

LYON COUNTY PLANNING COMMISSION MEETING MINUTES

October 11, 2022

The October 11, 2022 meeting of the Lyon County Planning Commission was called to order by Commission Chairwoman, Tammy Hendrix, at approximately 9:00 a.m. in the LYON COLNTY ADMINISTRATIVE COMPLEX, 27 S. MAIN STREET, YERINGTON, NV 89447

1. Roll Call

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

Attending staff present: Senior Planner Louis Cariola; Interim County Manager, 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 Abstentions)

5. Approval of minutes-

Commissioner Allan motioned to approve the minutes from the September 13, 2022 meeting as presented. Commissioner Sell seconded, the motion passed by unanimous vote (7 Ayes; 0 Nay; 0 Abstentions)

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

7. **Advisory Board Reports** – There was none.

8. County Manager

8.a **For Possible Action:** To approve a change to the meeting location of the November 8, 2022 Lyon County Planning Commission meeting; moving the meeting to the Yerington City Hall, located at 14 East Goldfield Ave, Yerington, NV 89447.

Interim County Manager, Andrew Haskin, explained due to the November Planning Commission meeting falling on Election Day, there is a conflict with the availability of the County Commission Chambers. Staff is requesting the November 8, 2022 meeting location be moved to the Yerington City Hall as an alternative.

Public Participation - There was none

Commissioner Sell motioned to **approve** the request to move the location of the Lyon County Planning Commission, November 8, 2022 meeting to the Yerington City Hall, 14 East Goldfield Avenue, Yerington, NV 89447. Commissioner Carlson **seconded**, the motion passed by unanimous vote (7 Ayes; 0 Nay; 0 Abstentions).

9. Public Hearing Items

9.a. **For Possible Action:** To forward a recommendation to the Board of Commissioners for a request from **Sierra Range Consultants** for a **Conditional Use Permit** for an Outdoor Shooting Range and Accessory Uses including an 18,000 square foot building and Sporting Clay/Archery Ranges; generally located two (2) miles south of US Highway 50 and accessed by Micro Avenue in

Stagecoach, on three (3) parcels with a total area of approximately 392.47 acres (APNs: 015-521-17, 015-521-25, 015-521-26) PLZ-2022-175.

Senior Planner, Louis Cariola, summarized the staff report. The applicant's primary project includes an Outdoor Shooting Range, a "live fire shoot house" for tactical trainings for law enforcement, and an 18,000 square foot (sf) accessory building which is proposed to include an office, restrooms, a pro-shop, a lounge, classrooms and a vault for secure firearms storage. A secondary component, to be designed at a later date, would potentially add sporting clays and archery ranges to the project. The applicant's request is in conformance with all zoning standards and the goals and policies of the Master Plan.

Staff is recommending approval based on the recommended findings and conditions of approval.

Applicant's Representative, Martin Harsin, explained the proposed uses and layout of the site. The topography of the site creates a natural box canyon providing for nearly a mile of containment for larger caliber guns. The wall height of the canyon provides for nearly 400 feet. of protection. The facility will be maned 24 hours a day, 7 days a week. He went on to explain concerns with noise should not be an issue as the facility is nearly 1.5 miles from the nearest residence and the box canyon will serve as a buffer.

The Commissioners asked how the applicant plans to mitigate the impact area to keep people safe and if there will be signs warning people of live fire since the site backs up to BLM.

Applicant's representative responded they will be using 20 ft. berms as well as the natural box canyon to provide nearly 340 feet of margin for error and nearly a mile of containment. There will also be signs placed around the site and a safety officer on site 24/7 that can shut down all live fire in the event someone was to come on site from surrounding BLM property.

Public Comments-There was none

Commissioner **Sell** motioned to **approve** a request from Sierra Range Consultants for a **Conditional Use Permit** for an Outdoor Shooting Range and Accessory Uses, including an 18,000 square foot building and Sporting Clay/Archery Ranges (APNs: 015-521-17, 015-521-25, 015-521-26) PLZ-2022-175, based on the findings listed in the Staff report and subject to the following 15 conditions;

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. The County shall receive confirmation of noise studies conducted by the applicant within the constructed gun ranges that demonstrate that during the Daytime, the limit shall be seventy-five (75) dBA, and during the Nighttime, the limit shall be seventy (70) dBA, prior to receiving a business license for the project.
4. The 18,000 square feet Accessory Building and other Accessory uses such as the "gun vault" and the "shoot house" as proposed by the applicant will require approval of an Administrative Design Review before grading or building permits may be issued.
5. The section of Micro Avenue within Lyon County's jurisdiction shall be improved to the County's Gravel Road Standard. The approximately 2,500' length is part of a non-maintained County roadway and will not be accepted for dedication and maintenance by the County as a result of this CUP.
6. The "mile-long" gun range considered in the applicant's Project Description is not approved by this entitlement and will require amendment to this Conditional Use Permit, in accordance with Chapter 15.12.04 of Lyon County Code.

7. The hours of operation for the gun ranges is 8 am to 6 pm, 7 days a week. A change in hours will require amendment to this Conditional Use Permit, in accordance with Chapter 15.12.04 of Lyon County Code.
8. 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 to obtain a Building Permit.
9. All contractors doing any construction, modifications, or remodels must be licensed in the State of Nevada.
10. The applicant shall maintain a Lyon County business license for the use while occupying the site.
11. The applicant shall attain approval from the Nevada Division of Water Resources and the Nevada Division of Environmental Protection for a well to provide water for the project.
12. The applicant shall install permanent bathroom facilities for employees of the business and attain approval from the Nevada Division of Environmental Protection. Temporary bathrooms will only be permitted while permanent facilities are under construction and for no longer than one year from the issuance of a Grading Permit for the project.
13. 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.
14. Any exterior signage will require a separate building permit, through the Lyon County Building Department.
15. 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 Allan **seconded**, the motion passed by a unanimous vote (6 Ayes, Commissioners Sell, Hendrix, Allan, Keating, Cassinelli and Kuzmicki; 1 Nay, Commissioner Carlson; 0 Abstentions).

9. b. For Possible Action: To forward a recommendation to the Board of Commissioners for a request from **Granite Construction** for a **Conditional Use Permit** to expand the footprint of an existing sand extraction and screening operation that crosses the Washoe County line in north Lyon County; generally located north of Fernley in Wadsworth, approximately 0.15 miles east of NV Route 427, on three (3) parcels with a total area of approximately 71.83 acres (APNs: 021-571-10, 021-571-11, 021-571-12) PLZ-2022-177.

Senior Planner, Louis Cariola, summarized the staff report. Granite Construction Corporation is requesting a Conditional Use Permit (CUP) to expand the footprint of a sand extraction and screening operation that crosses the Washoe County line in north Lyon County. Granite Construction currently owns and operates on the proposed parcels and will not be expanding anything other than the foot print of the existing operation. The applicant's request is in conformance with all zoning standards and the goals and policies of the Master Plan.

Staff is recommending approval based on the recommended findings and conditions of approval.

Public Comment- There was none

Commissioner **Allan** motioned to forward a recommendation of approval for the request for a Conditional Use Permit (CUP) requested by Granite Construction to expand the footprint of an existing sand extraction and screening operation that crosses the Washoe County line in north Lyon County, (APNs: 021-571-10, 021-571-11, 021-571-12) PLZ-2022-177, based on the findings listed in the staff report and the following 13 Conditions;

1. The sand extraction operation shall progress in accordance with the conceptual site plan submitted and reviewed as a part of this application. Any further additional expansion of the sand extraction operation will require modification of this Conditional Use Permit or an additional Conditional Use Permit, and/or other approvals. No change in the terms and conditions of the Permit, as approved, shall be undertaken without first submitting the changes to Lyon County and having them modified in conformance with Lyon County Code.
2. The Conditions of Approval for PLZ 18-036, the original Lyon County Special Use Permit for the existing operation, approved in 2018, remain in effect as applicable.
3. The applicant shall comply with all county, state, federal rules and special district rules and regulations necessary for the operation of the aggregate pit and its accessory uses as well as obtain all of the necessary public inspections.
4. The applicant shall comply with all applicable Fire, building, zoning and improvement code requirements and obtain any necessary public inspections.
5. The applicant shall comply with North Lyon County Fire Protection District requirements. The site's access and circulation in and around any structures, storage areas and parking areas shall comply with the County and Central Lyon County Fire Protection District access and turning radius standards.
6. The applicant shall secure and maintain a Lyon County business license for the use while occupying the site.
7. No other business except that covered under this Permit will be allowed on the property without prior consultation with Community Development staff.
8. The applicant shall provide evidence of the existing approval of the Nevada Department of Environmental Protection air quality permit.
9. The applicant shall provide evidence that the improvements required by the Nevada Department of Transportation (NDOT) to the existing Hill Rand Road access onto State Route 427 associated with PLZ-2022-177 will be constructed. Evidence shall consist of documentation from NDOT confirming the construction schedule within one calendar year from the approval of this Conditional Use Permit.
10. The applicant shall comply with the Lyon County drainage guidelines as amended in 2018. The property owner shall be responsible for maintenance of all roads, walks, parking areas and drainage facilities within the parcels, as well as the storm water detention facilities, if applicable, whether it is onsite or offsite. Lyon County shall have no financial responsibility for maintenance of these facilities.
11. The hours of operation shall be limited to 6 am to 6 pm for deliveries, shipping, and sorting. Security monitoring shall occur 24 hours a day.
12. No signage is approved as a part of this Permit.
13. No additional outdoor lighting is authorized per this Permit.

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

9.c. For Possible Action: To forward a recommendation to the Board of Commissioners for a **Zoning Map Amendment** request from **Arryn, Inc.** on a 3.29-acre parcel generally located approximately 400

feet north of the US Highway 95A/5th Avenue intersection (6850 S. US Hwy 95A) in Silver Springs, from C-1 (Limited Commercial District) to HMU-R (Highway Mixed Use) (APN: 017-133-11) PLZ-2022-182.

Senior Planner, Louis Cariola, summarized the staff report. The applicant's request is in conformance with all zoning standards as well as the goals and policies of the Master Plan.

Staff recommends that the Planning Commission forward a recommendation of approval of the rezoning request based on the findings listed in the staff report.

Applicant's Representative, David Snelgrove, of CFA, explained the applicant's request for the proposed zone change gives the applicant the ability to develop the proposed parcels in the future. 6 adjoining parcels were similarly rezoned by the same applicant for future development of a gas station and convenience store and this parcel will be annexed into that project. Mr. Snelgrove summarized the allowable uses in the proposed zoning district and possible future uses.

Public Comment- There was none

Commissioner **Allan** motioned to forward a **recommendation of approval** for the request for a Zoning Map Amendment by Arryn, Inc., from C-1 (Limited Commercial District) to HMU-R (Highway Mixed Use) (APN: 017-133-11) PLZ-2022-182, based on the following 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**, the motion passed by a unanimous vote (7Ayes; 0 Nay; 0 Abstentions).

9. d. For Possible Action: To forward a recommendation to the Board of Commissioners for a **Zoning Map Amendment** request from **303050, LLC** and **Bowers USA, LLC** on five (5) parcels with a total size of 13.75 acres; generally located north west of the intersection of US Highway 50 and US Highway 439 with access from Bowers Avenue and Opal Avenue in Silver Springs; from RR-3 (Third Rural Residential District – 5 acre minimum) and M-1 (General Industrial District) to SI (Service Industrial); (APNs: 018-371-14, 018-371-20, 018-371-21, 018-371-22, 018-371-23) PLZ-2022-183.

Senior Planner, Louis Cariola, summarized the staff report. The applicant's request is in conformance with all zoning standards and will bring the proposed parcels into conformance with the Master Plan.

Staff recommends that the Planning Commission forward a recommendation of approval of the rezoning requests based on the findings listed on the staff report.

Applicant's representative, David Snelgrove, of CFA, described the general location, topography and current use of the parcels. Mr. Snelgrove went over allowable uses in the proposed zoning district to give an idea of possible future development on the parcels.

Public Comment- There was none

Commissioner **Sell** motioned to forward a recommendation of approval for the request for a Zoning Map Amendment for **303050, LLC** and **Bowers USA, LLC**, from RR-3 (Third Rural Residential District – 5 acre minimum) and M1 (General Industrial District) to SI (Service Industrial) (APNs: 018-371-14, 018-371-20, 018-371-21, 018-371-22, 018-371-23) PLZ-2022-183, based on the following 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 Allan **seconded**, the motion passed by a unanimous vote (7Ayes; 0 Nay; 0 Abstentions).

9.e. For Possible Action: To forward a recommendation to the Board of Commissioners for a Zoning Map Amendment for **Arup** on four (4) parcels with a total size of approximately 243 acres; generally located north of US Highway 50, one mile west of the intersection of US Highway 50 and US Highway 95A; from RR-5 (Fifth Rural Residential District – 20 acre minimum) and C-1 (Limited Commercial District) to SI (Service Industrial), (APNs: 015-141-05, 015-141-06, 015-141-07, 015-141-12) PLZ-2022-184.

Senior Planner, Louis Cariola, summarized the staff report. The applicants request is in conformance with all zoning standards as well as the goals and policies of the Master Plan.

The applicant’s representative, Stacie Huggins of Wood Rodgers, Inc., went over the current zoning of the parcels and of the surrounding parcels. She explained the current proposed zone change would bring the parcels into conformance with the Master Plan and allow for heavier density for employment which is a better use, given the proximity to the Silver Springs Airport. She also went over the allowable uses for the proposed zoning district for possible future development.

Staff recommends that the Planning Commission forward a recommendation of approval of the rezoning request based on the findings listed in the staff report.

Public Comment- There was none

Commissioner **Allan** motioned to forward a recommendation of approval for the request for a Zoning Map Amendment for Arup, from RR-5 (Fifth Rural Residential District – 20 acre minimum) and C-1 (Limited Commercial District) to SI (Service Industrial) (APNs: 015-141-05, 015-141-06, 015-141-07, 015-141-12) PLZ-2022-184; based on the following 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 Sell **seconded**, the motion passed by a unanimous vote (7Ayes; 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-

11.a. For Possible Action- Staff Update on the Public Lands Bill.

Interim County Manager, Andrew Haskin, explained to the Planning Commission, in recent

conversations with the consulting firm, Resource Concepts, Inc (RCI), who is working on the Lands Bill, given the current administration and political climate they do not feel a lands bill will successfully move forward at this time. Mr. Haskin went on to say the County has asked the consulting firm to look at a scaled back map to possibly move forward with it in the future. Mr. Haskin will come back with an update if anything changes.

12. Action Items- None

13. Board Member Comments- None

14. Future Agenda Items- None

15. Public Comment-

Don Smith, resident of Smith Valley. said he was under the impression there was a draft map produced by RCI and that the Chair had requested to review that. He requested that draft map be made available to the public to review.

Andrew Haskin, Interim County Manager, responded the Chair did request to review the draft map to see if it can be scaled back. He added that recently, the offices of RCI had burned down so any progress on the project may be delayed while they retrieve the information.

ADJOURN TO RECONVENE AS THE LYON COUNTY PLANNING COMMISSION

16. Staff Comments and Commissioner Comments-

16.a. For Presentation Only- Presentation on building moratoriums

Interim County Manager, Andrew Haskin, gave a presentation on the different types of building moratoriums; Broad Moratorium- Prohibits all building in a large area such as an entire town or county; Indefinite Moratorium- In place for an undefined amount of time and Targeted Moratorium- Covers a specific area for a specific purpose and has a specific time limit, and explained the specific requirements to be able to impose each. He also gave specific examples of other areas and states that have tried to impose moratoriums and the outcome of those cases.

16.b. Staff update on recent County Commissioners actions

Community Development Director, Andrew Haskin, updated the Planning Commission on actions by the Board at their October 6, 2022 meeting.

The following Planning items were approved by unanimous vote (5 Ayes, 0 Nay, 0 Abstentions).

17.a. For Possible Action: To approve the request for a Conditional Use Permit, request by Silver Springs-Stagecoach Hospital District, for an expansion (installation of commercial coaches for office space) of a nonconforming use (hospital) in the C-1 (Neighborhood Commercial) zoning district located at 3595 W. Highway 50, Silver Springs, NV (APN: 018-354-08) PLZ-2022-138.

7.b. For Possible Action: To approve the request for a Conditional Use Permit requested by LINICO, to construct a battery pre-recycling Waste and Salvage Facility in Mound House at the end of Industrial Parkway (APNs 016-111-06 and 016-111-07). The site will provide for temporary storage of batteries on palletized bundles prior to shipping to a recycling facility. (PLZ-2022-166)

17. Public Participation- There was none

18. Adjournment

At approximately 10:15 a.m. it was unanimously motioned to adjourn.

Tammy Hendrix, Chairwoman

Shannon Juntunen, Administrative Assistant