

LYON COUNTY PLANNING COMMISSION MEETING MINUTES

April 12, 2022

The April 12, 2022 meeting of the Lyon County Planning Commission was called to order by Commission Chairwoman, Tammy Hendrix.

1. Roll Call –

Members present: Commissioners Tammy Hendrix, Audrey Allan, Michael Carlson, Connie Kuzmicki, Shawn Keating, John Cassinelli and Loretta Sell attended the meeting in the Greg Hunewill Commissioner’s Chambers.

Attending staff present: Senior Planners, Rob Pyzel and Louis Cariola, attended via Zoom. County Manager, Jeff Page; District Attorney, Steve Rye; Community Development Director, Andrew Haskin; Planning Technician, Kerry Page and Administrative Assistant, Shannon Juntunen attended in person.

2. Pledge of Allegiance – Led by Commissioner Allan

3. Public Participation – There was none

4. Review and Adoption of the Agenda-

Commissioner Allan motioned to adopt the agenda as presented. Commissioner Sell seconded, the motion passed by a unanimous vote (7 Ayes; 0 Nay; 0 Abstention)

5. Approval of minutes-

Commissioner Sell motioned to approve the minutes from the March 8, 2022 meeting as presented Commissioner Allan seconded, the motion passed by majority vote (6 Ayes; 0 Nay; 1 Abstention , Commissioner Cassinelli)

6. Presentation and Reading of Miscellaneous Correspondence – There was none.

7. Advisory Board Reports – There were letters of transmittal from the Dayton Regional Advisory Board pertaining to agenda item 8 a.

8. Public Hearing Items:

8.a For Possible Action – La Causa Development NV – Tentative Subdivision Map – Request by La Causa Development NV for a Tentative Subdivision Map to create thirty-two (32) single family residential dwelling units (townhomes) and seven (7) common areas parcels within a 4.38 acre portion with a 9.37 acre remainder parcel on a 13.75 acre parcel within the RMU (Residential Mixed Use) zoning district generally located between Halite Drive and Northgate Drive/Dayton Village Parkway, Dayton, NV (APN 029-761-01) PLZ-2022-128.

Senior Planner, Rob Pyzel, presented the staff report summarizing the applicant’s request for a Tentative Subdivision Map. The site was previously graded with minor improvements, is located within the Lyon County sewer and water service district and is in an X-Unshaded FEMA flood designation. The applicant’s request is in conformance with the goals and policies of the Master Plan and zoning designation. Staff is recommending approval.

Commissioner Allan asked if any of the proposed units have been designated for senior living.

Senior Planner, Rob Pyzel stated he did not believe so, however the applicant was present and could better answer that question.

Commissioner Carlson voiced concern with parking based on the size of the proposed units.

Senior Planner Rob Pyzel, responded the conceptual layout shows driveways and individual garages for each unit, staff feels that should be sufficient.

Applicant, Eddie Hult, said 60 % of the units will have 2 car garages and they decided to expand the driveways by a few feet to allow for extra room. There is also extra room near the detention pond they can utilize for extra parking if need be.

Commissioner Allan asked the applicant if he has had a chance to review and does he agree to all the conditions of approval.

Eddie Hult said he had and does.

Public Comment- There was none.

Commissioner Sell motioned to forward a recommendation of **approval** the request for Tentative Subdivision Map to create thirty-two (32) single family residential dwelling units (townhomes) and seven (7) common areas within a 4.38 acre portion with a 9.37 acre remainder parcel on a 13.75 acre parcel within the RMU (Residential Mixed Use) zoning district generally located between Halite Drive and Northgate Drive/Dayton Village Parkway, Dayton, NV (APN 029-761-01) PLZ-2022-128. Based on the recommended findings and subject to the following 27 conditions of approval:

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 presented to the Board of Commissioners within four (4) years from the date of such approval** unless a development agreement for an extension of time has been granted.
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 associated landscaping within the common open space lots and storm drainage facilities and 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 approval of a final map or first in a series of final maps for the project.
4. The applicant shall submit and receive approval of a street-naming application prior to submittal of an application for a final map or first in a series of final maps. Should any requested street name(s) be denied, the Community Development Director is authorized to administratively process a request for a replacement street name(s), obtain review and comment from the fire district with jurisdiction, Road Department and any other appropriate agency, and approve a revised street name(s) without the requirement of a public hearing before the Planning Commission.
5. 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.
6. 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.
7. The applicant shall comply with the final subdivision map requirements as prescribed by NRS 278 and Title 15 of the Lyon County Code.
8. Required recording fees to be paid at time of recording map.

9. No lot shall be offered for sale or sold until the final subdivision map has been approved and recorded.
10. No building permits shall be accepted for processing until a final subdivision map has been approved and recorded.
11. 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.
12. The applicant shall pay the actual costs for County Engineer plan and map checking and County Inspector site improvement inspection fees, in accordance with the adopted County fee resolution in effect at the time, and provide proof of payment to the Community Development Department prior to final subdivision map recordation.
13. The applicant shall provide the final subdivision map to the Lyon County GIS Coordinator in form and format compatible with the County geographical information system (GIS) pursuant to 11.05.09 of the Lyon County Code. The scale of the site plan, improvements, monuments and other items shall be in model space correctly oriented to coordinate system as established by the GIS Coordinator. Cover sheet and standard details need not be included.
14. 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”) with the Nevada Department of Environmental Protection (NDEP).
15. Revegetation of disturbed areas for dust control shall commence as soon as practical, but no later than the following fall season, with security bonding and temporary irrigation (if necessary) provided to ensure proper re-establishment of disturbed areas. Revegetation shall be a uniform perennial vegetative cover with a density of seventy percent (70%) of the native background vegetative cover for unpaved areas and areas not covered by permanent structures.
16. The applicant shall obtain any required Air Quality Permit(s) from the (NDEP) and apply appropriate dust abatement processes as part of the development construction prior to any disturbance on the site.
17. The site improvements required by the terms of Title 15 of the Lyon County Code shall be inspected by the County as the work progresses. Such improvements shall not be started until the inspection fee, required as a prerequisite to the filing of the final map, has been paid.
18. Prior to any construction of improvements, a preconstruction conference shall be held between the contractor/developer and the appropriate County inspection personnel.
19. The applicant shall comply with Lyon County requirements as set forth in the adoption of Title 15 and 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 Road Superintendent;
 - 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;
 - f. The developer shall provide a slurry seal onto the streets and roadways in compliance with the current County standards every five (5) years from the date of installation of asphalt concrete paving of the subdivision's streets and roadways until such time as the subdivision is 90% completed and the County accepts the offer for dedication for the rights-of-way for all streets and roadways within the subdivision; and
 - g. The developer shall make a perpetual offer of dedication for the right-of-way for all streets and roadways within the proposed subdivision. The County rejects the offer of dedication at this time and will not accept the offer of dedication until at least 90% of the lots within the respective unit have been developed, the improvements are inspected and approved by the County, and the County accepts the improvements for maintenance, and
20. The applicant shall comply with Lyon County's 2018 stormwater drainage guidelines to the satisfaction of the County Engineer. The applicant shall demonstrate that the proposed drainage facilities will comply with the Lyon County Drainage Requirements to the satisfaction of the County Engineer prior to recordation of the final subdivision map. Major drainage facilities shall be constructed in the first phase of development and each phase of building development shall have drainage improvements that tie into the major facilities and function without dependency on improvements in future phases of development.
- a. The developer shall demonstrate to the satisfaction of the County Engineer, the County Utilities Department Director and the Community Development Director that provisions for maintenance and continued operation of the stormwater system have been developed and put in place prior to approval of a final subdivision map or first in a series of final maps for this project.
 - b. The applicant shall provide documentation that easements have been recorded to permit discharge of project-generated stormwater to all off-site properties receiving stormwater discharges prior to recordation of a final subdivision map or first in a series of final maps for this project.
 - c. The applicant shall demonstrate to the satisfaction of the County Engineer, the County Road Superintendent, the County Utilities Department Director, and the Community Development Director that facilities necessary to protect source water from potential stormwater contamination have been designed and will be installed prior to approval of a final subdivision map or first in a series of final maps for this project.
 - d. The applicant shall demonstrate to the satisfaction of the County Engineer, the County Road Superintendent, the County Utilities Department Director, and the Community Development Director that facilities necessary for the treatment of stormwater prior to discharge have been designed and installed prior to approval of a final subdivision map or the first in a series of final maps for this project.
 - e. The applicant shall demonstrate to the satisfaction of the County Engineer, the County Road Superintendent, the County Utilities Department Director and the Community Development Director that provisions for maintenance and continued operation of the stormwater system have been developed and put in place prior to approval of a final subdivision map or first in a series of final maps for this project.
 - f. Debris grates are required at the pipe inlets of the retention/detention basins.
21. The applicant shall complete any and all required development improvements and facilities to the satisfaction of the Community Development Director, County Engineer, the County Road Superintendent, Utilities Director, Building Official, Central Lyon County Fire Protection District or other authorized County personnel, as applicable, or an appropriate security must be provided and approved prior to recordation of a final subdivision map or first in a series of final maps for this

project. There may be temporary restrictions to obtaining building permits even with an acceptable security instrument depending on the County's approval of the various systems. All facility construction shall be completed/installed to satisfaction of the Community Development Director, the Building Official, the County Engineer, the County Road Superintendent, the Utilities Department Director, the Facilities Department Director, Central Lyon County Fire Protection District, their respective designees or other authorized County personnel, as applicable prior to the issuance of a Certificate of Occupancy will be allowed in a single family residence for this project or if done in phases, that portion of the project.

22. The applicant shall comply with all applicable building and fire code requirements.
23. 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.
 - d. The road widths need to be a minimum of twenty-feet (20') of clear access for emergency vehicles and equipment. If on-street parking is used, then there will still need to be the required 20' clear access.
 - e. All townhome units are required to have automatic fire sprinklers, including notification that is connected to the water flow switch on the system, (smoke detectors and /or horns) and monitoring depending on the type of sprinkler design.
 - f. Depending on overall building heights of project in final design, there may be some additional fire code requirements.
24. Distinct and legible "temporary" addresses are required of any structures under construction until such time as permanent address numbers are installed and posted.
25. The applicant will maintain the property until the development is complete. This maintenance will include the semi-annual mowing of all weeds within the development boundaries and the removal of noxious weeds when they are identified.
26. The applicant shall 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.
27. 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 Allan **seconded**, the motion passed by a unanimous vote (7 Ayes; 0 Nay; 0 Abstentions).

- 8.b. For Possible Action – Lyon County – Code Amendment – Request for a Lyon County Code Amendment for Title 15 to amend Lyon County Code Title 15, the Lyon County land use and development code; Chapters 15.320 Section 3 Table 15.320-1; Chapter 15.332 Section 3 Table 15.320-5; Chapter 15.336 Section 3 Table 15.336-1; and Chapter 15.1200 Section 4; to define and allow for private use airfields and general aviation airports; and other matters pertaining thereto.

Community Development Director, Andrew Haskin, stated the requested code amendment will add the needed language into Title 15 to allow for both private and general aviation airports. Currently there is no language Title 15 to address and or allow these uses in Lyon County.

Public Comment-There was none

Commissioner Sell motioned to forward a **recommendation of approval** for the request for a Lyon County Code Amendment for Title 15 to amend Lyon County Code Title 15, the Lyon County land use and development code; Chapters 15.320 Section 3 Table 15.320-1; Chapter 15.332 Section 3 Table 15.320-5; Chapter 15.336 Section 3 Table 15.336-1; and Chapter 15.1200 Section 4; to define and allow for private use airfields and general aviation airports; and other matters pertaining thereto.

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

- 8.c. For Possible Action – Lyon County – Code Amendment – Request for a Lyon County Code Amendment for Title 15 to amend Lyon County Code Title 15 to add Chapter 15.212 – Airport Influence Areas to identify when construction of new development or alteration of existing development requires identification of potential avigation hazards on properties located within Airport Influence Areas as identified in the Lyon County Master Plan.

Community Development Director, Andrew Haskin, explained the requested code amendment to Title 15 pertaining to airport influence areas was requested by Commissioner Henderson to help minimize impact and address safety issues for properties in the airport influence areas.

Commissioner Allan confirmed with staff the proposed amendment is not intended to impede new development within the airport influence areas.

Commissioner Hendrix asked if the code amendment will affect the applicant that was recently granted a Zone change in the Silver Springs airport area and their proposed plans.

Senior Planner, Rob Pyzel, responded that it would not have an adverse or negative impact on any applicant.

Commissioner Cassinelli asked if the proposed code amendment will cause existing structures to become non-conforming.

Community Development Director, Andrew Haskin, responded the non-conforming standards section was taken out to try to avoid that issue.

Senior Planner, Rob Pyzel explained any existing development proposing any alterations and new development will be required to file the 7460-1 with the FAA alerting pilots using that airspace of potential hazards and the FAA will regulate the standards pertaining to that.

Public Comment – None

Commissioner Allan motioned to forward a **recommendation of approval** of the request for a Lyon County Code Amendment for Title 15 to amend Lyon County Code Title 15 to add Chapter 15.212 –

Airport Influence Areas to identify when construction of new development or alteration of existing development requires identification of potential aviation hazards on properties located within Airport Influence Areas as identified in the Lyon County Master Plan.

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

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

9. Public Participation- None

10. Action Items- None

11. Staff update on Public Lands Bill- Community Development Director, Andrew Haskin, said there was no new update on the Public Lands Bill at this time. The County is still waiting for the contractor to create proposed maps with areas/land to be included in the Lands Bill. Once those are received the County will move forward with Public meetings and the process.

12. Board Member Comments- None

13. Future Agenda Items- None

14. Public Participation- None

ADJOURN TO RECONVENE AS THE LYON COUNTY PLANNING COMMISSION

15. Staff Comments and Commissioner Comments:

Commissioner Allan said she attended the Open Meeting Law Training on March 23, 2022 and it was very informative. She thanked Erin Lopez and district Attorney Steve Rye for putting it together.

15.a. Staff update on recent County Commissioners actions

Community Development Director, Andrew Haskin, updated the Planning Commission on action taken by the Board at the April 7, 2022 meeting.

- Final Subdivision Map for TRADITIONS, VILLAGE 1, PHASE 1, located in Dayton, NV (APN 016-406-09)- **Approved 5-0**
- SV Farms LLC/Smith Valley Dairy/Dirk Vlot- Request for a Conditional Use Permit to allow for a manufactured home to be used for farm labor housing per LCC 15.351.3 (E) (APN 010-151-15) PLZ-2022-124- **Approved 5-0**
- North Lyon LLC/NV Energy/PAR Electrical Contractors – Conditional Use Permit – Request for a Conditional Use Permit to allow for a new wireless telecommunications facility with a tower exceeding 100 feet in height (145 feet with the capability of rising to 190 feet in height) (APN 021-411-03) PLZ-2021-115 **Approved 3-2 (Commissioners Gray and Keller opposed)**
- Lyon County request for a Master Plan Amendment to change the land use designation on Dayton land use map from Suburban Residential to Public/Quasi-Public for three (3) parcels (APNs 016-351-16; 016-351-17; and 016-361-60) PLZ-2021-104. **Approved 5-0**
- Vidler Water Company, Inc. – River Ranch Merger & Re-subdivision/Tentative Subdivision Map – CONTINUED FROM MARCH 3, 2022- Tentative Subdivision map for three parcels totaling 166.87 acres to create a 49-lot single family residential development APN 016-022-19; 016-022-31; and 016-022-32) PLZ-2021-116. – **Approved 5-0**

16. Public Participation- none

17. Adjournment

At approximately 9:40 a.m. it was unanimously motioned to adjourn.

Tammy Hendrix, Chairwoman

Shannon Juntunen, Administrative Assistant