prior to recordation of a final subdivision map or first in a series of final maps for this project.
8. The proposed project will consist of a gravity sewer collection system. If a lift station is proposed, the developer is required to meet the requirements of NAC445A.285 and WTS-21. Odor control mitigation for a lift station is required when there are any homes within 1000’ of a lift station.
9. 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.

10. The applicant shall comply with the final subdivision map requirements as prescribed by NRS 278 and Title 15 of the Lyon County Code.
11. Required recording fees to be paid at time of recording map.
12. No lot shall be offered for sale or sold until the final subdivision map has been approved and recorded.
13. No building permits shall be accepted for processing until a final subdivision map has been approved and recorded.
14. 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.
15. The applicant shall pay the actual costs for County Engineer plan and map checking in accordance with the adopted County fee resolution in effect at the time, and provide proof of payment of any Tentative Subdivision Map review fees to the Community Development Department prior to submission of the final subdivision map. 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 of any Final Subdivision Map review fees to the Community Development Department prior to recordation of the final subdivision map.
16. 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 15.607.08(B) 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.
17. The applicant shall comply with County requirements, in accordance with Chapter 15.234 of the Lyon County Code, mandating that a site improvement permit(s) be obtained for any disturbance occurring on the subject site. The site improvement permit applications shall also include documentation of approval of a Stormwater Pollution Prevention Plan (“SWPPP”) permit and a Surface Area Disturbance (“SAD”) permit with the Nevada Department of Environmental Protection (NDEP).
18. Prior to issuance of any site improvement permit, the applicant shall pay all applicable inspection and plan-check fees and execute a site improvement agreement establishing the responsibilities for construction, inspection, and completion of all required improvements.
19. Prior to any construction of improvements, a preconstruction conference shall be held between the contractor/developer and the appropriate County inspection personnel and departments.
20. All retaining walls within the subdivision, whether located on individual lots or within common areas, shall be designed by a Nevada-licensed civil or structural engineer and constructed in accordance with the approved plans. Retaining walls exceeding four (4) feet in height, measured from the lowest finished grade, shall require a building permit and engineered design. Retaining walls shall be located entirely outside of public rights-of-way and public utility easements unless otherwise approved by the County. Responsibility for long-term maintenance of retaining walls shall be clearly identified on the final map, in the subdivision’s recorded covenants, conditions, and restrictions (CC&Rs), or HOA Stormwater Facilities Operation and Maintenance (O&M) Provisions, as applicable.
 - a. All building permits related to retaining walls shall be accompanied by a special inspection agreement.
21. The applicant shall comply with Lyon County requirements as set forth in Title 15 of the Lyon County Code including, but not limited to:

- a. The developer shall obtain all necessary encroachment permits and approvals as well as coordinate and comply with the requirements of the Roads Department;
 - b. The developer shall design the street alignments in compliance with AASHTO standards to the approval of the director of the Roads Department;
 - c. The developer shall install all required signage, striping and traffic control improvements in compliance with Nevada Department of Transportation and Lyon County requirements;
 - d. The developer shall install street lighting in compliance with the requirements of the Roads Department;
 - e. The developer shall submit a detailed geotechnical report with the final map(s) for the project that includes roadway structural sections and the structural section calculations demonstrating that the proposed structural section is adequate to support the weight of the anticipated traffic;
22. A Traffic Impact Study (TIS) is required for the project and has been submitted as part of the tentative subdivision map application.
- a. NDOT provided a Traffic Impact Study Acceptance Letter on January 30, 2026 for the Traffic Impact Study for Traditions North (GCW, November 12, 2025).
 - b. The following improvements are recommended as mitigations based on the traffic impact study:
 - 1) Prior to reaching LOS E, construct an additional right-turn lane for the southbound Fortune Drive to US 50 movement to mitigate the cumulative developmental impacts of Traditions North and other projects north of US 50.
 - c. The project applicant shall contribute a pro rata share to the US 50/Fortune Drive southbound right-turn lane improvement cost. Based on Future Year traffic volumes identified in the Traffic Impact Study, when LOS F conditions are identified, the Traditions North project trips are anticipated to be 5 percent of the total southbound right-turn volume during the highest peak hour.
23. The applicant shall provide a final drainage design and modeling compliant with the North Dayton Valley Area Drainage Master Plan and Lyon County Drainage Guidelines (dated September 20, 2024) to the satisfaction of the County Engineer and Community Development Director prior to the issuance of a site improvement permit. Major drainage facilities for off-site and post development flows shall be constructed with the first phase of development, and subsequent phases shall include improvements that connect to and function independently of future facilities.
- a. Prior to recordation of the final subdivision map, or the first map in a series, the applicant shall demonstrate that all easements necessary for the conveyance, detention, retention, attenuation, and discharge of stormwater have been identified and incorporated into the final map. Such easements shall be sufficient to ensure that stormwater is managed and conveyed to appropriate locations in accordance with the approved drainage plans and applicable County standards.
 - b. Prior to issuance of a site improvement permit for residential home construction within Traditions North, the applicant shall pay their proportionate share for the regional stormwater facilities per condition 20.g of the Traditions Village 2 tentative subdivision map.
 - c. The applicant shall demonstrate, through final drainage design and supporting hydrologic and hydraulic analyses, that stormwater discharge at the project boundary for the applicable design storm is at or below pre-development flow rates. All stormwater discharges shall be conveyed to a major drainage facility as defined in the County Drainage Guidelines, a natural watercourse, or within an approved drainage system. Sheet flow discharges beyond the project boundary shall not be permitted.
24. For lots where, rear yard slopes are designed at 3:1 slope or greater, the applicant shall submit a rear lot drainage channel and/or swale detail with the site improvement plans, subject to review and approval

by the County Engineer. The approved drainage design shall be reflected on individual lot plot plans submitted with each single-family residential building permit. The drainage facilities shall be designed to intercept, convey, and attenuate stormwater runoff prior to discharge to the public right-of-way or approved drainage facilities, prevent slope erosion, and ensure that stormwater runoff does not adversely affect adjacent or downstream lots.

25. Prior to issuance of site improvement permit, all graded slopes constructed at 2:1 or steeper shall be designed to be stabilized with Class 150 riprap, or an engineered equivalent approved by the County Engineer, to protect against erosion, slope failure, and sediment transport. Installation shall be in accordance with the approved grading and drainage plans and applicable County standards.
26. Prior to the issuance of a Certificate of Occupancy for any single-family residence, or for any phase of the project if constructed in phases, all required public and private improvements, infrastructure, and facilities serving a subdivision phase shall be fully constructed, installed, tested as applicable, and accepted to the satisfaction of the Community Development Director, County Engineer, County Road Superintendent, Utilities Director, Building Official, Central Lyon County Fire Protection District, and any other applicable County department or agency, or their authorized designees.
27. All residential driveways shall be designed and constructed to ensure safe vehicular access under all weather conditions. The maximum driveway slope shall not exceed 14 percent.
28. The applicant shall comply with all applicable building and fire code requirements.
29. The applicant is required to submit for a separate and independent Fire Plan review and will be required to comply with the 2024 Northern Nevada Code Amendments package and all applicable NFPA standards. Contact the CLCFPD Fire Prevention Division at (775) 246-6209 for more information and direction.
30. The water system must meet the requirements of the Lyon County Utilities Department and Central Lyon County Fire Protection District and be constructed in accordance with the following:
 - a. The location of fire hydrants shall be determined by the Central Lyon County Fire Protection District.
 - b. A minimum required fire flow is required for each fire hydrant as directed by the Central Lyon County Fire Protection District.
 - c. Prior to any combustible materials being brought on site, all required fire hydrants are to be installed and fully operating.
31. Distinct and legible “temporary” addresses are required of any structures under construction until such time as permanent address numbers are installed and posted.
32. 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.
33. The applicant shall post and maintain a rules and regulations sign at the entryways to the property until it is fully developed. The signs shall be intended for the subcontractors performing work and shall include:
 - a. No loud music;
 - b. No alcohol or drugs;
 - c. Dispose of personal trash and site debris;
 - d. Clean up any mud and or dirt that is deposited from the construction parcels onto the streets; and
 - e. No burning of construction or other debris on the property.

34. 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.

Commissioner Sell seconded and the motion passed by unanimous vote (7 Ayes, 0 Nay, 0 Abstentions)

7.i. For Possible Action: To forward a recommendation to the Board of County Commissioners for the request from Traditions North LLC to Reserve Street Names for the Traditions North Residential Development for the proposed roadways to be generally located north of the intersection of Nevada Station and Rock Creek Parkways in Dayton on an approximately 230.76-acre parcel (APN 016-406-07), PLZ-2025-098.

Senior Planner Lisa Nash gave a combined presentation of items 7.h and 7.i.

Public Comment – None

Commissioner Loomis motioned to forward a recommendation of approval to the Board of County Commissioners for the request from Traditions North LLC to Reserve Street Names for the Traditions North Residential Development for the proposed roadways to be generally located north of the intersection of Nevada Station and Rock Creek Parkways in Dayton on an approximately 230.76-acre parcel (APN 016-406-07), PLZ-2025-098 subject to one condition.

1. The requested street names are approved unless it is determined that there are duplicate street names or that a name that would create a public safety hazard due to another similar existing street name(s). Should the requested street name be denied, the Planning Director is authorized to administratively process a request for a replacement street name, obtain review and comment from the Sheriff's Office, Central Lyon Fire Protection District, Road Department and any other appropriate agency, and approve a revised street name without the requirement of a public hearing before the Planning Commission and Board of County Commissioners.

Commissioner Sell seconded and the motion passed by unanimous vote (7 Ayes, 0 Nay, 0 Abstentions)

7.j. For Possible Action: To forward a recommendation to the Board of County Commissioners for the request from Lux Solar Center, LLC for a Major Variance application to allow for a reduction in setbacks for an expansion to the existing Lux Solar Project approved in 2023, to construct and operate a photovoltaic (PV) solar energy facility, on land subject to Rural Residential, 20 Acre Minimum (RR-20) zoning located in the northern portion of the parcel at 55 Butte Way in Wabuska, Mason Valley on an approximately 280-acre portion of a 1,593-acre parcel (APN 014-091-20); PLZ-2025-096.

Senior Planner Lisa Nash gave a combined presentation of items 7.j. and 7.k. The applicant is requesting a Major Variance for setbacks due to the recent Code adoption. The nearest residence is 3,700 ft from the project location. The applicant has received a response from NDOT, a second response is expected prior to going forward to the Board of County Commissioners. A temporary traffic signal will be put in place during the 13 month construction phase.

Commissioners and Senior Planner Lisa Nash discussed this project being ongoing, but building has not begun.

Commission Chairwoman Ceresola called a recess and excused herself at 1:27 p.m.

Commission Vice Chair Mark Jones resumed the meeting at 1:33 p.m.

Staff recommends approval of both items as conditioned.

Public Comment – Robin Biggs discussed not being allowed to bring solar panels in from China, she has sent emails to public officials. She quoted an email response from State Senator Robin Titus.

Commissioner Merritt motioned to forward a recommendation of approval to the Board of County Commissioners for the request from Lux Solar Center, LLC for a Major Variance application to

allow for a reduction in setbacks for an expansion to the existing Lux Solar Project approved in 2023, to construct and operate a photovoltaic (PV) solar energy facility, on land subject to Rural Residential, 20 Acre Minimum (RR-20) zoning located in the northern portion of the parcel at 55 Butte Way in Wabuska, Mason Valley on an approximately 280-acre portion of a 1,593-acre parcel (APN 014-091-20); PLZ-2025-096 based on the 8 Conditions of Approval.

1. No change in the terms and conditions of the Major Variance, as approved, shall be undertaken without first submitting the changes to Lyon County Community Development and having them modified in conformance with Lyon County Code.
2. The applicant shall comply with all applicable Fire, building, zoning and improvement code requirements and obtain any necessary public inspections.
3. All construction documents and separate applications must be submitted to the Mason Valley Fire Protection District (MVFPD) and the Lyon County Building Department for review and approval to obtain a Site Improvement, Grading, or Building Permit.
4. The subject property is located within the flood zone A. In accordance with Lyon County Code Chapter 15.800.08(A), the Applicant shall obtain approval of a flood plain development permit prior to any development.
5. The proposed project shall conform to the site plans approved with this Major Variance and the concurrent application for a Conditional Use Permit (PLZ-2025-085).
6. The applicant shall comply with Lyon County's 2024 revised drainage guidelines to the satisfaction of the County Engineer prior to occupancy.
7. The Major Variance shall run concurrently with the Conditional Use Permit (CUP) (PLZ-2025-085) and be subject to all conditions of the CUP.
8. The substantial failure to comply with the conditions imposed on the issuance of this Major Variance or the operation of the proposed use in a manner that endangers the health, safety or welfare of Lyon County or its residents or the violation of ordinances, regulations or laws in the proposed use may result in the institution of revocation proceedings. **The Major Variance shall run with the time established for the associated Conditional Use Permit (PLZ-2025-085).**

Commissioner Loomis seconded and the motion passed by majority vote (5 Ayes, 1 Nay-Commissioner Baker, 0 Abstentions; 1 Absent-Commissioner Ceresola)

7.k. For Possible Action: To forward a recommendation to the Board of County Commissioners for the request from Lux Solar Center, LLC for a Conditional Use Permit for an expansion to the existing Lux Solar Project approved in 2023, to construct and operate a photovoltaic (PV) solar energy facility, on land subject to Rural Residential, 20 Acre Minimum (RR-20) zoning located in the northern portion of the parcel at 55 Butte Way in Wabuska, Mason Valley on an approximately 280-acre portion of a 1,593-acre parcel (APN 014-091-20); PLZ-2025-085.

Senior Planner Lisa Nash gave a combined presentation of items 7.j. and 7.k.

Public Comment – None

Commissioner Loomis motioned to forward a recommendation of approval to the Board of County Commissioners for the request from Lux Solar Center, LLC for a Conditional Use Permit for an expansion to the existing Lux Solar Project approved in 2023, to construct and operate a photovoltaic (PV) solar energy facility, on land subject to Rural Residential, 20 Acre Minimum (RR-20) zoning located in the northern portion of the parcel at 55 Butte Way in Wabuska, Mason Valley on an approximately 280-acre portion of a 1,593-acre parcel (APN 014-091-20); PLZ-2025-085 based on

the 24 Conditions of Approval.

1. No change in the terms and conditions of the Conditional Use Permit (CUP), as approved, shall be undertaken without first submitting the changes to Lyon County Community Development and having them modified in conformance with Lyon County Code.
2. The Applicant shall comply with all applicable Fire, building, zoning and improvement code requirements and obtain any necessary public inspections.
3. All construction documents and separate applications must be submitted to the Central Lyon County Fire Protection District and the Lyon County Building Department for review and approval prior to obtaining a Building Permit.
4. All contractors doing any construction, modifications, or remodels must be licensed in the State of Nevada.
5. The Applicant shall maintain a Lyon County business license for the use while occupying the site.
6. The Applicant will be held to the decommissioning plan required as a part of the conditional use permit submittal materials in CUP (PLZ-2019-0054).
7. The project is within the jurisdiction of the Nevada Department of Transportation (NDOT) District II. The applicant is required to submit a Traffic Impact Study (TIS) to NDOT and Lyon County. The TIS will need to be reviewed and approved by NDOT and Lyon County to meet NDOT Access Management and other applicable standards before site improvement, grading, and building permits will be issued.
8. Prior to commencement of the use, the Applicant shall ensure the satisfactory completion of all required access, driveway and parking improvements to County and International Fire Code standards, as required by the Lyon County Planning Department, the Lyon County Road Department and Yerington/Mason Valley Fire Protection District.
9. The Applicant shall enter into a road maintenance agreement with the County for the maintenance and dust control of the West and East Sierra Way during the construction period of the project. Once the construction of the project is completed, the amount of traffic generated by the project is minimal and the road maintenance agreement may expire.
10. The applicant shall design, construct, and install all traffic mitigation improvements identified as necessary in the Nevada Department of Transportation (NDOT) and County-approved Traffic Impact Study (TIS). All such improvements shall be completed at the applicant's sole cost and expense, with no cost or financial responsibility to Lyon County. Construction of the improvements shall be subject to review and approval by NDOT and the County, and shall comply with all applicable standards, specifications, and permitting requirements.
11. The applicant shall be responsible for constructing or otherwise implementing any transportation improvements determined by Lyon County to be necessary to mitigate project-specific or cumulative traffic impacts that are not identified in the approved Traffic Impact Study and are not otherwise required by the Nevada Department of Transportation (NDOT). Such responsibility may be satisfied by constructing the required improvements directly or, where the improvements are constructed by another developer or entity, by participating in a County-approved reimbursement agreement to pay the applicant's proportional (pro rata) share of the costs per 15.120 of Lyon County Code. Lyon County may participate in the review, approval, and administration of any reimbursement agreement. Any improvements located within NDOT right-of-way shall be reviewed, approved, and permitted by NDOT and constructed in accordance with applicable NDOT standards and requirements.
12. West Sierra Way from US Hwy 95A to Butte Way shall be constructed with a minimum pavement section consisting of four (4) inches of asphalt concrete over eight (8) inches of Type II aggregate base, or an engineered equivalent pavement section, designed and constructed to the satisfaction of

- the County Road Department. A geotechnical report, prepared by a licensed geotechnical engineer, shall be submitted for review and approval by the County prior to final design, providing recommendations for pavement section design, subgrade preparation, and compaction requirements. The pavement shall be constructed in accordance with the report's recommendations and County standards, and shall be fully inspected and accepted by the County prior to final approval.
13. The Applicant shall submit for a fire/life safety plan review to the Mason Valley Fire Protection District prior to the issuance of a site improvement permit/building permit for the project.
 14. Any proposed onsite sewage disposal system must be approved by the Nevada Division of Environmental Protection and evidence of such approval must be provided to the Lyon County Planning Department prior to approval of any building permit for any sanitary facilities.
 15. Any proposed water usage is subject to approval of the proposed use of water and/or all necessary water rights by the Nevada Division of Water Resources and submission of approval documentation to the Lyon County Planning Department.
 16. The Applicant shall obtain the approval of the Walker River Irrigation District for a development/improvement plan, as required by the district, prior to application for and approval of any site improvement permit and/or building permits from Lyon County Community Development Department.
 17. All outdoor lighting shall comply with the outdoor lighting performance standards of Chapter 15.357 of the Lyon County Code, shall include cut-off shields that direct the illumination down and reduce glare to the satisfaction of the Community Development Department.
 18. The applicant shall comply with the Storm Drainage Guidelines for Lyon County, dated September 20, 2024 to the satisfaction of the County Engineer prior to issuance of a Site Improvement Permit, Grading Permit, and/or Building Permit. Drainage report and plans must be submitted concurrently with any Site Improvement Plans, Grading Plans, and/or Building Permit applications.
 19. If the applicant proposes to place fill in wetlands or water features under the jurisdiction of the U.S. Army Corps of Engineers, the applicant shall obtain a "No Permit Required" letter, Jurisdictional Determination, Nationwide Permit, or other applicable federal authorization prior to commencing work. The applicant shall also coordinate with the State of Nevada to determine whether wetlands or water features under state jurisdiction are present and shall obtain any required state permits or approvals. No construction, grading, or fill activities shall occur within federally or state-regulated wetlands or water features until all applicable permits or authorizations have been obtained and copies provided to the County for review and verification.
 20. Prior to issuance of a Floodplain Development Permit for any development involving the alteration or relocation of a watercourse, the applicant shall obtain and submit to the County Floodplain Administrator a Conditional Letter of Map Revision (CLOMR) approved by the Federal Emergency Management Agency (FEMA), or such other FEMA-approved map revision application or determination deemed applicable to the proposed development. Following completion of the authorized work, the applicant shall obtain and submit a Letter of Map Revision (LOMR), or other applicable FEMA approval or determination, documenting the as-built conditions. No grading, construction, or watercourse alteration shall occur until the required FEMA approval has been received and accepted by the County, and final FEMA documentation shall be provided prior to final inspection or project closeout, as applicable.
 21. Any exterior signage will require a separate building permit, through the Lyon County Building Department.
 22. The substantial failure to comply with the conditions imposed on the issuance of this conditional use permit or the operation of the conditional use in a manner that endangers the health, safety or welfare

of Lyon County or its residents or the violation of ordinances, regulations or laws in the conditional use may result in the institution of revocation proceedings. **Failure to initiate the conditional use permit by 2030 and satisfy all conditions by 2032 will result in the expiration of the conditional use permit approval unless an extension is obtained in accordance with the provisions of 15.13.02 of the Lyon County Code.**

23. This conditional use permit shall run concurrently with the Major Variance application (PLZ-2025-096) and be subject to all conditions of the Major Variance.
24. **The Major Variance shall run with the time established for the associated Conditional Use Permit (PLZ-2025-085).**

Commissioner Merritt seconded and the motion passed by majority vote (5 Ayes, 1 Nay-Commissioner Baker, 0 Abstentions; 1 Absent-Commissioner Ceresola)

8. Community Development Director

8.a For Discussion Only: Community Development Director comments and updates.

Community Development Director Gavin Henderson did not have any comments or updates today.

9. Commissioner Comments and Agenda Requests

Commissioner Sell would like to see more community feedback from CABs. Commissioner Allan discussed the timing of the CAB meetings. Commissioner Jones had concerns about CAB members needing additional training. County Manager Andrew Haskin discussed the CAB training being scheduled in April, and CABs report directly to the Board of County Commissioners, not to the Planning Commission. Commissioner Jones also had comments around the setback requirements.

10. Public Participation - None

11. Adjournment at 1:47 p.m.

Lyon County Planning Commission Agenda Summary

Meeting Date: March 10, 2026

Agenda Item Number:

7.a

Subject:

For Possible Action: To forward a recommendation to the Board of County Commissioners for the request from Mark Jones for a Conditional Use Permit for an Indoor Vertical Farm System on land zoned AG (Agriculture) located at 60 Artesia Road in Wellington on an approximately 21.60-acre parcel (APN 010-081-43); PLZ-2026-003.

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS

- [Staff Report](#)
- [Backup](#)
- [Public Comment](#)



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

PLANNING COMMISSION

PLZ-2026-003

Proposed Action Conditional Use Permit for a Vertical Farm System
Meeting Date March 10, 2026
Property Owners Mark H Jones and Sheryle L Jones
Applicant Mark Jones
Representative Brent Lovett
Community Smith Valley
Location 60 Artesia Road
Parcel Number 010-081-43
Parcel Size 21.60-acre parcel
Master Plan Agriculture
Current Zoning Agriculture
Flood Zone(s) X-Unshaded per FIRM 32019C0950E
Case Planner Lisa Nash

REQUEST

The applicant requests a Conditional Use Permit (CUP) to operate a Vertical Farm System consisting of two (2) 100,000 square foot buildings to grow “Clean Room Organic Foods” on an approximately 21.60-acre parcel located 60 Artesia Road in Wellington.

PROJECT SUMMARY

The Conditional Use Permit (CUP) is for two (2) 200’ x 500’ x 34’ Indoor Vertical Farm buildings with associated parking, drainage structures, and other infrastructure improvements. The operation proposes to run 24 hours a day, seven (7) days a week, with 12 to 15 employees per building per shift for a total of approximately 70 employees. The site is located at 60 Artesia Road in Wellington and is zoned AG (Agriculture).

RECOMMENDED MOTION

Staff recommends that the Planning Commission continues the request for the Conditional Use Permit. At this time, additional information, discussion and public review are necessary for a more thorough review of the proposed Conditional Use Permit. Lyon County Development Code Section 15.336.13.e has the following requirements that must be met before an application can go to a hearing.

If the Planning Commission agrees with this recommendation, the Commission should make appropriate findings and move to **continue** the Public Hearing with a specific time period for the applicant to provide additional specific information necessary for the analysis of the request. The Commission may wish to consider a motion similar to the following:

The Planning Commission finds that:

- A. Additional information, discussion and public review are necessary for a more thorough review of the proposed Conditional Use Permit.

Based on the above findings and with the applicant's concurrence, I move that the Planning Commission continues the request from Mark Jones for a Conditional Use Permit for a Vertical Farm System on land subject to AG (Agriculture) zoning generally located at 60 Artesia Road in Wellington on a 21.60-acre parcel (APN 010-081-43), PLZ-2026-003 to the April 14, 2026 Planning Commission hearing.

ALTERNATIVES TO RECOMMENDATION OF CONTINUANCE

Alternative Motion for Denial

If the Planning Commission determines that they should recommend denial of the request for a Conditional Use Permit, then the Commission needs to make findings supporting a recommendation of denial. The Commissioners may wish to consider a motion similar to the following:

The Lyon County Planning Commission has considered:

15.230.06: FINDINGS:

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

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

After consideration of the above-listed findings, I move that the Planning Commission recommend denial to the Board of County Commissioners of the request from Mark Jones for a Conditional Use Permit for a Vertical Farm System on land subject to AG (Agriculture) zoning generally located at 60 Artesia Road in Wellington on a 21.60-acre parcel (APN 010-081-43), PLZ-2026-003.

Alternative Motion for Approval

If the Planning Commission determines that they will forward a recommendation of approval of the requested Conditional Use Permit application subject to the Conditions of Approval to the Board of County Commissioners, then the Planning Commission should make a motion similar to the following.

The Lyon County Planning Commission finds that:

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

Based on the aforementioned Findings and the following 26 Conditions of Approval, I move that the Planning Commission forward a recommendation of approval to the Board of County Commissioners of the request from Mark Jones for a Conditional Use Permit for a Vertical Farm System on land subject to AG (Agriculture) zoning generally located at 60 Artesia Road in Wellington on a 21.60-acre parcel (APN 010-081-43), PLZ-2026-003.

CONDITIONS OF APPROVAL

1. No change in the terms and conditions of the Conditional Use Permit (CUP), as approved, shall be undertaken without first submitting the changes to Lyon County Community Development and having them modified in conformance with Lyon County Code.
2. The applicant shall comply with all applicable Fire, building, zoning and improvement code requirements and obtain any necessary public inspections. All construction documents and separate applications must be submitted to the Smith Valley Fire Protection District and the Lyon County Building Department for review and approval to obtain any required Mass Grading Permits.
3. The applicant is required to submit for a separate and independent Fire and Life Safety Plan review by the Smith Valley Fire Protection District (SVFPD). Contact the SVFPD at (775) 465-2577 for more information and direction if necessary. No building or site permits will be issued prior to obtaining approval of the Fire Plan review.
4. The proposed building shall meet all the requirements of the Lyon County Building Department and is subject to the following Conditions.

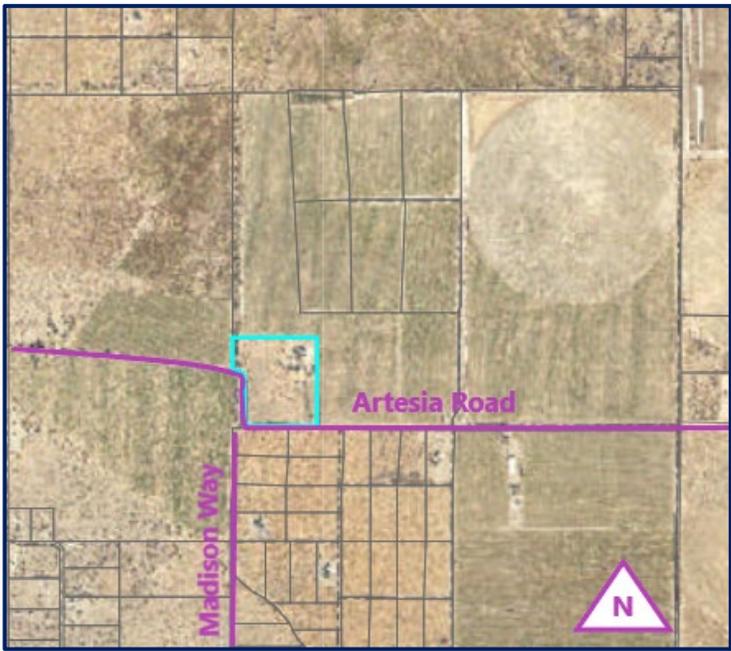
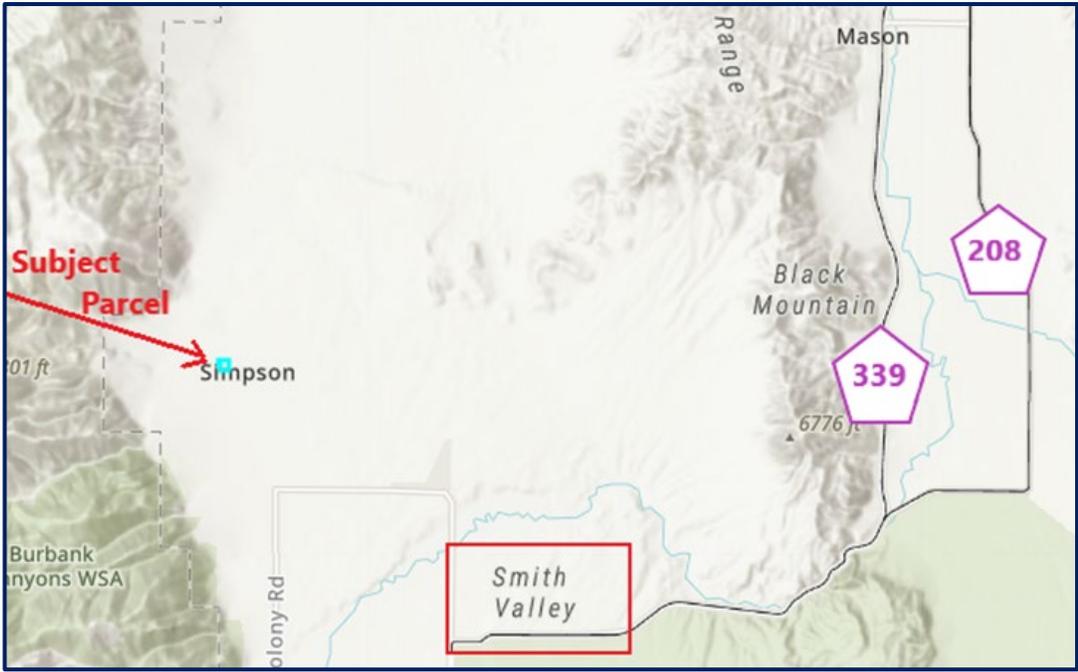
- a. All grading, site improvement, utilities and structures must adhere to the current Nevada State Revised Statutes (NRS), Lyon County Title 15 & the 2024 Northern Nevada Amendments.
 - b. All structures must be designed to Lyon County specific design criteria or greater. This information may be found on the Lyon County website under the building department tab.
 - c. This project shall comply with the 2024 IBC & ICC A117 code for accessibility as applicable.
 - d. All work is to be performed by licensed professionals. All licensed professionals shall carry state and local licenses.
 - e. Applicant will need to provide an accurate occupancy count to required toilet count at the time of the building permit application.
 - f. Prior to requesting a building permit for this project, the applicant must submit an application and receive an approval letter and approved set of plans from the local Fire Department and submit these documents with the building permit application.
 - g. Submit a full and complete building permit application packet for review. The minimum requirements for this may be found on the Lyon County website under the building department tab.
5. The project is within the jurisdiction of the Lyon County Roads Dept. and is subject to the following Conditions.
 - a. The applicant will need to apply for Encroachment Permits for all three accesses.
 - b. All proposed approaches must be paved to Lyon County Road Department paved standards.
 - c. Construction of driveways will be required to meet commercial standards.
 6. Prior to the issuance of a Certificate of Occupancy, the Applicant shall ensure the satisfactory completion of all required access, driveway and parking improvements to County and International Fire Code standards, as required by the Lyon County Planning Department, the Lyon County Road Department and Smith Valley Fire Protection District.
 7. The applicant shall acquire all Lyon County, state and federal permits necessary for the operation of the Vertical Farm operation and any accessory uses as well as obtain all of the necessary public inspections.
 8. Prior to issuance of a site improvement permit, mass grading permit and/or building permit for the project, the developer shall submit documentation of approval by the Nevada Division of Environmental Protection (NDEP) Surface Area Disturbance permit and the Stormwater Pollution Prevention Plan (SWPPP) permit.
 9. The applicant shall comply with the Storm Drainage Guidelines for Lyon County, dated September 20, 2024 to the satisfaction of the County Engineer prior to issuance of a Site Improvement Permit, Grading Permit, and/or Building Permit. Drainage report and plans must be submitted concurrently with any Site Improvement Plans, Grading Plans, and/or Building Permit applications.
 10. Any proposed onsite sewage disposal system must be approved by the Nevada Division of Environmental Protection and evidence of such approval must be provided to the Lyon County Planning Department prior to approval of any building permit for any sanitary facilities. The existing on-site residential septic systems cannot be used for the Vertical Farming Operations.
 11. Any proposed water usage is subject to approval of the proposed use of water and/or all necessary water rights by the Nevada Division of Water Resources and submission of approval documentation to the Lyon County Planning Department prior to approval of Site Improvement Permits, Grading Permits and/or Building Permits.
 12. The Applicant shall work with the Walker River Irrigation District (WRID) to ensure that the easement for the Colony Ditch on the west side of this property is protected for access, operation, and maintenance. The drainage plan shall be reviewed and/or approved by WRID prior to issuance of a Site Improvement Permit, Grading Permit, and/or Building Permit.
 13. The applicant shall comply with the Performance Standards for Conditional Uses as listed in Chapter 15.330 and Chapter 15.336 and 15.337 of Lyon County Development Code.

14. The applicant shall comply with the parking standards as set forth in Title 15, Chapter 15.401 to the satisfaction of the Community Development Director or their designee prior to issuance of the Certificate of Occupancy.
15. The applicant shall submit a landscape plan to comply with the landscape standards as set forth in Title 15, Chapter 15.402 to the satisfaction of the Community Development Director or their designee. This will include landscape buffers between the parking area along the south side of the property to screen headlights etc. from the adjacent residential parcels to the south.
16. Landscape and buffering plans must be submitted concurrently with any Site Improvement Plans, Grading Plans, and/or Building Permit applications.
17. Any exterior site and building lighting for the project shall incorporate cut-off shields or similar design features that prevent light and glare spillover onto adjacent properties and public rights-of-way to the satisfaction of the Community Development Director or their designee prior to the issuance of the Certificate of Occupancy.
18. Lighting plans must be submitted concurrently with any Site Improvement Plans, Grading Plans, and/or Building Permit applications.
19. The applicant shall comply with noise standards specified in Chapter 15.337.03(H). This includes ensuring the noise levels shall NOT exceed the maximum environmental noise level at the property lines when adjacent to a Residential Zone, which are daytime sixty-five (65) dBA and nighttime sixty (60) dBA.
20. The applicant shall comply with fly, vector and odor control as specified in Chapter 15.336.13(D)(3). A Fly, Vector and Odor Control Plan is required to be submitted prior to review of the CUP by the Planning Commission.
21. Unloading areas for the project shall be located at the rear of the facility.
22. The applicant shall comply with all applicable environmental and health laws and regulations concerning water quality, air quality, solid waste disposal, and wastewater management.
23. The applicant shall maintain a Lyon County business license for the use while occupying the site. The Business License shall not be approved by the Planning Department until all of these conditions are met.
24. All contractors doing any construction, modifications, or remodels must be licensed in Lyon County and the State of Nevada.
 - a. A separate building permit will be required for any/all building and freestanding signs.
25. This approval does not authorize the cultivation, production, processing, or distribution of any substance designated or regulated under applicable State Statutes, including but not limited to those defined in Nevada Revised Statutes Chapter 453 and Nevada Revised Statutes Chapter 557. Any proposal to establish or amend a use involving a substance classified or regulated under such statutes shall require the submittal and approval of a new Conditional Use Permit.
26. The substantial failure to comply with the conditions imposed on the issuance of this conditional use permit or the operation of the conditional use in a manner that endangers the health, safety or welfare of Lyon County or its residents or the violation of ordinances, regulations or laws in the conditional use may result in the institution of revocation proceedings. **Failure to initiate the conditional use permit within two (2) years from the date of approval will result in the expiration of the conditional use permit approval.**

BACKGROUND AND PARCEL INFORMATION

Location, Size and Topography

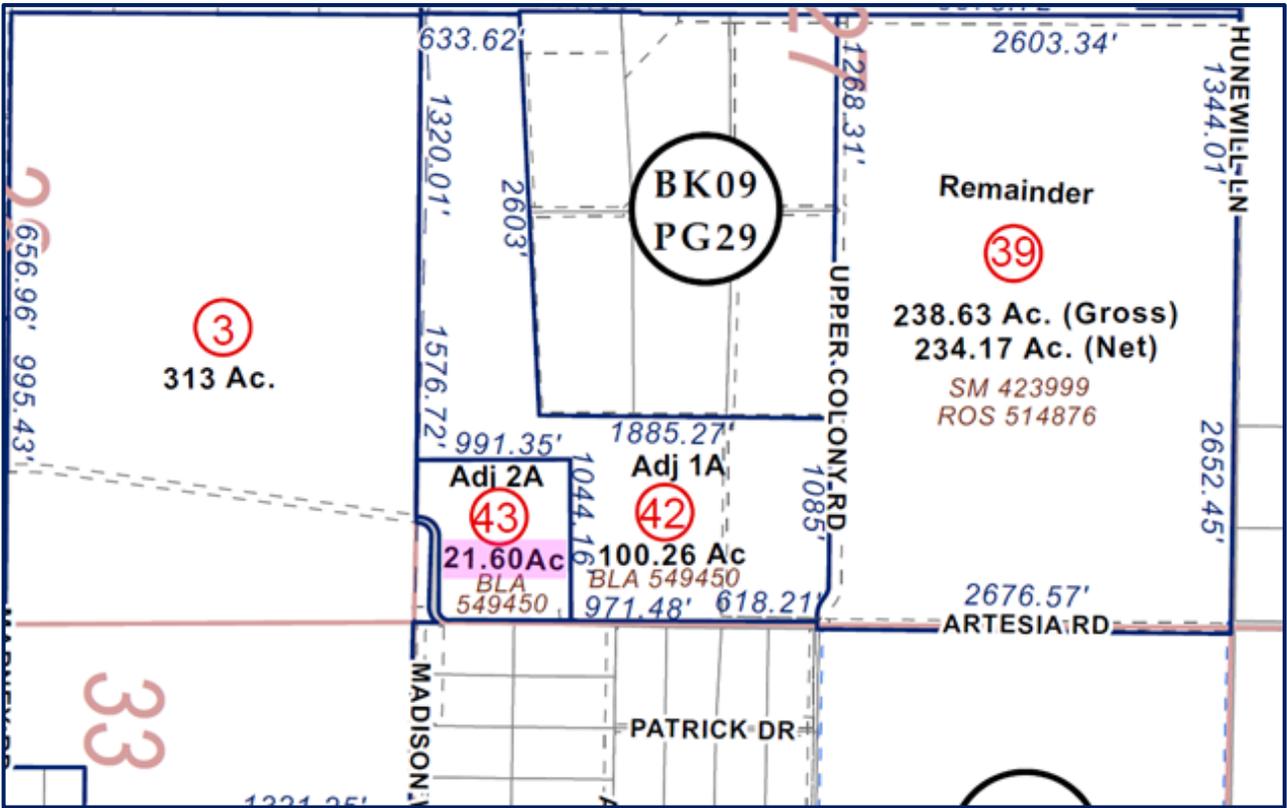
The subject parcel is located in Smith Valley, to the northeast of the intersection of Madison Way and Artesia Road at 60 Artesia Road. The primary uses in the area are agriculture and low density, single-family residences, which are typically on lots of at least 5 acres in size. State highways 339 and 208 are noted below for orientation.



The parcel is 21.60 net acres in size per the County Assessor and is relatively flat. This parcel was recently part of a Zoning Map Amendment to change the designation from Fifth Rural Residential - 20 acre minimum (RR-5) to Agriculture (AG).

Existing Uses and Access

The site currently includes two single family residences, barns, and outbuildings. Per the Assessor’s records, the primary structure is 5,283 square feet (sf) and the Accessory Dwelling Unit (ADU) is 1,542 sf. The site is currently accessed from Artesia Road at two locations, the southeast corner and at the curve in Artesia Road on the western boundary of the parcel. The assessor’s map showing the parcel is shown below.



Public Facilities

The subject site is not located within a Utility District and is served by private wells and septic systems. Electricity is provided by NV Energy.

Site Photos

The images on the following page were provided by the applicant.



Looking West



Looking North



At Corner/Bend in Road Looking East

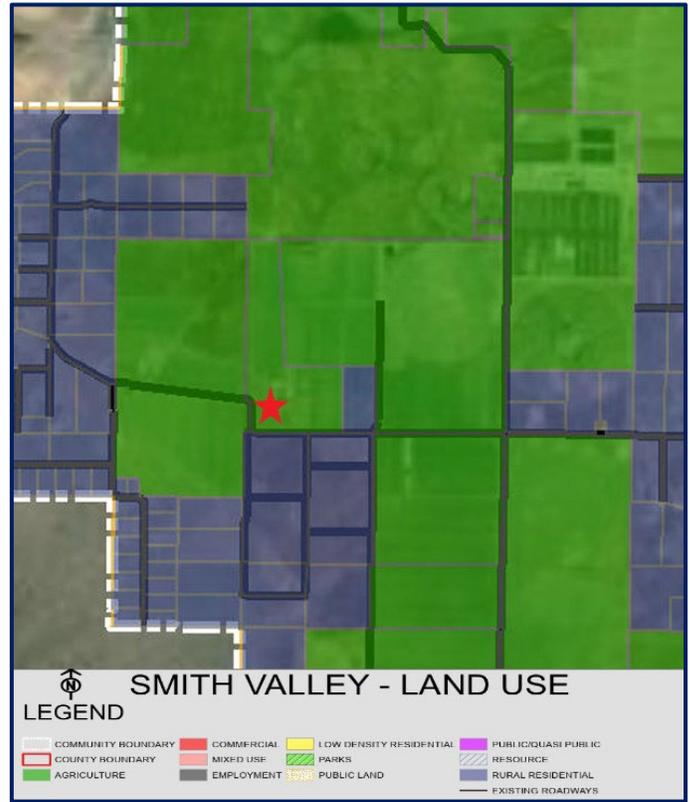
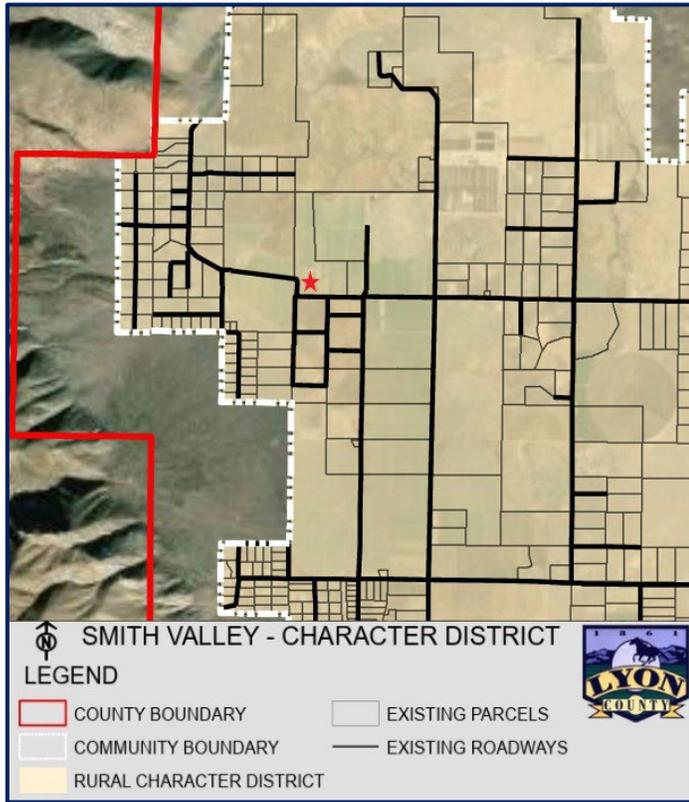


At 2nd Bend in Road Looking East

MASTER PLAN AND ZONING

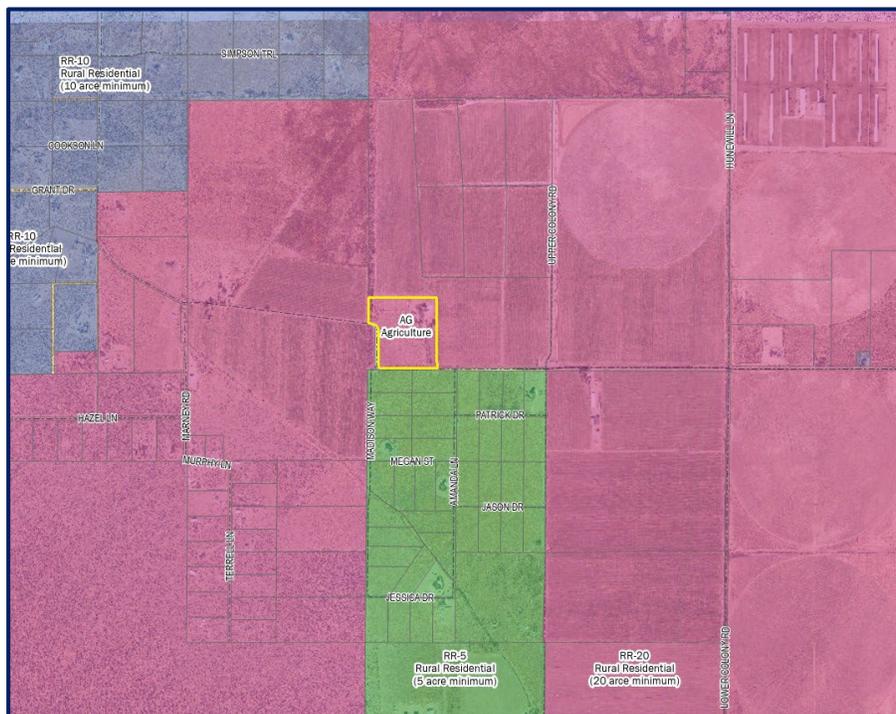
Master Plan

The site is located within the Rural Character District in Smith Valley. This area is typified by a lack of public utilities and by roadways with ditches for stormwater management. The Master Plan designation for the site is Agriculture, consistent with the existing use of residential and limited farming. This region of Smith Valley is designated as Agriculture, as shown north of the site, and Rural Residential, shown directly south of the site and to the east and west, per the 2020 Master Plan.



Zoning

The subject parcel is zoned AG (Agriculture) from the County’s Development Code, Title 15. The image below displays the current zoning.



Zoning Map

STAFF REVIEW AND COMMENTS

The use of a Vertical Farming Operation is not a defined land use within Lyon County. The Applicant requested a Determination of Unlisted Use (PLZ-2025-101) and based on the process description provided by the Applicant, the proposed use was determined to be most similar to *Small Agricultural Production/Food Processing Facility*, as described in Lyon County Code 15.336.13. The Small Agricultural Production/Food Processing Facility use is an allowed use on AG land subject to a Conditional Use Permit per Lyon County Development Code.

It is the opinion of Staff at this time that the applicant has not provided sufficient operational details, plans and studies to recommend approval of the project. The following items need further clarification and details:

1. Owners, managers, management company(ies) or similar entities names, addresses and telephone numbers.
2. The type of food to be processed and a description of all processing operations. This would include plans for waste disposal handling and processing.
3. A detailed site plan showing location and dimensions of all structures, improvements, and confinement areas. The site plan should also show how the parking was calculated.
4. A Drainage Study/Plan in conformance with current Lyon County Design Criteria and Improvement Standards.
5. Fly, vector and odor control plan.
6. A transportation study and access management plan in conformance with current Lyon County Design Criteria and Improvement Standards and stamped by a licensed engineer in the state of Nevada. This should include the construction traffic and an expected duration of construction.
7. Operational details as to the type and quantity of chemicals to be stored on-site for the operation.
8. Water supply plan for the site. Will this include water storage for fire? A new well for the operations?
9. How is the proposed application addressing drainage from the proposed water use? There are potential issues if this drainage water is proposed to discharge into the Colony Ditch.
10. What will the energy demand for the project entail and will they include solar?
11. Inconsistencies in the height of the building needs to be reconciled.
12. Will there be backup generators for power outages?
13. Will there be rooftop air conditioners or other HVAC systems? If yes, is noise baffling provided?
14. Are there plans to try to preserve the old growth trees on the property?

PROJECT DESCRIPTION

Applicants Narrative

From the Applicant's request for a Determination of Unlisted Use:

The 100,000 square foot buildings will house 20 levels of pallet type stacking units for growing of leafy green vegetable type crops. The crops are grown under high power LED lighting and turned every 30 days. The crops will be accessed by staff on man lifts for the 20-foot high stacks.

Fresh water will be piped into the buildings and then circulated through the growing racks. The circulating water will be reclaimed, clarified and cleaned to then be fed back to the plants. Potable and non-potable water piping will be clearly labeled.

From the Applicant's Project Description:

Build (2) 200' x 500' x 32' Indoor Vertical Farm buildings on 22 acres located on Commercial Ag property located at 60 Artesia Rd, Wellington, NV 89444 to grow Clean Room Organic Foods.

The project objective is to implement successfully an innovative indoor multi-level LED-based vertical farming system and complex that will provide a sustainable crop production of a varied high quality fresh food supply year-round.

New Green specializes in the design / build and implementation of highly innovative, fully automated, environmentally responsible and economically viable indoor farming infrastructure. We design and build all components included in our system, from lighting to growing systems. All engineering efforts are geared toward ensuring and maximizing the system's performance, efficiency, flexibility and scalability.

The ingenious nature of the concept allows for a true 3-dimensional use of space that results to increase production density. New Green will create new jobs, opportunities and profits where there was once only a unused farm land, while being an environmentally responsible investment.

New Green Farms will build the first ever total clean room farming complex in Lyon County Nevada to supply our Organic foods to the Northern buyers located within 150 miles.

Our mission is to ensure to our buyers that the New Green products are truly organic, and to provide to the local community steady never-ending jobs in a green zerowaste environment.

We favor growing most of our plant crops indoors, eliminating completely the use of herbicides and pesticides. No more agricultural runoff. Year-round crop production. No more food miles. Healthy produce available next door to where we live, in our cities.

All this is made possible by the use of a unique photosynthetic lighting technology that provides every plant with the specific type and optimal amount of lighting required to grow to their full potential plus adding the computer water testing and supply systems that allow each type of plant to get the exact minerals needed to grow the perfect plant.

Operational details:

Number of employees: 12 to 15 per shift, per building.

Hours of operation: 24 Hours per day.

Power: NV Energy, Existing on site.

Water supply: Ag Well, existing on site.

Sewer: Septic, Existing on site.

Traffic expected: 15-30 cars per shift, plus 6 delivery box trucks.

Phasing of buildings: Building 1 upon approval, 2nd building in 30 months.

Parking: 100 onsite parking plus truck parking.

Fencing, screening etc: As Needed.

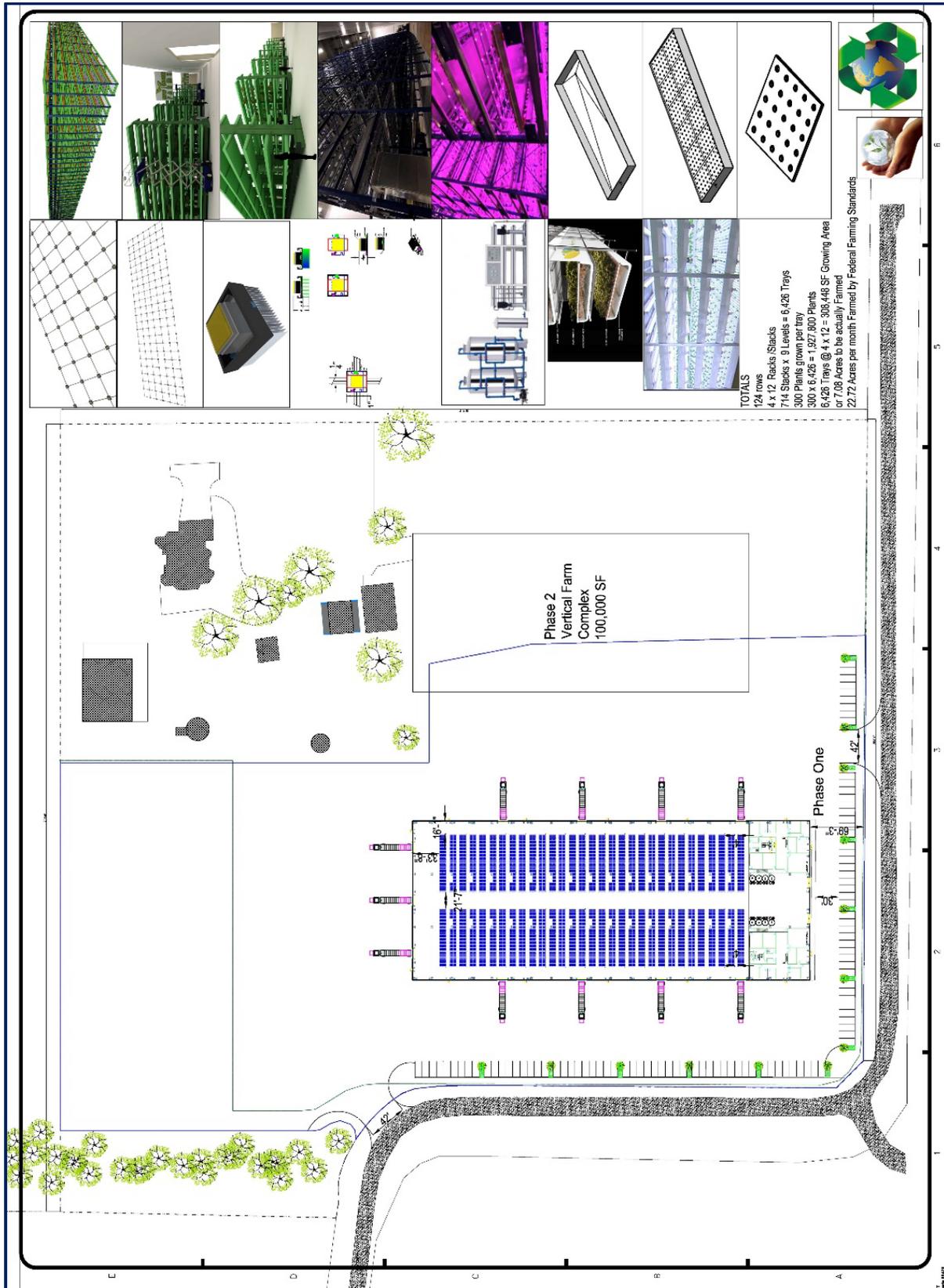
The applicant's conceptual site plan and Phase 1 building plan are shown on the following pages.



Preliminary Site Plan. The intent of the site plan is to show the uses and structures existing and proposed for the parcel. It is recommended that the plan show the items listed below; however, the more information that the applicant provides will allow for a more thorough design review.

- A. Gross square footage of existing and proposed structures
- B. Site Access
- C. Streets - Location and cross-sections Gross square footage of existing and proposed structures
- D. Preliminary Drainage
- E. Preliminary Utilities

Conceptual Site Plan



Phase 1 Building Plan

Drainage

The applicant has stated that drainage will be managed by swales and may use drop boxes and piping if needed. Additional information is required to evaluate the conceptual drainage plans and the project will be required to meet the 2024 Drainage Guidelines adopted by Lyon County.

WRID must review and/or approve any future development plans for the project prior to issuance of a site improvement permit/building permit for the project. There are concerns that the Colony Ditch on the west side of this property be protected for access, operation, and maintenance. Also, it is not clear on how the proposed application will address drainage from the proposed water use. There are potential issues if this drainage water is proposing to discharge into the Colony Ditch.

The project will be required to meet the 2024 Drainage Guidelines adopted by Lyon County.

Traffic and Circulation Plan

The applicant has stated there will be 20 – 30 staff at any one time and expects no impacts. The applicant acknowledges that there may be an increase from additional equipment coming in, however has not quantified the impact. A transportation study and access management plan are required for this application.

Additionally, if the application is approved, the parking, pedestrian safety and traffic flow will be reviewed again during the site and building permit application process.

Parking

The applicant has shown that 100 parking spots will be provided for each building and the conceptual plan for parking is shown on the Phase 1 Building Plan on Page XX. The proposed parking provided by the applicant will need to be quantified to ensure the parking meets the Lyon County Code requirements.

Building

The applicant has proposed two (2) 100,000 square feet (sf) buildings. The floor plan indicates approximately 9,400 sf of office, lab areas, breakrooms, etc. in the corners of the south end of the building. The space between the two office areas will contain water tanks and filtration systems which will be accessed by the stairs and catwalks. The remainder of the building will be the approximately 90,000 sf production area. Each building will have 11 loading docks. The building materials allowed, allowable building sizes, occupancy use and whether the buildings are sprinklered would be reviewed during the building permit stage.

CONDITIONAL USE PERMIT

When considering applications for a CUP, staff, the Planning Commission, and the Board must evaluate the impact of the conditional use on, and its compatibility with, surrounding properties and neighborhoods in order to mitigate potential impacts of the use at a particular location and make the following findings from *Chapter 15.230.06: FINDINGS*. Each Finding is listed with the applicant's response and staff's comments.

FINDINGS

Finding A: The proposed use at the specified location is consistent with the policies embodied in the adopted master plan and the general purpose and intent of the applicable district regulations;

Applicant's Response

The policies laid out in the Master Plan for agricultural or rural areas should minimize its impacts on natural areas and on nearby ranching and agricultural operations.

New Green Farms will:

Minimize cut and fill for roads and site grading.

Use native plants for landscaping.

Steer development away from geologic features, such as rock outcroppings or steep slopes. The facility is located on flat terrain.

Use appropriate setbacks, and placement of structures that are compatible with adjacent agricultural activities.

New Green has designed the site to comply with the setback requirements and does not impede on the surrounding agriculture or ranching activities and is designed to not exceed the maximum height for this zone listed in Table 15.236-1.

*Design buildings that reflect the architectural heritage of agriculture metal buildings.
Incorporate wildlife friendly fencing or "rural" open fencing rather than solid fencing.
Preserve existing ranch buildings and other features of the site, when appropriate.*

Diverse Economic Base, the Project is dependent upon the current Agriculture operations. Therefore, this Project complements the existing agricultural operations of the area. In addition, the Project can also offer more employment opportunities for locals in the area.

Per Policy LU 4.1 Encourage the Continuation of an Agricultural Lifestyle in appropriate rural areas of the County, the Project has a symbiotic relationship with the existing farmers in the area. The Project also generates new income streams for the local community. In addition, the water is reclaimed and reused in the growing operations which helps preserve the water rights.

Per Policy LU 5.1 Encourage Resource-Sensitive Growth and Sustainable Design, the Project addresses the this by growing 3 to 10 times more food than would be allowed on flat ground. Water is also reclaimed during the process and is returned to the grow for use in operations.

The proposed use is consistent with the Master Plan designation of Commercial Agriculture and with the applicable goals and policies of the Master Plan.

Staff Comment

The use of Vertical Farming is not defined within Lyon County Development Code (LCC). Community Development was requested to do a Determination of Unlisted Use and after a comprehensive review of the LCC, the Director determined the use of Small Agricultural Production/Food Processing Facility was the closest use in LCC Code. It is recognized that the Small Agricultural Production/Food Processing Facility use (Chapter 15.336.13) does not exactly match the use. It does address many of the characteristics of the proposed operation, with the exception of the plant growing. The Director felt that the look, impact on the neighborhood, processing included in the operation, etc. made this the closest use in LCC at this time.

Policy LU 5.1 is supported by this project in terms of water recycling, however the power uses are still unknown. Staff doesn't support that it meets the intent of Policy LU 4.1 as it is not supporting the lower intensity residential and farming activities in the area. Additionally, Policy LU 1.1: Follow Development Patterns as Established in the Land Use Plan states "Future development of Lyon County will be consistent with the Land Use Plan. The Land Use Plan will guide future growth and development by defining appropriate land use types, densities, and character in different locations including cities and towns, suburbanizing areas, rural areas, farm and ranch land, hillsides, and public lands." The proposed use does not appear to be consistent with the Land Use Plan as it appears to be a more industrial, higher intensity use than the surrounding agricultural uses.

From our research, Vertical Farming is a mainly industrial process and has been used around the country in urban and highly suburbanized areas. It has been successfully used in urban areas where there was access to adequate road and power infrastructure and were in close vicinity to their customers.

Staff feels additional information is required about the action requirements for roads, power, water, etc. are needed before this finding can be met.

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

Applicant's Response

The proposed Vertical Farming facility is compatible with the surrounding development. This, and many other properties surrounding it are already used for agricultural/commercial purposes.

The Project is co-located at an existing Agriculture operation and would not be expanding outside the current boundaries, thus, not impeding surrounding agricultural land and/or neighborhoods.

Construction and Maintenance

The construction of the facility will be in compliance with all local rules and regulations. All construction work is done on site and typically takes about 45 weeks. The crew size will range from ten to twenty individuals. Traffic and neighbors will not be meaningfully impacted if at all.

Noise

No additional noise is expected, as the work is done inside the building, the noise from typical farming will actually be reduced.

Visual Impact

The project is typical for metal farm buildings as seen in the surrounding areas.

Lighting

The building lighting will focus down as not to pollute the night sky.

Staff Comment

The use as described by the applicant is not entirely compatible with the surrounding development. It is an increase in intensity of use with the increased traffic for both construction and then the 24/7 operation. The size and appearance of the buildings is more like warehouse buildings that are typically found in industrial zoned areas along major roadways.

The Conditions of Approval do address the applicant's requirements to address the adverse impacts of noise, light, traffic and visual impacts, however the applicant has provided little information to support how the conceptually propose to address these concerns.

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

Applicant's Response

The Project will utilize the existing site via Artesia Rd. The facility will have 20 to 30 staff at any one time. The Project would not require modifications to the existing road infrastructure to facilitate operation of the facility. During construction, there may be more equipment brought in on the existing roadways but will be temporary and limited. Extra personnel needed for the construction of the project (i.e. craft) will probably be shuttled in to reduce traffic and impacts to the roads. This Project will not substantially alter existing vehicular traffic as part of operations.

Staff Comment

The applicant is required to provide a Transportation Study and Access Management Plan prior to the project being heard by the Commission. Without the study, Staff feels additional information is required for to meet this finding.

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

Applicant's Response

The proposed facility will not impact traffic flow or require public roadway improvements.

Staff Comment

The staff comment provided for Finding C applies to this condition as well. The impacts and plans to mitigate effects from construction traffic need to be addressed.

Finding E. The proposed use incorporates features to address adverse effects, including visual impacts and noise, of the proposed conditional use on adjacent properties;

Applicant's Response

The design and implementation of this facility aligns with the conditions outlined in 15.230.06{8} and best fit for the existing Agriculture community and effectively mitigate any potential visual impacts on adjacent properties as they are also Agriculture in nature.

The Project Heights will not impact visually to the surrounding area. Noise impacts will also be minimal since the work is performed indoors and the noise from operation cannot be heard when approaching the site and is indistinguishable from the existing Agriculture operations.

Staff Comment

The proposed building heights of 32 to 34 feet will have a visual impact on the neighboring properties directly to the south of the site. The applicant has not provided any mitigations that would minimize the visual impacts. Additionally, there are outstanding questions on the cooling and heating planned, as well as the location of any required HVAC equipment. Staff requests additional information as to design and operational plans and proposed mitigation of adverse impacts.

Finding F. The proposed conditional use complies with all additional standards imposed on it by the particular provisions of this chapter and all other requirements of this title applicable to the proposed conditional use and uses within the applicable base zoning district, including but not limited to, the adequate public facility policies of this title; and

Applicant's Response

This project has been carefully designed to comply with all applicable standards set forth in the County's Land Use and Development Code.

Agricultural related commercial and limited industrial uses and other limited commercial and tourist commercial uses compatible with the agricultural use of the land and rural character are allowed currently on this site.

The Project complies and is compatible with the conditional use of the proposed vertical farm and complements the existing Agriculture operations by providing an alternative method of farming to allow more growth for less funds while water reclamation helps retain any water rights they currently have. This is also in alignment with the Land Use Goals {Policy LU 1.1} by keeping with the current rural requirements and uses of the property.

Staff Comment

Staff has included recommended Conditions of Approval that should address the proposed use and some of the potential impacts.

The Mason Valley Fire Protection District will provide fire and emergency medical services.

The Lyon County Sheriff's Office will provide law enforcement services.

The Community Development Director will approve light, noise and landscape/buffering mitigation plans.

Finding G. The proposed conditional use will not be materially detrimental to the public health, safety and welfare, and will not result in material damage or prejudice to other properties in the vicinity.

Applicant's Response

Commercial Vertical Agriculture facilities are highly regulated for health and safety through the U.S. Department of Agriculture (USDA). Therefore, the proposed facility poses no detriment to public health, safety, or welfare, and it is not injurious to property or improvements in the vicinity. The facility provides an important public benefit through improved connectivity for the community and other commercial farmers.

The Project is subject to additional various regulatory programs designed to protect public safety, the environment, and the local community which includes the following:

- *NV DEP Chemical Accident Prevention Program (CAPP)*
- *NV DEP Air Permit Program*
- *EPA Risk Management Plans*
- *Occupational Safety and Health Association (OSHA)*

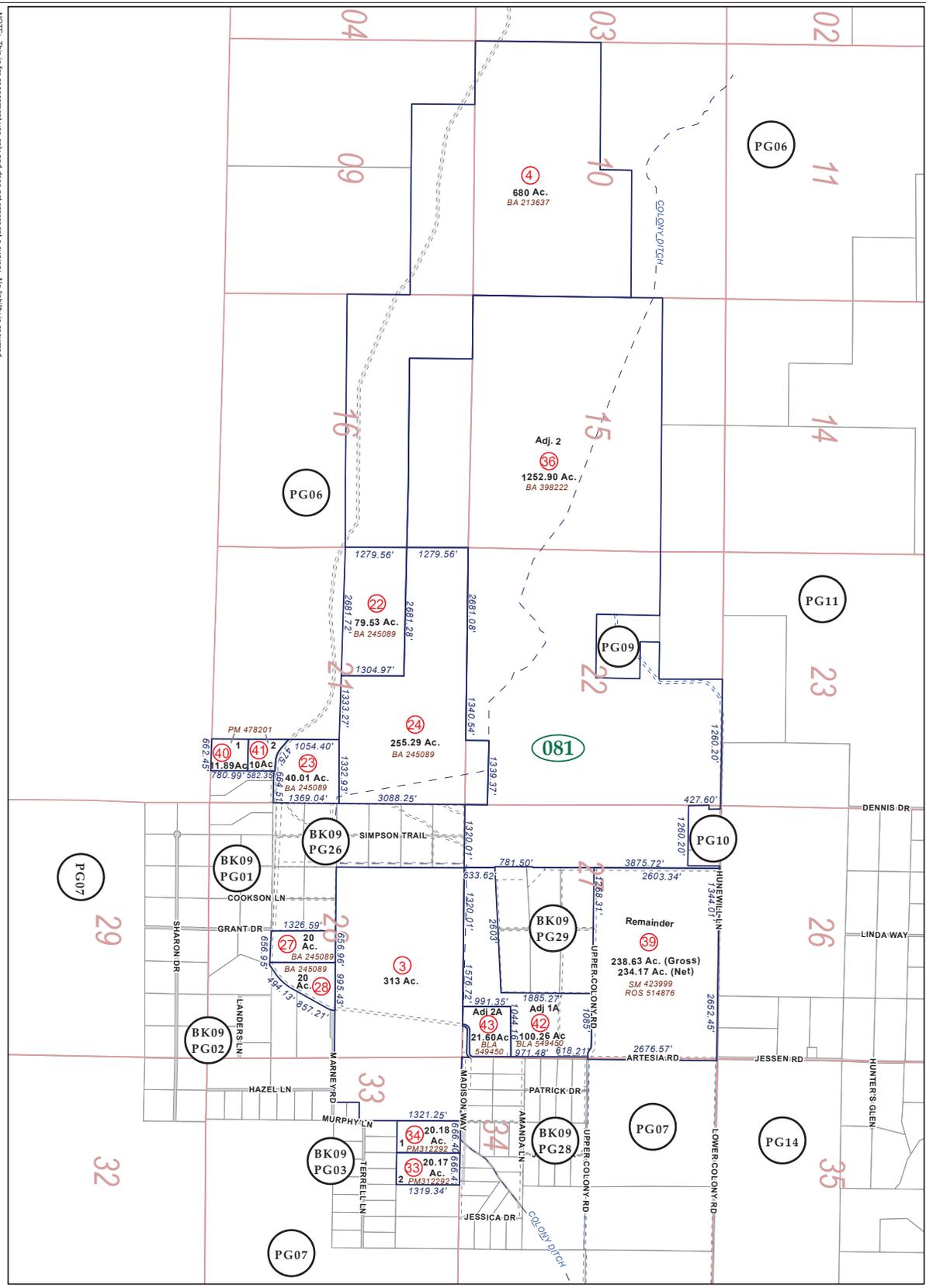
This CUP will permit the County, the State, and the applicant to all demonstrate compliance with applicable regulations that work to ensure the safety and welfare of Lyon County residents.

Staff Comment

The proposed use with a CUP is allowed within the zoning on this parcel, per the Director's Determination of Unlisted Use. If approved, the project will require approval by the Fire Protection District, Roads Department and other agencies before the use will be permitted to operate. Compliance with LCC section 15.336.13, which addresses odors, noise, and light impacts to neighboring properties, is required. Even as conditioned and with the information available at this time, staff feels additional information is required before a recommendation of approval can be made.

Portion Sections 9, 10, 15, 16, 21, 22, 27, 28, 33, 34, T12N-R23E, MD&M

10-08



NOTE: This is for assessment use only and does not represent a survey. No liability is assumed as to the accuracy of the data derived from this plat or to the extent of any error in the assessment process as indicated unless approved by the State County Assessor's Office.



Map Elements

- 1/4 Corner Section
- Section Tie
- 300' Dimensions
- Parcel Lot
- Parcel Number
- 0.13 Ac. Acreage of Parcel
- PM 136149 Recorded Map Image

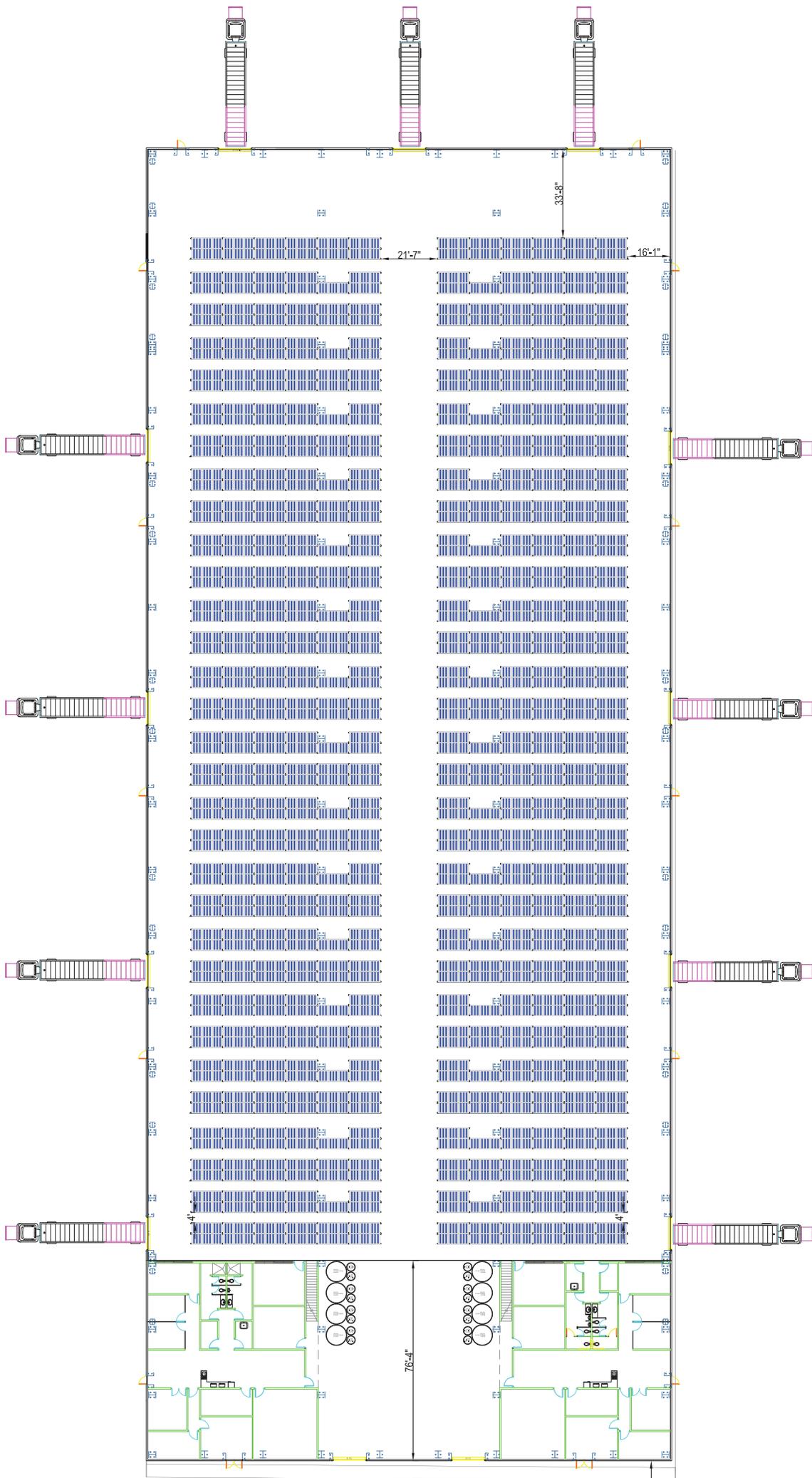
Legend

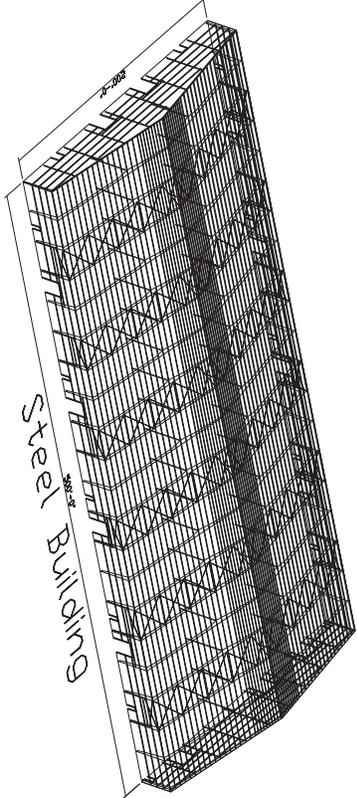
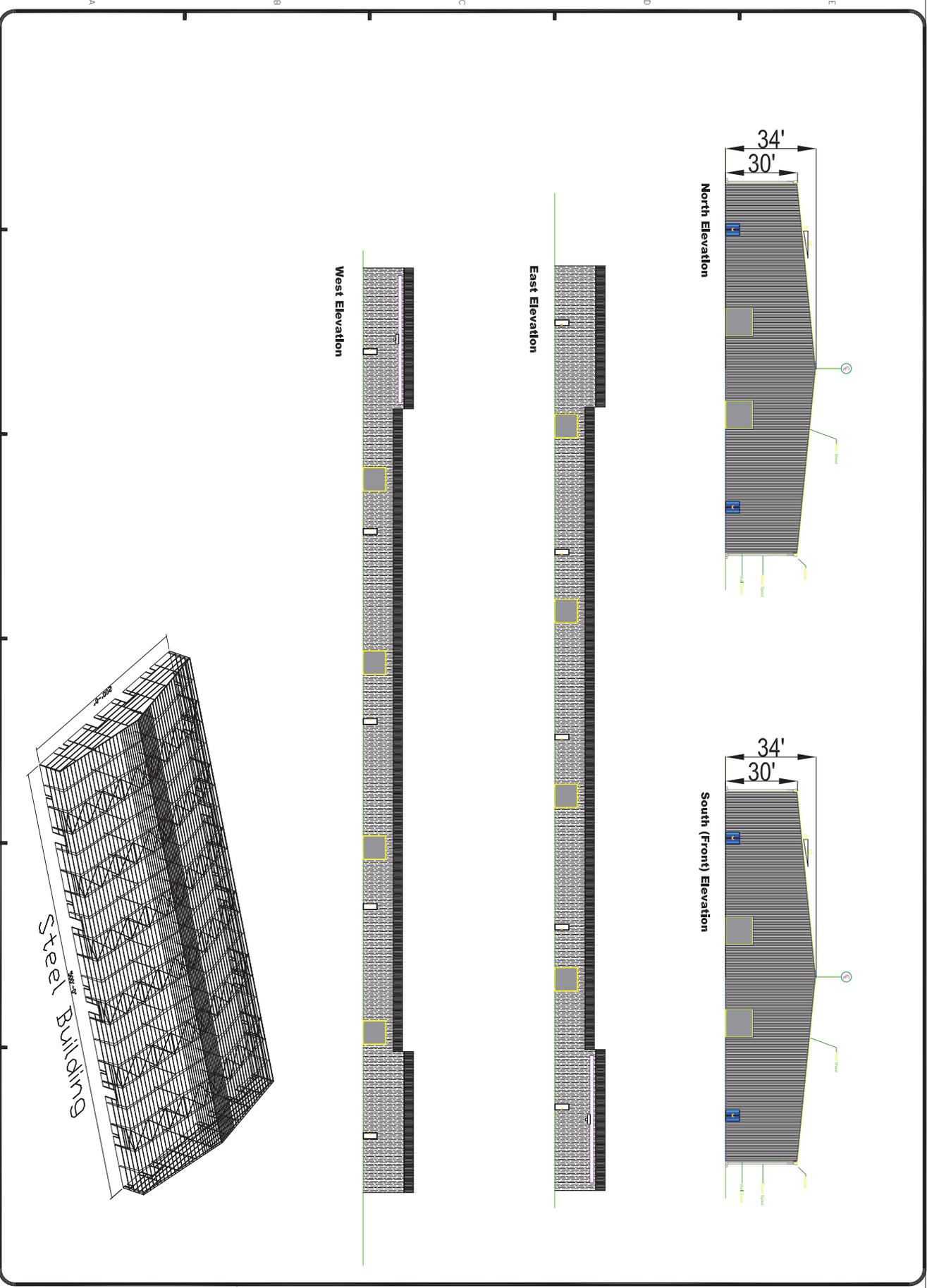
- Parcel Boundaries
- Block Number
- Parent Book
- Page Number
- City & Townships
- Dayton Valley
- Mark Twain
- Mason Valley
- Mound House
- Silver City
- Silver Springs
- Smith Valley
- Stagcoach
- Venington



Location Map

| | | | |
|----|----|----|----|
| 04 | 03 | 02 | 01 |
| 09 | 10 | 11 | 12 |
| 15 | 16 | 21 | 22 |
| 27 | 28 | 33 | 34 |
| 35 | 36 | 41 | 42 |
| 47 | 48 | 53 | 54 |





THESE PLANS ARE PREPARED & SUBMITTED BY THE CONTRACTOR AS AN EXEMPTION TO NRS 629.350 FOR WORK UNDER THE CONTRACTORS LICENSE CATEGORY AUTHORIZED UNDER NRS 624.011. BUILDERS NCL # _____ PLANS PREPARED BY: Brent E. Lovett

© 2025 COPYRIGHT - Lovett

SHEET #
A0-4

DESIGNED BY: Brent Lovett
 DRAWN BY: Brent Lovett
 CHECKED BY: Brent Lovett
 DATE ISSUED: JAN 15 2025
 JOB NUMBER: 2025-0069
 SCALE: as noted

ELEVATIONS

NEW GREEN FARMS
60 ARTESIA RD
 SMITH VALLEY NEVADA - LYON COUNTY NEVADA

5475 OAK STREET
 SUITE 200
 775-564-4111 - (800) 426-4474
 BrentLovett1237@gmail.com

Copyright 2025

LYON CONSTRUCTION

NEW GREEN FARMS

| REV. | DATE | BY: | REVISION: |
|------|------|-----|-----------|
| | | | |

THE CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ALL ERRORS TO BTAD PRIOR TO COMMENCING WORK. THESE DRAWINGS ARE NOT TO BE SCALED. ALL DRAWINGS, SPECIFICATIONS AND COPIES THEREOF FURNISHED BY BTAD ARE AND SHALL REMAIN BTAD SOLE PROPERTY UNLESS INDICATED BY THE OPPOSITE. THESE PLANS ARE TO BE CONSIDERED PRELIMINARY AND USED AT THE OWNER/DEVELOPER/CONTRACTORS RISK. THESE DOCUMENTS ARE TO BE RETURNED OR DESTROYED ACCORDING TO BTAD ON REQUEST AND COPIES OF THIS DRAWING IS MADE OR IN PART BY ANY MEANS WITHOUT WRITTEN PERMISSION IS STRICTLY PROHIBITED EXCEPT WITH WRITTEN CONSENT OF BTAD. BTAD HEREBY EXPRESSLY RESERVES THEIR COMMON LAW COPYRIGHT AND OTHER PROPERTY RIGHTS IN THESE CONSTRUCTION DOCUMENTS.

Project Description Justification.

Build (2) 200' x 500' x 32' Indoor Vertical Farm buildings on 22 acres located on Commercial Ag property located at 60 Artesia Rd, Wellington, NV 89444 to grow Clean Room Organic Foods.

The project objective is to implement successfully an innovative indoor multi-level LED-based vertical farming system and complex that will provide a sustainable crop production of a varied high quality fresh food supply year-round.

New Green specializes in the design / build and implementation of highly innovative, fully automated, environmentally responsible and economically viable indoor farming infrastructure. We design and build all components included in our system, from lighting to growing systems. All engineering efforts are geared toward ensuring and maximizing the system's performance, efficiency, flexibility and scalability.

The ingenious nature of the concept allows for a true 3 dimensional use of space that results to increase production density. New Green will create new jobs, opportunities and profits where there was once only a unused farm land, while being an environmentally responsible investment.

New Green Farms will build the first ever total clean room farming complex in Lyon County Nevada to supply our Organic foods to the Northern buyers located within 150 miles.

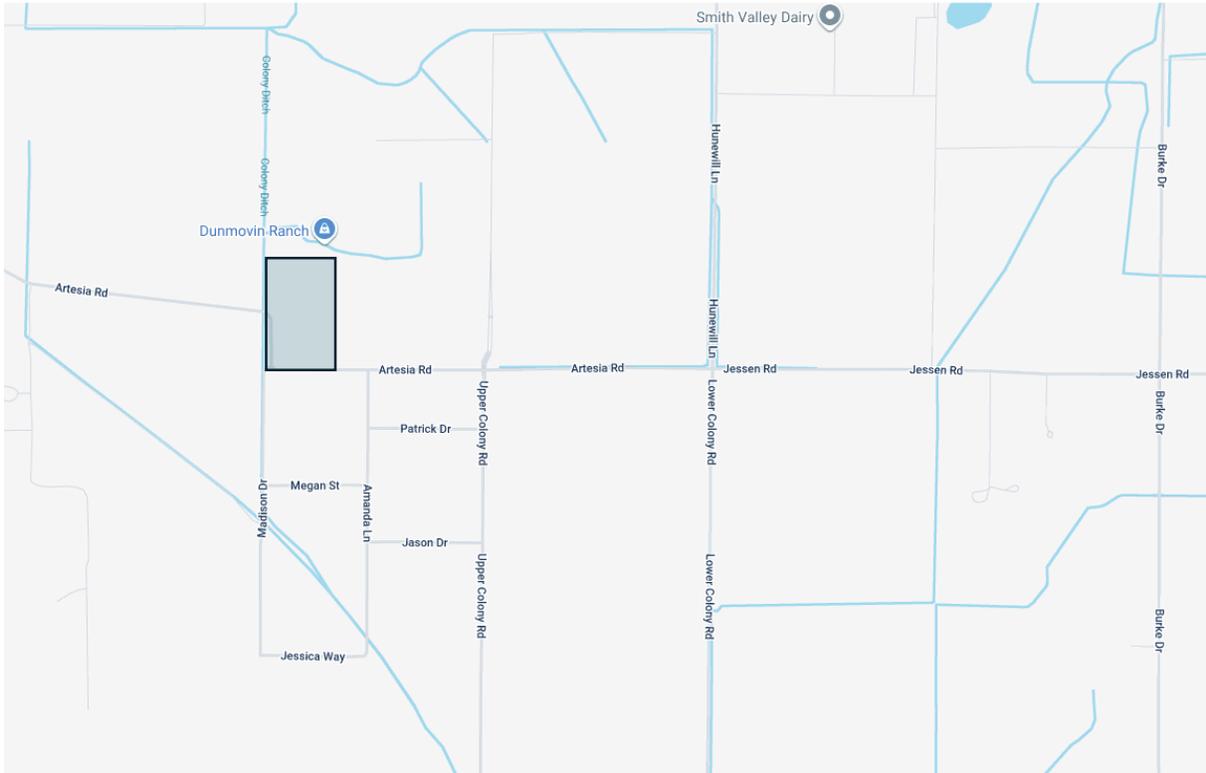
Our mission is to ensure to our buyers that the New Green products are truly organic, and to provide to the local community steady never-ending jobs in a green zero-waste environment.

New Green Farms.....We favor growing most of our plant crops indoors, eliminating completely the use of herbicides and pesticides. No more agricultural runoff. Year-round crop production. No more food miles. Healthy produce available next door to where we live, in our cities.

All this is made possible by the use of a unique photosynthetic lighting technology that provides every plant with the specific type and optimal amount of lighting required to grow to their full potential plus adding the computer water testing and supply systems that allow each type of plant to get the exact minerals needed to grow the perfect plant.

Vicinity Map.

60 Artesia Rd, Wellington, NV 89444



Photographs



Looking West



Looking North



At Corner / Bend in Road Looking East



At 2nd Bend in Road Looking East



Conditional Use Permit Applicant Findings per Chapter 15.230.06

Conditional Use Permit

When considering applications for a CUP, staff, the Planning Commission, and the Board must evaluate the impact of the conditional use on, and its compatibility with, surrounding properties and neighborhoods in order to mitigate potential impacts of the use at a particular location and make the following findings from Chapter 15.230.06:

REQUEST

The Applicant is requesting a Conditional Use Permit (CUP) for a new (2) 200' x 500' x 32' Indoor Vertical Farm buildings on 22 acres located on Commercial Ag property located at 60 Artesia Rd, Wellington, NV 89444 to grow Clean Room Organic Foods.

Property Owner: Mark & Sheryl Jones

Applicant: New Green Farms

Location: 60 Artesia Rd, Wellington, NV 89444

Parcel Number: 010-081-43

Parcel Size: 21.60 acres

Current Master Plan designation(s): 698: Agricultural Deferred with Multiple Residences Rural Character District Commercial Agriculture.

Proposed Master Plan designation(s): 698: Agricultural Deferred with Multiple Residences Rural Character District Commercial Agriculture.

Current Zoning designation(s): 698: Agricultural Deferred with Multiple Residences Rural Character District Commercial Agriculture.

Proposed Zoning designation(s): 698: Agricultural Deferred with Multiple Residences Rural Character District Commercial Agriculture.

Road/street surface of frontage/access: 1,574 feet of road frontage on Artesia Road

Project Description

Build (2) 200' x 500' x 32' Indoor Vertical Farm buildings on 22 acres located on Commercial Ag property located at 60 Artesia Rd, Wellington, NV 89444 to grow Clean Room Organic Foods.

The project objective is to implement successfully an innovative indoor multi-level LED-based vertical farming system and complex that will provide a sustainable crop production of a varied high quality fresh food supply year-round.

Conditional Use Permit Applicant Findings per Chapter 15.230.06

New Green specializes in the design / build and implementation of highly innovative, fully automated, environmentally responsible and economically viable indoor farming infrastructure. We design and build all components included in our system, from lighting to growing systems. All engineering efforts are geared toward ensuring and maximizing the system's performance, efficiency, flexibility and scalability.

The ingenious nature of the concept allows for a true 3-dimensional use of space that results to increase production density. New Green will create new jobs, opportunities and profits where there was once only a unused farm land, while being an environmentally responsible investment.

New Green Farms will build the first ever total clean room farming complex in Lyon County Nevada to supply our Organic foods to the Northern buyers located within 150 miles.

Our mission is to ensure to our buyers that the New Green products are truly organic, and to provide to the local community steady never-ending jobs in a green zero-waste environment.

We favor growing most of our plant crops indoors, eliminating completely the use of herbicides and pesticides. No more agricultural runoff. Year-round crop production. No more food miles. Healthy produce available next door to where we live, in our cities.

All this is made possible by the use of a unique photosynthetic lighting technology that provides every plant with the specific type and optimal amount of lighting required to grow to their full potential plus adding the computer water testing and supply systems that allow each type of plant to get the exact minerals needed to grow the perfect plant.

Operational details:

| | |
|--------------------------------|------------------------------------------------------------------|
| Number of employees: | 12 to 15 per shift, per building. |
| Hours of operation: | 24 Hours per day. |
| Power: | NV Energy, Existing on site. |
| Water supply: | Ag Well, existing on site. |
| Sewer: | Septic, Existing on site. |
| Traffic expected: | 15-30 cars per shift, plus 6 delivery box trucks. |
| Phasing of buildings: | Building 1 upon approval, 2 nd building in 30 months. |
| Parking: | 100 onsite parking plus truck parking. |
| Fencing, screening etc: | As Needed. |

Conditional Use Permit Applicant Findings per Chapter 15.230.06

The proposed Conditional Use Permit is:

CUP Requested Findings per Chapter 15.230.06

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

Applicant's Response

The policies laid out in the Master Plan for agricultural or rural areas should minimize its impacts on natural areas and on nearby ranching and agricultural operations. New Green Farms will:

Minimize cut and fill for roads and site grading.

Use native plants for landscaping.

Steer development away from geologic features, such as rock outcroppings or steep slopes. The facility is located on flat terrain.

Use appropriate setbacks, and placement of structures that are compatible with adjacent agricultural activities.

New Green has designed the site to comply with the setback requirements and does not impede on the surrounding agriculture or ranching activities and is designed to not exceed the maximum height for this zone listed in Table 15.236-1.

Design buildings that reflect the architectural heritage of agriculture metal buildings.

Incorporate wildlife friendly fencing or "rural" open fencing rather than solid fencing.

Preserve existing ranch buildings and other features of the site, when appropriate.

Diverse Economic Base, the Project is dependent upon the current Agriculture operations. Therefore, this Project complements the existing agricultural operations of the area. In addition, the Project can also offer more employment opportunities for locals in the area.

Per Policy LU 4.1 Encourage the Continuation of an Agricultural Lifestyle in appropriate rural areas of the County, the Project has a symbiotic relationship with the existing farmers in the area. The Project also generates new income streams for the local community. In addition, the water is reclaimed and reused in the growing operations which helps preserve the water rights.

Per Policy LU 5.1 Encourage Resource-Sensitive Growth and Sustainable Design, the Project addresses this by growing 3 to 10 times more food than would be allowed on flat ground. Water is also reclaimed during the process and is returned to the grow for use in operations.

Conditional Use Permit Applicant Findings per Chapter 15.230.06

The proposed use is consistent with the Master Plan designation of Commercial Agriculture and with the applicable goals and policies of the Master Plan.

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

Applicant's Response

The proposed Vertical Farming facility is compatible with the surrounding development. This, and many other properties surrounding it are already used for agricultural/commercial purposes.

The Project is co-located at an existing Agriculture operation and would not be expanding outside the current boundaries, thus, not impeding surrounding agricultural land and/or neighborhoods.

Construction and Maintenance

The construction of the facility will be in compliance with all local rules and regulations. All construction work is done on site and typically takes about 45 weeks. The crew size will range from ten to twenty individuals. Traffic and neighbors will not be meaningfully impacted if at all.

Noise

No additional noise is expected, as the work is done inside the building, the noise from typical farming will actually be reduced.

Visual Impact

The project is typical for metal farm buildings as seen in the surrounding areas.

Lighting

The building lighting will focus down as not to pollute the night sky.

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

Applicant's Response

The Project will utilize the existing site via Artesia Rd. The facility will have 20 to 30 staff at any one time. The Project would not require modifications to the existing road infrastructure to facilitate operation of the facility. During construction, there may be more

Conditional Use Permit Applicant Findings per Chapter 15.230.06

equipment brought in on the existing roadways but will be temporary and limited. Extra personnel needed for the construction of the project (i.e. craft) will probably be shuttled in to reduce traffic and impacts to the roads. This Project will not substantially alter existing vehicular traffic as part of operations.

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

Applicant's Response

The proposed facility will not impact traffic flow or require public roadway improvements.

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

Applicant's Response

The design and implementation of this facility aligns with the conditions outlined in 15.230.06{8} and best fit for the existing Agriculture community and effectively mitigate any potential visual impacts on adjacent properties as they are also Agriculture in nature.

The Project Heights will not impact visually to the surrounding area. Noise impacts will also be minimal since the work is performed indoors and the noise from operation cannot be heard when approaching the site and is indistinguishable from the existing Agriculture operations.

Finding F: The proposed development complies with all additional standards imposed on it by the particular provisions of this title, the Lyon County Design Criteria and Improvement Standards and all other requirements of this title applicable to the proposed development and uses within the applicable base zoning district, including but not limited to, the adequate public facility policies of chapter 110 of this title;

Applicant's Response

This project has been carefully designed to comply with all applicable standards set forth in the County's Land Use and Development Code

Agricultural related commercial and limited industrial uses and other limited commercial and tourist commercial uses compatible with the agricultural use of the land and rural character are allowed currently on this site.

Conditional Use Permit Applicant Findings per Chapter 15.230.06

The Project complies and is compatible with the conditional use of the proposed vertical farm and complements the existing Agriculture operations by providing an alternative method of farming to allow more growth for less funds while water reclamation helps retain any water rights they currently have. This is also in alignment with the Land Use Goals {Policy LU 1.1} by keeping with the current rural requirements and uses of the property.

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

Applicant's Response

Commercial Vertical Agriculture facilities are highly regulated for health and safety through the U.S. Department of Agriculture (USDA). Therefore, the proposed facility poses no detriment to public health, safety, or welfare, and it is not injurious to property or improvements in the vicinity. The facility provides an important public benefit through improved connectivity for the community and other commercial farmers.

The Project is subject to additional various regulatory programs designed to protect public safety, the environment, and the local community which includes the following:

- NV DEP Chemical Accident Prevention Program {CAPP}
- NV DEP Air Permit Program
- EPA Risk Management Plans
- Occupational Safety and Health Association (OSHA)

This CUP will permit the County, the State, and the applicant to all demonstrate compliance with applicable regulations that work to ensure the safety and welfare of Lyon County residents.



Lisa Nash <lnash@lyon-county.org>

PLZ-2026-003 New Green Farms

Brent Lovett <brentlovett267@gmail.com>

Sat, Feb 21, 2026 at 2:38 PM

To: Lisa Nash <lnash@lyon-county.org>

Cc: "Sir Mark H. Jones" <inag11@aol.com>, Gavin Henderson <ghenderson@lyon-county.org>, Raymond Brown <rbrown@lyon-county.org>

| Good Morning Lisa:

See the following in response to your questions:

- On the Floor Plan exhibit, what are the rooms at the south end of the buildings?

Offices and Lab area.

- Are they offices, storage, breakroom, etc?

Yes, See Plan

- Please provide the square footage for the office or other use space in the buildings as well as the production area square footage.

4600 SF on each side

Production area = 90,000 sf

- Parking - do you have parking calculations?

100 Parking spaces per phase.

- Site Plan - Where is the parking on site?

See attached site plan

- Site Plan - What are the driveways widths and can they be shown on the site plan?

42 Foot wide, see attached site plan.

- Site Plan - Drainage, it is not clear how it will work on the site. Will there be swales or other conveyances to get the drainage from the southeast portion of the site to the On Site Drainage Capture.

Yes, will use a swales as a system, may also use drop boxes and piping if needed.

- Site Plan - Is the On Site Drainage Capture intended to be a basin, detention or retention? Above or below ground?

Onsite drainage will be kept onsite. As civil has not been complete yet, we assume it will be sunken retention basin, rock walls and base, for slow recharge to water table.

- Site Plan - There are stairs shown, what are they going to? If there is a second floor, we need that floor plan too.

The stairs are along side of the water tanks, filtration systems, which need access to the tops of the tanks, and catwalks.

- Site Plan - Can you explain the operations and how the loading docs will work? There are a lot of them for just a few trucks a day. Are they raised loading bays?

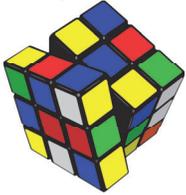
We show 11 truck bays per building / phase.

As you harvest crops, you do so working from one side of the building, to the other side over a 30 day period. You need truck bays close to the area being harvested.

Most are not raised bays, just the 3 bays at the end of the building (North) are raised.

Thank you for your time today.
Sending you Amazing Energy.

Brent Lovett
Imagineer

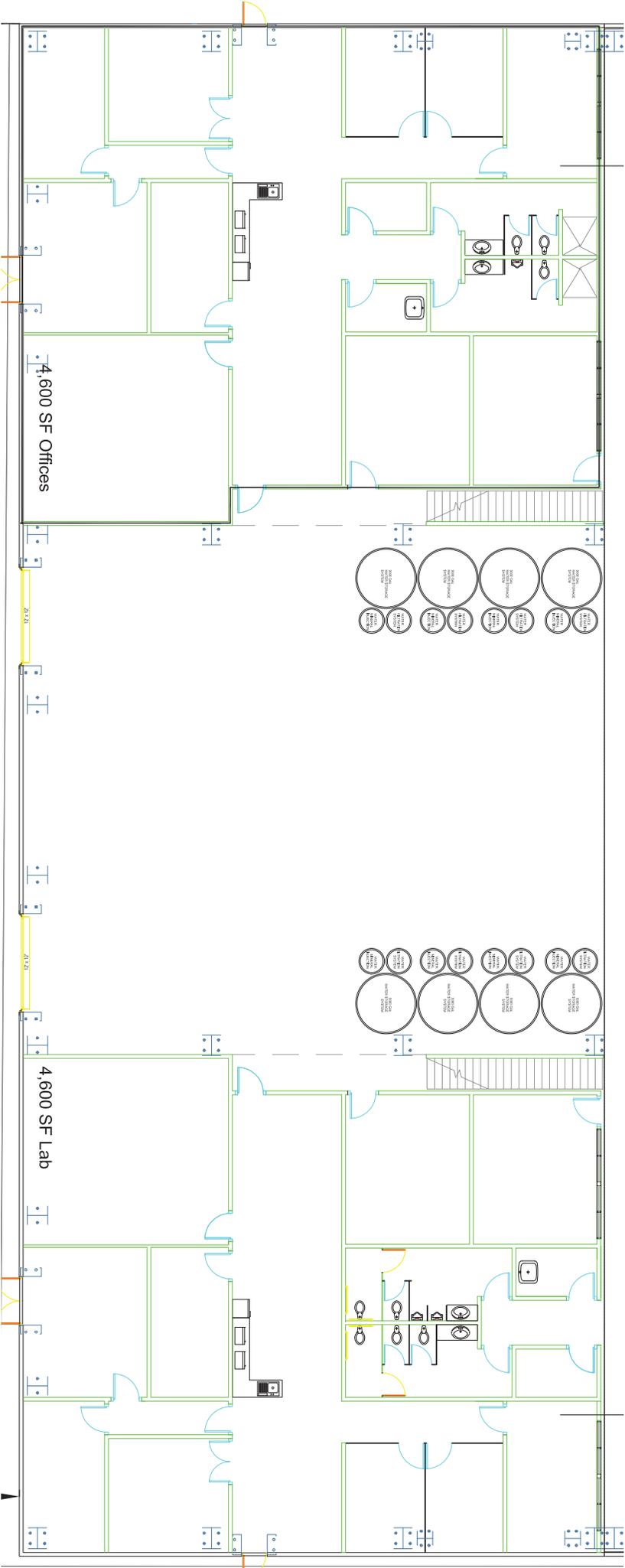


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2 attachments

 **Site Plan 2 26.pdf**
3054K

 **Office Plan.pdf**
108K





Lisa Nash <lnash@lyon-county.org>

proposed commercial project on 60 Artesia

Michelle Beach <michellebeachrealtor@gmail.com>

Mon, Dec 22, 2025 at 12:21 PM

To: ghenderson@lyon-county.org, lcarliola@lyon-county.org, lnash@lyon-county.org, sjuntunen@lyon-county.org, planning@lyon-county.org

Hello,

I just left you a voicemail. Many neighbors and I are very concerned about the proposed commercial indoor farming endeavor applied for at 60 Artesia. This is not an alfalfa farm- that we all love and know. This is a huge, commercial, and industrial proposal.

We are concerned about many things. Some of these concerns involve the increased traffic flow of large, heavy vehicles on our small town roads, the utility infrastructure- with the increased demand of electricity and water, the 3 story building blocking our treasured views, and the lighting necessary that will disturb our night sky valley. Not to mention the plummet in our property values.

Would you please let me know the best ways for us neighbors to appropriately share our concerns.

Thank you so much.

Respectfully,

Michelle Beach
REALTOR®
S.0203880
dre #2114496
951-204-1619

Fwd: PUBLIC COMMENT for vertical farm project

Smith Valley Cab <svcab@lyon-county.org>

Mon, Feb 2 at 3:32 PM

To: Joanne Lawson <jlawsonrph@gmail.com>, Tom Renner <tom_tosca@msn.com>, Mark Phillips <mrphillips63@gmail.com>, Keri Kidder <walkerwellingtonllc@gmail.com>, Rusty Williams <nevada_rusty@outlook.com>

----- Forwarded message -----

From: **Angie Proffer** <angieproffer@gmail.com>

Date: Tue, Feb 3, 2026 at 6:29 AM

Subject: PUBLIC COMMENT for vertical farm project

To: <svcab@lyon-county.org>

Smith Valley CAB members,

My husband and I would like to share our concerns against the proposed vertical farming project at 60 Artesia. We have 40 acres and love being in the middle of all the alfalfa fields. This proposal is not the agricultural we expect, and nothing like the farming this valley is accustomed to. This vertical farm proposal will negatively stand out in our neighborhood in more ways than one, and approval would set a precedent in our valley with the potential of many more of these humongous monstrosities coming into our peaceful quiet neighborhoods.

There are so many issues that concern us regarding this proposal and here are a few:

- Increased traffic, causing noise to our quiet neighborhoods and also harmful to our wildlife;
- Large, heavy vehicles damaging our small roads;
- The increased demand on our utility infrastructure (with the extra use of electricity and water needed), our current canal water allocations are already running and trending at a deficit. How will this 3 story farm impact our allocations? Do we have a way to calculate acre feet allocation in a 3 story building? We hope the allocation of water per acre feet is not multiplied by 3 stories?
- The multiple 3-story buildings (standing out like a sore thumb) will obstruct our amazing views

- The extra lighting necessary to run this 24/7 business will pollute our dark/night sky valley policy.

We are 100% against this project moving forward and ask that you do not give the CUP that is necessary to move forward.

We moved to this area because of the beauty and simplicity of this valley and ask that you board members help protect our valley and not allow this project to proceed.

Thank you,

Angie & Scott Proffer
687 Upper Colony Rd, Wellington, NV

Fwd: Concerned Letter for Feb 4 meeting

Smith Valley Cab <svcab@lyon-county.org>

Tue, Feb 3 at 3:27 PM

To: Joanne Lawson <jlawsonrph@gmail.com>, Tom Renner <tom_tosca@msn.com>, Mark Phillips <mrphillips63@gmail.com>, Keri Kidder <walkerwellingtonllc@gmail.com>, Rusty Williams <nevada_rusty@outlook.com>

----- Forwarded message -----

From: **Michelle Beach** <michellebeachrealtor@gmail.com>

Date: Wed, Feb 4, 2026 at 5:05 AM

Subject: Concerned Letter for Feb 4 meeting

To: svcab@lyon-county.org <svcab@lyon-county.org>

Asked to be read at meeting.

Concerned Citizens,

As local residents who live near 60 Artesia, we are writing to express our grave concerns regarding the proposed large-scale commercial development at 60 Artesia.

We value this valley for its peace, wildlife, and rural character. The qualities that make this a desirable place to live—including our local farms, quiet atmosphere, and the safety of children playing in the neighborhood—are all in jeopardy if this project is approved.

We are specifically concerned about the following impacts:

- Increased traffic and road safety on small country roads
- Environmental impact and water usage
- Strain on utility infrastructure
- Sound and light pollution
- The visual impact of three-story buildings in a residential area
- Negative effects on property values
- The precedent for further commercial expansion

A small country road within a residential neighborhood is not the appropriate location for a project of this large scale. We urge you to consider these impacts and protect the integrity of our valued community.

Sincerely,

Phil and michelle beach

20 Megan St.

Respectfully.

michelle beach

REALTOR®

CA DRE #2114496

NV # S.0203880

951-204-1619

Intero Real Estate Services

image.png



Feb. 16, 2026

From: Judith Harker, 47 Terrell Lane, Wellington, NV 89444

To: Lisa Nash, Lyon County Planning Department

Re: Conditional Use Permit Application for 60 Artesia Rd, Wellington NV 89444

Parcel Number: 010-081-43

I am very concerned about the feasibility of this application. I am a strong supporter of agriculture in Lyon County and I hope that innovative approaches to farming can be part of our agricultural future. However, there are a number of inconsistencies and problems with this application, which the Planning Department should be aware of and should require the applicant to address before Planning Department makes a decision on approval or denial of the CUP application. This is a unique facility. As far as I know, no similar vertical farming facilities exist elsewhere in Lyon County. County staff have no comparable facilities against which to evaluate the present application. Therefore, the applicant should provide as complete and clear a plan as possible, one that addresses all relevant issues, including long-term financial feasibility.

Inconsistencies with the Project Description Justification:

The description states “fully automated indoor farming infrastructure”, which implies use of robotics. Yet this will be a source of “steady never-ending jobs”.

Customers will be supplied “within 150 miles”, yet the description claims “no more food miles. Healthy produce available next door to where we live, in our cities.” Clearly this was written for a facility that is not in Smith Valley, nor Lyon County.

They state that “New Green Farms will build the first ever total clean room farming complex in Lyon County.” However, the eleven loading bays per building are open to the outside, and are not isolated from the growing areas. No provisions for usual clean room precautions are evident in the present site description or building elevations. Much more information and more detailed operational procedures are needed before this claim can be justified.

The height is stated as 32'. Elevation drawings list 34' for the southern elevation. The east and west elevations show a lower height for the central part of the building, but the height is not shown. More and correct information is needed on the site drawings. Further the snow load for a 2' rise in 100' from exterior wall to center peak needs careful engineering that is not evident in the current documentation.

Additional problems with the CUP application:

The 10” existing well in the southeast corner of the site may be on and owned by the adjacent property. That agricultural well irrigates the alfalfa field to the east of the applicant’s parcel. As I understand it, the transformers on the power pole closest to the well provide power to that well, and

not to the applicant's site. If the applicant plans to drill an additional agricultural well for this venture, the location of the new well should be far enough away from the existing well that the drawdown of the new well does not impair the performance of the existing well.

I do not have the expertise to estimate the power requirements for a facility of this size. However, I am sure they are of sufficient magnitude to require an evaluation from NV Energy and an assurance that the current transmission lines are sufficient to accommodate the demands of this facility as well as the residences and farms that are also served by those NV Energy lines. This is a 24-hour, year-round operation that will increase local peak energy demands for AC during summer heat events and for heating during freezing weather.

Backup generator power must also be available to ensure against massive crop loss (from excessive summer heat, or freezing) during power outages. Estimates for the size and type of the generator facility must be included. Such generators are noisy and noise impact must be presented, as well as the frequency with which those generators are tested.

Finding B: The applicant claims little or no noise because the operations are inside the building. However, AC compressors are external and their size and noise must be evaluated. The applicant mentioned using swamp coolers. However, swamp coolers add to internal humidity and are probably not practical. High humidity in the enclosed plant growing environment is a major problem and humidity reduction is essential to eliminate fungus and other diseases in lettuce and strawberries. Either AC or swamp coolers will need large scale fans to move and circulate air, which will also add to operational noise.

Finding C and D: A traffic study should be required, especially for construction traffic as well as 24-hour traffic during normal operations. The ingress/egress to the facility is on a narrow S-curve on Artesia Road and visibility is very poor around the second part of the curve. The road surface is already in fair to poor shape, with crumbling shoulders and a section of uneven surface on the westbound lane at the first curve of the 'S'. Road improvements should be considered as a requirement.

Thank you for your time and consideration.

Sincerely,
Judith Harker



Lisa Nash <lnash@lyon-county.org>

MARK JONES CUP - INDUSTRIAL GROW IN SMITH VALLEY

Kimbaleee <kim.d.herb@gmail.com>
To: lnash@lyon-county.org

Tue, Feb 3, 2026 at 7:22 AM

Hi Lisa - we are unable to make the SVAB or BOCC meeting dates but want our voice heard. As citizens of Smith Valley & land owners near Mark Jones' property at 60 Artesia, we are VEHEMENTLY AGAINST any changes in zoning and AGAINST EVERYTHING Mr. Jones has proposed for his project. This is a very sneaky way of going about getting his zoning changed to what amounts to an INDUSTRIAL GROW IN A RESIDENTIAL NEIGHBORHOOD. There are so many reasons for this to never see the light of day including but not limited to water sources, traffic, light pollution, noise pollution, crime, lack of infrastructure to support a project of this stature. PLEASE advise Lyon County BOCC that we in SV NEVER WANT TO SEE THIS PROJECT OR ANY OTHER PROJECT LIKE THIS in our Valley. Thank you for the opportunity. Kim & Eric Herb, 44 Grand View Ln, Wellington NV 89444.



Lisa Nash <lnash@lyon-county.org>

60 Artesia Road

1 message

Julie Maza <j.cerini@gmail.com>
To: lnash@lyon-county.org

Sun, Jan 11, 2026 at 9:26 AM

Nick and Julie Maza
[90 Amanda Lane](#)
Wellington, NV 89444

January 11, 2026

Ms. Lisa Nash
Senior Planner
Lyon County Planning Department
27 South [Main Street](#)
Yerington, NV 89447

Dear Ms. Nash,

We are Nick and Julie Maza, homeowners at [90 Amanda Lane](#) in Smith Valley, directly across from the property proposed for development at 60 Artesia Road. We moved to Smith Valley approximately a year and a half ago from an urban area specifically because of the quiet, rural, agricultural character of this community. We are writing to formally oppose the Conditional Use Permit (CUP) application for the proposed 200,000-square-foot facility.

While we support appropriate agricultural uses in Smith Valley, the scale and intensity of this proposal appear industrial in nature and raise serious concerns regarding compatibility with nearby homes, public safety, and the adequacy of existing infrastructure. Based on the information currently available, we do not believe the required findings for CUP approval can be made without substantial additional analysis.

First, the size and configuration of the proposed buildings are unprecedented in this area. Two enclosed structures of this magnitude and height do not reflect the character or expectations of surrounding agricultural and residential properties. Approval of such a use would represent a significant departure from established land-use patterns and set a precedent that is difficult to reverse.

Traffic and road safety are also major concerns. Preliminary estimates suggest a substantial increase in daily vehicle trips, yet no independent traffic impact study has been provided. Artesia Road lacks basic safety features and includes sharp curves with limited visibility near the site. Without a formal analysis and identification of required improvements, it is unclear how public safety can be assured.

Fire protection and emergency response present another unresolved issue. Smith Valley does not have fire hydrants serving this area, and emergency services are provided by volunteer departments with limited apparatus. Given the height, size, and continuous operation of the proposed structures, the County should require an independent fire safety and emergency deployment study by a qualified third-party consultant to evaluate whether existing resources are adequate and to identify any necessary mitigation measures before any CUP is considered.

The project also raises concerns related to noise, lighting, and mechanical equipment. Site plans indicate extensive mechanical systems likely to operate around the clock. No baseline studies or enforceable mitigation plans have been provided to demonstrate compliance with County performance standards or to protect nearby homes from noise and light impacts. These issues cannot be addressed through assumptions and should be supported by objective data.

Additionally, there has been no disclosure of the project's electrical demand or confirmation that existing utility infrastructure can support an operation of this scale. Potential needs for new transformers, substations, or backup generators—and their associated impacts—remain unknown. Similarly, while the proposal references the use of reclaimed water, no detailed water supply or water balance analysis has been provided to demonstrate long-term feasibility in an area where water availability is a critical concern.

Finally, there is no discussion of what would occur if the facility were to cease operation in the future. Without conditions addressing decommissioning, site remediation, or financial assurances, nearby homeowners could be left with a large, unused industrial structure that is incompatible with the surrounding community and detrimental to property values.

We did not move to Smith Valley with the expectation that industrial-scale facilities would be introduced adjacent to existing homes without rigorous review, objective studies, and enforceable protections. We respectfully request that the County require comprehensive third-party analyses addressing traffic, fire protection, utilities, noise, lighting, and water supply before advancing this application, and that decision-makers carefully evaluate whether the legal findings required for CUP approval can reasonably be made.

Thank you for your time and consideration. Please keep us informed of all hearings and opportunities for public comment. We intend to remain actively engaged in this process.

Sincerely,

Nick Maza
Julie Maza



Lisa Nash <lnash@lyon-county.org>

Fwd: CUP Mark H Jones

Nick Maza <nicholesmaza@gmail.com>
To: lnash@lyon-county.org

Wed, Feb 25, 2026 at 8:05 PM

From: Nick Maza <nicholesmaza@gmail.com>
Date: February 25, 2026 at 6:46:22 PM PST
To: countyclerks@lyon-county.org
Subject: CUP Mark H Jones

Nick and Julie Maza
[90 Amanda Lane](#)
Wellington, NV 89444

Date: 2/25/2026

Lyon County Planning Commission
c/o Lyon County Planning Department
27 South Main Street
Yerington, NV 89447

Re: [60 Artesia Road](#) – Fire Protection, Emergency Response, and Nevada State Fire Code Compliance

Dear Members of the Lyon County Planning Commission:

We are Nick and Julie Maza, homeowners at [90 Amanda Lane](#) in Smith Valley. We previously submitted a letter on January 11, 2026 outlining concerns with the Conditional Use Permit (CUP) application for the proposed facility at 60 Artesia Road.

Now that this proposal is an agenda item before the Planning Commission, we respectfully submit this follow-up to highlight specific **fire protection, life-safety, and Nevada State Fire Code compliance issues** that have not yet been addressed and are essential to a complete and defensible review.

1. Automatic Fire Suppression Requirements in Rural Areas

Under Nevada Administrative Code Section 477.920, a new commercial building over 5,000 square feet **must be equipped with an automatic fire suppression system** (e.g., sprinklers) if the community does *not* have adequate water supply or an “organized fire department capable of producing a fire flow of not less than 500 gallons per minute for 30 minutes,” or if there is no fire apparatus access road.

Smith Valley is not served by hydrants, and emergency response is provided by volunteer departments with limited apparatus. This raises the question: **has the applicant demonstrated how the project would meet NAC 477.920 fire suppression requirements** given current infrastructure limitations?

2. Fire Flow, Water Supply & Hydrant Infrastructure

The Nevada State Fire Marshal and adopted fire codes require an approved water supply capable of providing the *required fire flow* for fire protection at commercial sites. In neighboring jurisdictions (e.g., Clark County Fire Code amendments), reclaimed or effluent reuse water is *not considered an approved fire supply* unless it meets very specific potable water quality standards and is approved by the fire code official.

It remains unclear:

- What fire flow rate is required for a building of this size and occupancy classification;

- Whether any on-site hydrants will be installed;
- Whether the proposed reclaimed water supply will be acceptable for fire suppression **under Nevada fire code**.

Without answering these questions, it is impossible to evaluate whether the facility can meet minimum life-safety requirements.

3. Fire Department Response Capability and Deployment Study

NAC 477.920's definition of an "organized fire department" includes the ability to deliver at least **500 gallons per minute (gpm) for 30 minutes** via pump/tanker operations. If Smith Valley's volunteer fire departments cannot reliably meet this fire flow on short notice due to apparatus limitations or distance, this could trigger the requirement for suppression systems and/or infrastructure improvements.

To date, no third-party **fire department deployment or response capability study** has been presented. We respectfully request that the County require such an analysis *before* moving forward with CUP consideration.

4. Elevator, Rescue, and Means of Egress Requirements

Nevada Revised Statutes (NRS) 477.150 requires buildings where human occupancy is permitted above the first floor to be equipped with fire sprinklers and elevator systems capable of being recalled automatically in the event of fire, along with other safety provisions related to evacuation routes and detection systems.

It is unclear whether the proposed three-story facility will include:

- An elevator sized to accommodate a gurney for emergency medical rescue;
- Stair and access designs that allow safe evacuation and emergency access from upper floors.

These are **not optional design details** — they are critical life-safety elements required under Nevada fire code for occupied structures above ground level.

5. Hazardous Materials and Storage Conditions

While a vertical farming operation may not immediately appear to involve hazardous materials, many commercial agricultural operations utilize fertilizers, CO₂ systems, and other potentially hazardous substances. Nevada fire code and model fire codes regulate the **storage, quantity limits, and handling** of combustible or hazardous materials based on occupancy type and quantity thresholds.

We ask the Commission to clarify:

- Whether materials potentially classified as hazardous under fire code will be stored onsite;
- What specific controls and permitting will be required under state fire code and fire marshal regulations;
- Whether an operational permit will be obtained for any regulated materials prior to occupancy.

Conclusion and Request

Approving a CUP for a facility of this scale — particularly in an area without hydrant infrastructure and where emergency response is volunteer-based — without a formal fire code compliance demonstration, independent deployment study, and clear fire suppression infrastructure plan would be premature.

We respectfully request that the Planning Commission require the applicant to provide:

- A Nevada State Fire Marshal–approved fire code analysis showing compliance with applicable NAC/NRS requirements;
- A third-party fire department deployment and response study;
- Documentation of water supply and hydrant/fire suppression system design that meets adopted fire code standards.

These are objective, fact-based studies, not subjective opinions, and are necessary to make the required findings for CUP approval.

Thank you for your consideration.

Respectfully submitted,
Nick and Julie Maza



Lisa Nash <lnash@lyon-county.org>

Commercial farm proposal at 60 Artesia

Angie Proffer <angieproffer@gmail.com>

Mon, Dec 22, 2025 at 3:54 PM

To: Lnash@lyon-county.org, planning@lyon-county.org

Cc: Scott P <scottproffer@gmail.com>

Hello Ms Nash,

My husband and I are very concerned about the commercial indoor farming business proposal at 60 Artesia. We recently moved here and love being in this rural area with all the agriculture, alfalfa farms, but this proposal is not anything like the farming we are accustomed to; this is a huge, commercial, and industrial proposal not suited for this agricultural / residential area we are living around.

There are so many issues that concern us regarding this proposal:

- Increased traffic;
- Large, heavy vehicles on our small roads;
- The increased demand on our utility infrastructure (with the extra use of electricity and water needed), our current canal water allocations are already running and trending at a deficit. How will this 3 story farm impact our allocations? Do we have a way to calculate acre feet allocation in a 3 story building? We hope the allocation of water per acre feet is not multiplied by 3 stories.
- The multiple 3-story buildings (standing out like a sore thumb) will also obstruct our amazing views
- The extra lighting necessary to run this 24/7 business will absolutely pollute our dark/night sky valley policy.

We are 100% against this and do not feel our neighborhood is the right place for this project. We moved to this area because of the beauty and simplicity of the valley and ask that Lyon County protect our valley and not allow this project to proceed.

Thank you,

Angie & Scott Proffer

[687 Upper Colony Rd, Wellington, NV 89444](https://www.google.com/maps/place/687+Upper+Colony+Rd,+Wellington,+NV+89444)



Lisa Nash <lnash@lyon-county.org>

60 Artesia Rd. Wellington, Nv.

Kyle Runge <rungekyle5@gmail.com>

Wed, Jan 7, 2026 at 11:11 AM

To: lnash@lyon-county.org

Cc: "lcariola@lyon-county.org" <lcariola@lyon-county.org>, "sjuntunen@lyon-county.org" <sjuntunen@lyon-county.org>, "ghenderson@lyon-county.org" <ghenderson@lyon-county.org>

Dear Lisa, and all involved.

I am contacting you about mine and all my neighbors' concerns in Pinion Ranch and its surrounding neighborhoods about the agriculture project at 60 Artesia Rd. {known as the Dumovin Ranch}

I am a retired correctional officer from San Quentin State Prison. The reason I chose Nevada and especially Smith Valley was for the tranquility and safety of the area. I chose it for the dark skies, no traffic, no crime and the generosity of the people living here.

Now that may all be taken away with the construction of a three story building, an immense increase in traffic and overbearing lighting.

My house is only a quarter mile from the Dumovin Ranch. I would have to endure the sound of large trucks coming and going 24 hours a day, also the many employees for three shifts a day, loud HVAC systems and intense lighting, not only into my windows but taking away from the dark skies that provide a spectacular view of the Milky Way and all the planets. {See attached photo} taken from my front yard.

Please take into consideration the impact this will have on the whole valley. Taking away the reason so many have moved here, instead of the greed of one person. Thank You,

Kyle and Darlene Runge

[50 Amanda Ln.](#)

Wellington, Nv.



IMGP9063.jpg
1773K

20260225 Letter to Lisa Nash, Lyon County Senior Planner

Dear Ms. Nash,

The following comments and questions pertain to the CUP (Conditional Use Permit) application submitted by (or on behalf of) Mark and Sheryl Jones of 60 Artesia Rd, Wellington, NV 89444, Parcel 010-081-43 in preparation for the SVCAB (Smith Valley Citizens Advisory Board) meeting of March 4, 2026. I will present my key points as an executive summary with references to backup information and calculations.

Executive Summary

Daily vehicular traffic: (24 hours) during the operation of this facility, based upon a summation of trips in or out of the gate: 180 employee passenger vehicle trips plus 22 product delivery truck trips for a total of 202 vertical farm related vehicles. Compare this against a current traffic baseline of 261 vehicles per day. This brings the total traffic to 463 vehicle trips and represents an increase of 77% (ref. Page 4)

Construction vehicular traffic: The applicant states as one of his goals the minimization of cut and fill for roads and site grading. Given the existing natural slope which leads to an elevation difference of 7.25 feet in the 500 foot south to north length of these buildings, a minimum of 1,910 truck + trailer loads of fill material will be required, with much more likely. Building slabs and footings will require a minimum of 336 mixer truckloads of concrete. There will be hundreds of truckloads of structural steel, roof trusses, corrugated metal for walls and roofing and many truckloads of vertical racks, lighting equipment for the plants and mechanical system components. (ref. Page 4)

Electrical power consumption: The existing agricultural electrical service on the property provides power to an agricultural well which is rated at approximately 100 KW. The applicant claims that this electrical service will be sufficient to power the needs of the facility. Calculations indicate that 65 megawatts will be required. This is 650 times the current load represented by the existing well pump. (ref. Page 5)

Cooling requirements: When questioned about Air Conditioning Requirements, the applicant stated at the CAB meeting that no air conditioning would be required and that what small amount of cooling would be needed could be provided by two small evaporative coolers. Calculations indicate that waste heat from the LED lighting and human activity will amount to 41,135,400 BTU/hr. (ref. Page 5)

Sewer: The applicant claims that the existing septic system will be sufficient to handle the waste from the vertical farming system. No specifications have been provided; therefore there is no substantive basis for this claim.

Water: The applicant claims that he has sufficient water rights to provide for this operation. No details have been provided.

Water recycling: The applicant claims that water will be treated and recycled, but no details are provided.

Height of buildings: Multiple sources state the height of the buildings as 32 feet. Some say 34 feet. Sloping ground could add 7.25 ft. Solar panels on building roofs as called out on previous documents will add additional height. (ref. Page 6)

Concerns brought forth in the Feb 4 SV CAB meeting were met by the applicant with dismissals, platitudes and generalities. The applicant's reluctance or inability to respond to technical questions with clear, scientifically based answers raises a red flag with respect to approval of this application. For the benefit of all involved parties, a thorough and professional engineering analysis is necessary.

Conditional Use Permit Applicant Findings per Chapter 15.230.06

Operational Details (provided by the applicant):

- Number of employees: 12 to 30 per shift, per building (accepted as stated)
- Hours of operation: 24 Hours per day (accepted as stated)
- Power: NV Energy, Existing on site (grossly inadequate,) (ref. Page 4)
- Water supply: AG well , existing on site (details required)
- Sewer: Septic, Existing on site (details required)
- Traffic expected: 15-30 cars per shift , plus six delivery box trucks (inaccurate)
- Phasing of buildings: Building 1 upon approval , 2nd building in 30 months
- Parking : 100 onsite parking (spaces?) plus truck parking
- Fencing, screening, etc: As needed.

Applicant's Responses to Findings

Finding A, Applicant's Response:

The applicant claims that his project is in conformance with the Master Plan (Lyon County inferred) for agricultural or rural areas and on nearby ranching and agricultural operations. Conspicuously missing within supporting text and photographs is any mention of how his project will affect the residential property located directly to the south of his property. Elsewhere, he claims that he will use appropriate setbacks, and placement of structures that are compatible with adjacent agricultural activities. Here again, while agricultural properties are addressed, there is no mention of impact to residential properties.

The applicant claims that he will use native plants for landscaping while his satellite image based plot plan clearly shows that many large century plus old trees are in conflict with the location of the new buildings. Greater efforts should be made with respect to building placement to preserve mature trees.

Finding B, Applicant's Response:

The applicant claims that “the proposed Vertical Farming facility is compatible with the surrounding development.” This is a highly subjective statement and is demonstrably false on many levels. These will be the largest steel buildings in Smith Valley. They will be producing low level noise, light pollution and traffic around the clock.

Construction and Maintenance: The applicant states that “traffic and neighbors will not be meaningfully impacted if at all.” In consideration of the many thousands of truckloads of earthen fill material, concrete, structural steel, steel trusses, corrugated steel for walls and roofing, and materials for growing racks, electrical and lighting systems, this statement cannot be taken as accurate.

Visual Impact: The applicant claims that the project is typical for metal farm buildings as seen in surrounding areas. In reality, most of the steel buildings in the surrounding areas are 5,000 square feet or smaller. The proposed buildings are 100,000 square feet, 20 times larger than anything nearby. And there are two of them. These buildings will be clearly visible for miles in multiple directions.

Lighting: The applicant says that the (exterior) lighting will focus down as not to pollute the night sky. The Smith Valley Dairy made similar claims and the results are far from satisfactory. It is hoped that a more effective approach will be taken. Current lighting on 60 Artesia allows very bright lights to project for miles to the west, south and east. Specific language limiting light pollution should be standardized and attached to all industrial scale CUPs and made conditional to approvals and renewals.

Finding C, Applicant’s response: The applicant’s response is basically summarized by his closing statement, “This project will not substantially alter existing vehicular traffic as part of operations.” As a matter of fact, the operational phase of this project will increase traffic on Artesia Road from an average baseline of 261 (data taken from NDOT survey, October 16-19, 2024) to approximately 463, an increase of 77%. The current traffic on this portion of Artesia Road is sufficient to have substantially damaged the shoulder of the asphalt pavement which is narrow enough that vehicles traveling in opposite directions are often “hanging a wheel” onto the shoulder to provide a comfortable separation. Increased traffic will undoubtedly worsen this situation.

Finding D, Applicant’s response: “The proposed facility will not impact traffic flow or require public roadway improvements.” This statement is demonstrably false as is covered under Finding C above. Even based solely upon the existing traffic on this segment of Artesia Road, a center stripe should be applied. Visibility along this stretch of roadway is adversely impacted by a dense growth of vegetation on the applicant’s property to the west side of Artesia Road. (Please note that the property line falls to the west of the irrigation ditch.) This should be addressed before embracing additional traffic and should be included in the CUP as a condition for approval and renewal.

Finding E, Applicant’s Response: “ The design and implementation of this facility aligns with the conditions outlined in 15.230.06{8} and best fit for the existing Agriculture community and effectively mitigate any potential visual impacts on adjacent properties as they are also agriculture in nature.” This statement completely ignores the residential properties to the south, directly across Artesia Road. “The Project Heights will not impact visually to the surrounding area. Noise impacts will also be minimal since the work is performed indoors and the noise from operation cannot be heard when approaching the site and is indistinguishable from the existing Agriculture operations.” In truth, these buildings set a new precedent for square footage and height in Smith Valley.

Finding F, Applicant's Response: The applicant claims that the project "complements the existing agriculture operations by providing an alternative method of farming to allow more growth for less funds while water reclamation helps retain any water rights they currently have. This is also in alignment with the Land Use Goals {Policy LU 1.1} by keeping with the current rural requirements and uses of the property." This is an unsubstantiated platitude. The applicant fails to identify any substantive advantage that this project brings to neighboring existing agriculture and completely ignores the disadvantageous effects upon neighboring residential properties.

Finding G, Applicant's Response: The applicant claims that "the proposed facilityis not injurious to property or improvements in the vicinity." This statement completely ignores the visual and noise impact and consequential negative effect on property values for neighboring residential properties. *I am sorry; but redundant, inaccurate statements require redundant refutations.*

Basis of estimate

The following parameters are derived from information provided directly from the applicant via the CUP permit, verbally at the February 4, 2026 SV CAB meeting or calculated through analysis of those sources of information.

Daily vehicular traffic: The applicant claims that there will be 15 employees per shift per building, running three shifts, 24 hours per day. This will potentially lead to roughly 60 private vehicles on the property at shift change. The stated plan for a 100 space parking lot will provide 40 extra spaces even at peak levels during shift change. Is there an explanation for the extra-large parking lot? Some of the information provided by the applicant has stated that there will be as many as 40 trucks per day; other information indicates 22 box trucks (supported by the 11 loading doors on each building.) This conflict needs to be addressed. A traffic survey of Artesia Road conducted by NDOT between October 16 and 19, 2024 shows an average daily vehicle count of 261. The traffic relating to this proposed facility will bring that number to 463, an increase of 77%.

Grading and construction traffic: The applicant claims that the project will minimize cut and fill for roads and site grading and that it is located on flat terrain. While it is flat in a planar sense, it is by no means level. In fact, the buildings are oriented with their long axis parallel to the primary south to north slope of the land. Elevation measurements taken from the public right of way to the west of the building location reveal that in the 500 foot length of the building, the land slopes to the north with a 7.25 foot elevation loss. This will require moving enormous amounts of material to achieve level building pads. Providing level pads for these buildings will require moving a minimum of $26,851 \text{ cubic yards} [7.25' \text{ (mean elevation loss)} \div 2 \text{ (volumetric factor for prism)} \times 500' \text{ (S to N length)} \times 200' \text{ (E to W width)} \times 2 \text{ (buildings)} \div 27 \text{ (conversion of cubic feet to cubic yards)}]$ of material for the two buildings. This conservative calculation assumes zero importation of sub-base material and leaves the south ends of the buildings more than three feet below natural ground contour and the north end of the buildings more than three feet above natural ground contour. A much more likely scenario is that after providing a level surface by the previously mentioned process, the building pads will be built up slightly above natural ground contour on the south end, which will require the importation of 30,556 cubic yards $[7.25'$

(original elevation loss) ÷ 2 (to bring level pad to elevation of south end) +.5 (slight elevation above native grade) X 500' (S to N length) X 200' (E to W width) X 2 (buildings) ÷ 27 (conversion of cubic feet to cubic yards). At sixteen cubic yards per truck/trailer load, this represents 1,910 truck and trailer loads. This calculation makes no attempt to address fill material which might be structurally required after a soils report. In addition to the above analysis, large additional quantities of fill material will undoubtedly need to be imported to match the exterior approaches to the buildings to the final interior floor elevation for truck loading purposes. (recall the 7.25' height differential between the north ends of the buildings and natural grade which exists across the entire E-W width of the lot.)

Noise: During the construction phase of this project, there will be a great deal of noise generated by earth moving, compaction, steel work and a wide variety of sources. The neighboring residents deserve an honest estimate of construction duration and a quantitative analysis of the volume of material to be excavated. At this point, the only mention of construction duration is that the construction of the second building will begin 30 months after the first building is approved. This infers that there could be a 5 year construction period for the two buildings.

In reference to the operational phase, the applicant states that “no additional noise is expected, as the work is done inside the building, the noise from typical farming will actually be reduced.” While this may be true in a sense, he completely fails to address the noise from HVAC and water recovery and handling systems. At the February 4, 2026 SV CAB meeting, the applicant attempted to dismiss HVAC noise as insignificant, saying that cooling will be handled by “a small evaporative cooler on each building.” Let’s examine that premise: Active human workers generate 400-600 BTU/hr per person of waste heat. With 15 workers per building, that is 6,000 to 9,000 BTU/hr. LED lighting generates 2.0 BTU/hr per watt. According to various sources, growing leafy green vegetables like lettuce requires approximately 20 watts per square foot. Growing fruiting crops requires around 40 watts per square foot. If we average these two numbers to account for lettuce in Bldg. 1 and strawberries in bldg. 2, we come up with 30 watts per square foot. The applicant maintains that the buildings will be adequately cooled by a small evaporative cooler. This is not even remotely realistic considering the 41,135,400 BTU/hr that must be dissipated. The system will require fans, compressors and pumps, all contributing to a 24 hour per day noise output. This mechanical systems noise, while perhaps not loud, will be absolutely incessant.

Electrical and cooling load calculations: The applicant makes the blanket statement that electrical power is from “NV Energy, Existing on site.” The only evidence that is readily visible to support this claim is the electrical service to a well pump located at the SE corner of the property. It is not clear that this well and pump belong to the applicant, in spite of their being on his property. This service appears to be for roughly 100 Kilowatts and is inadequate for the needs of the vertical farming proposal as indicated by the following analysis:

LED grow lighting square footage estimate (per building): (derived from dimensions on floor plan)

Standard growing rack length (E-W) 200' (bldg. width E-W) -22' (ctr. aisle) - (2x16' outer aisles) ÷ 2 = 72'

Standard growing rack depth; 2 shelves X 4' (estimated shelf depth) = 8' (total shelf depth E-W).

Standard growing rack surface area 72' (length) X 8' (depth) = 576 sq. ft.

Notch in rack (presumed for forklift parking and charging) (4' X 12') = 48 sq.ft

Notched growing rack surface area (576 sq. ft. – 48 sq.ft.) = 528 sq. ft.

Notched growing racks per building = 30 (racks) X 528 sq.ft. = 15,840 sq. ft. per layer

Standard growing racks per building = 32 (racks) X 576 = 18,432 sq. ft. per layer

Total growing rack surface per layer = 15840 sq. ft. + 18432 sq. ft. = 34,272 sq. ft. per layer

Total growing surface per building; (20 layers X 34,272 sq ft per layer) = 685,440 square feet
With 20 layers of vertical farming per building at 30 watts per sq. ft. 685,440 sq.ft X 30 watts per square foot = **20,563,200 watts per building.**

Waste heat to be disposed of = 20,563,200 w X 2 BTU/hr (typical waste heat per watt) = 41,126,400 BTU/hr of waste heat per building.

Adding the human generated heat load is insignificant but 41,126,400+9000= 41,135,400 BTU/hr
The applicant said at the February 4, 2026 SV CAB meeting that he can take care of cooling requirements with one small evaporative cooler per building.

This analysis indicates that that approach would be grossly unrealistic. So, if we need to dissipate 41,135,400 BTU/hr of waste heat at a conversion factor of 0.293, we need 41,135,400 X 0.293 = an additional **12,052,672 watts** for air conditioning.

At this point, we have electrical loads of 20,563,200 watts for lighting and 12,052,672 watts for cooling. I will make no attempt to estimate electrical loads for water handling or for charging forklifts and other miscellaneous loads, but remember, this analysis is for only one building, so for the total load, we have 20,563,200 w (lighting load) + 12,052,672 w (cooling load) = 32,615,872 w X 2 (2nd bldg.) = **65,231,744watts**. That is **65 megawatts**, undoubtedly the largest single load in Smith Valley, possibly even the largest in southern Lyon County. This electrical load is large enough to likely require a substation and switch yard, (not reflected on plot plan) representing a significant capital investment that will hopefully be covered by the proposed enterprise and not be imposed on the community and general rate payers.

Building Height: These buildings are either 32ft or 34ft tall, depending on which drawing or text takes precedence. That height is not taking into consideration the natural slope of the land, so it could be as much as 41ft above natural grade on the north end. The applicant subsequently stated at the CAB meeting that there would be no solar panels (which report prevails?). I know of no other buildings in Smith Valley that are this tall, so they will definitely have a visual impact to the surrounding area. The extreme height of these buildings should be of concern to the Smith Valley Fire Department, which, I have been told, does not have equipment capable of effectively fighting fires in structures of this size.

This report is as accurate as I am able to make it. There is a significant absence of details for this project, so estimates have had to serve in place of better information. It is my intention that this report will serve as a “wake up call” to bring in a team of more qualified engineers to review my calculations and evaluate the applicant’s plans and claims. Apart from the financial cost to the applicant, the community will be deeply affected if this project would be built and subsequently fail. 200,000 square feet of vacant commercial buildings will leave a long term blight here in Smith Valley.

Respectfully submitted,

Matt Swain,
Materials Research Engineer (retired) Lockheed Martin Skunk Works
33 Terrell Lane
Wellington, NV 89444

5 Jan 2026

Mr Haskin

You are receiving
this copy of our
property plan
opposal to ensure
it goes to the
correct office.
We see several
legal violations
with this plan.

Thank you for
your assistance,

Shell Boppettini

January 5, 2026

Lyon County Community Development Department

Attention: Ms. Lisa Nash, Senior Planner

RE: New Green Farms Vertical Farming – Proposed Plan
60 Artesia Road, Smith Valley (APN: 010-018-43)

Dear Ms. Nash,

This letter is being sent to you as the current Senior Planner for the Community Development department. If you are not the correct person to review opposition for this plan, please advise me who the correct individual is to receive this information to avoid delay.

We the undersigned are in opposition to this proposed plan for the owner of 60 Artesia Road to build two large commercial agriculture buildings for commercial business purposes. After review of the proposed plan site and proposed commercial business plan we oppose with the following concerns:

1. This proposed plan will be built in two phases on a 22 acre parcel. On the west side property line there is old growth trees and on the east side entry road there is old growth trees. The trees on the east side are proposed to be removed. These trees in the past and currently are the habitat home for protected Eagles, Owls, Hawks and other predators. Removal of the east side property trees and disruption of the west side of the said property trees is a violation of the Federal Migratory Bird Treaty Act (16 USCm 703-711) and the State of Nevada Policy to protect and preserve protected birds such as Eagles (bald and golden) Owls (several types in the area) Hawks (numerous types in the area) and other protected predatory birds (magpies, vulture, crows etc.) It is the obligation and responsibility of the Federal, State and county organizations to preserve and protect wildlife from excessive commercialization in rural areas.
2. There will be also be additional noise and light pollution with a 24/7 commercial business that will disrupt the habitat for the protected birds and local wildlife both day and night. This fragmentation will make it harder for the protected birds to find food, mate, nest, or thrive.
3. This proposed plan to build two large commercial buildings is clearly in violation of the Lyon County Agriculture zoning code section 15.310.01 subsection (F), section (f) 2, which states "Accessory Dwelling units of no more than one unit per 20 gross acres," will be built on a 20 acre site with the exception for "the purpose of housing employees and family members engaged in agricultural pursuits." The proposed two phase plan is for two commercial buildings on 22 acres.
4. The term of Traditional Farming was used in the planning letter. This proposed plan is a commercial based business and not a traditional farming plan. There will be two large commercial buildings on a 22 acre parcel, not traditional plants planted in soil. This parcel had alfalfa growing on it until approximately 2020. The above noted protected birds would use these alfalfa fields to hunt for rodents, which kept the rodent population down. Any further disruption to the protected birds and wildlife on this property could be devastating.

5. This proposed 22 acre plan on 60 Artesia Road is adjacent to a 220 plus acre residential area that has been in existence since 2008, long before the purchase of this lot in 2019 and discontinuation of traditional farming, in approximately 2020 on this site. A 24/7 commercial business will have lighting 24 hours a day, thus causing a negative impact on the residential area with light pollution. A 24/7 commercial business will have increased vehicle and machine noise, thus causing additional noise pollution causing a negative impact on the residential area.
6. There will be increased traffic on Artesia, which adjacent to this site has two 90 degree road curves on a rural road that is already dangerously narrower than that of an average county paved road. The county does not even put a middle stripe on the road due to it being so narrow. The increased traffic will affect the lives of the residential area and surrounding population.

Traditional farming land use regulations are to protect the land from excessive urbanization and industrialization. Large commercial business buildings delineate from traditional farming, harm the wildlife population and have negative environmental effects on the surrounding area.

For the above reasons, we oppose this plan and this plan does not meet all the current Lyon County property rules and regulations. We ask that this plan be rejected for these reasons.

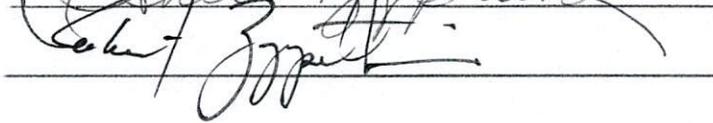
If you have any additional questions, please contact us. Thank you for your assistance with this issue,

Shell Zappettini



January 5, 2026

Robert Zappettini



January 5, 2026

35 Megan Street

Wellington, Nevada 89444-6200

(775) 721-1127 or (775) 885-0192

Lyon County Planning Commission Agenda Summary

Meeting Date: March 10, 2026

Agenda Item Number:

7.b

Subject:

For Possible Action: To forward a recommendation to the Board of County Commissioners for the request from Nevada Cement Company LLC for Master Plan Amendments to change the designations from Employment and Resource to Industrial on three parcels that total approximately 462.27 acres in Fernley at 1290 W. Main Street and two unaddressed locations (APNs 021-042-01, 021-571-08 and 021-581-01); PLZ-2025-106.

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS

- [Staff Report](#)
- [Parcel Pictures](#)
- [Project Description](#)



LYON COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT

BUILDING * DEVELOPMENT ENGINEERING * PLANNING
CODE ENFORCEMENT * ECONOMIC DEVELOPMENT

27 SOUTH MAIN STREET, YERINGTON, NV 89447

PHONE: 775-463-6592 FAX: 775-463-5305

WEBSITE: www.lyon-county.org

PLANNING COMMISSION

PLZ-2025-106

| | |
|-----------------------------|-----------------------------------------------------------------------------------------|
| Proposed Action | <u>Master Plan Map Amendment</u> |
| Meeting Date | <u>March 10, 2026</u> |
| Property Owners | <u>Nevada Cement Company</u> |
| Applicant | <u>Jared Kupcak</u> |
| Community | <u>Fernley</u> |
| Location | <u>1290 W. Main Street and north of US Highway 80, east of West Main Street</u> |
| Parcel Numbers | <u>021-042-01, 021-581-01, and 021-571-08</u> |
| Parcel Size | <u>Approximately 462.27 acres</u> |
| Current Master Plan | <u>Employment and Resource</u> |
| Proposed Master Plan | <u>Industrial</u> |
| Applicable Zoning | <u>HI-S (Heavy Industrial-Suburban) and RR-20 (Rural Residential – 20 acre minimum)</u> |
| Case Planner | <u>Louis Cariola</u> |

REQUEST

Nevada Cement Company requests a Master Plan Amendments to change the designations from Employment and Resource to Industrial on three parcels that total approximately 462.27 acres (APNs 021-042-01, 021-571-08 and 021-581-01); PLZ-2025-106.

STAFF RECOMMENDATION

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

A Master Plan Map Amendment request cannot be conditioned.

RECOMMENDED MOTION

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

The Planning Commission finds that:

- A. The applicant has demonstrated that the amendment is in substantial compliance with and promotes the master plan goals, objectives and actions;
- B. The proposed amendment is compatible with the existing or master planned adjacent land uses, and reflects a logical change in land uses;
- C. The proposed amendment has demonstrated and responds to changed conditions or further studies that have occurred since the master plan was adopted by the Board, and the requested amendment represents a more desirable utilization of land;
- D. The proposed amendment will not adversely affect the implementation of the master plan goals, objectives and actions, and will not adversely impact the public health, safety or welfare; and
- E. The proposed amendment will promote the desired pattern for the orderly physical growth of the County, allows infrastructure to be extended in efficient increments and patterns, maintains relatively compact development patterns, and guides development of the County based on the consideration of natural resources, the physical geography and the efficient expenditure of funds for public services.

Based on the aforementioned Findings, I move that the Planning Commission forward a recommendation of approval to the Board of County Commissioners for the request from Nevada Cement Company LLC for Master Plan Amendments to change the designations from Employment and Resource to Industrial on three parcels that total approximately 462.27 acres (APNs 021-042-01, 021-571-08 and 021-581-01); PLZ-2025-106.

Alternatives to Approval

Alternative Motion for Continuance

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

If so, then the Planning Commission may wish to consider a motion similar to the following:

The Lyon County Planning Commission finds that:

- A. Additional information, discussion, and public review are necessary for a more thorough review of the proposed Master Plan Amendment application.

Based on the aforementioned finding, and with the applicant's concurrence, the Planning Commission continues the request from Nevada Cement Company LLC for Master Plan Amendments to change the designations from Employment and Resource to Industrial on three parcels that total approximately 462.27 acres (APNs 021-042-01, 021-571-08 and 021-581-01); PLZ-2025-106 for ___ days.

Alternative Motion for Denial

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

The Lyon County Planning Commission has considered:

15.210.03: FINDINGS:

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

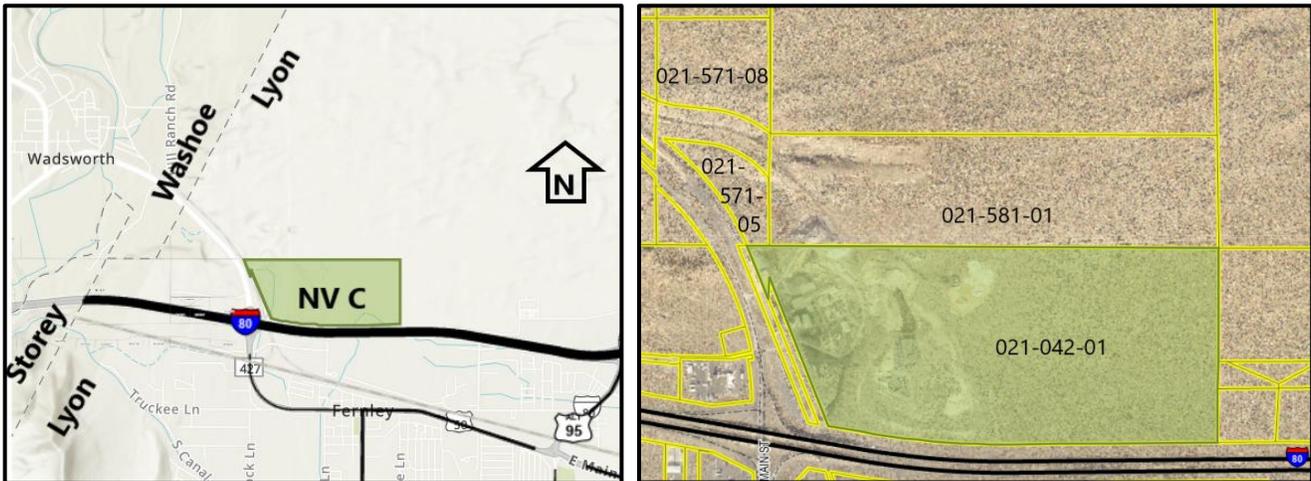
- F. The applicant has demonstrated that the amendment is in substantial compliance with and promotes the master plan goals, objectives and actions;
- G. The proposed amendment is compatible with the existing or master planned adjacent land uses, and reflects a logical change in land uses;
- H. The proposed amendment has demonstrated and responds to changed conditions or further studies that have occurred since the master plan was adopted by the Board, and the requested amendment represents a more desirable utilization of land;
- I. The proposed amendment will not adversely affect the implementation of the master plan goals, objectives and actions, and will not adversely impact the public health, safety or welfare; and
- J. The proposed amendment will promote the desired pattern for the orderly physical growth of the County, allows infrastructure to be extended in efficient increments and patterns, maintains relatively compact development patterns, and guides development of the County based on the consideration of natural resources, the physical geography and the efficient expenditure of funds for public services.

After consideration of the above-listed Findings, the Lyon County Planning Commission has determined that the Amendment would not be in conformance with the above-listed considerations and recommends denial for the request from Nevada Cement Company LLC for Master Plan Amendments to change the designations from Employment and Resource to Industrial on three parcels that total approximately 462.27 acres (APNs 021-042-01, 021-571-08 and 021-581-01); PLZ-2025-106.

BACKGROUND INFORMATION

Location, Size, and Use

The subject parcels are located in Fernley, north of US Highway 50 and east of West Main Street in Fernley. The existing NV Cement plant is located on one of the subject parcels as highlighted below, at 1290 W. Main Street. The Lyon County boundaries with Storey County and Washoe County are partially displayed.



Attachment 1 includes photos of the subject parcels provided by the applicant.

The subject parcels' Assessor's Parcel Numbers (APNs) and sizes per the County Assessor are as listed below. The total area is approximately 462.27 acres.

| | |
|------------|--------------|
| 021-042-01 | 267.40 acres |
| 021-581-01 | 160.00 acres |
| 021-571-08 | 34.87 acres |

A fourth parcel, APN 021-571-05, is depicted above for reference because it is part of a second application under concurrent review by the County for a Zoning Map Amendment (PLZ-2026-002). The four parcels are all owned by NV Cement Company.

Background and Previous Reviews

NV Cement Company is intending on expanding their existing plant at 1290 W. Main Street (APN 021-042-01) to the north on APN 021-581-01. On September 16, 2025, NV Cement and the County held a Roundtable meeting where the applicants discussed their expansion plans and the County reviewed the existing Master Plan and Zoning designations. It was determined that the Master Plan Amendment reviewed in this report, and the Zoning Map Amendments reviewed concurrently via PLZ-2026-002, would be necessary before the County could review development proposals. Two other parcels (APNs 021-571-08 and 021-571-05) also owned by NV Cement are under consideration in these applications in preparation for future plans. They likewise require amendments. As a result, were the amendments to be approved, all four parcels will have the same designations and consistent development standards. As such, the applicant has decided to include all four parcels in these applications. Only APNs 021-581-01 and 021-571-08 are part of both applications.

The applicant provided the following project description for their future development proposals. It is important to note that no development can be approved with a Master Plan Amendment or with a Zoning Map Amendment. The information below is only provided as a means of identifying the reason for the requested amendments. Future development will require project-specific review and entitlements. At that time, the County would coordinate with the City of Fernley to ensure that appropriate buffers and mitigations are included in any development approvals. For this application, the County contacted the City requesting their input. The City’s Planning Department informed the County that their North Area Plan includes alignments for future regional roadways through portions of the subject parcels. The City will expect that future development proposals are appropriately conditioned in order to ensure that the contemplated connections in the North Area Plan are maintained through the granting of appropriate easements.

NV CEMENT PROJECT DESCRIPTION

Nevada Cement Company is investigating a modernization project to construct a new cement plant north of the existing cement plant. At this time, it is expected that the majority of the new plant would be located in Parcel 021-581-01 (Master Plan is designated as Resource), a 160-acre parcel to the north of the main plant parcel 021- 042-01 (Master Plan is designated as Employment). Nevada Cement also owns two parcels to the west and northwest of the aforementioned parcels (021-571-05 at 13.2 acres & 021-571-08 at 34.9 acres), which are designated Industrial in the Master Plan. At this time, no modification to the two smaller parcels is planned with the modernization project. Nevada Cement is requesting to have the Master Plan designation of parcels 021-042-01 and 021-581-01 changed to Industrial. A model of the plant overlaying the 160-acre parcel is shown below in Figure 1. The vicinity map is also shown below as Figure 2. The County information for all four parcels is shown as Figures 3-6. Figures 7 & 8 show the project model along with a satellite image of the current area for the proposed project.

In a separate application to be filed in January, Nevada Cement is also requesting zoning changes to each of the parcels to HI-S Heavy Industrial.

NOTE: The image that follows is only part of the NV Cement project description: the entire Description is included as Attachment 2 of this report.

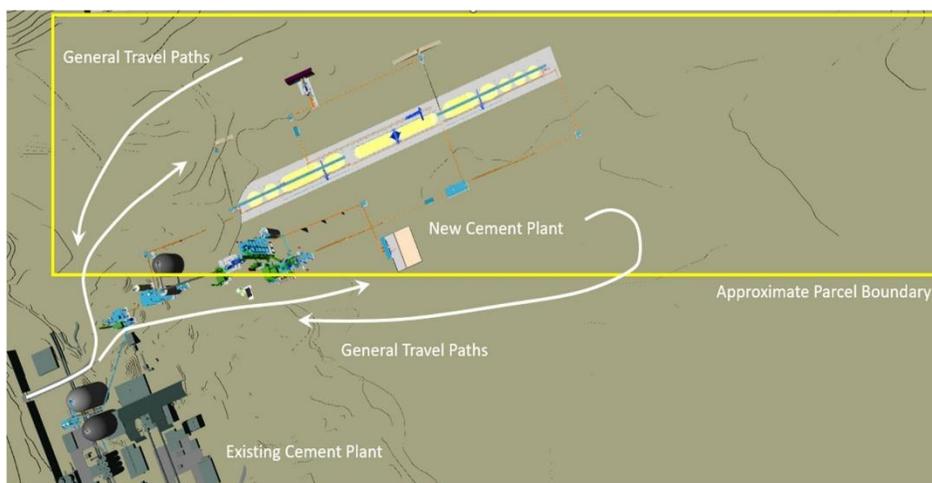


Figure 1 Approximate Location of New Cement Plant, Existing Plant and Parcel 021-581-01

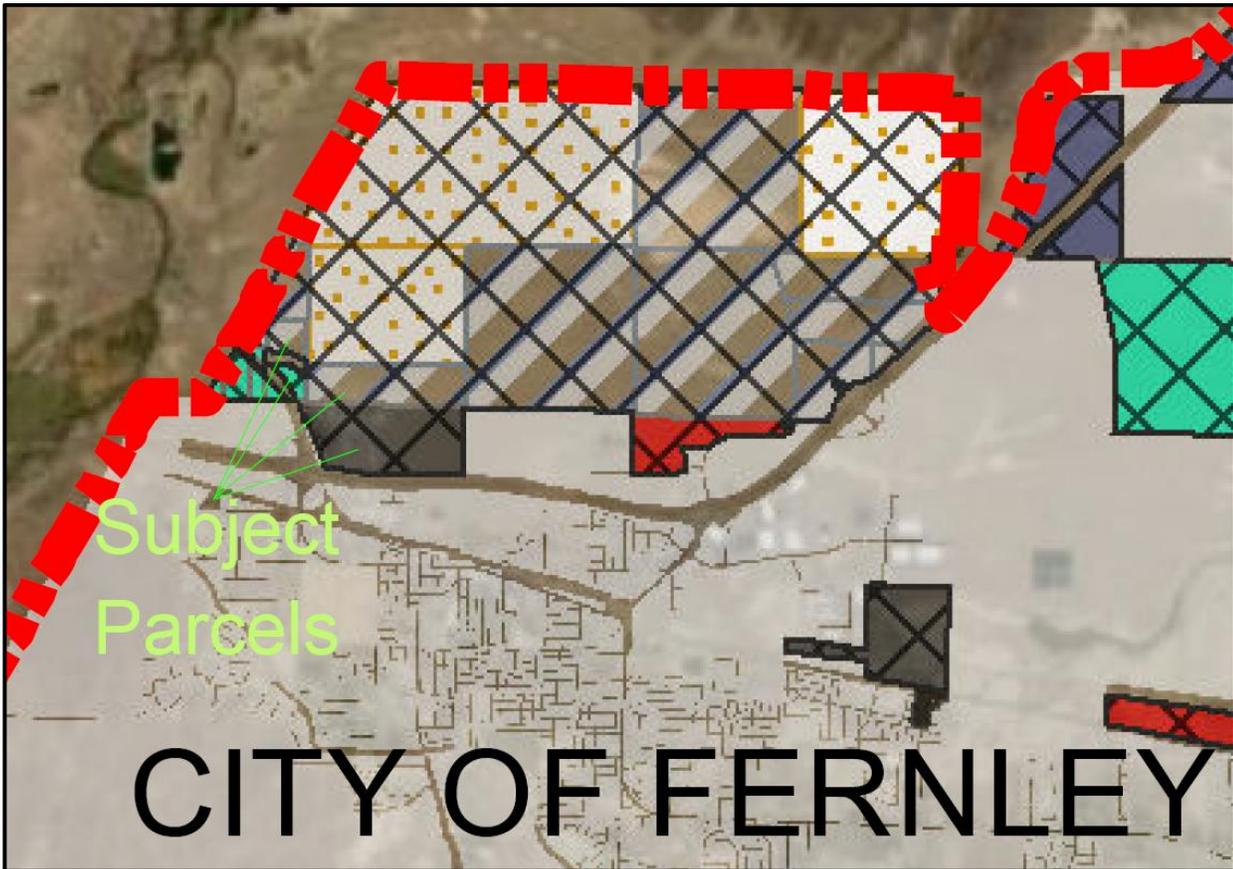
MASTER PLAN AND ZONING

Master Plan

The subject parcels are within the City of Fernley but within the County's General Northerly Master Plan (MP) Map adopted with the 2020 Master Plan. The sites are within the Cooperative Planning Area with the City and the existing MP designations for the 3 subject parcels are Employment (APN 021-042-01) and Resource.

The proposed Master Plan designation is Industrial for the three subject parcels.

Note: APN 021-571-05 is already designated as Industrial per the Master Plan and requires no amendment



| | | | |
|-------------------------------------------------------------------------------------|------------|-------------------------------------------------------------------------------------|---------------------------|
|  | EMPLOYMENT |  | RESOURCE |
|  | INDUSTRIAL |  | COOPERATIVE PLANNING AREA |

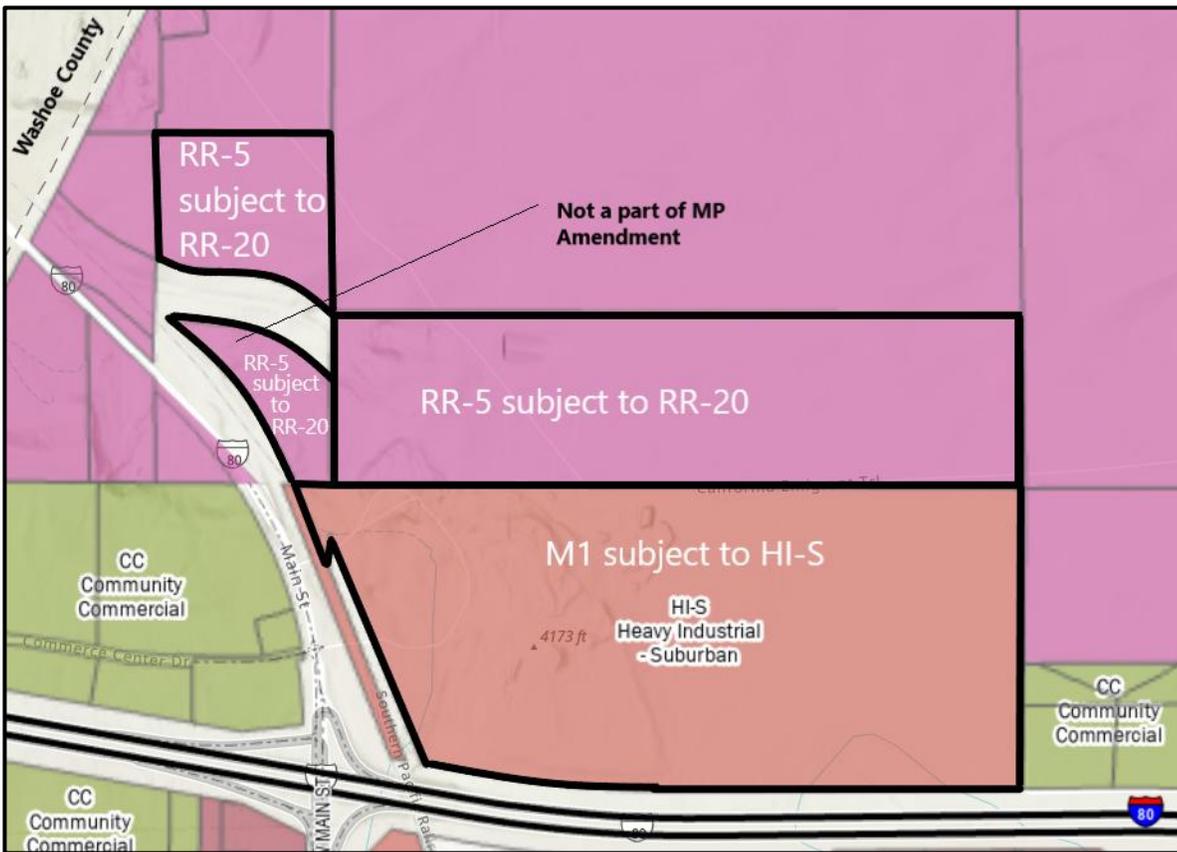
Zoning

The zoning district names for the subject parcels are from the County’s expired development code, Title 10. Per the Zoning Consistency Matrix, adopted as Appendix A in 2018 with adoption of the County’s current code, Title 15, the applicable zoning districts are as listed below. The Matrix “converts” the zoning names and designates the applicable development standards.

- 021-042-01 M1 subject to HI-S (Heavy Industrial – Suburban)
- 021-581-01 RR-5 subject to RR-20 (Rural Residential, 20-acre minimum)
- 021-571-08 RR-5 subject to RR-20 (Rural Residential, 20-acre minimum)
- *021-571-05 RR-5 subject to RR-20 (Rural Residential, 20-acre minimum)

* - not a part of Master Plan Amendment

This image is from the County’s GIS application and displays the district names converted to the applicable Title 15 district name.



Note: Per PLZ-2026-002, all the parcels will be proposed for a zoning amendment to HI-S

STAFF REVIEW AND COMMENTS

Proposed Master Plan Amendments are first reviewed by staff and the Planning Commission, who then make recommendations to the Board of County Commissioners. The Board makes the final vote on whether or not to approve the request. Chapter 15.210.03 of LCC states the findings that when considering approval of a Master Plan Amendment. Each Finding is listed with the applicant's response in italics and then staff's comments.

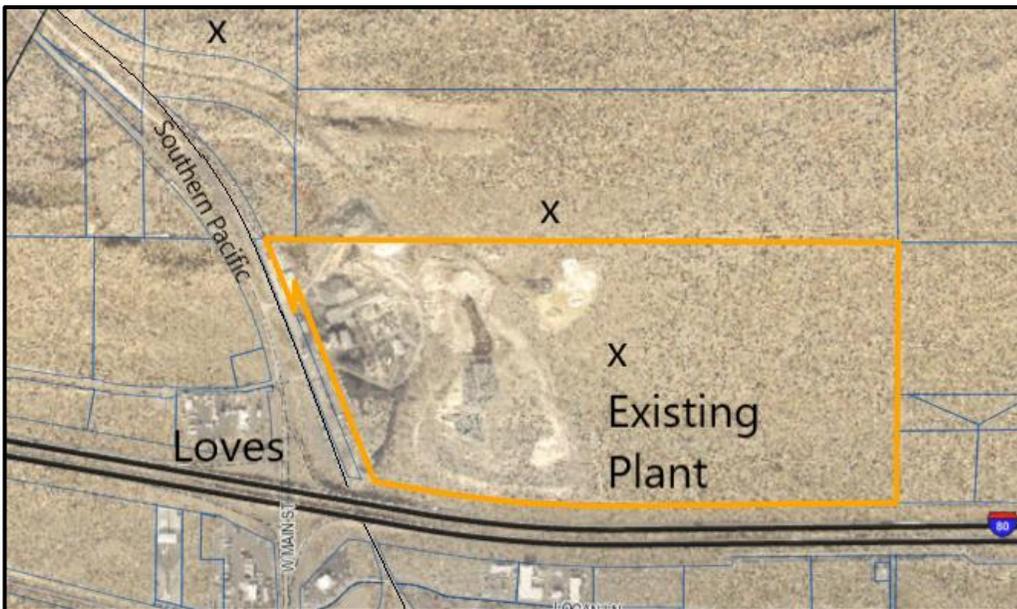
Finding A: The applicant has demonstrated that the amendment is in substantial compliance with and promotes the master plan goals, objectives and actions.

Applicant's Response

Based on the classification of neighboring parcels (Employment, Industrial), the Master Plan amendment to Industrial would match the Master Plan goals of this area for manufacturing.

Staff Comment

The region of the subject parcels, just north of Highway 80 and across W. Main Street from a Love's Travel Stop, is dominated by large scale industrial and commercial development, most notable being the existing NV Cement plant. A Southern Pacific Railroad line runs adjacent to the sites with direct spurs connecting the plant. There are no residential developments adjacent to the subject parcels.



Expansion of the plant to the north where the current operations already utilize the parcel represents appropriately compact development patterns and demonstrates compliance with the following Goals and Policies from the Master Plan.

- Policy LU 1.1: Follow Development Patterns as Established in the Land Use Plan
- Policy LU 1.4: Locate industrial development as designated on County- wide Land Use Plan or determined by criteria
- Policy LU 3.1: Diverse Economic Base
- Policy LU 3.2: Business and Industry Locations that are Consistent with Future Land Use Plan

Recognizing the location of the proposed amendments relative to the maps, Goals, and Policies of the Master Plan allows staff to make this Finding in the affirmative.

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

Applicant's Response

The existing plant is on a parcel for Employment, and some neighboring parcels, including others under NCC ownership are Industrial, so a Master Plan amendment to Industrial would match the plan for this general area.

Staff Comment

The locations of the subject parcels in an industrial and commercial area, north of the Highway and adjacent to a railroad, makes the proposed amendments logical. There are no known plans for residential development adjacent to the subject parcels and the proposed amendments will create homogenous MP designations for all four of the NV Cement parcels noted in this report. The MP requested designation of Industrial will then permit the concurrent request for HI-S zoning for all four parcels, making future development predictable because all the land will be subject to the same development standards.

The proposed amendment is a logical extension of the Industrial designation and this Finding is met in the affirmative by staff.

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

Applicant's Response

The Master Plan amendment would make the adjacent parcel to NCC's existing manufacturing facility suitable for a zone amendment to allow for a modern manufacturing facility, which would be a more desirable use of the land subject to the amendments.

Staff Comment

As stated in the Staff Comments to Findings above, the subject parcels are located in a region of Lyon County that is recognized as appropriate for the type of development and uses proposed (but not approved through this request). Both the amendment requests are necessary in order to facilitate proper designations for future development and represent a logical utilization of land. This Finding is met in the affirmative by staff.

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

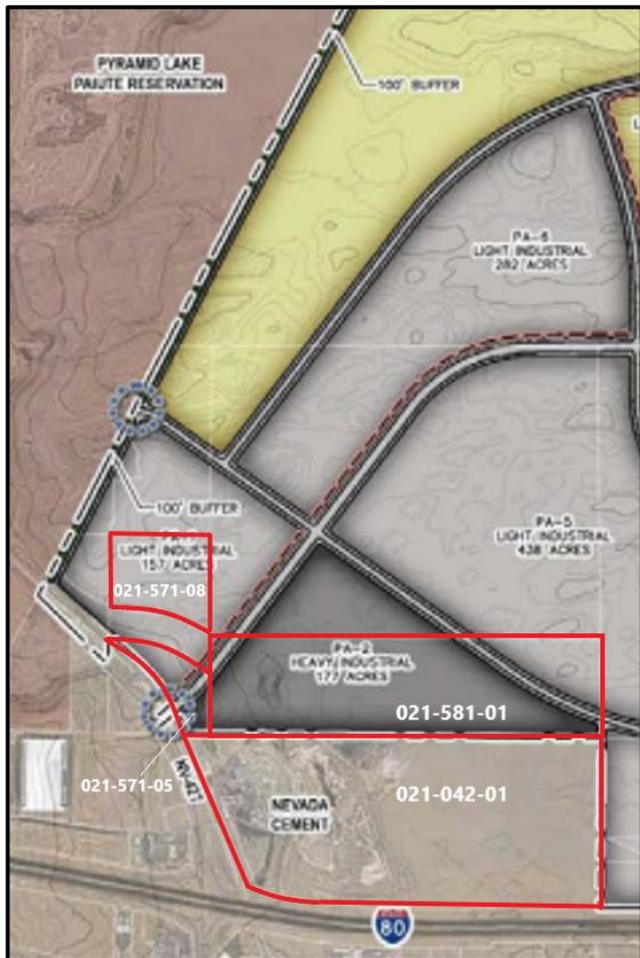
Applicant's Response

The proposed amendment will allow for a modern manufacturing facility, with even less impact on the environment (public health). The City of Fernley Master Plan also includes light and heavy industrial designations for surrounding areas, thus aligning with the goals of the City's Master Plans for this area.

Staff Comment

As stated above, staff feels the requested change is appropriate for the region. The City of Fernley's North Area Plan, as depicted in the following cropped image, denotes industrial designations in the area.

Excerpt of the City of Fernley North Area Plan



No adverse impacts to the public health, safety or welfare are recognized and the potential benefits to the region related to an increased tax base and employment are projected to be significant provided the intended development is realized. This Finding is met in the affirmative by staff.

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

Applicant's Response

The surrounding area is undeveloped, therefore development of the surrounding area would not be impeded by the proposed amendment.

Staff Comment

The requested amendments are consistent with the County's MP and the City's long term growth designations for the region. The existing plant should expand from its current location, preserving compact development patterns that place less burden on public services and natural resources. This Finding is met in the affirmative by staff.

Parcel Pictures - NCC Master Plan Amendment Application

Plant Parcel – 021-042-01



Figure 1 – Parcel Map from Lyon County Website



Figure 2 – View from Cement Silos Looking Due East



Figure 3 – View from Cement Silos Looking Southeast



Figure 4 – View from Cement Silos Looking at West End of Parcel

North 160-Acre Parcel – 021-581-01

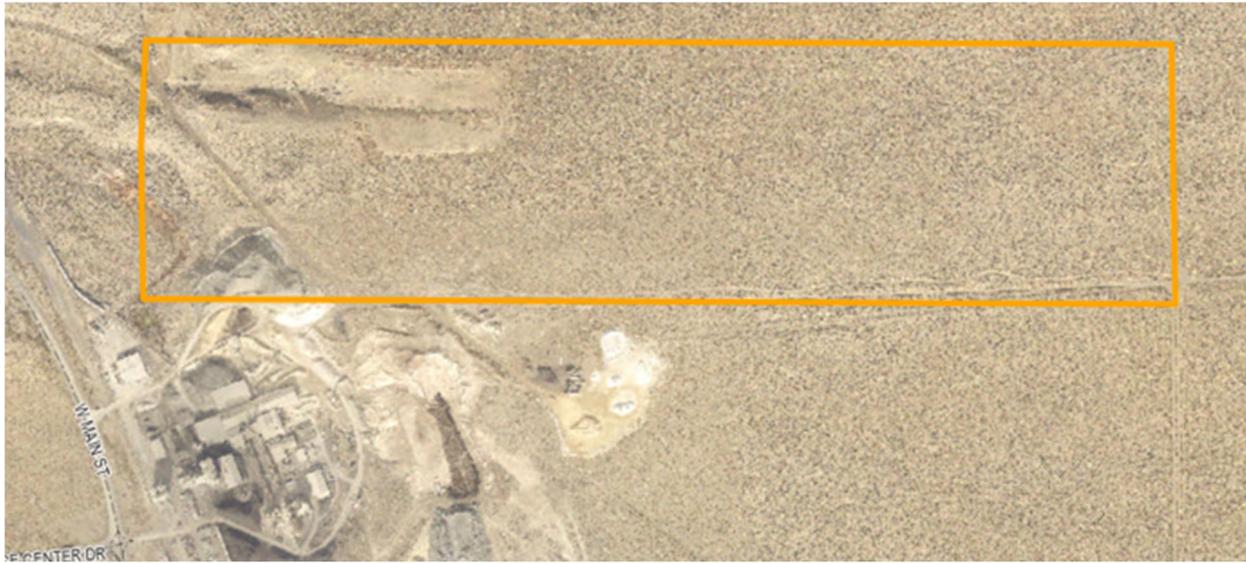


Figure 5 – Parcel Map from Lyon County Website



Figure 6 – View from Tour Location (Southwest Area) Looking at East End



Figure 7 – View from West End Looking East



Figure 8 – View from Cement Silos Looking at East End (Plant Parcel in Foreground)

West 13.2-Acre Parcel – 021-571-05



Figure 9 – Parcel Map from Lyon County Website



Figure 10 – View from North Boundary Looking Southwest



Figure 11 – View from East Boundary Looking Northwest



Figure 12 – Close-up View Looking Northwest

Northwest 34.9-Acre Parcel – 021-571-08



Figure 13 – Parcel Map from Lyon County Website



Figure 14 – View from Cement Silos of West Parcel 021571-08 in Foreground, & 021-571-05 in Background



Figure 15 – View from Center East Boundary Looking South at South Corner



Figure 16 – View from Center East Boundary Looking North at Northeast Section



Figure 17 – View from Center East Boundary Looking West at West Side of Parcel

Nevada Cement Company
Lyon County Master Plan Amendment Application
Project Description, Vicinity Map & Site Plan

Nevada Cement Company is investigating a modernization project to construct a new cement plant north of the existing cement plant. At this time, it is expected that the majority of the new plant would be located in Parcel 021-581-01 (Master Plan is designated as Resource), a 160-acre parcel to the north of the main plant parcel 021-042-01 (Master Plan is designated as Employment). Nevada Cement also owns two parcels to the west and northwest of the aforementioned parcels (021-571-05 at 13.2 acres & 021-571-08 at 34.9 acres), which are designated Industrial in the Master Plan. At this time, no modification to the two smaller parcels is planned with the modernization project. Nevada Cement is requesting to have the Master Plan designation of parcels 021-042-01 and 021-581-01 changed to Industrial. A model of the plant overlaying the 160-acre parcel is shown below in Figure 1. The vicinity map is also shown below as Figure 2. The County information for all four parcels is shown as Figures 3-6. Figures 7 & 8 show the project model along with a satellite image of the current area for the proposed project.

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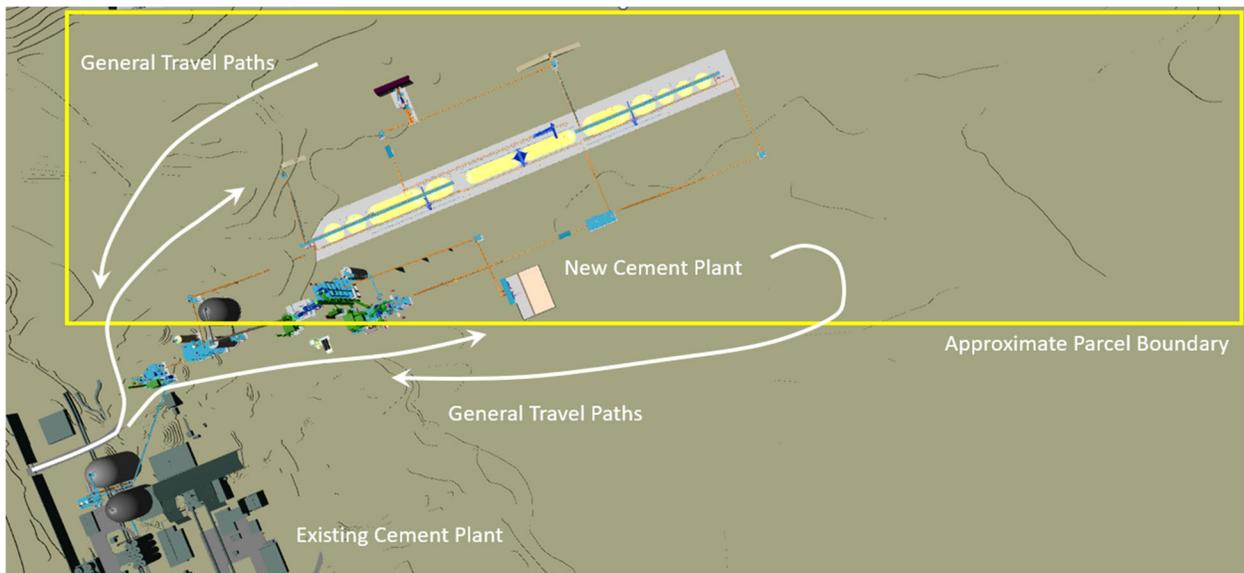


Figure 1 Approximate Location of New Cement Plant, Existing Plant and Parcel 021-581-01



Figure 2 Vicinity Map

The figures below are taken from the Lyon County records website, and contain the location, acreage and zoning information for each parcel.

Parcel 021-042-01
[View Tax Bill](#) [Payments Cart](#) [Print Page](#) [Return to Search](#) [New Search](#) [Previous Parcel](#) [Next Parcel](#)

Owners
 NEVADA CEMENT COMPANY
 1290 W MAIN ST
 FERNLEY, NV 89408-0000

Parcel Summary

| | |
|--------------|-----------------------------------------------------------------------------------------------------------|
| Location | 1290 W MAIN ST FERNLEY, NV |
| Use Code | 720: Communication, Transportation, and Utility Property of an Interstate or Intercounty Nature, Not Used |
| Tax District | 6.1: North Lyon Fire - Non City |
| Acreage | 267.4000 |
| Exemptions | 361.077: POLLUTION CONTROL DEVICES |
| Plot Maps | 021-04.2.pdf (235kb) 021-04.pdf (850kb) |

Keyline Description
 11-20-24 FR N 1/2

Land Lines

| Code | Description | Zone | Front | Depth | Units | Unit Type | Rate | Acreage | Sq Ft | Total Adj | Value |
|------|---------------------------------------------------------------------------------------------------------------------------------------|------|-------|-------|--------|-----------|------------|---------|------------|-----------|-------------|
| 720 | Communication, Transportation, and Utility Property of an Interstate or Intercounty Nature, Not Used in Operations (Locally Assessed) | M1 | | | 267.40 | RATE | \$7,200.00 | 267.40 | 11,647,944 | 1.00 | \$1,925,280 |

Figure 3 Main Plant Parcel 021-042-01

Parcel 021-581-01

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Owners

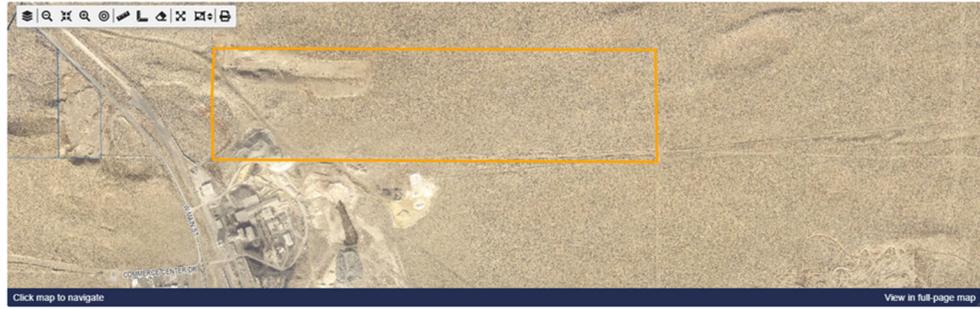
NEVADA CEMENT COMPANY
1290 W MAIN ST
FERNLEY, NV 89408-0000

Parcel Summary

| | |
|--------------|-----------------------------------------|
| Location | NV |
| Use Code | 120: Vacant - Single Family Residential |
| Tax District | 6.2: Fernley General County |
| Acreage | 160.0000 |
| Plat Maps | 021-58.pdf (452kb) |

Keyline Description

6-20-25 LOTS 8-23



Land Lines

| Code | Description | Zone | Front | Depth | Units | Unit Type | Rate | Acreage | Sq Ft | Total Adj | Value |
|------|------------------------------------|------|-------|-------|--------|-----------|------------|---------|-----------|-----------|-----------|
| 120 | Vacant - Single Family Residential | RR5 | | | 160.00 | RATE | \$1,800.00 | 160.00 | 6,969,600 | 1.00 | \$288,000 |

Figure 4 Plant Modernization Parcel 021-581-01

Parcel 021-571-05

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Owners

NEVADA CEMENT COMPANY
1290 W MAIN ST
FERNLEY, NV 89408-0000

Parcel Summary

| | |
|--------------|-----------------------------------------|
| Location | NV |
| Use Code | 120: Vacant - Single Family Residential |
| Tax District | 6.2: Fernley General County |
| Acreage | 13.2300 |
| Plat Maps | 021-57.pdf (214kb) |

Keyline Description

3-20-24 FR E2 SE4



Land Lines

| Code | Description | Zone | Front | Depth | Units | Unit Type | Rate | Acreage | Sq Ft | Total Adj | Value |
|------|------------------------------------|------|-------|-------|-------|-----------|-------------|---------|---------|-----------|----------|
| 120 | Vacant - Single Family Residential | RR5 | | | 1.00 | SITE | \$66,000.00 | 13.23 | 576,298 | 1.00 | \$66,000 |

Figure 5 West Adjacent Plant Parcel 021-571-05

Parcel 021-571-08

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[Return to Search](#) [New Search](#) [Previous Parcel](#) [Next Parcel](#)

Owners

NEVADA CEMENT COMPANY
1290 W MAIN ST
FERNLEY, NV 89408-0000

Parcel Summary

| | |
|--------------|-----------------------------------------|
| Location | NV |
| Use Code | 120: Vacant - Single Family Residential |
| Tax District | 6.2: Fernley General County |
| Acreage | 34.8700 |
| Plat Maps | 021-57.pdf (214kb) |

Keyline Description

3-20-24 FR E2 SE4
Annexed into Lyon County 10/1/2005 SEC1/LOT: 3 TWN/BLK: 20
RANGE: 24 ACRES: 34.87



Land Lines

| Code | Description | Zone | Front | Depth | Units | Unit Type | Rate | Acreage | Sq Ft | Total Adj | Value |
|------|------------------------------------|------|-------|-------|-------|-----------|-------------|---------|-----------|-----------|----------|
| 120 | Vacant - Single Family Residential | RR5 | | | 1.00 | SITE | \$84,000.00 | 34.87 | 1,518,937 | 1.00 | \$84,000 |

Figure 6 Northwest Adjacent Plant Parcel 021-571-08

Figure 7 below shows the new plant model in relation to the existing plant and Highway 427 to the far left. Figure 8 shows the satellite view of the same location for comparison.

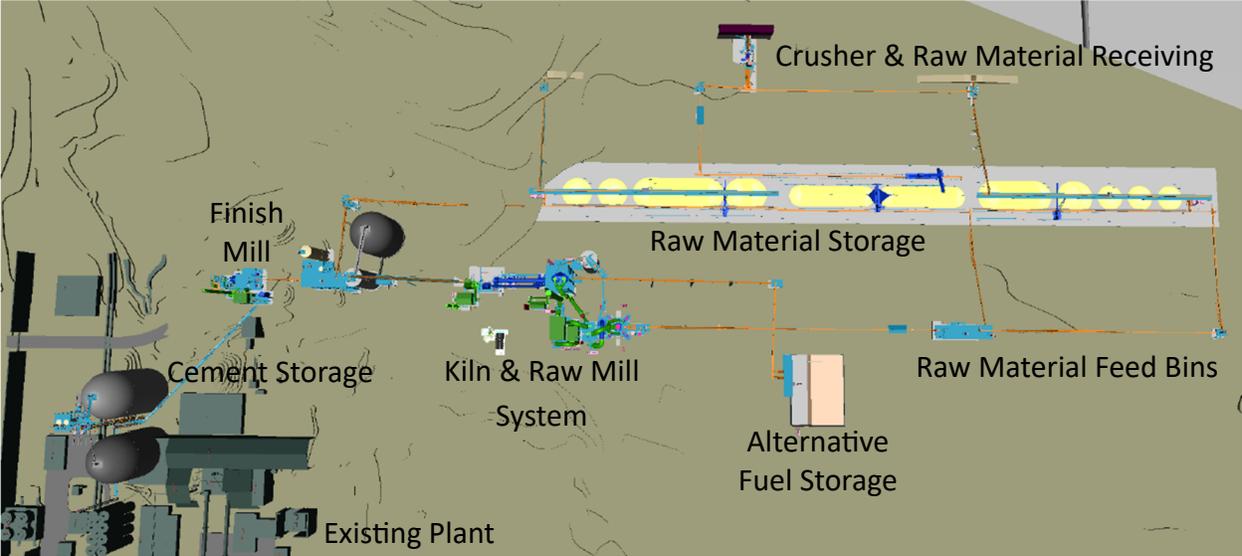


Figure 7 Model of new plant, with Hwy 427 and the existing plant to the lower left



Figure 8 Satellite view of new plant location, with Hwy 427 and existing plant to the left

Lyon County Planning Commission Agenda Summary

Meeting Date: March 10, 2026

Agenda Item Number:

7.c

Subject:

For Possible Action: To forward a recommendation to the Board of County Commissioners for the request from Nevada Cement Company LLC for Zoning Map Amendments to change the zoning from the Title 10 district name of RR-5 (Fifth Rural Residential, 20-acre minimum) and M1 (General Industrial) on four parcels that total approximately 475.50 acres, located at 1290 West Main Street and three unaddressed locations in Fernley. (APNs 021-581-01, 021-571-08, 021-571-05 and 021-042-01); PLZ-2026-002.

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS

- [Staff Report](#)
- [Backup](#)



LYON COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT

BUILDING * DEVELOPMENT ENGINEERING * PLANNING
CODE ENFORCEMENT * ECONOMIC DEVELOPMENT

27 SOUTH MAIN STREET, YERINGTON, NV 89447

PHONE: 775-463-6592 FAX: 775-463-5305

WEBSITE: www.lyon-county.org

PLANNING COMMISSION

PLZ-2026-002

Proposed Action Zoning Map Amendment

Meeting Date March 10, 2026

Property Owners Nevada Cement Company

Applicant Jared Kupcak

Community Fernley

Location 1290 W. Main Street and north of US Highway 80, east of West Main Street

Parcel Numbers 021-042-01, 021-581-01, 021-571-05 and 021-571-08

Parcel Size Approximately 475.50 acres

Current Master Plan Employment and Resource

Proposed Master Plan Industrial (per separate application PLZ-2026-106)

Applicable Zoning HI-S (Heavy Industrial-Suburban) and RR-20 (Rural Residential – 20 acre minimum)

Proposed Zoning Heavy Industrial - Suburban

Case Planner Louis Cariola

REQUEST

The Applicant requests a Zoning Map Amendment to amend the Zoning designation from the Title 10 district names of RR-5 (Fifth Rural Residential, 20-acre minimum) and M1 (General Industrial) to Heavy Industrial-Suburban (HI-S) on four parcels that total approximately 475.50 acres parcel in Fernley located at 1290 West Main Street and generally north of US Highway 50 (APNs 021-581-01, 021-571-08, 021-571-05 and 021-042-01); PLZ-2026-002.

STAFF RECOMMENDATION

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

RECOMMENDED MOTION

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

The Planning Commission finds that:

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

Based on the aforementioned Findings, I move that the Planning Commission forward a recommendation of approval to the Board of County Commissioners for the request from Nevada Cement Company for Zoning Map Amendments to change the zoning from the Title 10 district names of RR-5 (Fifth Rural Residential, 20-acre minimum) and M1 (General Industrial) on four parcels that total approximately 475.50 acres in Fernley (APNs 021-581-01, 021-571-08, 021-571-05 and 021-042-01); PLZ-2026-002.

Alternatives to Approval

Alternative Motion for Continuance

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

If so, then the Planning Commission may wish to consider a motion similar to the following:

The Lyon County Planning Commission finds that:

- A. Additional information, discussion, and public review are necessary for a more thorough review of the proposed Master Plan Amendment application.

Based on the aforementioned finding, and with the applicant's concurrence, the Planning Commission continues the request from Nevada Cement Company for Zoning Map Amendments to change the zoning from the Title 10 district names of RR-5 (Fifth Rural Residential, 20-acre minimum) and M1 (General Industrial) on four parcels that total approximately 475.50 acres in Fernley (APNs 021-581-01, 021-571-08, 021-571-05 and 021-042-01); PLZ-2026-002 for ___ days.

Alternative Motion for Denial

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

The Lyon County Planning Commission has considered:

15.210.03: FINDINGS: Double check this reference and the findings. I think there are only three findings for a ZMA
When making an approval, modification or denial of an amendment to the master plan land use map or text, the commission and the Board shall, at a minimum, consider each of the following and base approval, modification, or denial based on the combined weight of the findings. Each finding shall be supported by a statement of evidence, facts and conclusions.

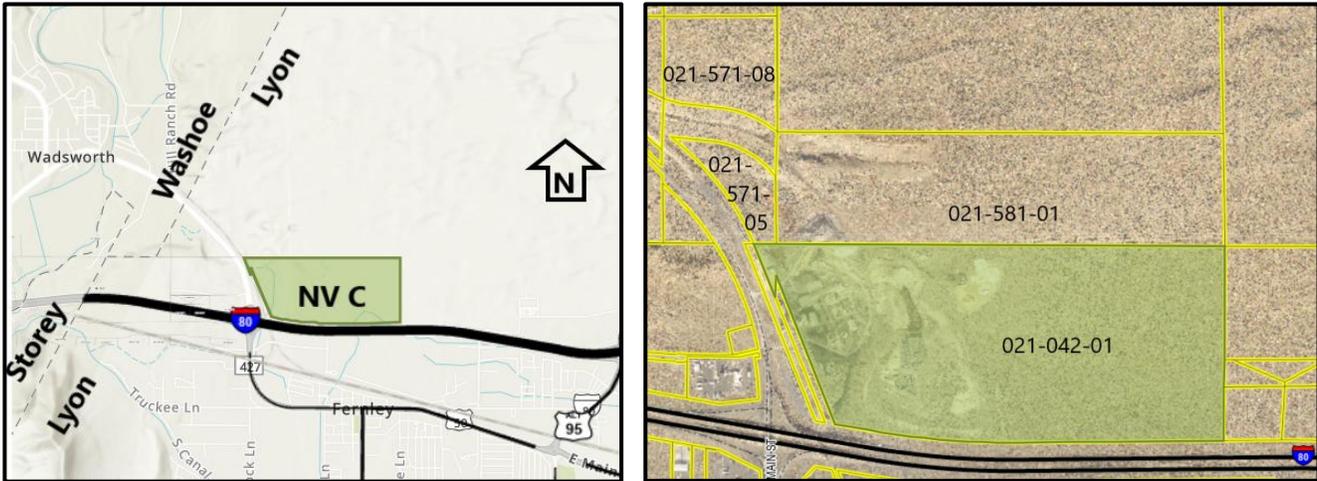
- A. The proposed amendment is consistent with the policies embodied in the adopted master plan and the underlying land use designation contained in the land use plan.
- B. The proposed amendment will not be inconsistent with the adequate public facilities policies contained in this title;
- C. That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

After consideration of the above-listed Findings, the Lyon County Planning Commission has determined that the Amendment would not be in conformance with the above-listed considerations and recommends denial for the request from Nevada Cement Company for Zoning Map Amendments to change the zoning from the Title 10 district names of RR-5 (Fifth Rural Residential, 20-acre minimum) and M1 (General Industrial) on four parcels that total approximately 475.50 acres in Fernley (APNs 021-581-01, 021-571-08, 021-571-05 and 021-042-01); PLZ-2026-002.

BACKGROUND INFORMATION

Location, Size, and Use

The subject parcels are located in Fernley, north of US Highway 50 and east of West Main Street in Fernley. The existing NV Cement plant is located on one of the subject parcels as highlighted below, at 1290 W. Main Street. The Lyon County boundaries with Storey County and Washoe County are partially displayed.



Attachment 1 includes photos of the subject parcels provided by the applicant.

The subject parcels' Assessor's Parcel Numbers (APNs) and sizes per the County Assessor are as listed below. The total area is approximately 475.50 acres.

| | |
|------------|--------------|
| 021-581-01 | 160.00 acres |
| 021-571-08 | 34.87 acres |
| 021-571-05 | 13.23 acres |
| 021-042-01 | 267.40 acres |

The four parcels are all owned by NV Cement Company.

Background and Previous Reviews

NV Cement Company is intending on expanding their existing plant at 1290 W. Main Street (APN 021-042-01) to the north on APN 021-581-01. On September 16, 2025, NV Cement and the County held a Roundtable meeting where the applicants discussed their expansion plans and the County reviewed the existing Master Plan and Zoning designations. It was determined that the Zoning Map Amendments reviewed in this report, and Master Plan Amendments reviewed concurrently via PLZ-2025-106, would be necessary before the County could review development proposals. Two other parcels (APNs 021-571-08 and 021-571-05) also owned by NV Cement are under consideration in these applications in preparation for future plans. They likewise require amendments. As a result, were the amendments to be approved, all four parcels will have the same designations and consistent development standards. As such, the applicant has decided to include all four parcels in these applications. Only APNs 021-581-01 and 021-571-08 are part of both applications.

The applicant provided the following project description for their future development proposals. It is important to note that no development can be approved with a Master Plan Amendment or with a Zoning Map Amendment. The information below is only provided as a means of identifying the reason for the requested amendments. Future development will require project-specific review and entitlements. At that time, the County would coordinate with the City of Fernley to ensure that appropriate buffers and mitigations are included in any development approvals. For this application, the County contacted the City requesting their input. The City’s Planning Department informed the County that their North Area Plan includes alignments for future regional roadways through portions of the subject parcels. The City will expect that future development proposals are appropriately conditioned in order to ensure that the contemplated connections in the North Area Plan are maintained through the granting of appropriate easements.

NV CEMENT PROJECT DESCRIPTION

Nevada Cement Company is investigating a modernization project to construct a new cement plant north of the existing cement plant. At this time, it is expected that the majority of the new plant would be located in Parcel 021-581-01 (Master Plan is designated as Resource), a 160-acre parcel to the north of the main plant parcel 021- 042-01 (Master Plan is designated as Employment). Nevada Cement also owns two parcels to the west and northwest of the aforementioned parcels (021-571-05 at 13.2 acres & 021-571-08 at 34.9 acres), which are designated Industrial in the Master Plan. At this time, no modification to the two smaller parcels is planned with the modernization project. Nevada Cement is requesting to have the Master Plan designation of parcels 021-042-01 and 021-581-01 changed to Industrial. A model of the plant overlaying the 160-acre parcel is shown below in Figure 1. The vicinity map is also shown below as Figure 2. The County information for all four parcels is shown as Figures 3-6. Figures 7 & 8 show the project model along with a satellite image of the current area for the proposed project.

In a separate application to be filed in January, Nevada Cement is also requesting zoning changes to each of the parcels to HI-S Heavy Industrial.

NOTE: The image that follows is only part of the NV Cement project description: the entire Description is included as Attachment 2 of this report.

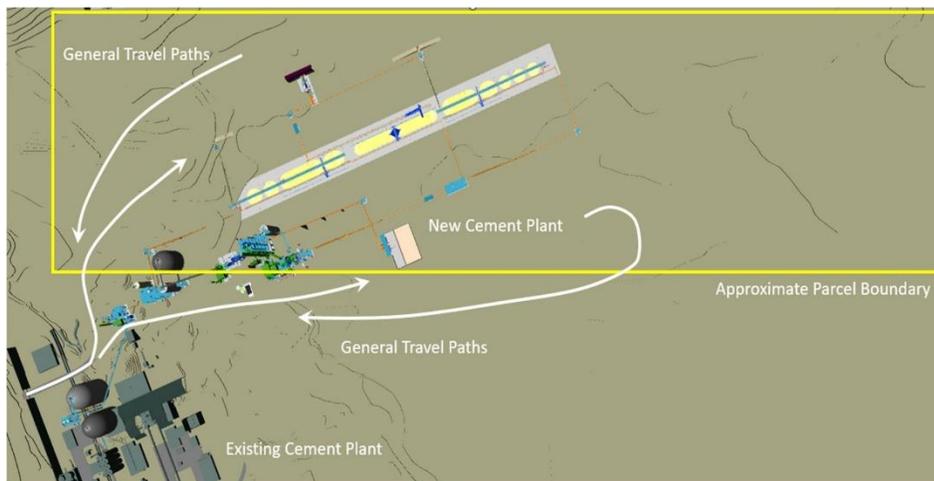
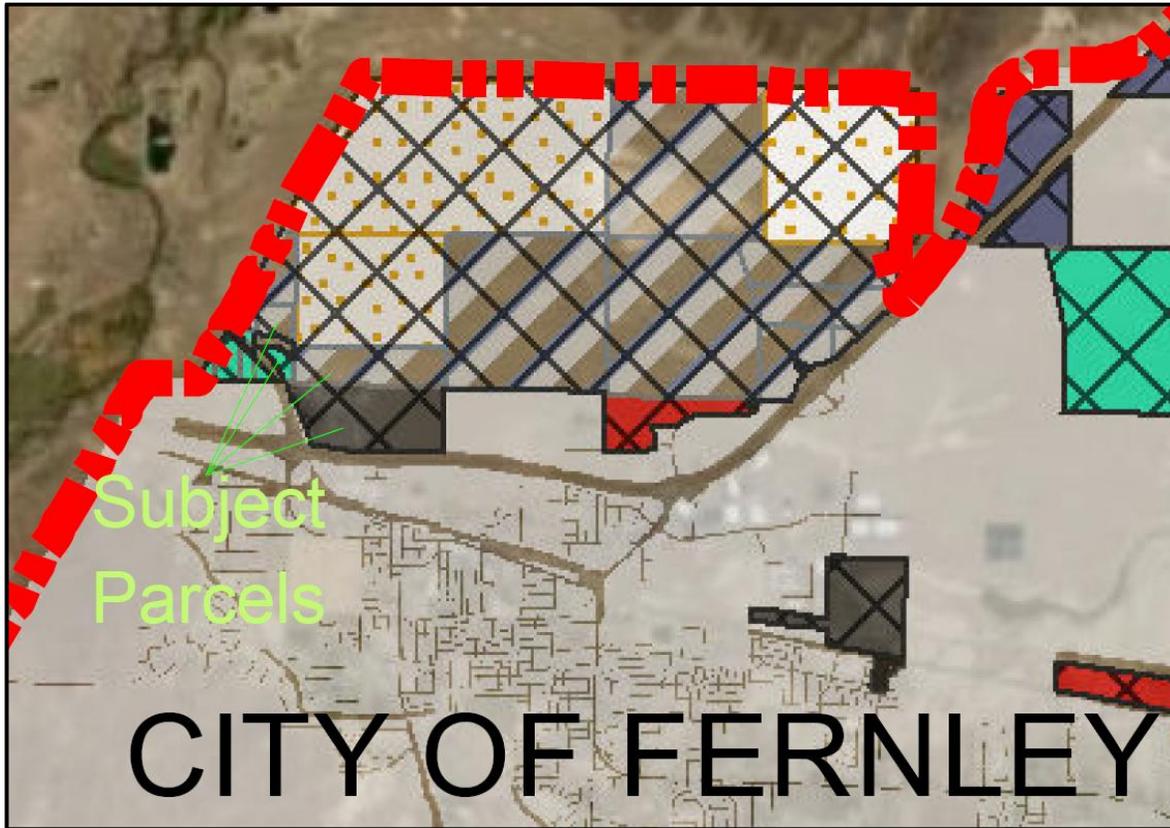


Figure 1 Approximate Location of New Cement Plant, Existing Plant and Parcel 021-581-01

MASTER PLAN AND ZONING

The subject parcels are within the City of Fernley but within the County's General Northerly Master Plan (MP) Map adopted with the 2020 Master Plan. The sites are within the Cooperative Planning Area with the City and the existing MP designations for 3 of the subject parcels are Employment (APN 021-042-01) and Resource.

The proposed Master Plan designation per PLZ-2025-106 is Industrial for three of the four subject parcels. APN 021-571-05 is already designated as Industrial per the Master Plan and requires/required no amendment.



| | | | |
|-------------------------------------------------------------------------------------|------------|-------------------------------------------------------------------------------------|---------------------------|
|  | EMPLOYMENT |  | RESOURCE |
|  | INDUSTRIAL |  | COOPERATIVE PLANNING AREA |

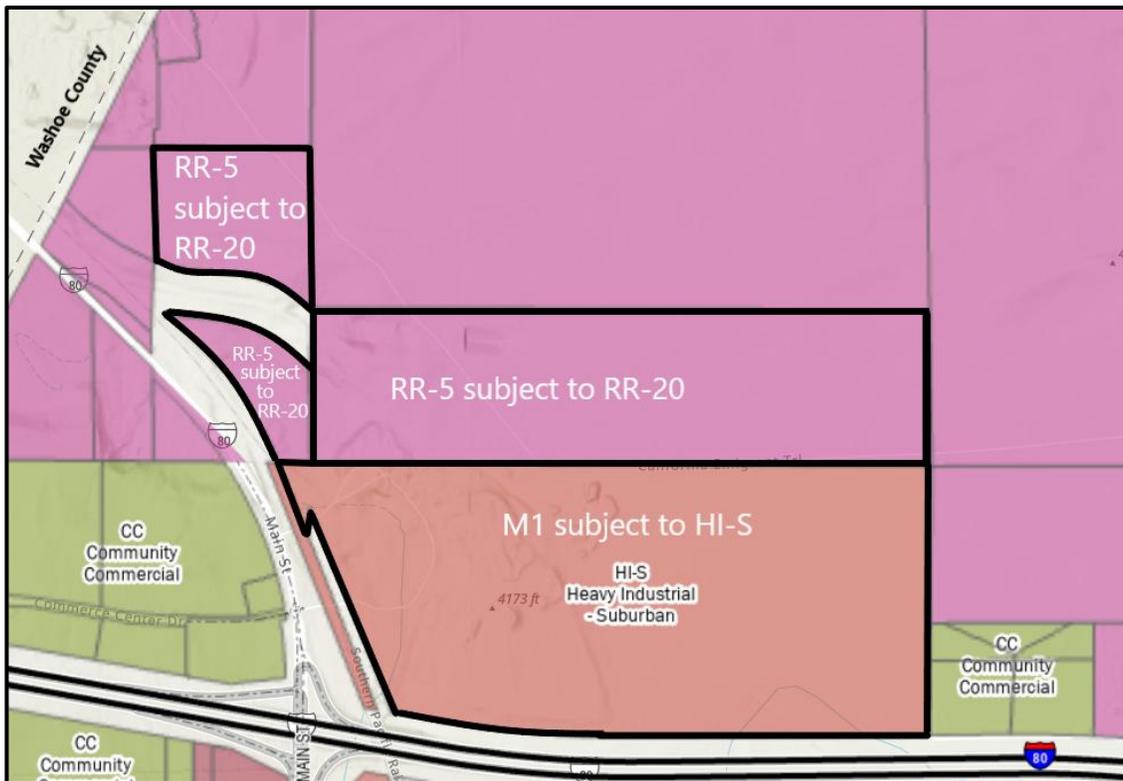
Zoning

The zoning district names for the subject parcels are from the County’s expired development code, Title 10. Per the Zoning Consistency Matrix, adopted as Appendix A in 2018 with adoption of the County’s current code, Title 15, the applicable zoning districts are as listed below. The Matrix “converts” the zoning names and designates the applicable development standards.

- 021-581-01 RR-5 subject to RR-20 (Rural Residential, 20-acre minimum)
- 021-571-08 RR-5 subject to RR-20 (Rural Residential, 20-acre minimum)
- 021-571-05 RR-5 subject to RR-20 (Rural Residential, 20-acre minimum)
- *021-042-01 M1 subject to HI-S (Heavy Industrial – Suburban)

* -The existing plant at APN 021-042-01 holds a zoning district name of M1, but this district is an expired name and as a result, per the Zoning Consistency Matrix, the parcel is already subject to HI-S standards. Staff included this parcel in the requested zoning amendments for sake of consistency with the intent of assigning all four parcels the same zoning on the Assessor’s listings and in title reports.

This image is from the County’s GIS application and displays the district names converted to the applicable Title 15 district name.



The proposed Zoning is HI-S for all four parcels. This will only be allowable if the Master Plan Amendment proposing Industrial for 4 of the 3 subject parcels is approved via review of PLZ-2025-106.

Per Title 15, the allowed uses in the HI-S district are as listed below, with “C” indicating that approval of a Conditional Use Permit being required for the use to commence. The applicant’s plant expansion would fall under the “Heavy Manufacturing” use, requiring an Administrative Design Review by staff.

Watchman’s Quarters

Archery Range-indoor

Public Safety Facility
 General Aviation Airport
 Shooting Range-indoor
 Fossil /Alternative Energy Generation – C
 Wood Treatment – C
 Aggregate/Gravel Extraction – C
 Auto/ Truck/ Motorcycle Repair Shop
 Geothermal/ Solar Generating Systems - C
 Medical or Dental Office up to 25,000 sf
 Medical or Dental Office over 25,000 sf – C
 Energy Storage Systems – C
 Small Poultry/Meat Processing – C
 Equipment Rental
 Equipment Rental
 Bar / Restaurant with drive thru – C
 Hazardous Waste Processing – C
 Medical Marijuana cultivating/processing/testing
 Milk Processing - C
 Power Transmission Lines – C if not in Utility corridor

Archery Range-outdoor - C
 Paintball Facility
 Food Trucks/Courts -Temp Permit
 Power Substations - C
 Ag Equipment / Sales-Service
 Asphalt Batch Plant - C
 Truck Stop
 Self Storage / RV Storage
 Convenience Store with Petroleum -
 Convenience Store without Petroleum
 Building Materials Sales-Storage -C
 Power Substations - C
 Contractor / Trade Yard
 Assembly / Heavy and Light
 Brewery
 Outdoor Processing - C
 Tank Farm, over 100,000 gallons - C
 Warehouse/Distribution
 Heavy/Light Manufacturing

STAFF REVIEW AND COMMENTS

The proposed zoning map amendments for the subject parcels are first reviewed by staff and the Planning Commission, who make recommendations to the Board of Commissioners. The Board makes the final vote on whether or not to approve the request.

FINDINGS FOR REVIEWING A ZONING MAP AMENDMENT REQUEST

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

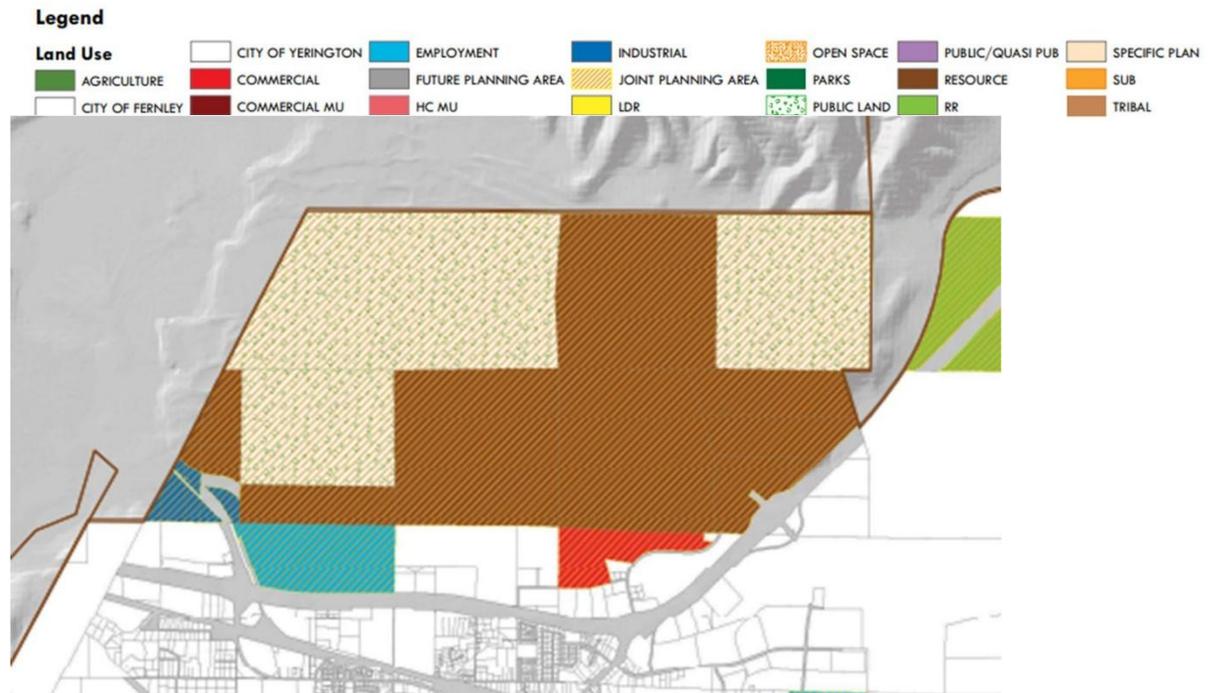
Finding A: The proposed amendment is consistent with the policies embodied in the adopted master plan and the underlying land use designation contained in the land use plan.

Applicant’s Response

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

The Lyon County land use map for Fernley indicates land use for the parcels surrounding the Nevada Cement parcels as Industrial and Resource to the northwest, Resource to the northeast and Open Space (BLM) to the north.

COUNTY-WIDE LAND USE MAP - FERNLEY



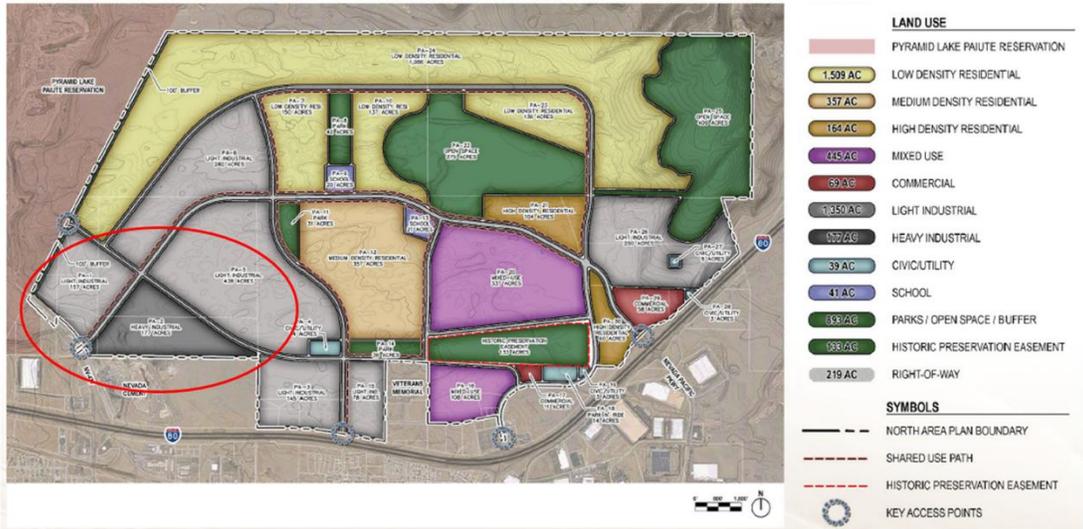
Nevada Cement Company, in a separate application, has requested the Master Plan designations for its four parcels in the plant area to be changed to Industrial. One NCC parcel is already designated as Industrial, and parcels across Highway 427 from NCC are also designated Industrial. All other parcels in the area are designated as Resource or Public Land (BLM).



The City of Fernley's latest Land Use Plan for the parcels adjacent to NCC are designated as Light Industrial.

Based on the available Land Use and Master Plans, a zone change to HI-S is consistent with the planned land use and the Master Plan of adjacent areas.

Figure 12. North Area Plan Land Use Map



Based on the available Land Use and Master Plans, a zone change to HI-S is consistent with the planned land use and the Master Plan of adjacent areas.

- Policy LU 1.4: Locate industrial development as designated on County- wide Land Use Plan or determined by criteria

This policy seeks to avoid locating industrial uses in areas that will not adversely impact existing residential areas, there are no existing residential areas in the vicinity of the parcels subject to the proposed zoning changes.

- Policy LU 3.1: Diverse Economic Base

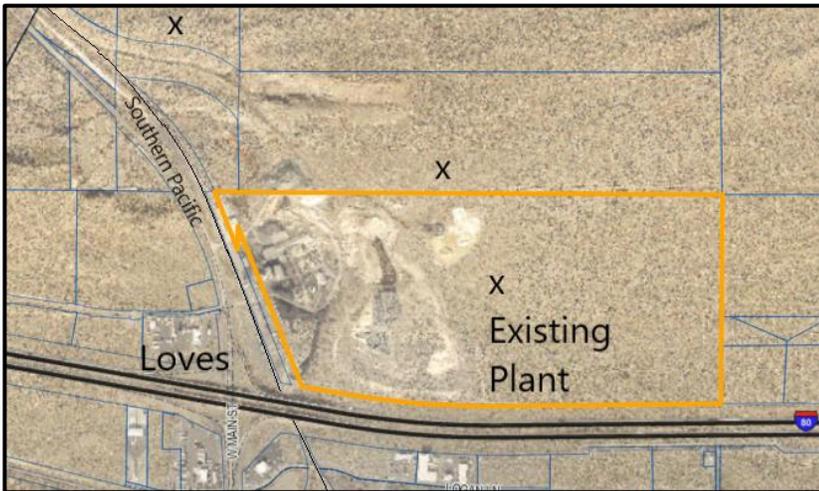
The zoning change will facilitate the continuation of a diverse base of jobs and economic diversification away from residential areas and near major highways to minimize traffic through the Fernley city areas.

- Policy LU 3.2: Business and Industry Locations that are Consistent with Future Land Use Plan

The zoning changes should avoid conflicting land uses in the area.

Staff Comment

The applicant’s response to Finding A includes an image from the 2010 Master Plan and the statements, Goals, and Policy quotations are supported by staff. The region of the subject parcels, just north of Highway 80 and across W. Main Street from a Love’s Travel Stop, is dominated by large scale industrial and commercial development, most notable being the existing NV Cement plant. A Southern Pacific Railroad line runs adjacent to the sites with direct spurs connecting the plant. There are no residential developments adjacent to the subject parcels.



Expansion of the plant to the north where the current operations already utilize the parcel represents appropriately compact development patterns and demonstrates compliance with the following Goals and Policies from the Master Plan.

- Policy LU 1.1: Follow Development Patterns as Established in the Land Use Plan
- Policy LU 1.4: Locate industrial development as designated on County- wide Land Use Plan or determined by criteria
- Policy LU 3.1: Diverse Economic Base
- Policy LU 3.2: Business and Industry Locations that are Consistent with Future Land Use Plan

The surrounding zoning designations do include the County’s assignment of applicable RR-20 zoning, but that designation is not consistent with the underlying Master Plan of the surrounding properties per the County’s MP and the City’s North Area Plan designations which are industrial in nature.

Excerpt of the City of Fernley North Area Plan



Recognizing the location of the proposed amendment relative to the maps, Goals, and Policies of the Master Plan allows staff to make this Finding in the affirmative.

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

Applicant's Response

Facilities for the existing plant site will continue to be serviced with well water for water supply and several septic systems for sewage. This will also be the case with any new facilities placed on the plant parcels.

Fire protection for the existing plant and any new facilities will continue to be provided by the North Lyon County Fire Department.

Police service for the existing plant and any new facilities will continue to be provided by the Lyon County Sheriff's Department.

Staff Comment

The subject parcels are served by wells with City sewer service. As stated by the applicant, emergency response services are readily available and the location of the sites includes near access to a US Highway, local roadways, and a rail line. This Finding is met in the affirmative by staff.

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

Applicant's Response

The Master Plan for the surrounding areas indicates Industrial to the west, Resource to the northwest and northeast, and Open Space (BLM) to the north. The actual use is warehousing to the west, aggregate mining to the northwest, and the remaining surrounding lands are undeveloped. Based on this, the proposed zoning changes requested to HI-S would avoid conflict with any residential areas.

Staff Comment

As stated above, staff feels the requested change is appropriate for the region. The City of Fernley's North Area Plan, as depicted in the following cropped image, denotes industrial designations in the area. The existing NV Cement plant already operates and expansion to their adjacent property is appropriate and compatible with neighboring site. This Finding is met in the affirmative by staff.

PLZ-2026-002

Attachments

See the Attachments for NV Cement's request for a Master Plan
Amendment / PLZ-2025-106

Lyon County Planning Commission Agenda Summary

Meeting Date: March 10, 2026

Agenda Item Number:

8.a

Subject:

For Discussion Only: Community Development Director comments and updates.

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation: