



**LYON COUNTY PLANNING COMMISSION  
TUESDAY, JUNE 08, 2021  
9:00 AM  
LYON COUNTY ADMINISTRATIVE COMPLEX  
27 S. MAIN STREET  
YERINGTON, NV 89447**

**Join Zoom Meeting**

**<https://us02web.zoom.us/j/89927193783?pwd=ditNSEFLRUpJS2dPSGxoa3hqaGkzQT09>**

**Meeting ID: 899 2719 3783**

**Passcode: 761712**

**+1 669 900 6833 US (San Jose)**

**One tap mobile**

**+13462487799,,89927193783#,,,,\*761712# US (Houston)**

**+14086380968,,89927193783#,,,,\*761712# US (San Jose)**

**Effective May 1, 2021, in accordance with the Lyon County Local Plan and the remaining statewide directives, County Commission meetings will be open to the public and members of the public may attend in person. CDC Mask requirements will be followed. Persons that have been vaccinated are not required to wear a mask.**

**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 us an email at [kpage@lyon-county.org](mailto:kpage@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 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 Board of Commissioners 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.

## AGENDA

(Action will be taken on all items unless otherwise noted)  
(No action will be taken on any item until it is properly agendaized).

To avoid meeting disruptions, please place cell phones and beepers in the silent mode or turn them off during the meeting.

The Board reserves the right to take items in a different order to accomplish business in the most efficient manner. Items may be combined for consideration and items may be pulled or removed from the agenda at anytime.

**Restrictions on comments by the general public:** Any such restrictions must be reasonable and may restrict the time, place and manner of the comments, but may not restrict comments based upon viewpoint.

### 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: Approval of the minutes from the May 11, 2021 meeting  
[Staff Report-](#)

### 6. Presentation and Reading of Miscellaneous Correspondence

## 7. Advisory Board Reports

## 8. Public Hearing Items

- 8.a. For Possible Action –Lyon County Community Development Department 2020 Master Plan Update – Request to remove from the table and schedule for a date certain a public hearing and possible action on the Lyon County 2020 Comprehensive Master Plan Update (tabled at the February 17, 2021 Planning Commission meeting).

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

## 9. Public Participation (no action will be taken on any item until it is properly agendized)

## 10. Action Items

## 11. Board Member Comments

## 12. Future Agenda Items

## 13. Public Participation (no action will be taken on any item until it is properly agendized)

## ADJOURN TO RECONVENE AS THE LYON COUNTY PLANNING COMMISSION

## 14. Staff Comments and Commissioner Comments

- 14.a. Staff update on recent County Commissioner actions

## 15. 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.*

## 16. ADJOURNMENT

---

**This agenda has been posted in accordance with the open meeting law at the following locations: Lyon County Administrative Complex, Lyon County Courthouse, Dayton Utilities, Lyon County Human Services, and City of Fernley.**

**Lyon County recognizes the needs and civil rights of all persons regardless of age, race, color, religion, sex, handicap, family status, or national origin. In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any**

program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternate means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible agency or USDA's TARGET Center at (202) 720-2600 (voice and T) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found on-line at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](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](mailto: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](http://www.lyon-county.org)**

# **Lyon County Planning Commission Agenda Summary**

Meeting Date: June 8, 2021

**Agenda Item Number:**

5.a

**Subject:**

For Possible Action: Approval of the minutes from the May 11, 2021 meeting

**Summary:**

**Financial Department Comments:**

**Approved As To Legal Form:**

**County Manager Comments:**

**Recommendation:**

**ATTACHMENTS**

- [Staff Report-](#)

## LYON COUNTY PLANNING COMMISSION MEETING MINUTES

May 11, 2021

The May 11, 2021 meeting of the Lyon County Planning Commission was called to order by Chairwoman, Audrey Allan at 9:00 a.m.

**1. Roll Call –**

Members present: Commissioners Allan, Hendrix and Sell attended in Yerington at 27 South Main St. Commissioners Cassinelli, Keating and Carlson attended by zoom.

**Attending staff present:** Senior Planner; Rob Pyzel, Yuliya Davidzenka, Deputy District Attorney attended via zoom. Jeff Page, County Manager, Louis Cariola, Senior Planner, Shannon Juntunen, Administrative Assistant and Kerry Page, Planning Technician, attended in Yerington at 27 South Main St.

**2. Pledge of Allegiance –** Led by Commissioner Hendrix

**3. Public Participation-** Jeff Page, County Manager introduced Louis Cariola, the new Senior Planner for the Lyon County Planning Department.

**4. Review and Adoption of the Agenda-**

Commissioner Sell motioned to adopt the agenda as presented. Commissioner Hendrix **seconded**, motion passes (6 Ayes; 0 Nay; 0 Abstentions)

**5. Approval of minutes-**

Commissioner Sell motioned to approve the minutes from the **April 11, 2021**

Commissioner Hendrix, **seconded** the motion passes (6 Ayes; 0 Nay, 0 Abstentions).

**6. Presentation and Reading of Miscellaneous Correspondence-** None

**7. Advisory Board Reports-** None

**8. Public Hearing Items-**

**8.a. For Possible Action – Thunder-Carry, LLC – Conditional Use Permit** – Request to allow a recreational marijuana retail sales facility within an existing building on a 0.92 acre parcel zoned CC (Community Commercial) located at 10115 US 50, Mound House, NV (APN: 016-242-16) (PLZ-2021-035).

Planner, Rob Pyzel presented the staff report. The applicant's request for a Conditional Use Permit to allow for a recreational marijuana retail sales facility is in conformance with the Master Plan and an allowable use within the Community Commercial Zoning designation. Staff is recommending approval.

Commissioner Keating asked if there would be any extracting or cultivating performed at the proposed facility or if it was strictly going to be retail sales. Planner, Rob Pyzel, responded the applicant is proposing strictly retail sales at this time.

Commissioner Cassinelli asked where the main access will be, off Kit Kat or Highway 50? Rob responded that either could be utilized. NDOT was sent the applicant information and did not forward any comments or concerns. However, the applicant will have to apply for an encroachment

permit with NDOT, any concern or conditions they feel need to be met will be addressed at that point.

The Planning Commission did not have any questions for the applicant.

**Commissioner Sell** moved to forward a recommendation of **approval** to the Lyon County Board of Commissioners to allow a recreational marijuana retail sales facility within an existing building on a 0.92 acre parcel zoned CC (Community Commercial) located at 10115 US 50, Mound House, NV (APN: 016-242-16) (PLZ-2021-035). Based on the following conditions of approval:

1. The commercial retail sales marijuana facility shall be constructed in accordance with the conceptual site plan and construction drawings as submitted and reviewed as a part of this application. Any further expansion of the business enterprise will require modification of this conditional use permit or an additional conditional use permit, and/or other approvals.
2. No change in the terms and conditions of the conditional use permit, 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.
3. 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.
4. The applicant shall comply with all state, federal and local government regulations to the satisfaction of the appropriate agencies for the proposed commercial retail sales marijuana facility.
5. The applicant shall comply with all applicable Fire, building, zoning and improvement code requirements and obtain any necessary public inspections.
6. All construction documents and 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.
7. All contractors doing any construction, modifications, or remodel must be licensed in the State of Nevada.
8. The applicant shall maintain a Lyon County business license for the use while occupying the site.
9. No other business except that covered under this conditional use permit will be allowed on the property without prior consultation with Lyon County Community Development staff.
10. The applicant shall comply with the requirements of the Nevada Department of Transportation (“NDOT”) for ingress/egress improvements to US HWY 50 for access to the subject site. NDOT requires the use of only legal, permitted accesses onto State roadways, this includes establishing a new NDOT occupancy permit for an existing driveway whenever there is a change in ownership or use of the property. As a result, the project should be required to obtain an occupancy permit from NDOT to determine the impact of the proposed project to the State Highway System and any required mitigation. This process may include a submittal of a traffic impact study.
11. All work proposed within or adjacent to the US 50 right-of-way must comply with NDOT’s Standard Plans Terms and Conditions Relating to Right-of-way Occupancy Permits, and

Drainage Manual (current version at the time of application). Please contact the NDOT District II Permits Office at (775) 834-8330 for information about obtaining NDOT Occupancy Permits.

12. If the applicant is proposing to utilize Kit Kat Drive to access the back side of the building, the applicant will be required to secure an encroachment permit and construct a paved/concrete approach onto Kit Kat Drive from the Lyon County Road & Fleet Department.
13. The applicant shall submit for review and approval by the Lyon County Sheriff's Department a safety plan (as required by Nevada Revised Statutes). The applicant shall present documentation to the Lyon County Community Development Department that the safety plan has been submitted, reviewed and approved by the Lyon County Sheriff or their designee prior to issuance of a Certificate of Occupancy and Lyon County Business License.
14. The applicant shall provide satisfactory evidence of approval by the Nevada Division of Environmental Protection of individual sewage disposal system for the recreational marijuana retail sales facility prior to issuance of a building permit through the Lyon County Building Department.
15. Any outside storage shall be suitably screened from the surrounding area by walls, plantings or other barriers to the satisfaction of the Community Development Director or their designee.
16. Provisions for landscaping and irrigation shall be included in the tenant improvement building permit for the remodel of the existing building. The approved landscaping and irrigation shall be installed per the approved plans. It is the responsibility of the property owner to carry out this program and to provide such maintenance and care as is required to obtain the effect intended by the approved plan.
17. Exterior site and building lighting shall be replaced/installed as to eliminate any nuisance to adjoining properties or to traffic on the public streets. No unshaded light sources shall be permitted.
18. Any exterior signage, permanently affixed to the exterior of the building will require a separate building permit, through the Lyon County Building Department.
19. The applicant shall comply with the Lyon County drainage guidelines (2018 edition) to the satisfaction of the County Engineer. The property owner shall be responsible for maintenance of all roads, walks, parking areas and drainage facilities within the parcel, as well as the storm water detention facilities, if applicable, whether it is onsite or offsite.
20. The substantial failure to comply with the conditions imposed on the issuance of this conditional use permit or the operation of the conditional use in a manner that endangers the health, safety or welfare of Lyon County or its residents or the violation of ordinances, regulations or laws in the conditional use may result in the institution of revocation proceedings. **Failure to initiate the conditional use permit within one (1) year from the date of approval will result in the expiration of the conditional use permit approval.**

**Commissioner Hendrix Seconded, motion carries (6 Ayes; 0 Nay; 0 Abstentions)**

**8.b. For Possible Action – Judy A. Lisy – Zoning Map Amendment** - Request to allow a change of current zoning district from C-2 (General Commercial) to SR-2 (Suburban Residential – 2 acre minimum) on an approximately 2.75 acre parcel located at 421 V&T Way, Dayton, NV (APN: 019-262-05) (PLZ-2021-048).



Planner Rob Pyzel summarized the staff report. Mr. Pyzel went over the zoning of surrounding parcels, applicable uses and the applicant's request. The applicant's request is in conformance with and supports the goals and policies of the Master Plan. Staff is recommending approval.

The Planning Commission did not have any questions for Staff or the applicant.

Commissioner Hendrix did note a typo regarding the proposed zoning. The proposed zoning designation should be SR-2 (Suburban Residential- 2 acre min.) it is SR-1 (Suburban Residential- 1 acre min.) on the agenda.

Commissioner Hendrix motioned to forward a **recommendation of approval** to the Lyon County Board of Commissioners to allow a change of current zoning district from C-2 (General Commercial) to SR-2 (Suburban Residential – 2 acre minimum) on an approximately 2.75 acre parcel located at 421 V&T Way, Dayton, NV (APN: 019-262-05) (PLZ-2021-048). Based on the aforementioned findings:

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

**Commissioner Cassinelli seconded, motion carries (6 Ayes; 0 Nay; 0 Abstentions)**

**8.c. For Possible Action – Patricia Blake – Zoning Map Amendment** – Request to allow a change of the current zoning district of C-2 (General Commercial) and RR-1 ( Rural Residential- 1 acre min.) to SR-1 (Suburban Residential – 1 acre minimum) on approximately 8.03 acres of an approximately 24.02 acre subject site generally located approximately 0.5 mile south of the SR 339/Goldfield Avenue-US 95A intersection at 56 SR 339, Yerington, NV (APN: 014-421-14) (PLZ-2021-049).

Planner, Rob Pyzel summarized the staff report or the applicant's request to change the current zoning from C-2 (General Commercial and RR-1 (Rural Residential- 1 acre Min.) to SR-1 Suburban Residential- 1 acre min.) on 8.03 acres. The subject parcel is located within a Suburban District and conforms with the Master Plan. If the applicant's request for a zone change is approved they would like to move forward with a parcel map allowing them to create another parcel and build a new single family residence. Given the surrounding parcels zoning Staff feels the applicant's request of SR-1 (Suburban Residential – 1 acre min.) is an appropriate fit. The municipal water line is close enough to connect to however, there is no sewer service available. The parcel is sufficient size to install a septic. The applicant's request does meet all findings, staff is recommending approval.

Commissioner Keating asked about legal access if an additional parcel was created. Planner, Rob Pyzel stated the current access is off Highway 339. If there was an additional parcel created for a Single Family Resident NDOT will receive the information and will have an opportunity to reply with comments, concerns and or conditions.

Commissioner Allan had questions regarding the parcel being deemed Suburban character. The Master Plan says a Suburban District will be served by municipal water and sewer and this parcel is not able to be served by both.

Planner, Rob Pyzel stated when looking at an application like this it is that 30,000 foot view. Although it is not suburban in character now looking at the area moving forward, it will certainly meet those standards.

Commissioner Alan asked if it states it will be severed by municipal services, can the Planning Commission make exceptions? Mr. Pyzel responded zoning is there to further implement the goals and policies of the Master Plan, the Master Plan is a big picture, long term, guiding document, not set requirements per say. Those services will be available moving forward.

The applicant's representative, John Fielding, wanted to clarify the river adjacent to the parcel is the Walker River not the Carson River. Mr. Fielding also wanted to confirm that the suburban character will not prevent the applicant from installing a septic in the future.

Commissioner Keating motioned to forward a **recommendation of approval** to the Lyon County Board of Commissioners to allow a change of current zoning district from C-2 (General Commercial) to SR-2 (Suburban Residential – 2 acre minimum) on an approximately 2.75 acre parcel located at 421 V&T Way, Dayton, NV (APN: 019-262-05) (PLZ-2021-048) Based on the aforementioned findings:

- A. The proposed Zoning Map 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 Zoning Map Amendment is consistent with the adequate public facilities policies contained in this title;
- C. The proposed Zoning Map Amendment is compatible with the actual or master planned adjacent uses.

**Commissioner Sell seconded, motion carries (5 Ayes; 1 Nay, Commissioner Allan; 0 Abstentions)**

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

**9. Public Participation-**None

**10. Action Items-** None

**11. Board Member Comments-** None

**12. Future Agenda Items-** None

**13. Public Participation-** None

**ADJOURN TO RECONVENE AS THE LYON COUNTY PLANNING COMMISSION**

**14. Staff Comments and Commissioner Comments**

**14.a. Staff update on recent County Commissioners actions**

Mr. Pyzel updated the Planning Commission on planning items heard by the Board of Commissioners at the May 9, 2021 meeting. The Board approved the Arryn Zoning Map Amendment, (PLZ-2021-042) application and denied the Oji Zoning Map Amendment (PLZ-2021-049) application.

The Board also appointed a new Commissioner, Constantine Kuzmicki to replace Commissioner, Shane Blackwood.

Mr. Pyzel also let the Commission know that Tuesday, May 11, 2021 at 5:30 p.m. NDOT will be doing a presentation of their operational study which occurred in Dayton from Pinecone to Brice. They will be taking public comments and after that there is a 60 day comment period. The results are posted on the NDOT website.

15. **Public Participation-** David Ray, Chairman of the Mason Valley Advisory Board updated the Commission on their board's action. They did not have a May meeting but will be having a June meeting. He also wanted to make a comment about item 8.c. however he did not speak up at the time of public participation.

#### 16. **Adjournment**

At approximately 9:56 a.m. it was unanimously motioned to adjourn.

---

Audrey Allan, Chairwoman

---

Shannon Juntunen, Administrative Assistant

# **Lyon County Planning Commission Agenda Summary**

Meeting Date: June 8, 2021

**Agenda Item Number:**

8.a

**Subject:**

For Possible Action –Lyon County Community Development Department 2020 Master Plan Update – Request to remove from the table and schedule for a date certain a public hearing and possible action on the Lyon County 2020 Comprehensive Master Plan Update (tabled at the February 17, 2021 Planning Commission meeting).

**Summary:**

**Financial Department Comments:**

**Approved As To Legal Form:**

**County Manager Comments:**

**Recommendation:**

ATTACHMENTS

-



**LYON COUNTY  
PLANNING DEPARTMENT**

27 SOUTH MAIN STREET  
YERINGTON, NEVADA 89447  
(775) 463-6592 (775) 463-6596 FAX

ROBERT D. PYZEL  
PLANNER

**MEMORANDUM**

---

**TO: Lyon County Planning Commission**  
**FROM: Rob Pyzel, Senior Planner**  
**SUBJECT: Request to Remove the 2020 Comprehensive Master Plan  
update from the Table**  
**DATE: June 8, 2021**

---

At the February 17, 2021 Planning Commission meeting upon the recommendation of Lyon County Planning Department staff, the Lyon County Planning Commission voted to table the 2020 Comprehensive Master Plan update.

Staff uses Robert's Rules of Order when providing both the Planning Commission and the Board of Commissioners advice on how to proceed with public meetings. Robert's Rules of Order is the typical standard used for parliamentary procedures such as the Planning Commission and Board of Commissioners meetings.

Under Robert's Rules of Order, tabling a motion on an agenda item is used when it is necessary to suspend consideration of a main motion in order to deal with another matter that has come up unexpectedly and which must be dealt with before the pending motion can be properly addressed.

This action was recommended by staff based on requests from the Board of Commissioners to look at changing Lyon County Code Title 15 (and by direct association, the County's Master Plan) in regard to designating and/or restricting minimum lot sizes to certain areas of Lyon County on the Lyon County communities land use maps. In the initial conversation with the Board of Commissioners and staff, the concern was that this request would have had significant changes to the Comprehensive Master Plan update right at the point wherein the Planning Commission was reviewing and forwarding a recommendation on the Comprehensive Master Plan to the Board of Commissioners.

After additional discussions and the Board of Commissioners adoption of Resolution 21-09 which restricts the use of the NR (Neighborhood Residential – 4,500 square foot minimum) zoning district, the potential issues that lead to the tabling of the Comprehensive Master Plan update have been resolved.

For this reason, staff is recommending that the Planning Commission remove the item from the table and schedule the item for a date certain.

Under Robert's Rules of Order, in order to remove an item from the table, a motion must be made, receive a second and a majority vote. The item then needs to be either heard at the same meeting or at the next meeting. In staff's experience, typically the motion for removal from the table includes scheduling the item for action at the next regularly scheduled meeting.

The Planning Commission may want to consider a motion similar to the following:

After consideration of the memorandum provided to the Lyon County Planning Commission by the Planning Department staff, I move to remove the 2020 Comprehensive Master Plan update from the table and schedule the update as a public hearing agenda item at the July 13, 2021 Planning Commission meeting.

# **Lyon County Planning Commission Agenda Summary**

Meeting Date: June 8, 2021

**Agenda Item Number:**

14.a

**Subject:**

Staff update on recent County Commissioner actions

**Summary:**

**Financial Department Comments:**

**Approved As To Legal Form:**

**County Manager Comments:**

**Recommendation:**

**ATTACHMENTS**

-