



N E V A D A

AGENDA
Regular Meeting
Planning Commission

Wednesday, December 10, 2025 • 5:00 PM

Members

- Jenni McCullar - Chairwoman
- Angela Lewis - Vice Chair
- Barry Williams Sr. - Commissioner
- Cody Wagner - Commissioner
- Jacob VanderHeiden - Commissioner
- Robert Flores - Commissioner
- Tessa Garvin - Commissioner
- Julianne Holt - Alternate

Fernley City Council Chambers, 595 Silver Lace Boulevard, Fernley, NV 89408

Zoom information:

Please click the following link to join the webinar: <https://us02web.zoom.us/j/82966343247>, or one tap_mobile: 12532158782, Dial: 669 900 9128, Webinar ID: 829 6634 3247

Public Notice: This agenda has been physically posted in compliance with 241.020 at Fernley City Hall, 595 Silver Lace Blvd. In addition, this agenda has been electronically posted in compliance with NRS 241.020(3) at www.cityoffernley.org and NRS 232.2175 at <https://notice.nv.gov/> To obtain further documentation regarding posting, please contact the City Clerk’s Office at (775) 784-9830 or cityclerk@cityoffernley.org

Public Comment: Those wishing to address the Planning Commission may submit public comment through the [online public comment form](#), or by sending an email to cityclerk@cityoffernley.org. Comments received prior to 4:00 pm the day of the meeting will be provided to the Planning Commission and added to the record but will not be read during the live meeting. Public comments received after 4 pm the day of the meeting will be included in the record but may not reach commission members before action is taken. Public comment, whether on action items or public comment, is limited to three (3) minutes per person. Unused time may not be reserved by the speaker, nor allocated to another speaker. The public may comment on any matter that is not specifically included on an agenda as an action item or comment on a specific agenda item. Items not included on the agenda cannot be acted upon other than to place them on a future agenda. Additionally, if you wish you can comment in person at the meeting or use the Raise your Hand feature in Zoom (*9 if you are participating via phone).

Accommodations: The Planning Commission and staff will make reasonable efforts to assist and accommodate individuals with disabilities desiring to attend the meeting. Please contact the City Clerk’s Office at (775) 784-9830 in advance so that arrangements can be made.

Supporting Material: Staff reports and supporting material for the meeting are available at the City Clerk’s Office, and on the City’s website at www.cityoffernley.org Pursuant to NRS 241.020(6), supporting material is made available to the general public at the same time it is provided to the City Council.

Order of Business: The presiding officer shall determine the order of the agenda. The Fernley Planning Commission may combine two or more agenda items for consideration; remove an item from the agenda; or delay discussion relating to an item on the agenda at any time. All items are action items unless otherwise noted. Items scheduled to be heard at a specific time will be heard no earlier than the stated time but may be heard later.

1. INTRODUCTORY ITEMS

- 1.1. Pledge of Allegiance
- 1.2. Roll Call
- 1.3. Public Forum
- 1.4. (For Possible Action) Approval of Agenda
- 1.5. (Possible Action) Approval of Minutes

2. STAFF REPORTS

- 2.1. (For Possible Action) Discussion and possible action regarding TPM25002, a Tentative Parcel Map request from Richard Depaoli dividing parcel 021-171-31 located in the Mixed Use zoning district and containing approximately 70.59 acres into three resulting lots. The site is located south of Cottonwood Lane, west of Jill Marie Lane, north of the Truckee Canal, and east of Brigit Circle.

3. PUBLIC HEARINGS

A. DISCUSSION WITH PLANNING COMMISSION & STAFF B. PUBLIC INPUT C. ADDITIONAL DISCUSSION WITH PLANNING COMMISSION & STAFF D. COUNCIL ACTION OR DIRECTION TO STAFF

- 3.1. (For Possible Action) Discussion and possible action on TSM21003EOT, an extension of time request of not more than two years to record a final subdivision map for Green Valley Ranch Phase 6, a 54-lot single-family residential subdivision on a site approximately \pm 11.14-acres in size located in the SF6 (Single-Family, minimum 6,000 sf lot size) zoning district, generally located at the intersection of Canal Drive, Green Valley Drive, and Jasper Way (APN: 021-191-09).
- 3.2. (For Possible Action) Consideration and possible action on WVR24002, a request by Battle Born Equity Group to extend the landscaping deadline imposed on the original Waiver approval by the Planning Commission for an additional three months (November 13, 2025 to February 13, 2026).
- 3.3. (For Possible Action) Discussion and possible action on Conditional Use Permit CUP25003, a request by Leslie Colbrese (Community Services Agency) to allow a child care facility within an existing \pm 6,887-square-foot tenant space located at 95 Main Street (APN 020-034-02) in the C2 (General Commercial) zoning district.
- 3.4. Discussion and possible action regarding CA25007 and Bill #373, a request from the Planning Department and City Manager's Office to amend the definitions, use table entries, use standards, and parking supply requirements for the animal services land use as contained in Fernley Municipal Code, Title 32, Chapters 2, 6, 7, and 9 (FMC 32.02.030; FMC 32.06.150, Table 2; FMC 32.07.060; and FMC 32.09.120, Table 2).
- 3.5. (For Possible Action) Discussion and possible action to recommend approval of Bill #174 (associated with CA25008) to amend Section 32.06.070 of the Fernley Development Code to amend Table 070-1 (Residential - Single-Family Density/Intensity Standards) to remove the 20' side combined setback for the SF6 zone and make minor grammatical corrections to the section as a whole.

4. CHAIR AND COMMISSION ITEMS

(SUMMARY OR ACTIVITY REPORTS ON PLANNING ISSUES, ACTIVITIES OR ORGANIZATIONS IN WHICH INDIVIDUAL MEMBERS MAY BE INVOLVED. THIS ITEM IS TO PROVIDE GENERAL INFORMATION TO THE COMMISSION AND PUBLIC. NO DISCUSSION SHALL TAKE PLACE AND NO ACTION WILL BE TAKEN.)

- 4.1. (Possible Action) Discussion and possible action regarding potential inconsistencies within the Development Code. Item requested by Commissioner Garvin.

5. PLANNING DIRECTOR ITEMS

(ACTIVITY SUMMARY OR UPDATES ON PROJECTS THAT HAVE BEEN PREVIOUSLY REVIEWED BY THE PLANNING COMMISSION. THIS ITEM IS TO PROVIDE GENERAL INFORMATION TO THE COMMISSION AND PUBLIC. NO DISCUSSION SHALL TAKE PLACE AND NO ACTION WILL BE TAKEN.)

5.1. Update on City Council actions from November 19, 2025 and December 3, 2025.

5.2. General Planning Department updates and announcements.

6. ADDRESS REQUEST(S) FOR FUTURE AGENDA ITEMS

7. PUBLIC FORUM

8. ADJOURNMENT

Next Meeting: January 14, 2026 @5pm

**MINUTES OF THE
FERNLEY PLANNING COMMISSION MEETING
NOVEMBER 12, 2025**

Chairwoman Jenni McCullar called the meeting to order at 5:00 pm.

1. INTRODUCTORY ITEMS

1.1. Pledge of Allegiance

1.2. Roll Call

Present: Chairwoman Jenni McCullar, Vice-Chair Angela Lewis (Zoom), Commissioner Cody Wagner, Commissioner Jacob VanderHeiden, Commissioner Robert Flores, Commissioner Julianne Holt, Commissioner Barry Williams, Sr., City Attorney Aaron Mouritsen, Acting City Manager Lydia Altick, Deputy City Clerk Brenda Gosser, Administrative Specialist I Sandy Harris, Senior Planner Alisa Johansson, Assistant Planner Lisa Warner, Planning Director Michele Rambo, Associate Planner Treston Rodriguez, **Absent:** Commissioner Tessa Garvin.

1.3. Public Forum

None at this time.

1.4. (For Possible Action) Approval of Agenda

Motion: I MOVE TO APPROVE TONIGHT'S AGENDA AS PRESENTED. **Action:** Approved. **Moved by:** Commissioner Cody Wagner, **Seconded by:** Commissioner Barry Williams, Sr. **Vote:** Passed, **Summary:** Yes 7. **Yes:** Chairwoman McCullar, Vice-Chair Lewis, Commissioner Wagner, Commissioner VanderHeiden, Commissioner Flores, Commissioner Holt, Commissioner Williams.

1.5. (Possible Action) Approval of Minutes

Motion: I MOVE TO APPROVE THE MINUTES FROM THE LAST SESSION OF THE PLANNING COMMISSION. **Action:** Approved, **Moved by:** Commissioner Robert Flores, **Seconded by:** Commissioner Barry Williams. **Vote:** Passed, **Summary:** Yes 7. **Yes:** Chairwoman McCullar, Vice-Chair Lewis, Commissioner Wagner, Commissioner VanderHeiden, Commissioner Flores, Planning Commissioner Holt, Commissioner Williams.

2. GENERAL BUSINESS

2.1. Presentation from Maurice Page, Executive Director of Nevada Housing Coalition on new legislation regarding housing and the state of housing in rural Nevada.

Maurice Page, Executive Director of the Nevada Housing Coalition, presented a summary of the new laws and how they affect housing needs in the rural counties of Nevada. Recent studies under HUD report that affordable housing refers to housing that costs no greater than 30% of a person's gross income, including rent, mortgage, payments, and utilities. If you are paying more than 50%, you are severely cost burdened. In the State of Nevada, our residents are paying on average between 52% and 54% of their income towards their rent, utilities, or housing costs. Recent research spanning the last two decades showed that there is no negative impact around affordable housing on surrounding property values. In many cases, such developments lead to slight increases in nearby home values. Over the last 3 to 5 years, with the increase of affordable housing developments and multifamily developments being

built across the state, we have seen property values also increase during that time frame. Affordable housing is not necessarily low income. It is not Section 8. These are not always HUD-funded programs. These are communities and multifamily developments that are built to reflect the community's income. The renter-occupied share of housing dropped from 27% in 2021 to 23.6% in 2023, indicating a shrinkage in the rental market. With fewer units available and lower vacancy rates, affordable rental housing is urgently needed moving forward. We need partnerships with developers, localities, and more residents, and we need to promote more housing literature. AB540 was the Governor's Housing Attainability Accountability Act, where we are looking to increase homeownership efforts throughout the state. This bill will represent \$133 million coming out of our general fund. This money will go towards helping produce starter-type homes. The governor has planned to have these starter-type duplexes, condos, and townhome types of homes start in the low to mid 300s.

3. PUBLIC HEARINGS

3.1. (For Possible Action) Discussion and possible action regarding Bill #372 associated with ANX25001, a petition from M4 Victory Power QOZB, LLC to annex parcel 021-031-13 containing approximately 107.87 acres and generally located east of Interstate 80, west of Fernley Sink Lake, northeast of Duffy Road, and north of the existing Victory Logistics Planned Development to the City of Fernley.

Alisa Johansson, Senior Planner, presented stating voluntary annexation petitions are processed under NRS 268670, which establishes some very specific alternatives. All property owners must sign a petition requesting the annexation, the property must be contiguous with the city, and certain lands, such as those included in rights-of-way or those conveyed for airports or for noise abatement related to airports, may not be included. None of those stipulations apply here. The property is contiguous with the city, and the property owners have submitted the appropriate petition request for the annexation action. The site is already within city limits, it's a county island, so the city limits would not be expanded in order to complete this annexation request. It will support several goals and policies, including encouraging and planning for new development in areas where adequate public services and facilities can be provided efficiently. Again, by incorporating this parcel into the City of Fernley and eliminating a county island, we do enhance the efficacy of public services and facilities for the subject site. She added that because this is a standalone application, and because we don't have any formal knowledge of the future development of the site, the review and analysis is strictly focused on the annexation request itself.

Commissioner Cody Wagner stated that he is all for the annexation, but if power generation is being proposed within our city limits, he would have tremendous concerns and a lot of questions about that.

The Planning Director of Bowman Consulting stated that the ownership of the parcel is the M4 Victory Power Parcel. Because this is on the outside of the development, it's anticipated that there would be energy-level infrastructure out there. Anything would need to go back through a conditional use permit. They've been in discussions with NV Energy and there are some big power users that will be coming into the Victory Logistics District, and this is to help facilitate those.

There was no public input.

Motion: CONSIDERING THE ANALYSIS PRESENTED IN THE STAFF REPORT AND IN THE APPLICATION MATERIALS, I MOVE TO RECOMMEND THAT THE CITY COUNCIL APPROVE BILL #372, ANX25001, AND THE ANNEXATION PETITION CONTAINED THEREIN. **Action:** Approved.

Moved by: Commissioner Jake VanderHeiden, **Seconded by:** Commissioner Barry Williams. **Vote:** Passed, **Summary:** Yes 7. **Yes:** Chairwoman McCullar, Vice-Chair Lewis, Commissioner Wagner, Commissioner VanderHeiden, Commissioner Flores, Commissioner Holt, Commissioner Williams.

3.2. (For Possible Action)) Discussion and possible action to recommend approval of Bill #363 (associated with CA25006) to amend the Fernley Development Code dealing with Day Care to implement the following: 1) Amend Title 32, Chapter 2, Section 030 (Definitions) to update the Definitions of “Child Care Facility” and “Child Care, In Home” and add a definition for Adult Day Care; 2) Amend Title 32, Chapter, 7, Section 150 (Day Care/Child Care) to make minor grammatical corrections and amend Table 32.07.150-1 (Day Care/Child Care Use Standards) to update and expand on development standards; 3) Amend Title 32, Chapter 9, Section 120, Table 32.09.120-2 (Parking Ratios) to make minor grammatical corrections; and 4) Amend Title 32, Chapter 6, Section 150 (Unlisted Uses and Use Table) and amend Table 32.06.150-2 (Use Table) to make minor grammatical corrections, adjust where Day Care uses are allowed, and update required application types to establish this use type in appropriate zoning districts.

Lisa Warner, Assistant Planner, stated that local daycare providers and representatives of the Children's Cabinet have expressed frustration due to the difficulty of providing daycare services in Fernley. Staff have deemed it necessary to update the development code to address these concerns, and update the daycare use in general to allow the use to be available in more zoning districts with the appropriate application. The changes that were made open up more potential daycare options to better serve the community and accommodate flexible work schedules. Changes to the development code include amending the following sections: the definitions use tables, use standards and table, parking ratio table, and the use table. We added a definition for adult daycare, which we did not have before.

Commissioner Wagner asked why we allow a childcare facility and not an adult daycare facility in some of these areas. He would like to see some consideration given to adult daycare being less restrictive, too. That's a huge need for a lot of families in our communities.

Lisa Warner, Associate Planner, stated that it would be a permitted use.

Planning Director Rambo stated that daycare in industrial areas is looked at an accessory use. If you've got a big industrial user that wants to provide daycare for their employees, they could do that within their business. You don't get that same thing for adult daycare, they're handled differently in industrial areas.

There was no public input.

Motion: I MOVE TO RECOMMEND THAT THE CITY COUNCIL APPROVE BILL #363 ASSOCIATED WITH CA25006 WITH THE FOLLOWING MODIFICATIONS, AND THAT IS TO ALLOW ADULT DAYCARE WITH THE SAME PROCESSES AS OUTLINED FOR CHILDCARE CENTERS IN THE ASSOCIATED PLANNING ZONES. **Action:** Approved. **Moved by:** Commissioner Cody Wagner, **Seconded by:** Commissioner Robert Flores. **Vote:** Passed, **Summary:** Yes 7. **Yes:** Chairwoman McCullar, Vice-Chair Lewis, Commissioner Wagner, Commissioner VanderHeiden, Commissioner Flores, Planning Commissioner Holt, Commissioner Williams.

3.3. (For Possible Action) - Discussion and possible action on Bill #371 in association with CA25005, a Code Amendment initiated by the City of Fernley to amend Title 32, Chapter 6, Section 150-2 (Use Table) of the Development Code to allow the use of "Recreational Facility, Major" in the I (Industrial) zoning district with a Conditional Use Permit.

Treston Rodriguez, Associate Planner, stated the purpose of this amendment is to update Title 32, Chapter 6, Section 150-2 of the Development Code to allow a recreational facility major use within the industrial zoning district. It also requires that any such use obtain approval through a conditional use permit. This amendment addresses an existing discrepancy in our code as a long-standing racetrack is operating within the industrial zoning district without any recorded approvals or entitlements. This change provides a clear and appropriate pathway for permitting. Under the Fernley Development Code, a recreational facility major refers to large, generally outdoor recreational or entertainment facilities.

Planning Director Rambo stated that this code change came about due to the recent parcels that we acquired through the Lands Bill. The racetrack was previously on BLM land. Now that it is city property, or next door to city property, they want to expand onto the city property. Through that process, it was discovered that they do not have any recorded approvals. We're trying to clear the way for them so that they can do any future expansions they might want to make, or we can give them, for instance, a temporary use permit for a special event on city property.

There was no public input.

Motion: CONSIDERING THE INFORMATION PROVIDED BY STAFF PRESENTATIONS AND IN THE STAFF REPORT, I MOVE TO RECOMMEND THAT THE CITY COUNCIL APPROVE BILL #371 ASSOCIATED WITH CA25005 AMENDING THE USE TABLE FOR RECREATIONAL FACILITY, MAJOR" AS PROPOSED AND PRESENTED BY STAFF. **Action:** Approved, **Moved by:** Commissioner Robert Flores, **Seconded by:** Commissioner Barry Williams. **Vote:** Passed, **Summary:** Yes 7. **Yes:** Chairwoman McCullar, Vice-Chair Lewis, Commissioner Wagner, Commissioner VanderHeiden, Commissioner Flores, Planning Commissioner Holt, Commissioner Williams.

3.4. (For possible action) Discussion and possible action on a Conditional Use Permit application (CUP25002) submitted by Scott Tate (Northern Nevada Comstock) to allow a ±12,194-square-foot non-restricted gaming establishment ("Lucky Strike Casino") in the General Commercial (C2) zoning district on APN 021-201-60, generally located approximately 395 feet east of the intersection of Nevada Pacific Parkway and U.S. Route 50 Alternate.

Treston Rodriguez, Associate Planner, stated that the applicant proposes a non-restricted gaming establishment with bar and restaurant service. The CUP is required because Fernley's Development Code requires a conditional use permit for non-restricted gaming establishments in the C2 zoning district. Non-restricted gaming applies to 16 or more slot machines, or any slot machines accompanied by table games or a sportsbook. The applicant proposes non-restricted gaming. Fernley only has one gaming category, which is non-restricted gaming. Thus, all gaming applications must apply under the non-restricted category. This is where the technical issue arises. The Fernley Development Code, defines a non-restricted gaming establishment as a resort hotel, as defined in NRS, and consisting of 16 or more slot machines. A key point is that Fernley's definition requires a resort hotel in addition to the gaming component. The proposal does not include lodging and is not grandfathered pre-2020 operation. This is the core issue of the reason staff must recommend denial. The applicant proposes non-restricted gaming, which is allowed in the C2 zoning district with the CUP. However, the city's adopted definition requires all non-restricted gaming to have a resort component. Because no lodging is proposed, the project cannot meet that adopted definition. This is not a zoning conflict, this is not a compatibility issue, and not an infrastructure issue. It is strictly a technical inconsistency within the development code's definition.

Derek Wilson, Rubicon Design Group, on behalf of the property owner Scott Tate, stated the application can be approved and be in agreement with State law and with Fernley Code. We're simply at a difference in how the code is read. Non-restricted gaming is allowed in the C2 zone. That's what we're applying for. Line 2 of the Fernley Code defines gaming as a resort hotel as defined in NRS 4630165. Line 3 of the NRS defines resort hotel requirements based on county population. A county with 700,000 people or more, you need a 200-room hotel. A county with 100,000 to 700,000 people, you need a 300-room hotel. Lyon County has a population of 63,000 people. In other words, Lyon County does not appear in that Line 3 definition of what NRS requires. It simply isn't addressed. Line 5 of the NRS does not require a hotel in a county with this population level. Lyon County is not in the NRS definition. Fernley code references NRS, but NRS does not address Lyon County. There is no hotel requirement for this project. We reviewed this before we made the application, and it was our conclusion that the project is approvable.

Aaron Mouritsen, City Attorney, stated that he cannot find any justifiable policy reason why that resort hotel requirement exists in the code. It was swept in with other things, and from his review of it, it doesn't look like it went through legal review before it was approved. There was no discussion with legal in regard to why that was included, or with anybody else.

Commissioner Julianne Holt read the letter from city resident Marcus Pearce stating his strong opposition to the building of the Lucky Strike Casino on Highway 50 next to the Donner Trail subdivision.

Public Input:

Tammy (Zoom) stated her house would be right next to the parking lot and has some concern about it. Would there be a fence or brick wall put up between my house and the parking lot? She also asked about it affecting property values and safety issues.

Michelle Rambo, Planning Director, stated that there is another vacant lot in between this and the houses, so nothing will be directly adjacent to the houses.

Derek Wilson stated they would be happy to meet with the neighbors on site and talk about landscaping that could help alleviate some concerns. He stated that he has never seen investment in an area reduce values. Regarding security, there's going to be internal and external site security and video.

Motion: BASED ON THE INFORMATION PROVIDED IN THE STAFF REPORT AND AS PRESENTED IN THE STAFF PRESENTATION, I MOVE TO APPROVE THE CONDITIONAL USE PERMIT ASSOCIATED WITH COP25002 LUCKY STRIKE CASINO, SUBJECT TO CONDITIONS OF APPROVAL 1 THROUGH 21 AS PRESENTED BY STAFF. **Action:** Approved, **Moved by:** Commissioner Cody Wagner. **Seconded by:** Commissioner Barry Williams, Sr. **Vote:** Passed, **Summary:** Yes 6, No 1. **Yes:** Chairwoman McCullar, Vice-Chair Lewis, Commissioner Wagner, Commissioner Flores, Planning Commissioner Holt, Commissioner Williams, **No:** Commissioner VanderHeiden.

3.5. (For Possible Action) Consideration and possible action on a request from the Planning Department to amend the City of Fernley Development Code, Title 32, Chapter 9, Section 70 (Grading) and Chapter 2, Section 30 (Definitions), to add definitions for “Grubbing,” “Standard Grading,” and “Engineered Grading,” and to clarify grading permit thresholds, slope limitations, erosion and dust control, inspection, bonding, and enforcement requirements (Bill #370, CA25004).

Treston Rodriguez, Associate Planner, stated the purpose of this amendment is to update and clarify the city's grading standards. Specifically, it adds three new definitions, grubbing, standard grading, and engineered grading, so that we can better distinguish between small-scale site preparation and larger engineered grading activities. It also clarifies permit thresholds and strengthens our requirements for erosion control, dust suppression, slope protection, and stormwater management. Overall, the goal is to create cleaner expectations for applicants, more consistent enforcement, and improve environmental protection. Our current grading code does not clearly distinguish between small site preparation and large-scale engineered earthwork. This amendment creates cleaner, more enforceable thresholds and modernized standards that align with current engineering and environmental best practices. This amendment was developed collaboratively between the planning and engineering departments. The amendment further clarifies inspection requirements, establishes permit expiration timelines, and strengthens enforcement tools, including the ability to issue stop work orders or civil penalties for unpermitted or non-compliant grading. Overall, these updates modernize the code, improve accountability, and prevent environmental and drainage impacts before they occur. These updates directly support Master Plan policies related to drainage, slope stability, and sustainable land disturbance practices.

Motion: CONSIDERING THE INFORMATION PROVIDED BY STAFF PRESENTATIONS AND IN THE STAFF REPORT, I MOVE TO RECOMMEND THAT THE CITY COUNCIL APPROVED BILL # 370 ASSOCIATED WITH CA25004, AMENDING CHAPTER 32.09.070 (GRADING) AND CHAPTER 32.02.030 (DEFINITIONS) OF THE FERNLEY DEVELOPMENT CODE AS PROPOSED AND PRESENTED BY STAFF. **Action:** Approved, **Moved by:** Commissioner Cody Wagner, **Seconded by:** Commissioner Robert Flores. **Vote:** Passed. **Summary:** 7 Yes. **Yes:** Chairwoman McCullar, Vice-Chair Lewis, Commissioner Wagner, Commissioner VanderHeiden, Commissioner Flores, Planning Commissioner Holt, Commissioner Williams.

4. CHAIR AND COMMISSION ITEMS

4.1. (Possible Action) Discussion and possible action regarding potential inconsistencies within the Development Code. Item requested by Commissioner Garvin.

Chairwoman McCullar stated that this item was requested by Commissioner Garvin. She is out sick tonight, so we are going to table this until next time.

5. PLANNING DIRECTOR ITEMS

5.1. Update on City Council actions from September 17, 2025 to November 5, 2025.

Michele Rambo, Planning Director, gave an update on the City Council actions. The code amendments for home occupation and the trash enclosures both were adopted by Council. The tentative subdivision map for Chaparral was tabled to deal with some drainage issues. The development agreement amendment for Red Hawk was approved. The zoning map amendment for the Mayor's Park Farm District Road was approved, and the master plan amendment for the property at Sage and 95 was also approved.

5.2. General Planning Department updates and announcements.

Planning Director Rambo, stated the department has picked a consultant for the Master Plan update. It will get started in January and the Planning Commission will be involved in that process.

6. PUBLIC FORUM

There was no public input at this time.

7. ADJOURNMENT

There being no further business to come before it, the Fernley Planning Commission meeting adjourned at 6:51 pm.

The next Planning Commission meeting will be December 10, 2025.

Approved by the Fernley Planning Commission on December 10, 2025, by a vote of:

AYES _____ NAYS: _____ ABSTENTIONS: _____ ABSENT: _____

Chairwoman Jenni McCullar

ATTEST:



CITY OF FERNLEY

Planning Commission AGENDA REPORT

Meeting Date: December 10, 2025

REPORT TO:	Fernley Planning Commission
REPORT FROM:	Alisa Johansson

FINANCIAL IMPACT:	CURRENTLY BUDGETED:	FUND/ACCOUNT:
Yes: No: X	Yes: No: X	N/A.

ACTION REQUESTED: Motion

AGENDA ITEM:

(For Possible Action) Discussion and possible action regarding TPM25002, a Tentative Parcel Map request from Richard Depaoli dividing parcel 021-171-31 located in the Mixed Use zoning district and containing approximately 70.59 acres into three resulting lots. The site is located south of Cottonwood Lane, west of Jill Marie Lane, north of the Truckee Canal, and east of Brigit Circle.

AGENDA ITEM BRIEF:

A tentative parcel map request for parcel 021-171-31.

RECOMMENDED MOTION:

“Considering the analysis presented in the staff report, I move to approve TPM25002 dividing parcel 021-171-31 containing approximately 70.59 acres into three resulting lots.”

BUSINESS IMPACT (per NRS Chapter 237):

A Business Impact Statement is not required because this is not a rule (term excludes vehicles by which legislative powers are exercised under NRS Chapters 271, 278, 278A, or 278B).

See attached report for background, analysis, alternatives.

ALTERNATIVES:

“Considering the facts of the case, I move to deny TPM25002 because I am unable to make the following required findings:
(State finding and applicable rationale—repeat for each applicable finding).”

Although no other alternatives are provided, any motion comporting with Planning Commission parliamentary procedures is appropriate.

BACKGROUND:

Site & Vicinity

Located south of Cottonwood Lane and abutting the Truckee Canal in Central Fernley, the approximately 70.59-acre site is predominantly characterized by active, irrigated farming fields. Situated in the northwest corner of the property, an existing single-family residence and agricultural buildings contribute to the pastoral quality of the site. To the immediate west, north, and east, newer residential subdivisions with lot sizes of roughly one-quarter acre signal the encroaching growth of the City. Access is presently provided from Cottonwood Lane.

Analysis: Tentative Parcel Map

Recommendations and decisions on tentative maps shall be based on consideration of all of the following criteria.

1. Compliance with environmental and health laws and regulations concerning water and air pollution, solid waste disposal, water supply facilities, community or public sewage disposal, and, where applicable, individual systems for sewage disposal;

The project has been designed and conditioned to conform to all applicable identified regulations. Further analysis will occur prior to development on the resulting lots.

2. Availability of water that meets applicable health standards and is sufficient for the reasonably foreseeable needs of the subdivision;

Water rights appurtenant to the subject site will be addressed prior to recordation of the final map as conditioned on behalf of the Truckee-Carson Irrigation District. Public water is available in Cottonwood Lane.

3. Availability and accessibility of utilities;

Located within the established community core, the site is categorized as infill development. Infill development sites enjoy easy access to utilities and infrastructure thanks to existing developments and utility connections in the immediate vicinity.

4. Availability and accessibility of public services such as schools, police and fire protection, transportation, recreation facilities, and parks;

As noted above, infill development sites are conveniently located within established service networks within the City. Schools, police, fire protection, roadway and transportation networks, recreation facilities, and parks are located within short distance from the site or already serve the project area.

5. Consistency with the zoning district regulations;

The property's zoning district is presently shown as MU, Mixed Use. The lots proposed under the subject tentative map appear to meet all development standards for this zoning district and no apparent correction items were identified during review.

6. Conformity with the master streets and highways plan;

The proposal complies with the City's Transportation Master Plan. As no development is proposed at this time, there are no anticipated impacts to the City's roadway network or traffic operations resulting from this division of land.

7. Effect of the proposed subdivision on existing public streets and the need for new streets or highways to serve the subdivision;

The proposed parcel map is not anticipated to impose any adverse impacts on the City's roadway network, traffic operations, or access management. No new streets are anticipated to be needed to serve the resulting lots, though future development on the resulting lots may necessitate additional improvements.

8. Physical land characteristics, such as floodplain, slope, soil, and elevation differentials with abutting properties;

The site is not mapped within any mapped FEMA flood zones. There are no known physical land characteristics which would pose a hazard to adjoining properties as a result of this parcel map request.

9. Recommendations and comments of review bodies;

Comments and recommendations of review bodies, where not resulting in corrected plans, have been incorporated into the conditions of approval for the project.

10. Conformity to the master sewer and water utility plan; and

The project has been designed to conform to the Master Sewer and Water Utility Plans. Any new water or sewer service will be addressed prior to development of the resulting lots.

11. Compliance with this Code and all other applicable regulations.

The proposed tentative parcel map has been examined for conformance with applicable regulations and is anticipated to comply.

RELEVANT LAWS, STATUTES, AND REGULATIONS:

General

NRS 278 – Planning

Fernley Municipal Code, Title 32 – Development Code

Specific

NRS 278.461 through 469, inclusive – Parcel Maps

FMC 32.03.060 – Land Division Applications

FINANCIAL IMPLICATIONS:

None.

ATTACHMENTS:

1. Exhibit 1 - Tentative Parcel Map

2. Exhibit 2 - Draft Conditions of Approval
3. Exhibit 3 - Zoning and Vicinity Map

OWNER'S CERTIFICATE

THIS IS TO CERTIFY THAT THE UNDERSIGNED, RICHARD L. DEPAOLI AND MARY S. DEPAOLI, TRUSTEES OF THE DEPAOLI FAMILY TRUST DATED JUNE 2, 2025, OWNER OF THE TRACT OF LAND REPRESENTED ON THIS PLAT AND HAS CONSENTED TO THE PREPARATION AND RECORDATION OF THIS PLAT AND THAT THE SAME IS EXECUTED IN COMPLIANCE WITH AND SUBJECT TO THE PROVISIONS OF N.R.S. CHAPTER 278, AND THAT THE EASEMENTS AS SHOWN FOR UTILITY PURPOSES ARE HEREBY GRANTED, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOREVER.

BY: RICHARD L. DEPAOLI, TRUSTEE _____ DATE _____

BY: MARY S. DEPAOLI, TRUSTEE _____ DATE _____

STATE OF _____ } S.S.
COUNTY OF _____ }

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON _____

BY RICHARD L. DEPAOLI AND MARY S. DEPAOLI, PERSONALLY APPEARED BEFORE ME, A NOTARY PUBLIC, WHO ACKNOWLEDGED THAT THEY EXECUTED THE ABOVE INSTRUMENT.

NOTARY PUBLIC _____
(MY COMMISSION EXPIRES _____)

CITY SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE FINAL PARCEL MAP HAS BEEN EXAMINED AND I AM SATISFIED THAT THIS MAP IS TECHNICALLY CORRECT.

CITY SURVEYOR _____ DATE _____

PRINTED NAME: _____

CITY OF FERNLEY CERTIFICATE

IT IS HEREBY CERTIFIED THAT THIS PARCEL MAP IS IN SUBSTANTIAL COMPLIANCE WITH THE CITY OF FERNLEY WATER, WASTEWATER, ROADWAY AND DRAINAGE STANDARDS AND REGULATIONS AND THAT ALL REQUIRED IMPROVEMENTS HAVE BEEN COMPLETED OR PROPER FINANCIAL SECURITY HAS BEEN POSTED GUARANTEEING COMPLETION OF THIS PARCEL MAP AND ALL CONDITIONS OF APPROVAL HAVE BEEN SATISFIED. THERE ARE NO PUBLIC ROADS OFFERED FOR DEDICATION AS PART OF THIS MAP.

CITY OF FERNLEY ENGINEER _____ DATE _____

PRINTED NAME: _____

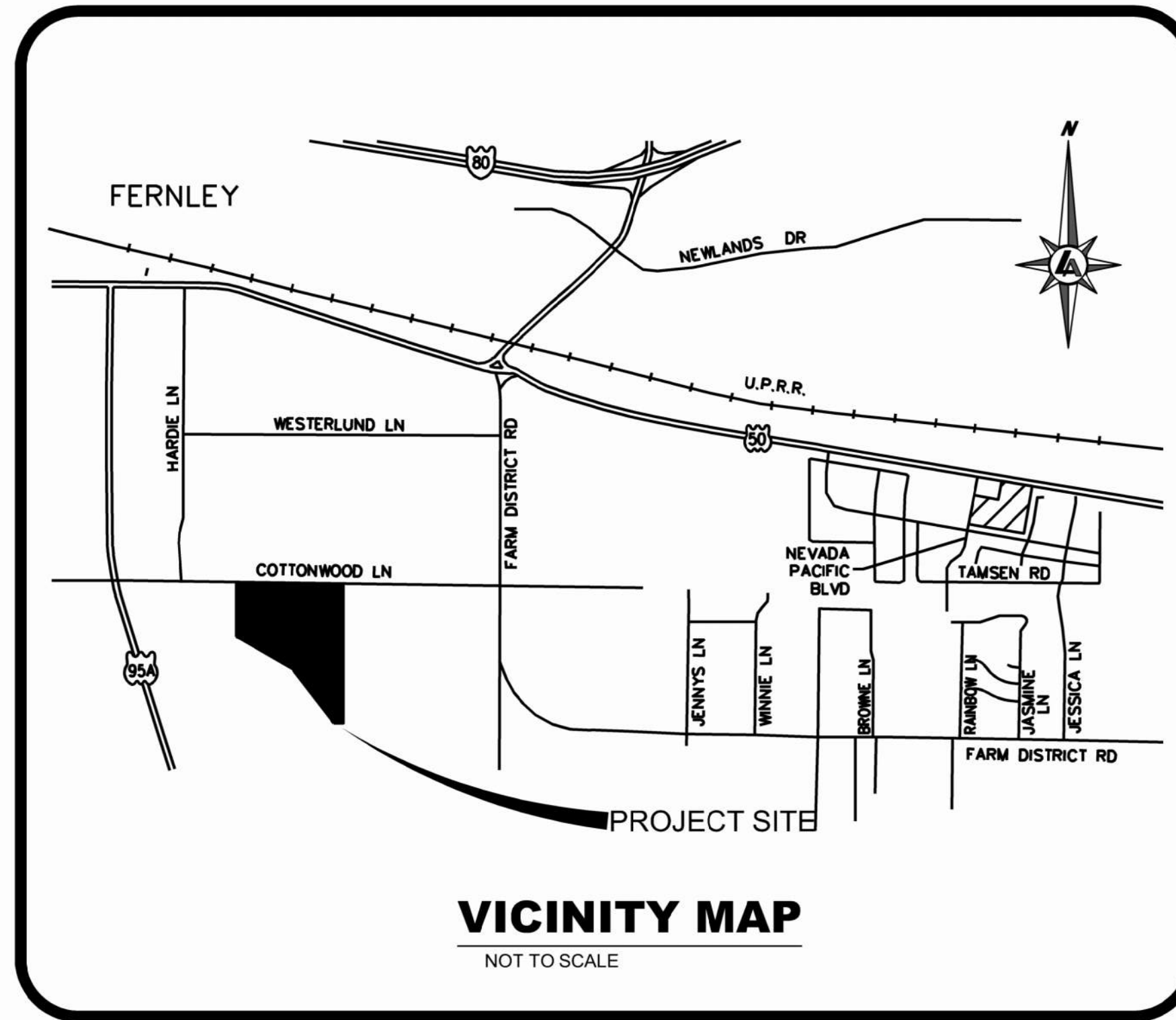
CITY OF FERNLEY PLANNING DIRECTOR _____ DATE _____

PRINTED NAME: _____

TITLE COMPANY CERTIFICATE

THE UNDERSIGNED HEREBY CERTIFIES THAT THIS PLAT HAS BEEN EXAMINED AND THE SUBDIVIDERS OFFERING THIS PLAT ARE THE LAST TITLE HOLDER OF RECORD FOR ALL THE LANDS DELINEATED HEREON, AND THAT THERE ARE NO HOLDERS OF SECURITY INTEREST CREATED BY MORTGAGE OR DEED OF TRUST AND THAT THERE ARE NO LIENS OF RECORD AGAINST THE LANDS DELINEATED HEREON FOR DELINQUENT STATE, COUNTY, MUNICIPAL, FEDERAL OR LOCAL TAXES OR ASSESSMENTS COLLECTED AS TAXES OR SPECIAL ASSESSMENTS.

BY: _____
TITLE: _____



TRUCKEE-CARSON IRRIGATION DISTRICT

I, BENJAMIN D. SHAWCROFT, ESQ., GENERAL MANAGER OF THE TRUCKEE-CARSON IRRIGATION DISTRICT (DISTRICT) DOES HEREBY DECLARE AS FOLLOWS:

- EVERY PARCEL DEPICTED UPON THIS MAP LIES WITHIN THE GEO-PHYSICAL BOUNDARIES OF THE NEWLANDS FEDERAL RECLAMATION PROJECT (PROJECT) ESTABLISHED BY ACT OF CONGRESS IN 1902 (32 STAT. 388), AND THE BOUNDARIES OF THE DISTRICT AS AUTHORIZED BY THE NEVADA IRRIGATION DISTRICT ACT (NRS 539.010 ET SEQ.). DEPICTED ON THIS MAP ARE PROJECT EASEMENTS AND/OR RIGHTS OF WAY FOR THE CONSTRUCTION, MAINTENANCE, AND/OR OPERATION OF PROJECT CANALS, LATERALS, DRAINS, AND/OR FACILITIES. OBSTRUCTIONS AND/OR NUISANCES TO OR WITHIN PROJECT CANALS, LATERALS, DRAINS, AND/OR FACILITIES, ARE IMPERMISSIBLE.
- THE DISTRICT BY AGREEMENT WITH THE UNITED STATES OF AMERICA, THROUGH THE BUREAU OF RECLAMATION (RECLAMATION) OF THE DEPARTMENT OF THE INTERIOR, IS THE AGENT FOR THE OPERATION AND MAINTENANCE OF THE PROJECT. THE DISTRICT IS AUTHORIZED TO ENTER PROJECT EASEMENTS AND/OR RIGHTS OF WAY FOR ALL LAWFUL PURPOSES ASSOCIATED WITH THE OPERATION AND MAINTENANCE OF THE PROJECT.
- ALL LANDS DEPICTED HEREON, HAVING SURFACE WATER RIGHTS APPURTENANT THERETO, ARE SUBJECT TO REGULATION BY THE DISTRICT FOR THE DELIVERY AND DISTRIBUTION OF WATER AS PROVIDED FOR BY NRS 539.233.
- THE DISTRICT ASSUMES NO LEGAL DUTY, AS TO THE LANDS DEPICTED HEREON, FOR THE INSPECTION OR REVIEW OF PAST OR FUTURE HYDROLOGIC CONDITIONS, INCLUDING, WITHOUT LIMITATION, CHANGES TO SURFACE OR GROUNDWATER SOURCES, WATER TABLES, OR FLOODING, AND MAKES NO CLAIM OR WARRANTY AS TO THE EXISTENCE OF SUCH ADVERSE HYDROLOGIC CONDITION(S) NOW ATTENDING THE LANDS, OR EXISTING STRUCTURES, OR AS TO ANY STRUCTURE(S) TO BE PLANNED OR TO BE CONSTRUCTED THEREON.
- THE DISTRICT ASSUMES NO LEGAL DUTY FOR, NOR MAKES ANY WARRANTY ASSOCIATED WITH, THE ACCURACY OF THE WATER RIGHTS DEPICTED ON THIS MAP.

BENJAMIN D. SHAWCROFT, ESQ. _____ DATE _____
DISTRICT MANAGER

G.I.S. CERTIFICATE

A DIGITAL COPY OF THIS MAP HAS BEEN DELIVERED TO THE CITY OF FERNLEY AND LYON COUNTY G.I.S. DEPARTMENTS.

CITY OF FERNLEY G.I.S. DEPARTMENT _____ DATE _____

PRINTED NAME: _____

COUNTY OF LYON G.I.S. DEPARTMENT _____ DATE _____

PRINTED NAME: _____

RIGHT TO FARM

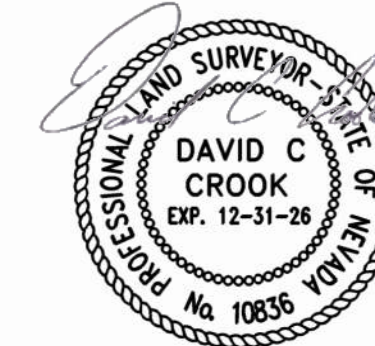
THE LANDS SHOWN HEREON ARE SUBJECT TO THE RIGHT TO FARM ORDINANCE AS SET FORTH IN THE CITY OF FERNLEY CITY CODE, TITLE 10.

SURVEYOR'S CERTIFICATE

I, DAVID C. CROOK, A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF NEVADA, AS AGENT FOR LUMOS AND ASSOCIATES, INC., CERTIFY THAT:

- THIS PLAT REPRESENTS THE RESULTS OF A SURVEY CONDUCTED UNDER MY DIRECT SUPERVISION AT THE INSTANCE OF RICHARD L. DEPAOLI AND MARY S. DEPAOLI.
- THE LANDS SURVEYED LIE WITHIN THE NW1/4 OF SECTION 24, T.20 N., R.24 E., M.D.M., AND THE SURVEY WAS COMPLETED ON _____.
- THIS PLAT COMPLIES WITH THE APPLICABLE STATE STATUTES AND ANY LOCAL ORDINANCES IN EFFECT ON THE DATE THAT THE GOVERNING BODY GAVE ITS FINAL APPROVAL.
- THE MONUMENTS DEPICTED ON THE PLAT ARE OF THE CHARTER SHOWN, OCCUPY THE POSITIONS INDICATED AND ARE OF SUFFICIENT NUMBER AND DURABILITY.

DAVID C. CROOK, P.L.S.
NEVADA CERTIFICATE No. 10836



11/24/2025

UTILITY COMPANY'S CERTIFICATE

THE UTILITY EASEMENTS SHOWN ON THIS PLAT HAVE BEEN CHECKED, ACCEPTED, AND APPROVED BY THE UNDERSIGNED PUBLIC UTILITY AND CABLE TV COMPANIES.

SIERRA PACIFIC POWER CO. d/b/a NV ENERGY _____ DATE _____

BY: _____

TITLE: _____

NEVADA BELL TELEPHONE CO. d/b/a AT&T NEVADA _____ DATE _____

BY: _____

TITLE: _____

CHARTER COMMUNICATIONS _____ DATE _____

BY: _____

TITLE: _____

SOUTHWEST GAS CORPORATION _____ DATE _____

BY: _____

TITLE: _____

COUNTY CLERK'S CERTIFICATE

THE UNDERSIGNED HEREBY CERTIFIES THAT THERE ARE NO LIENS FOR UNPAID STATE, COUNTY, CITY OR LOCAL TAXES OR SPECIAL ASSESSMENTS AND THAT ALL TAXES FOR THE FISCAL YEAR HAVE BEEN PAID ON THE PROPERTY SHOWN HEREON. A.P.N. 021-171-31

BY: _____ DATE: _____
LYON COUNTY CLERK / TREASURER

PRINTED NAME: _____

TCID NO. 25-23

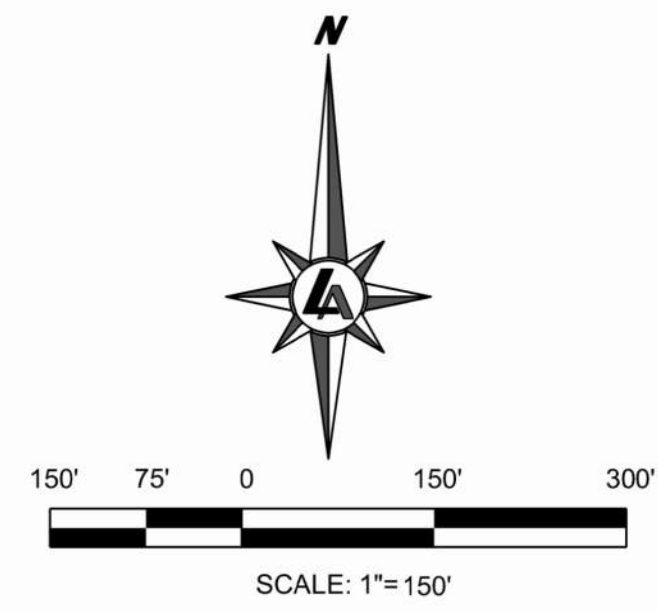
FILED No. _____ FEE: _____ FILE FOR RECORD AT THE REQUEST OF LUMOS & ASSOCIATES, INC. ON THIS _____ DAY OF _____ 20____, AT _____ MINUTES PAST _____ O'CLOCK _____ M., OFFICIAL RECORDS OF LYON COUNTY, NEVADA. ANITA TALBOT COUNTY RECORDER BY: _____ DEPUTY	PARCEL MAP FOR THE DEPAOLI FAMILY TRUST DATED JUNE 2, 2025 BEING A DIVISION OF PARCEL 2 AS SHOWN ON PARCEL MAP FILE NO. 174150 SITUATE WITHIN A PORTION OF THE THE NW 1/4 OF SECTION 24, TOWNSHIP 20 NORTH, RANGE 24 EAST, M.D.M. CITY OF FERNLEY LYON COUNTY STATE OF NEVADA
	Drawn By : DCC / CCM Sheet : 1 of 2 Job No. : 12173.000 Drawing No.: 12173000SURVEY.DWG



275 W. WILLIAMS AVENUE
FALLON, NV 89406
TEL: 775.423.2188
LUMOSINC.COM

ADJOINERS OF SUBJECT PROPERTY

- | | |
|--|--|
| 1) APN: 022-391-11
MCGREEVY, JAMES A
PAR 46522 | 16) APN: 020-485-14
GILLESPIE, BRAD C & KATY
PAR 197024 |
| 2) APN: 021-171-30
DERLEY, ROYCE
DERLEY, JENNIFER
DEPAOLI, RICHARD
DEPAOLI, SANDRA
PAR 174150 | 17) APN: 022-613-05
MERCADO, TRACY O
SUB 663002 |
| 3) APN: 022-391-10
POPE, MICHAEL J & PATRICIA L
PAR 46522 | 18) APN: 022-613-04
LITTLE, BRIAN
SUB 663002 |
| 4) APN: 022-391-09
CITY OF FERNLEY
PAR 46522 | 19) APN: 022-613-03
CALIMBAS, RON RIELA
SUB 663002 |
| 5) APN: 021-171-47
KING, EDWARD W & JAYNEE R
PAR 212074 | 20) APN: 022-613-02
RIDDLE, JASON KYLE
SUB 663002 |
| 6) APN: 021-171-48
KING, EDWARD W & JAYNEE R
PAR 212074 | 21) APN: 022-613-01
REECE, NIGEL JEFFERSON
SUB 663002 |
| 7) APN: 021-171-16
U.S. BUREAU OF RECLAMATION | 22) APN: 022-614-01
LAVOIE, EDRIE E
SUB 663002 |
| 8) APN: 021-171-27
GOPHER CONSTRUCTION CO.
PAR 46522 | 23) APN: 022-614-02
ZARATE, JANET RIOS
SUB 663002 |
| 9) APN: 021-181-02
U.S. BUREAU OF RECLAMATION | 24) APN: 022-614-03
DIAZ, TRACY LYNN
SUB 663002 |
| 10) APN: 020-291-01
TITTLE, VON | 25) APN: 022-614-04
WILCOX, LORRAINE M
SUB 663002 |
| 11) APN: 020-484-02
RYLE, CALVIN
SUB 173191 | 26) APN: 022-614-05
WOOLEY, JAMES III
SHORT, DANIELLE FRANCINE
SUB 663002 |
| 12) APN: 020-484-01
SERVICE, COLE
SERVICE, DOUGLAS BRIAN
SERVICE, KELLY
PAR 173191 | 27) APN: 022-614-06
HAAR, LESLIE CARROLL
MITCHELL, WILLIAM WELLS
SUB 663002 |
| 13) APN: 020-484-04
DOLAN, KATHLEEN F
CUNNINGHAM, MELLISSA A
MARTIN, ARMAND R
PAR 197024 | 28) APN: 022-614-07
ROSA, ANGELA MARIE
ROSA, ANGELA
SUB 663002 |
| 14) APN: 020-484-03
COLBRESE, LESLIE L
PAR 197024 | 29) APN: 022-614-08
NAFIN, ARIEL
SUB 663002 |
| 15) APN: 020-485-15
COUNTERMAN, DOUGLAS ROY
COUNTERMAN, SKYLER TRAVIS
PAR 197024 | |



AREA

PARCEL 1: 47.70± ACRES
 PARCEL 2: 12.60± ACRES
 PARCEL 3: 10.28± ACRES
 TOTAL AREA: 70.58± ACRES

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY IS S0°07'52"W, BEING THE EAST LINE OF THE SE 1/4 OF THE NW 1/4 OF SECTION 24, T20N, R24E, MDM, AND BASED ON THE NEVADA STATE PLANE COORDINATE SYSTEM, WEST ZONE NAD83(94) BASED UPON REAL TIME KINEMATIC GPS OBSERVATIONS, OBSERVED JUNE 25, 2025 USING A SURVEY GRADE DUAL FREQUENCY GPS RECEIVER FROM NEVADA DEPARTMENT OF TRANSPORTATION MONUMENT 1528006 MODIFIED BY A COMBINED SCALE FACTOR OF 1.000245, SCALED FROM 0.00N, 0.00E AND CONVERTED TO U.S. SURVEY FEET. ALL DIMENSIONS ON THIS MAP ARE GROUND DISTANCES.

REFERENCES

- (R1) PRELIMINARY REPORT PREPARED BY FIRST AMERICAN TITLE COMPANY, DATED JUNE 23, 2025, ORDER No. 25050578-CT-1.
- (R2) PARCEL MAP FOR LYLE O. & MARY E. McCARTNEY, FILED JUNE 26, 1979 AS FILE No. 46522 IN THE OFFICIAL RECORDS OF LYON COUNTY, NEVADA.
- (R3) RECORD OF SURVEY FOR FERNELY TOWN AND LYLE O. & MARY E. McCARTNEY, FILED JULY 26, 1988 AS FILE No. 117677 IN THE OFFICIAL RECORDS OF LYON COUNTY, NEVADA.
- (R4) PARCEL MAP FOR RICHARD L. & SANDRA DEPAOLI, FILED AUGUST 10, 1994 AS FILE No. 174150 IN THE OFFICIAL RECORDS OF LYON COUNTY, NEVADA.
- (R5) PARCEL MAP FOR THE TOWN OF FERNLEY, FILED APRIL 15, 1996 AS FILE No. 192249 IN THE OFFICIAL RECORDS OF LYON COUNTY, NEVADA.
- (R6) PARCEL MAP FOR HIATT ENTERPRISES, INC., FILED NOVEMBER 12, 1997 AS FILE No. 212074 IN THE OFFICIAL RECORDS OF LYON COUNTY, NEVADA.
- (R7) PLAT OF SKYRIDGE ESTATES No. 1, FILED ON JANUARY 6, 2006 AS FILE No. 372322 IN THE OFFICIAL RECORDS OF LYON COUNTY, NEVADA.
- (R8) USRS TRUCKEE CARSON PROPERTY AND STRUCTURE MAP SECTION 24 TOWNSHIP 20 NORTH, RANGE 24 EAST.
- (R9) GRANT OF EASEMENT, FILED ON MARCH 17, 2014 AS FILE No. 519165 IN THE OFFICIAL RECORDS OF LYON COUNTY, NEVADA.

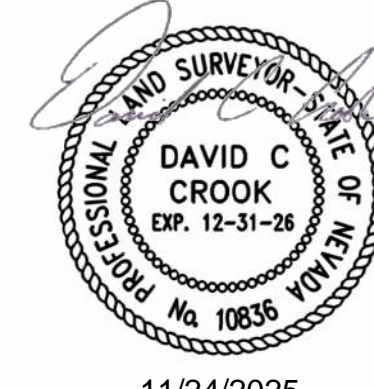
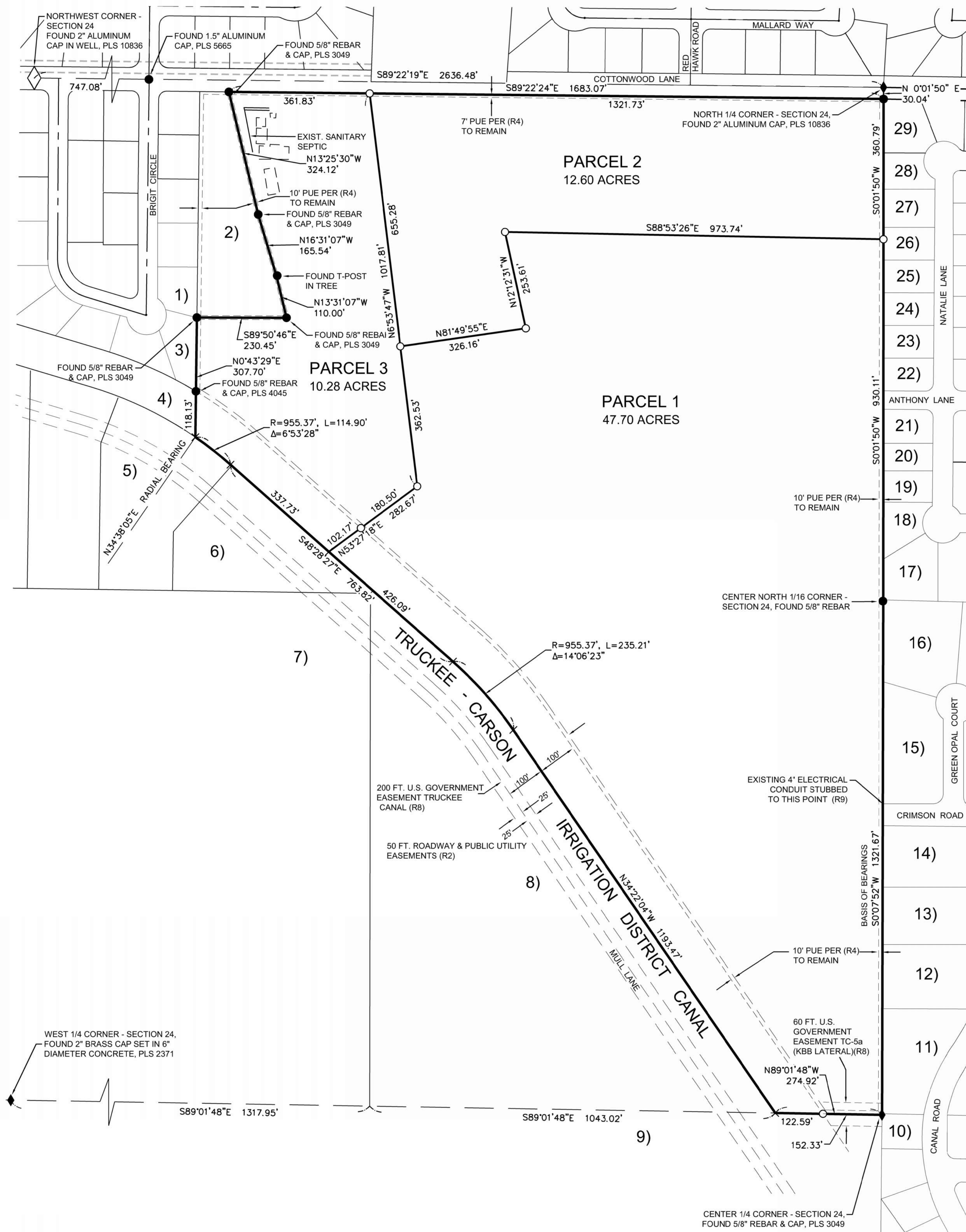
NOTES

1. LEGAL DESCRIPTION:
A DIVISION OF PARCEL 2 AS SHOWN ON PARCEL MAP FILE NO. 174150, SITUATE WITHIN A PORTION OF THE NW 1/4 OF SECTION 24, T.20N., R.24E., M.D.M.
2. PROPOSED PARCEL SIZE:
PARCEL 1: 47.70± ACRES
PARCEL 2: 12.60± ACRES
PARCEL 3: 10.28± ACRES

TOTAL AREA: 70.58± ACRES
3. CURRENT ZONING = MULTI-USE (MU)
CURRENT MASTER PLAN DESIGNATION = SINGLE FAMILY RESIDENTIAL (SFR)
4. A PUBLIC UTILITY EASEMENT HEREBY GRANTED WITHIN EACH PARCEL FOR THE EXCLUSIVE PURPOSE OF INSTALLING AND MAINTAINING UTILITY SERVICE FACILITIES TO THAT PARCEL, WITH THE RIGHT TO EXIT THAT PARCEL WITH SAID UTILITY FACILITIES FOR THE PURPOSE OF SERVICING OTHER PARCELS, AT LOCATIONS MUTUALLY AGREED UPON BY OWNER OF RECORD AT THAT TIME OF INSTALLATION AND THE UTILITY COMPANY.
3. PUBLIC UTILITY EASEMENTS ARE HEREBY GRANTED, 10' IN WIDTH CENTERED ON ALL INTERIOR PROPERTY LINES.
4. ALL PUBLIC UTILITY EASEMENTS SHALL INCLUDE CABLE TELEVISION.
5. A PUBLIC UTILITY EASEMENT IS HEREBY GRANTED TO SOUTHWEST GAS CORPORATION WITHIN EACH PARCEL AS SHOWN FOR THE EXCLUSIVE PURPOSE OF INSTALLING AND MAINTAINING UTILITY SERVICE FACILITIES TO THAT PARCEL, WITH THE RIGHT TO EXIT THAT PARCEL WITH SAID UTILITY FACILITIES FOR THE PURPOSE OF SERVING ADJACENT PARCELS.

LEGEND

- EXTERIOR BOUNDARY - GRAPHIC BORDER
- SUBJECT PARCEL LINE
- ADJOINING PARCEL LINE
- CENTERLINE
- - - EASEMENT SIDELINE AS SHOWN
- - - EXISTING BUILDING LINE
- FOUND 5/8" REBAR NO CAP/TAG UNLESS OTHERWISE NOTED
- SET 5/8" REBAR AND CAP, PLS 10836
- ◆ PUBLIC LAND SURVEY SYSTEM 1/4 SECTION CORNER
- ◇ PUBLIC LAND SURVEY SYSTEM SECTION CORNER
- 12) ADJOINER ASSESSOR DATA (SEE TABLE)
- (R2) RECORD DIMENSION PER REFERENCED DOCUMENT
- × DIMENSION POINT - NOTHING FOUND OR SET



11/24/2025

TCID No. 25-23

PARCEL MAP

FOR
THE DEPAOLI FAMILY TRUST DATED JUNE 2, 2025

BEING A DIVISION OF PARCEL 2 AS SHOWN ON PARCEL MAP FILE NO. 174150
 SITUATE WITHIN A PORTION OF THE THE NW 1/4 OF
 SECTION 24, TOWNSHIP 20 NORTH, RANGE 24 EAST, M.D.M.
 CITY OF FERNLEY LYON COUNTY STATE OF NEVADA



275 W. WILLIAMS AVENUE
 FALLON, NV 89406
 TEL: 775-423-2188
 LUMOSINC.COM

Drawn By : DCC / CCM
 Sheet 2 of 2
 Job No. : 12173000
 Drawing No. : 12173000SURVEY.DWG

Conditions of Approval for TPM25002

TENTATIVE PARCEL MAP

SCOPE AND DURATION OF APPROVAL

1. APPROVAL:

THE PROJECT IS APPROVED AS CONDITIONED AND DESCRIBED BELOW. ANY SUBSTANTIVE CHANGE SHALL REQUIRE APPROVAL FROM THE CITY OF FERNLEY AND SHALL BE PROCESSED AS OUTLINED IN THE DEVELOPMENT CODE.

2. PROJECT DESCRIPTION:

THE PROJECT APPROVAL IS LIMITED TO A TENTATIVE PARCEL MAP DIVIDING PARCEL 021-171-31 CONTAINING APPROXIMATELY 70.59 ACRES INTO THREE RESULTING LOTS OF VARIOUS SIZES. EXISTING DEVELOPMENT IS PROPOSED TO REMAIN. NO FURTHER DEVELOPMENT IS PLANNED AT THIS TIME.

3. EXPIRATION DATE:

THE TENTATIVE PARCEL MAP SHALL EXPIRE WITHIN FOUR (4) YEARS OF THE DATE OF THE PLANNING COMMISSION APPROVAL, UNLESS AN EXTENSION OF TIME OF UP TO TWO (2) YEARS HAS BEEN APPROVED BY THE PLANNING COMMISSION OR THE FINAL PARCEL MAP OR A PHASE OF THE FINAL PARCEL MAP HAS BEEN RECORDED.

4. GOVERNING DOCUMENTS:

ALL CITY OF FERNLEY MUNICIPAL CODE (FMC) REFERENCES HEREIN PERTAIN TO THE VERSION OF THE CODE ESTABLISHED BY ORDINANCE NUMBER 2024-011 UNLESS OTHERWISE NOTED. THE DEVELOPER MAY SUBSTITUTE REQUIREMENTS ESTABLISHED IN FUTURE FMC UPDATES, IF APPROVED BY THE ADMINISTRATOR.

THE DEVELOPER SHALL ALSO COMPLY WITH ALL STANDARDS FOUND WITHIN "CITY OF FERNLEY DEPARTMENT OF PUBLIC WORKS DESIGN STANDARDS & REVIEW GUIDELINES" AS UPDATED MARCH 2024, "CITY OF FERNLEY STANDARD DETAILS FOR PUBLIC WORKS CONSTRUCTION" AS UPDATED JULY 2022, AND "CITY OF FERNLEY COMPREHENSIVE MASTER PLAN" AS UPDATED APRIL 2024.

DESIGN STANDARDS

5. DESIGN STANDARDS:

THE DEVELOPER SHALL COMPLY WITH THE DESIGN STANDARDS AND REGULATIONS AS SET FORTH IN THE CITY OF FERNLEY'S DEVELOPMENT CODE AND PUBLIC WORKS MANUAL UNLESS IN CONFLICT WITH LOCAL, STATE, OR FEDERAL REGULATIONS, IN WHICH CASE THE MORE STRINGENT REGULATION WILL TAKE PRECEDENCE.

6. ENGINEERING DEPARTMENT:

THE DEVELOPER SHALL COMPLY WITH ALL ENGINEERING REQUIREMENTS WITHIN FERNLEY MUNICIPAL CODE TITLE 32, INCLUDING BUT NOT LIMITED TO, COMPLIANCE WITH SITE DEVELOPMENT STANDARDS, FLOODPLAIN MANAGEMENT, ROADWAYS, UNDERGROUNDING OF UTILITIES, AND WATER AND WASTEWATER FACILITIES TO THE APPROVAL OF THE ADMINISTRATOR, CITY ENGINEER, AND PUBLIC WORKS DIRECTOR PRIOR TO THE RECORDATION OF ANY FINAL MAP FOR THE PROJECT.

7. LEGAL ACCESS:

THE DEVELOPER SHALL DEMONSTRATE THAT LEGAL ACCESS IS PROVIDED TO EACH PROPOSED PARCEL TO THE APPROVAL OF THE ADMINISTRATOR, CITY ENGINEER, AND PUBLIC WORKS DIRECTOR PRIOR TO THE RECORDATION OF THE FINAL PARCEL MAP FOR THE PROJECT.

GIVEN THE SURROUNDING RESIDENTIAL CONTEXT, ANTHONY LANE AND/OR CRIMSON

Conditions of Approval for TPM25002

TENTATIVE PARCEL MAP

ROAD SHALL ONLY BE USED FOR ACCESS TO FUTURE RESIDENTIAL DEVELOPMENT PROJECTS. ALL OTHER DEVELOPMENT TYPES SHALL GAIN ACCESS FROM COTTONWOOD LANE.

8. DRAINAGE AND GRADING:

THE DEVELOPER SHALL COMPLY WITH ALL REQUIREMENTS OF THE CITY'S MUNICIPAL CODE CHAPTER 32 (DRAINAGE AND GRADING) AND CHAPTER 10 OF THE CITY OF FERNLEY'S PUBLIC WORKS DESIGN MANUAL TO THE APPROVAL OF THE ADMINISTRATOR, CITY ENGINEER, AND PUBLIC WORKS DIRECTOR.

BUILDING PERMIT REQUIREMENTS

9. STREET IMPROVEMENTS:

THE DEVELOPER SHALL CONSTRUCT ANY ROADWAY IMPROVEMENTS NECESSARY TO SERVE THE PROJECT TO THE APPROVAL OF THE ADMINISTRATOR, CITY ENGINEER, AND PUBLIC WORKS DIRECTOR.

10. IMPROVEMENT PLANS SECURITY:

WITH THE SUBMITTAL OF ANY FINAL MAP APPLICATION FOR THE PROJECT, THE DEVELOPER SHALL CONSTRUCT ALL REQUIRED PUBLIC IMPROVEMENTS OR PROVIDE A SECURITY IN ACCORDANCE WITH THE PROVISIONS SET FORTH IN TITLE 32, (IMPROVEMENTS AND AGREEMENTS) OF THE FERNLEY MUNICIPAL CODE AND COMPLETE THE MINIMUM IMPROVEMENTS IDENTIFIED IN TITLE 32.03.060 OF THE CITY OF FERNLEY MUNICIPAL CODE.

11. WATER RIGHTS:

THE DEVELOPER SHALL COMPLY WITH ALL CITY OF FERNLEY MUNICIPAL CODES REGARDING THE DEDICATION OF WATER RIGHTS AND ALL ASSOCIATED FEES FOR THE CONNECTION TO THE CITY'S MUNICIPAL WATER SYSTEM IN THE AMOUNT THAT IS REQUIRED PRIOR TO THE RECORDATION OF A FINAL MAP.

12. WATER AND SEWER MAINS AND SERVICES:

THE DEVELOPER SHALL COMPLY WITH ALL STANDARDS, CODES, AND REQUIREMENTS REGARDING CONNECTION TO THE CITY'S SANITARY SEWER AND POTABLE WATER SYSTEMS, INCLUDING BUT NOT LIMITED TO, ASSOCIATED FEES, EASEMENTS, DESIGN STANDARDS, SYSTEM LOOPING, DEVELOPMENT CODE REQUIREMENTS, AND STATE REQUIREMENTS.

ALONG WITH THE SUBMITTAL OF A FINAL MAP FOR ANY PHASE OF THE PROJECT, THE DEVELOPER SHALL PROVIDE THE CITY WITH A UTILITY PLAN FOR WATER AND SANITARY SEWER THAT IS IN CONFORMANCE WITH THE NEVADA ADMINISTRATIVE CODE 445A, THE CITY OF FERNLEY'S MUNICIPAL CODE, AND PUBLIC WORKS DESIGN MANUAL TO THE APPROVAL OF THE CITY ENGINEER, PUBLIC WORKS DIRECTOR, AND THE ADMINISTRATOR.

13. WATER AND SEWER SYSTEM MODELING:

PRIOR TO ISSUANCE OF A BUILDING PERMIT, THE DEVELOPER SHALL COMPLETE WATER AND SEWER MODELING AND CONSTRUCT ANY IMPROVEMENTS IDENTIFIED AS NECESSARY TO SERVE THE PROJECT IN ACCORDANCE WITH STATE AND LOCAL REGULATIONS. THIS REQUIREMENT IS SUBJECT TO APPROVAL OF THE CITY ENGINEER AND PUBLIC WORKS DIRECTOR.

REGULATORY AGENCIES

14. TRUCKEE-CARSON IRRIGATION DISTRICT:

Conditions of Approval for TPM25002

TENTATIVE PARCEL MAP

WATER RIGHTS APPURTENANT TO THE SUBJECT SITE MUST BE ADDRESSED TO THE SATISFACTION OF TCID PRIOR TO RECORDATION OF ANY FINAL MAP ASSOCIATED WITH THE PROJECT.

15. NORTH LYON COUNTY FIRE PROTECTION DISTRICT:

THE DEVELOPER SHALL COMPLY WITH ALL REQUIREMENTS OF THE MOST RECENT FIRE CODE ADOPTED BY THE NORTH LYON COUNTY FIRE PROTECTION DISTRICT, TO THE APPROVAL OF THE FIRE CHIEF, FIRE MARSHAL, OR DESIGNEE.

16. FEDERAL, STATE, AND LOCAL AGENCIES:

THE DEVELOPER SHALL COMPLY WITH ALL REQUIREMENTS OF ANY FEDERAL, STATE, LOCAL AGENCY, DEPARTMENT, OR LICENSED PROFESSIONAL WITH JURISDICTION OVER THE PROJECT INCLUDING, BUT NOT LIMITED TO: BUREAU OF RECLAMATION (BOR), NEVADA DEPARTMENT OF TRANSPORTATION (NDOT), NEVADA DIVISION OF ENVIRONMENTAL PROTECTION (NDEP), NEVADA DIVISION OF WATER RESOURCES (NDWR), NEVADA BUREAU OF WATER POLLUTION CONTROL, NEVADA BUREAU OF SAFE DRINKING WATER, NEVADA STATE ENVIRONMENTAL COMMISSION, TRUCKEE CARSON IRRIGATION DISTRICT (TCID), THE CITY OF FERNLEY BUILDING OFFICIAL, THE CITY OF FERNLEY ENGINEER, CITY OF FERNLEY PLANNING DEPARTMENT, AND CITY OF FERNLEY PUBLIC WORKS DEPARTMENT.

17. POSTAL SERVICE:

PRIOR TO ISSUANCE OF ANY FUTURE BUILDING PERMIT FOR ANY PHASE OF DEVELOPMENT, THE DEVELOPER SHALL COMPLY WITH ALL REQUIREMENTS OF THE UNITED STATES POSTAL SERVICE FOR MAIL DELIVERY, MAILBOX DESIGN, AND MAILBOX LOCATION FOR THAT PHASE. THIS REQUIREMENT IS SUBJECT TO APPROVAL OF THE ADMINISTRATOR, CITY ENGINEER, FERNLEY POSTMASTER, AND PUBLIC WORKS DIRECTOR.

18. ADDRESSING:

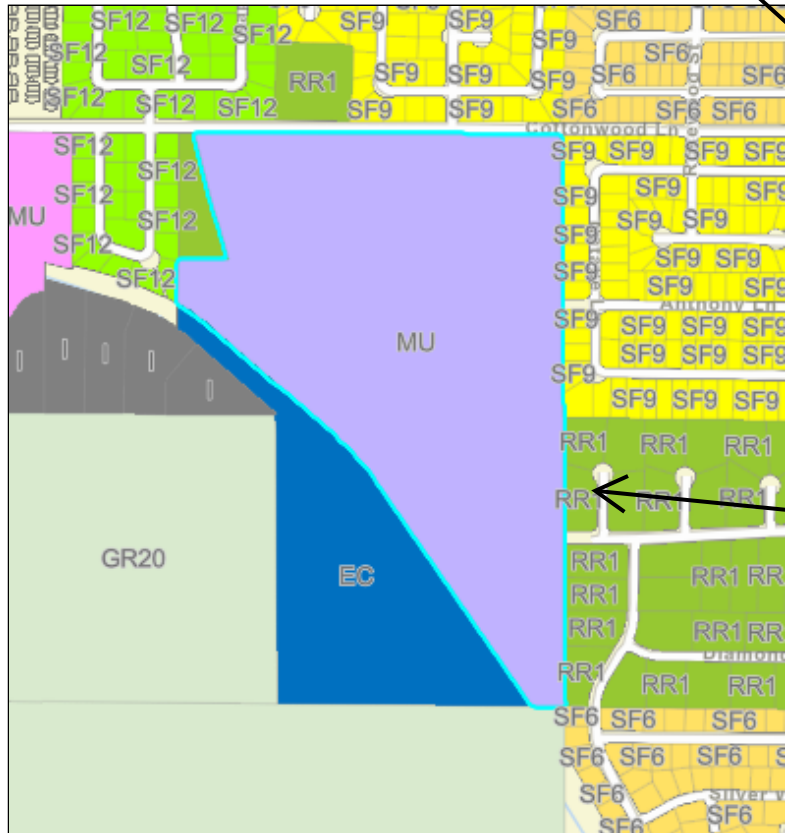
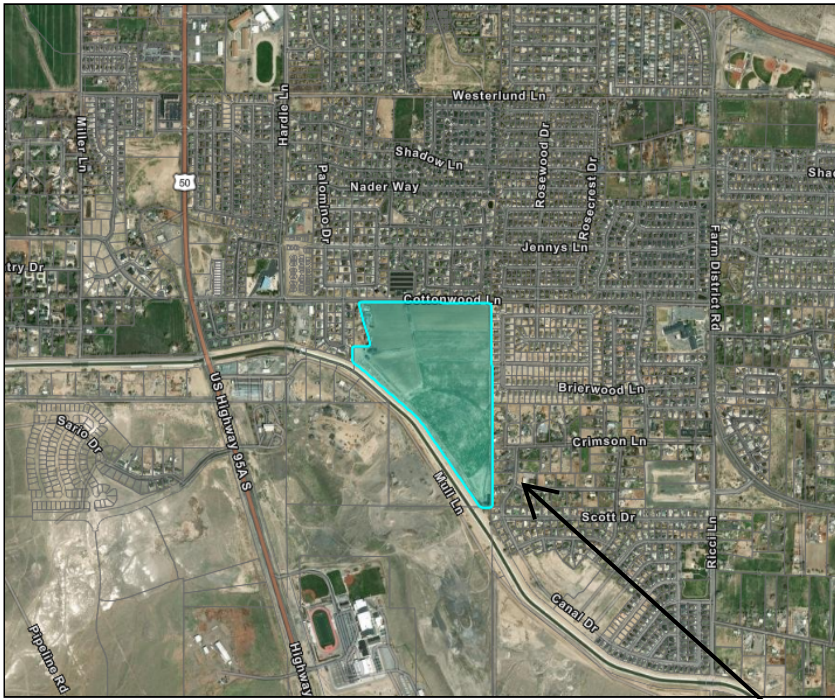
THE DEVELOPER SHALL SUBMIT A REQUEST FOR ADDRESS FORM TO THE CITY OF FERNLEY ENGINEERING DEPARTMENT FOR REVIEW AND APPROVAL. ALL ADDRESSING SHALL BE COMPLETED BY THE CITY PRIOR TO ISSUANCE OF A BUILDING PERMIT.

19. NEVADA DEPARTMENT OF ENVIRONMENTAL PROTECTION:

THE DEVELOPER SHALL COMPLY WITH ALL REQUIREMENTS OF THE NEVADA DEPARTMENT OF ENVIRONMENTAL PROTECTION BUREAU OF SAFE DRINKING WATER AND BUREAU OF WATER POLLUTION CONTROL FOR THE WATER AND SEWER INFRASTRUCTURE DESIGN AND CONSTRUCTION TO THE APPROVAL OF THE ADMINISTRATOR, PUBLIC WORKS DIRECTOR, AND CITY ENGINEER.

20. NEVADA REVISED STATUES 278 COMPLIANCE:

THE FINAL MAP SHALL CONFORM TO THE FORM AND CONTENTS OF A FINAL PARCEL MAP AS REQUIRED BY NRS 278.



Project Site
TPM25002
021-171-31



CITY OF FERNLEY

Planning Commission AGENDA REPORT

Meeting Date: December 10, 2025

REPORT TO:	Fernley Planning Commission
REPORT FROM:	Lisa Warner

FINANCIAL IMPACT:	CURRENTLY BUDGETED:	FUND/ACCOUNT:
Yes: No: X	Yes: No: X	N/A

ACTION REQUESTED: Motion

AGENDA ITEM:

(For Possible Action) Discussion and possible action on TSM21003EOT, an extension of time request of not more than two years to record a final subdivision map for Green Valley Ranch Phase 6, a 54-lot single-family residential subdivision on a site approximately ± 11.14-acres in size located in the SF6 (Single-Family, minimum 6,000 sf lot size) zoning district, generally located at the intersection of Canal Drive, Green Valley Drive, and Jasper Way (APN: 021-191-09).

AGENDA ITEM BRIEF:

The applicant is submitting a tentative subdivision map extension of time request to allow for a 54-lot single-family residential subdivision. The purpose of this extension of time is to allow the developer an additional two years to record their final subdivision map.

RECOMMENDED MOTION:

I move to approve a two-year extension of time for the Tentative Subdivision Map associated with TSM21003 – Green Valley Ranch Phase 6. The expiration date will be extended to December 15, 2027.

BUSINESS IMPACT (per NRS Chapter 237):

A Business Impact Statement is not required because this is not a rule (term excludes vehicles by which legislative powers are exercised under NRS Chapters 271, 278, 278A, or 278B).

See attached report for background, analysis, alternatives.

ALTERNATIVES:

Denial

“I move to deny the Tentative Subdivision Map Extension of Time request associated with TSM21003 - Green Valley Ranch Phase 6. Based on information in written materials and at the Public Hearing on this matter, I have determined that the proposed extension of time is detrimental to the public’s health, safety, and welfare.”

NOTE: Though further specific language has not been provided, all other motions acceptable under the City of Fernley Planning Commission parliamentary procedure are possible.

BACKGROUND:

The project site, known as Green Valley Ranch Phase 6, is under the ownership of Lucas Green Valley LLC and is currently vacant with no permanent development or registered personal property. The project site is approximately 11.14-acres in size and is generally located at the intersection of Canal Drive, Green Valley Drive, and Jasper Way (APN: 021-191-09). The project site is bordered by:

- North - Green Valley Ranch Phases 1-4
- East - Green Valley Ranch Phase 5
- South - Undeveloped private parcels and TCID canal
- West - Undeveloped private parcels.

Lucas Green Valley LLC was started by Stan Lucas who passed away in early 2025. Per the Trust of Mr. Lucas, the co-trustees are mandated to liquidate all assets. The Trust is presently in negotiations with a prospective buyer who is interested in moving forward with the original project at some point in the future.

ANALYSIS:

The proposed residential subdivision consists of 54 single-family homes on an undeveloped ± 11.14-acre parcel. The property is zoned SF6 (Single-Family, minimum 6,000 sf lot size) with a land use designation of SFR (Single-Family Residential). The development is consistent with the City’s Master Plan and complies with the City’s Municipal Code.

The Tentative Subdivision Map was approved by City Council on December 15, 2021.

NRS278.360(1)(a) requires that a final subdivision map shall be presented to the governing body within 4 years after the approval of a tentative subdivision map. NRS 278.360(1)(c) states the governing body or Planning Commission may grant an extension of not more than two years for the presentation of any final map after the two-year period for presenting a successive final map has expired. The applicant was unable to finalize preparations for recording the Green Valley Ranch Phase 6 map by the December 15, 2025, deadline, and is requesting the maximum two-year extension of time to do so. If granted the extension of time, the applicant must be ready to record the final subdivision map by December 15, 2027.

FINDINGS OR APPROVAL CRITERIA:

There are no findings or approval criteria required by the applicable regulations, other than the general consideration afforded to conducting the public’s business.

RELEVANT LAWS, STATUTES, AND REGULATIONS:

- Nevada Revised Statutes (NRSS) Chapter 278 – Planning and Zoning
- Fernley Municipal Code (FMC) Title 32 – Development Code
- City of Fernley Comprehensive Master Plan, August 2018 (3rd update)

Specific References:

NRS 278.320 – 278.3295 – Subdivision of Land: General Provisions

NRS 278.330 – 278.353 – Subdivision of Land: Tentative Maps

NRS 278.3601 – 278.460 – Subdivision of Land: Final Maps

FMC Section 32.03.060(f) – Development Code, Administration, Land division applications, subdivision maps

FINANCIAL IMPLICATIONS:

N/A

ATTACHMENTS:

1. Extension of Time Request Letter_Grady
2. Extension of Time Request Letter_Ricci
3. TSM21003 Approval Letter with Conditions
4. Vicinity Map-min
5. Landscaping Plans

Dan Grady, Trustee
Stan Lucas Trust
Lucas Green Valley LLC
2850 Temple Ave
Long Beach CA 90806

November 10, 2025

Alisa Johansson
Senior Planner
City of Fernley
595 Silver Lace Blvd
Fernley, NV 89408

RE: Tentative Map TSM21003

Dear Ms. Johansson,

I am writing as a co-Trustee for the estate of Stan Lucas, also known as Lucas Green Valley LLC. Stan passed away on January 11, 2025, and since then, I and two fellow trustees have been actively managing the estate. Per Stan's wishes, as outlined in his Trust, our mandate is to liquidate all assets and donate the remaining proceeds to charity.

This brings us to our current request. The Trust is presently in negotiations to sell a parcel of real estate known as Green Valley Phase 6. During this process, the prospective buyer informed us that the tentative map (TSM21003) is scheduled to expire in December 2025.

Accordingly, we respectfully request a two-year extension of the tentative map. We understand and accept that a fee is associated with this extension. The reason for our request stems from the complexities involved in settling Stan's estate, particularly the need for the trustees to fully assess and manage the real estate holdings in Northern Nevada.

We appreciate your consideration and look forward to a favorable response. Please feel free to contact me directly with any questions.

Sincerely,



Dan Grady
Co-Trustee for the Stan Lucas Trust
616-308-3047

Gerald (Jerry) H Ricci
Veronda LLC and Schell Creek LLC
Fred Altmann
Altmann Builders
RE: Tentative Sub Division Map TSM21003 Green Valley Ranch Phase 6
Attn: Alisa Johansson

We are writing this letter along with a letter submitted from the Trustee of the Stan Lucas Estate Manager to ask for a 2 year extension on the TSM21003 Green Valley Ranch Phase 6 project. We plan to help the trustees move this project forward soon. Please review the Stan Lucas Co-Trustee letter with more information.

Thank You for your time and consideration in reviewing this request.



Gerald H Ricci 11/10/25

775 722 1864
jerry@verondallc.com



City of Fernley

Clerk's Office

Business Licenses
Council Agendas
Elections
Minutes
Passports
Records

January 5, 2022

Robert Gelu, P.E., P.M.
Summit Engineering Corporation
5405 Mae Anne Avenue
Reno, NV 89523

RE: **Notice of Final Action – Green Valley Ranch Subdivision, Phase6 (TSM21003)**

Dear Applicant:

On December 15, 2021, the Fernley City Council took Final Action on the following agenda item:

Consideration and possible action on a Tentative Subdivision Map request from Altmann Builders to allow for the development of a 54-lot single family residential subdivision on a site approximately 11.14 acres in size in the SF6 (Single Family, 6,000 sq. ft. minimum lot size) zoning district, generally located at the intersections of Canal Drive, Green Valley Drive, and Jasper Way (APN: 021-191-09).

The Fernley City Council voted to approve the Tentative Subdivision Map request associated with TSM21003.

This letter is filed in accordance with NRS 278.0235.

If you have any questions concerning this decision, please contact City of Fernley Planning Department at (775) 784-9810.

Sincerely,

Kimberly Swanson
City Clerk

595 Silver Lace Blvd.
Fernley NV 89408

www.cityoffernley.org

Telephone: (775) 784-9830
Fax: (775) 784-9839

cc: Fred Altmann
Altmann Builders
9210 Prototype Drive #200
Reno, NV 89521

Stan Lucas
2850 Temple Avenue
Long Beach, CA 90806

File: TSM21003

Enclosure: TSM21003 – Conditions of Approval

Conditions of Approval for TSM21003 Tentative Subdivision Map

1. APPROVAL:

THE PROJECT IS APPROVED AS SUBMITTED AND CONDITIONED. ANY SUBSTANTIVE CHANGE SHALL REQUIRE REVIEW AND APPROVAL BY THE PLANNING COMMISSION AND CITY COUNCIL AS AN AMENDMENT TO THIS TENTATIVE MAP.

2. PROJECT DESCRIPTION:

THE PROJECT APPROVAL IS LIMITED TO SINGLE FAMILY RESIDENTIAL DEVELOPMENT WITH A MAXIMUM OF 54 SINGLE FAMILY RESIDENTIAL LOTS ON ±11.14 ACRES.

3. EXPIRATION DATE:

THE TENTATIVE MAP SHALL EXPIRE WITHIN FOUR (4) YEARS OF THE DATE OF THE CITY COUNCIL APPROVAL, UNLESS THE FINAL MAP HAS BEEN RECORDED IN ACCORDANCE WITH NEVADA REVISED STATUTES (N.R.S.) 278.360.

4. WATER RIGHTS:

THE DEVELOPER SHALL COMPLY WITH ALL CITY OF FERNLEY MUNICIPAL CODES REGARDING THE DEDICATION OF WATER RIGHTS AND ALL ASSOCIATED FEES FOR THE CONNECTION TO THE CITY'S MUNICIPAL WATER SYSTEM IN THE AMOUNT THAT IS REQUIRED PRIOR TO THE RECORDATION OF A FINAL MAP.

5. SANITARY SEWER REPORT:

THE DEVELOPER SHALL PROVIDE A SEWER REPORT DEMONSTRATING THE DEVELOPMENT CAN BE SERVED BY THE CITY'S SANITARY SEWER SYSTEM. THE DEVELOPER SHALL BE RESPONSIBLE FOR ANY IMPROVEMENTS DEEMED NECESSARY TO SERVE THE PROJECT TO THE APPROVAL OF THE CITY ENGINEER. THE DEVELOPER SHALL COMPLY WITH ALL CITY OF FERNLEY MUNICIPAL CODES REGARDING THE SANITARY SEWER SYSTEM, INCLUDING ASSOCIATED FEES, FOR THE CONNECTION TO THE CITY'S SANITARY SEWER SYSTEM IN THE AMOUNT THAT IS REQUIRED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT FOR THE PUBLIC IMPROVEMENTS FOR THE PROJECT.

6. WATER AND SEWER MODELING:

THE DEVELOPER SHALL PAY ALL FEES AND PROVIDE ALL THE INFORMATION NECESSARY TO COMPLETE WATER AND SEWER MODELING OF THE PROJECT. MODELING WILL BE PERFORMED BY THE CITY OF FERNLEY'S CONSULTANT AND ANY ADDITIONAL INFRASTRUCTURE OR CAPACITY IDENTIFIED BY THE MODELING SHALL BE INCLUDED IN THE IMPROVEMENT PLANS AND CONSTRUCTED BY THE DEVELOPER.

7. WATER AND SEWER MAINS AND SERVICES:

THE DEVELOPER SHALL COMPLY WITH ALL STANDARDS, CODES, AND REQUIREMENTS REGARDING CONNECTION TO THE CITY'S SANITARY SEWER AND POTABLE WATER SYSTEMS, INCLUDING BUT NOT LIMITED TO, ASSOCIATED FEES, EASEMENTS, DESIGN STANDARDS, SYSTEM LOOPING, DEVELOPMENT CODE REQUIREMENTS, AND STATE REQUIREMENTS. PRIOR TO THE RECORDATION OF A FINAL MAP FOR ANY PHASE OF THE PROJECT, THE DEVELOPER SHALL PROVIDE THE CITY WITH A UTILITY PLAN FOR WATER AND SANITARY SEWER THAT IS IN CONFORMANCE WITH THE CITY OF FERNLEY'S

Conditions of Approval for TSM21003 Tentative Subdivision Map

MUNICIPAL CODE AND PUBLIC WORKS DESIGN MANUAL TO THE APPROVAL OF THE CITY ENGINEER, PUBLIC WORKS DIRECTOR, AND ADMINISTRATOR. EACH PHASE MUST ALSO BE REVIEWED AND APPROVED BY THE NEVADA DEPARTMENT OF ENVIRONMENTAL PROTECTION PRIOR TO CONSTRUCTION.

8. UTILITY EASEMENTS:

THE DEVELOPER SHALL PROVIDE EASEMENTS TO THE CITY OF FERNLEY FOR THE MAINTENANCE OF THE PUBLIC INFRASTRUCTURE BEING INSTALLED ON PRIVATE PROPERTY. THE EASEMENTS SHALL INCLUDE THE CITY OF FERNLEY'S STANDARD EASEMENT LANGUAGE AND SHALL BE RECORDED ALONG WITH THE FINAL MAP.

9. DESIGN STANDARDS:

THE DEVELOPER SHALL COMPLY WITH THE DESIGN STANDARDS AND REGULATIONS AS SET FORTH IN THE CITY OF FERNLEY'S DEVELOPMENT CODE AND PUBLIC WORKS DESIGN MANUAL UNLESS IN CONFLICT WITH THE LOCAL, STATE, OR FEDERAL REGULATIONS, IN WHICH CASE THE MORE STRINGENT REGULATION WILL TAKE PRECEDENCE.

10. ENGINEERING DIVISION:

THE DEVELOPER SHALL COMPLY WITH ALL ENGINEERING REQUIREMENTS WITHIN THE FERNLEY MUNICIPAL CODE TITLE 32, INCLUDING BUT NOT LIMITED TO, COMPLIANCE WITH SITE DEVELOPMENT STANDARDS, FLOODPLAIN MANAGEMENT, ROADWAYS, UNDERGROUNDING OF UTILITIES, AND WATER AND WASTEWATER FACILITIES TO THE APPROVAL OF THE ADMINISTRATOR, CITY ENGINEER, AND PUBLIC WORKS DIRECTOR PRIOR TO THE RECORDATION OF ANY FINAL MAP FOR THE PROJECT.

11. STREETS:

THE DEVELOPER SHALL CONSTRUCT ANY ROADWAY IMPROVEMENTS NECESSARY TO SERVE THE PROJECT TO THE APPROVAL OF THE ADMINISTRATOR, CITY ENGINEER, AND PUBLIC WORKS DIRECTOR.

12. DRAINAGE AND GRADING:

THE DEVELOPER SHALL COMPLY WITH ALL REQUIREMENTS OF THE FERNLEY MUNICIPAL CODE CHAPTER 32 (DRAINAGE AND GRADING) AND CHAPTER 10 OF THE CITY OF FERNLEY'S PUBLIC WORKS DESIGN MANUAL TO THE APPROVAL OF ADMINISTRATOR, CITY ENGINEER, AND PUBLIC WORKS DIRECTOR.

THE DEVELOPER SHALL PROVIDE A DRAINAGE REPORT FOR THE PROJECT IN CONFORMANCE WITH THE CITY'S DEVELOPMENT CODE, MUNICIPAL CODE, AND THE PUBLIC WORKS DESIGN MANUAL FOR REVIEW AND APPROVAL BY THE CITY ENGINEER. EACH SUCCESSIVE PHASE OF THE PROJECT SHALL SUBMIT AN UPDATED DRAINAGE REPORT FOR REVIEW AND APPROVAL BY THE CITY ENGINEER SHOWING THE CUMULATIVE EFFECT OF THE DEVELOPED PORTION OF THE PROJECT ALONG WITH THE PROPOSED PHASE'S EFFECT ON THE TOTAL DISCHARGE INTO THE DRAINAGE SYSTEM.

Conditions of Approval for TSM21003 Tentative Subdivision Map

THE DRAINAGE BASIN SHALL BE DEDICATED TO THE CITY OF FERNLEY UPON COMPLETION OF THE PROJECT IN ORDER FOR THE CITY TO MAINTAIN THE STORM DRAIN SYSTEM FOR THE SUBDIVISION.

13. GRADING PERMIT:

THE DEVELOPER SHALL SUBMIT A GRADING PLAN FOR ANY PHASE OF THE PROJECT TO THE APPROVAL OF THE CITY ENGINEER. PRIOR TO THE ISSUANCE OF A GRADING PERMIT FOR THE DEVELOPMENT, THE DEVELOPER SHALL POST A SURETY BOND FOR REGRADING AND RECLAMATION OF THE SITE.

THE DEVELOPER SHALL PROVIDE A STAMPED ENGINEER'S ESTIMATE FOR REGRADING AND RECLAMATION OF THE SITE. THE DEVELOPER SHALL COMPLY WITH ALL GRADING REQUIREMENTS SET FORTH IN THE CITY OF FERNLEY'S DEVELOPMENT CODE AS WELL AS ALL STATE AND FEDERAL REGULATIONS. THE DEVELOPER OR THEIR DESIGNEE SHALL BE RESPONSIBLE FOR OBTAINING AND MAINTAINING A STORM WATER POLLUTION PREVENTION PERMIT WITH THE STATE OF NEVADA AS WELL AS A SURFACE AREA DISTURBANCE.

14. GEOTECHNICAL REPORT:

THE DEVELOPER SHALL PROVIDE A FINAL GEOTECHNICAL REPORT FOR THE PROJECT IN CONFORMANCE WITH THE DEVELOPMENT CODE FOR REVIEW AND APPROVAL BY THE ADMINISTRATOR, CITY ENGINEER, PUBLIC WORKS DIRECTOR PRIOR TO THE RECORDATION OF A FINAL MAP FOR ANY PORTION OF THE PROJECT.

15. IMPROVEMENT PLANS:

~~WITH THE SUBMITTAL OF ANY FINAL MAP APPLICATION, THE DEVELOPER SHALL SUBMIT THE ASSOCIATED IMPROVEMENT PLANS FOR REVIEW AND APPROVAL. THE IMPROVEMENT PLANS SHALL BE APPROVED PRIOR TO THE RECORDATION OF THE FINAL MAP. THE UTILITIES AND INFRASTRUCTURE FOR EACH PHASE MUST OPERATE INDEPENDENTLY OF FUTURE PHASES YET TO BE CONSTRUCTED.~~

PRIOR TO THE APPROVAL AND RECORDATION OF A FINAL MAP FOR THE PROJECT, THE DEVELOPER SHALL CONSTRUCT ALL REQUIRED PUBLIC IMPROVEMENTS, INCLUDING BUT NOT LIMITED TO, PUBLIC UTILITY AND ROADWAY INFRASTRUCTURE ASSOCIATED WITH THE PROJECT OR PROVIDE A SURETY BOND IN ACCORDANCE WITH THE PROVISIONS SET FORTH IN FERNLEY MUNICIPAL CODE CHAPTER 32.13, IMPROVEMENTS AND AGREEMENTS, OF THE FERNLEY MUNICIPAL CODE.

16. SUBDIVISION IMPROVEMENT AGREEMENT:

THE DEVELOPER SHALL EXECUTE A SUBDIVISION IMPROVEMENT AGREEMENT WITH THE CITY OF FERNLEY PRIOR TO APPLYING FOR ANY BUILDING PERMITS FOR NEW HOME CONSTRUCTION WHILE THE PUBLIC IMPROVEMENTS ARE STILL NOT CONSTRUCTED. THE AGREEMENT SHALL BE DRAFTED BY THE CITY OF FERNLEY AND PROVIDED TO THE DEVELOPER FOR REVIEW AND EXECUTION. THE AGREEMENT SHALL BE RECORDED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT. NO HOMES SHALL RECEIVE A FINAL CERTIFICATE OF OCCUPANCY UNTIL THE PUBLIC IMPROVEMENTS ARE COMPLETE AND ACCEPTED BY THE CITY OF FERNLEY.

**Conditions of Approval for TSM21003
Tentative Subdivision Map**

17. NORTH LYON COUNTY FIRE PROTECTION DISTRICT:

THE DEVELOPER SHALL COMPLY WITH ALL REQUIREMENTS OF THE NORTH LYON COUNTY FIRE PROTECTION DISTRICT, INCLUDING BUT NOT LIMITED TO PROVIDING SECONDARY EMERGENCY ACCESS TO THE APPROVAL OF THE ADMINISTRATOR AND FIRE CHIEF PRIOR TO THE ISSUANCE OF ANY FINAL MAP FOR THE PROJECT.

18. RESIDENTIAL CONSTRUCTION TAX:

THE DEVELOPER IS SUBJECT TO THE PROVISIONS OF FERNLEY MUNICIPAL CODE RELATED TO RESIDENTIAL CONSTRUCTION TAX. THE RESIDENTIAL CONSTRUCTION TAX FEE SHALL BE PAID PRIOR TO THE ISSUANCE OF A BUILDING PERMIT FOR EACH SINGLE-FAMILY RESIDENCE.

19. ADDRESSING AND STREET NAMES:

THE DEVELOPER SHALL SUBMIT A REQUEST FOR ADDRESSING AND STREET NAME RESERVATION REQUEST TO THE CITY OF FERNLEY FOR REVIEW AND APPROVAL. ALL ADDRESSING OF LOTS SHALL BE COMPLETED BY THE CITY. STREET NAMES SHALL BE APPROVED BY THE CITY PRIOR TO THE SUBMITTAL OF A FINAL MAP FOR THE PROJECT.

20. TRUCKEE CARSON IRRIGATION DISTRICT (TCID)/BUREAU OF RECLAMATION:

THE DEVELOPER SHALL COMPLY WITH THE REQUIREMENTS OF THE TRUCKEE CARSON IRRIGATION DISTRICT AND/OR THE BUREAU OF RECLAMATION RELATED TO ANY FACILITY OR EASEMENT WITHIN THE PROJECT BOUNDARY TO THE APPROVAL OF THE ADMINISTRATOR PRIOR TO THE APPROVAL AND RECORDATION OF A FINAL MAP.

21. NEVADA DEPARTMENT OF ENVIRONMENTAL PROTECTION:

THE DEVELOPER SHALL COMPLY WITH ALL REQUIREMENTS OF THE NEVADA DEPARTMENT OF ENVIRONMENTAL PROTECTION- BUREAU OF SAFE DRINKING WATER AND BUREAU OF WATER POLLUTION CONTROL FOR THE WATER AND SEWER INFRASTRUCTURE DESIGN AND CONSTRUCTION TO THE APPROVAL OF THE ADMINISTRATOR, CITY ENGINEER AND PUBLIC WORKS DIRECTOR.

22. FINAL MAP PHASING:

THE PROJECT SHALL BE DEVELOPED IN A SINGLE PHASE. ANY FINAL MAP SHALL INCLUDE ALL PROPOSED LOTS AND SHALL BE SUBMITTED TO THE CITY FOR REVIEW AND APPROVAL BY THE ADMINISTRATOR, CITY ENGINEER, AND PUBLIC WORKS DIRECTOR.

23. FENCING:

AT THE TIME OF FINAL MAP SUBMITTAL, THE DEVELOPER SHALL SUBMIT A FENCING PLAN IN ACCORDANCE WITH THE REQUIREMENTS SET FORTH IN THE CITY'S MUNICIPAL CODE TO THE APPROVAL OF THE ADMINISTRATOR, CITY ENGINEER, AND PUBLIC WORKS DIRECTOR.

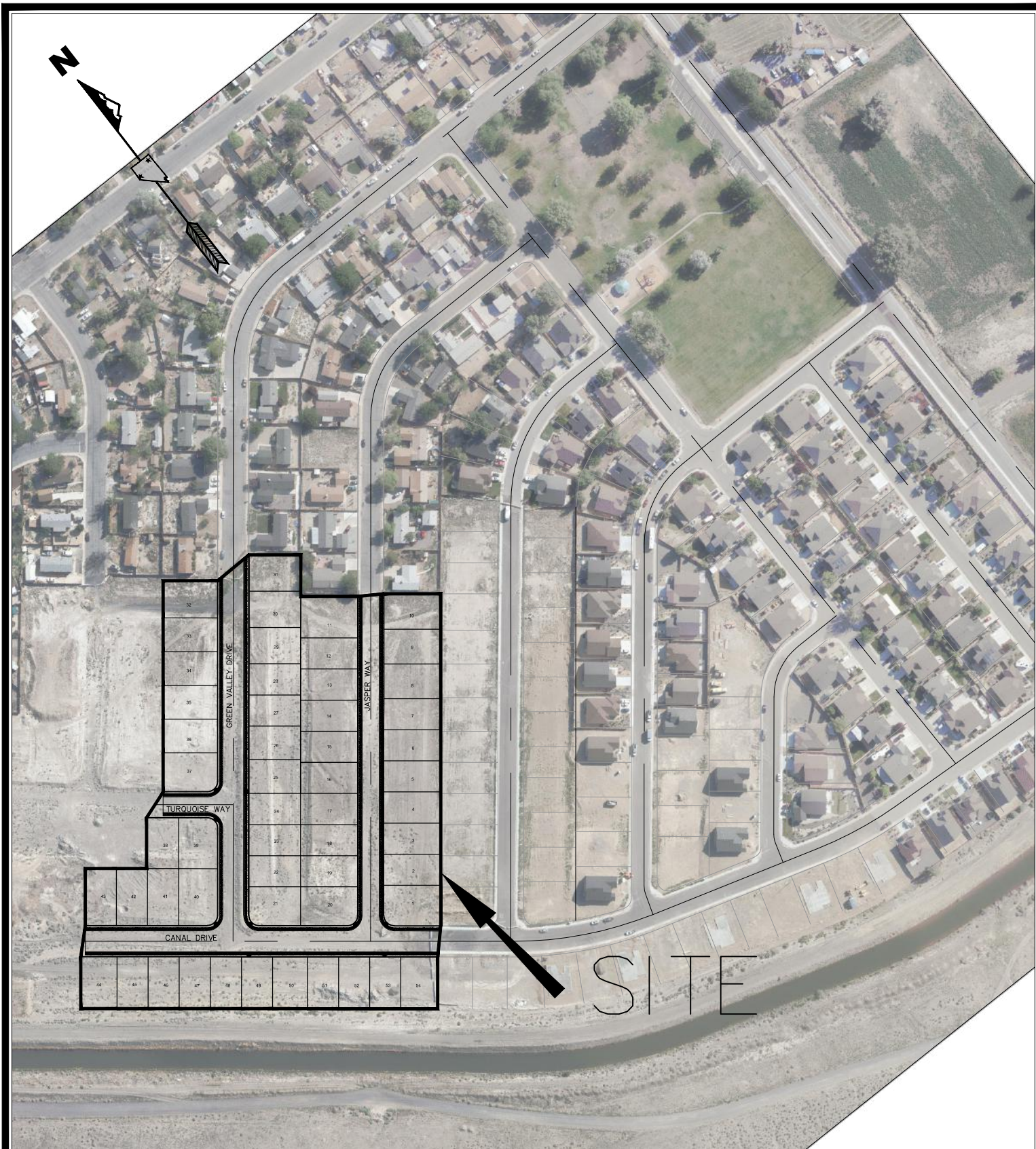
24. WASTE MANAGEMENT:

THE DEVELOPER SHALL PROVIDE A WILL SERVE FROM WASTE MANAGEMENT TO THE APPROVAL OF THE ADMINISTRATOR PRIOR TO THE APPROVAL AND RECORDATION OF A FINAL MAP.

**Conditions of Approval for TSM21003
Tentative Subdivision Map**

25. UNITED STATES POSTAL SERVICE:

THE DEVELOPER SHALL PROVIDE AN EASEMENT FOR ANY NEW CLUSTER MAILBOX LOCATION TO THE APPROVAL OF THE ADMINISTRATOR AND LOCAL POSTAL INSPECTOR PRIOR TO THE APPROVAL AND RECORDATION OF A FINAL MAP.



Vicinity Map
 Green Valley Ranch Phase 6
 Fernley Nevada

Not to Scale

Copyright SUMMIT ENG 2021

SUMMIT ENGINEERING CORPORATION
 5405 MAE ANNE AVENUE, RENO, NV, 89523
 PHONE: (775) 747-8550 FAX: (775) 747-8559

SHEET
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CITY OF FERNLEY

Planning Commission AGENDA REPORT

Meeting Date: December 10, 2025

REPORT TO:	Fernley Planning Commission
REPORT FROM:	Lisa Warner

FINANCIAL IMPACT:	CURRENTLY BUDGETED:	FUND/ACCOUNT:
Yes: No: N/A	Yes: No: N/A	N/A

ACTION REQUESTED: Motion

AGENDA ITEM:

(For Possible Action) Consideration and possible action on WVR24002, a request by Battle Born Equity Group to extend the landscaping deadline imposed on the original Waiver approval by the Planning Commission for an additional three months (November 13, 2025 to February 13, 2026).

AGENDA ITEM BRIEF:

Extension of Time request to complete the landscaping installation required by the Conditions of Approval for the Waiver application associated with WVR24002.

RECOMMENDED MOTION:

Approval

"I move to approve a three-month extension of time for the completion of the landscaping installation requirements associated with WVR24002. The new completion date will be February 13, 2026.

BUSINESS IMPACT (per NRS Chapter 237):

A Business Impact Statement is not required because this is not a rule (term excludes vehicles by which legislative powers are exercised under NRS Chapters 271, 278, 278A, or 278B).

See attached report for background, analysis, alternatives.

ALTERNATIVES:

Denial

"Based on information received in the written materials and at the Public Hearing on this matter, I move to deny the Waiver Extension of Time request associated with WVR24002. I have determined that the proposed

extension of time is detrimental to the public’s health, safety, and welfare.”

NOTE: Though further specific language has not been provided, all other motions acceptable under the City of Fernley Planning Commission parliamentary procedure are possible.

BACKGROUND:

The Waiver for the previously-known Pizza Shack building was approved by the Planning Commission on November 13, 2024. As part of the approval, the Waiver was conditioned to have the approved landscaping installed within one year of the approval date (November 13, 2025).

The landscaping site plan was submitted by the applicant prior to the landscaping installation deadline on October 28, 2025. The landscaping site plan was approved by Planning Department staff on October 28, 2025. The extension of time request email was received on November 6, 2025.

The applicant has requested an extension of time for the landscaping installation due to:

- 1) Contractor scheduling constraints for certified landscapers and irrigation crews; and
- 2) Adjustments are required to coordinate installation with ongoing site work and seasonal planting windows.

ANALYSIS:

Since the Extension of Time request was received prior to the landscaping installation deadline of November 13, 2025, the Extension of Time request is consistent with both the City’s Master Plan and the City’s Municipal Code.

FINDINGS OR APPROVAL CRITERIA:

There are no findings or approval criteria required by the applicable regulations, other than the general consideration afforded to conducting the public’s business.

RELEVANT LAWS, STATUTES, AND REGULATIONS:

FMC Section 32.03.090 – Development Code, Administration, Modifications and appeals

FINANCIAL IMPLICATIONS:

N/A

ATTACHMENTS:

- 1. Site Plan
- 2. WVR EOT request email
- 3. Final Action Letter with Conditions
- 4. WVR approved landscaping
- 5. Landscaping Plans


Commercial Kitchen

790 E. Main St.
APN 021-102-08
Fernley, NV 89408

All drawings and written material
appearing herein constitute original and
unpublished work of the architect +
engineer and may not be duplicated,
used or disclosed without written
consent of the architect + engineer

PLAN CHECK - 12.01.17

PLAN CHECK REVISIONS - 08.27.18 

NLCFPD Revision 2 - 10.19.18 


Job Number

101-Commercial Kitchen

Issue Date

12 September 2024

Subject

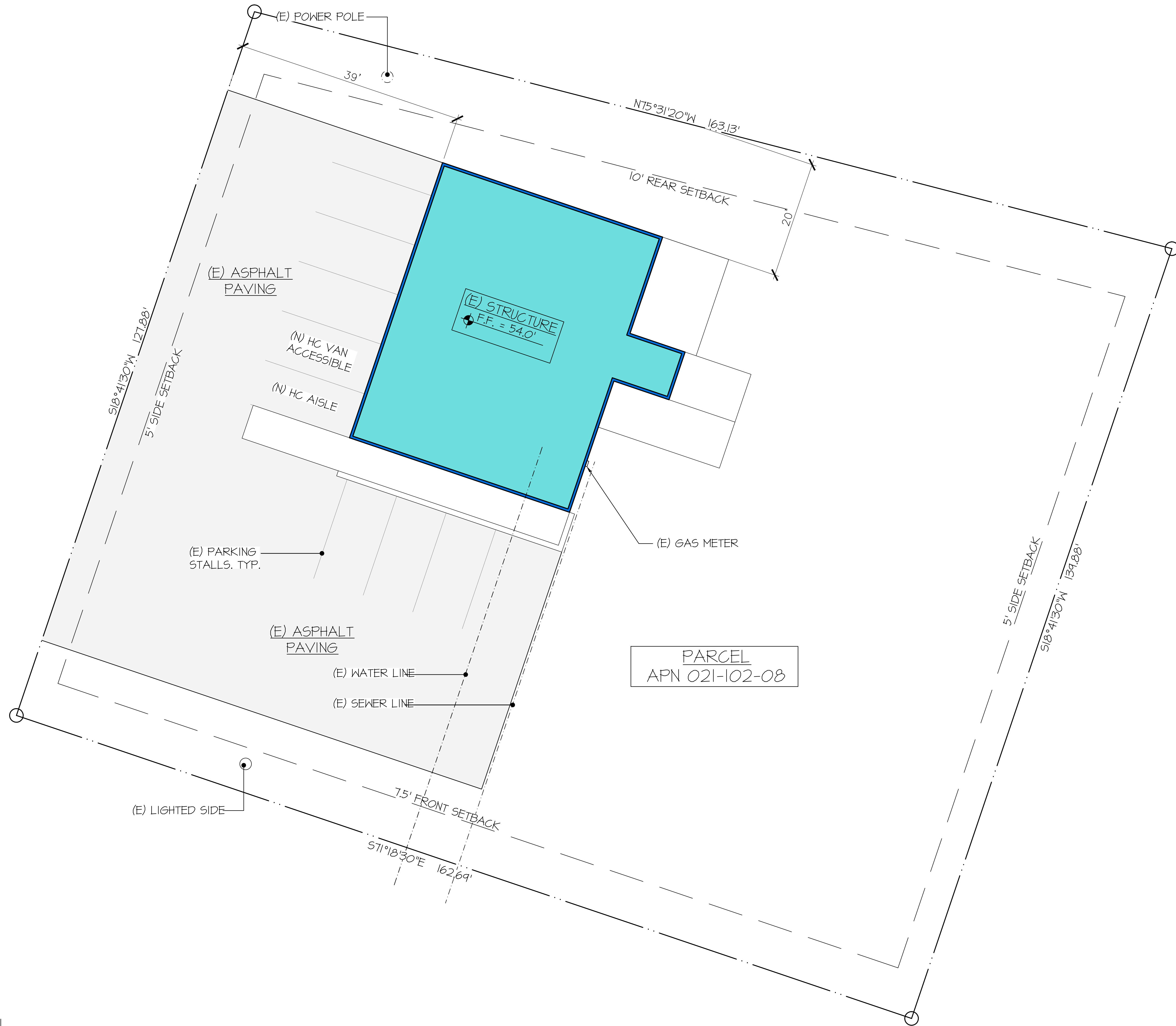
All-Points Revisions 

Drawing Title

Plot Plan

Drawing Number

a 0.2



PLOT PLAN

SCALE: 1/8" = 1'-0"



From: aronvrgs@gmail.com
Sent: Thursday, November 6, 2025 1:16 PM
To: Lisa Warner; ajvargas@sbcglobal.net; 'Kimberly Barney'; 'Michelle Barney'; 'Aaron Wilson'
Cc: Michele Rambo
Subject: RE: WVR24002 Pizza Shack Building

Dear Lisa Warner and Planning Department,

I am writing on behalf of the Battle Born Equity at 790 Main E St. to request a formal extension of the deadline to complete landscaping installation required by the Waiver approved by the Planning Commission on November 13, 2024. We understand the motion stipulates landscaping be installed and a final inspection completed within one year of the Waiver approval, currently November 13, 2025.

Please note that the required landscaping plans have already been submitted to and approved by the Planning Department. With plans approved, our remaining need is additional time to procure materials and schedule installation and final inspection. We respectfully request an extension of 3 months to complete installation and obtain final sign-off.

Reason for the request:

- Contractor scheduling constraints for certified landscape and irrigation crews.
- Adjustments required to coordinate installation with ongoing site work and seasonal planting windows.
-

If the extension is granted, we will:

- Complete landscaping installation and request final inspection by February 13, 2026.
- Coordinate directly with Planning staff to confirm inspection availability.

We appreciate the Commission's consideration and are committed to completing the approved landscaping as presented. Please let me know the formal steps or documentation required to process this extension request.

Sincerely,
Aron Vargas
E: aronvrgs@gmail.com



Planning Department

Michele Rambo, AICP
Planning Director

Lisa Warner
Assistant Planner

Tyler Hanson
Planning Technician

November 26, 2024

Kimberly Barney
Battle Born Equity Group, LLC
kimberlyjobarney@gmail.com

RE: Final Action – Waiver (WVR24002) – 790 E. Main Street – Pizza Shack

Dear Applicant:

On November 13, 2024, the City of Fernley Planning Commission reviewed a Waiver (WVR24002) application request by Kimberly and Michelle Barney on behalf of Battle Born Equity Group, LLC to allow a waiver of street improvements and parking (except as required by the Americans with Disabilities Act). The parcel is zoned Commercial (C2) and located at 790 E. Main Street (APN: 021-102-08).

Following careful consideration based upon the written materials and public comment, the Planning Commission voted to approve the Waiver application request subject to the Conditions of Approval 1 through 16, attached hereto, and subject to granting the applicant a deferral of landscaping requirements for a period of one (1) year from the date of this approval. The landscaping requirements must be completed within the one (1) year deferral period, or the entire waiver shall be forfeited. No appeal was filed in accordance with the provisions outlined in Fernley Municipal Code Section 21.03.090(e); therefore, the Planning Commission's action is final.

You may not conduct or establish the use for which this application was approved until all Conditions of Approval have been satisfied to the approval of the Planning Department. If you have any questions concerning this application, please contact the Planning Department at (775) 784-9810.

Sincerely,

Lisa Warner

Lisa Warner
Assistant Planner
lwarner@cityoffernley.org
(775)784-9819

Enclosure: Conditions of Approval for WVR24002

CC: Michelle Barney
Battle Born Equity Group, LLC
michellebarney@sbcglobal.com

Conditions of Approval for WVR24002

WAIVER

SCOPE AND DURATION OF APPROVAL

1. APPROVAL:
THE APPLICATION IS APPROVED SUBJECT TO THESE CONDITIONS OF APPROVAL. ANY SUBSTANTIVE CHANGE SHALL BE REVIEWED BY THE PLANNING COMMISSION AND/OR CITY COUNCIL AS AN AMENDED WAIVER.
2. PROJECT DESCRIPTION:
THE PROJECT APPROVAL IS PERTAINING TO THE WAIVER OF STREET IMPROVEMENTS AND PARKING (EXCEPT AS REQUIRED BY THE AMERICANS WITH DISABILITIES ACT) ON A 0.5 ACRE SITE LOCATED AT 790 E MAIN STREET, APN: 021-102-08 LOCATED NEAR THE INTERSECTION OF E MAIN STREET AND 6TH STREET. THE PLANNING COMMISSION ALSO GRANTED A DEFERRAL OF LANDSCAPING REQUIREMENTS FOR A PERIOD OF ONE YEAR.
3. EXPIRATION DATE:
THE WAIVER SHALL EXPIRE WITHIN ONE (1) YEAR OF THE DATE OF APPROVAL, UNLESS THE PERMITTED USE HAS BEEN ESTABLISHED OR CONSTRUCTION TO ACCOMMODATE THAT USE HAS BEGUN AND IS BEING DILIGENTLY PURSUED. IF THE APPROVAL EXPIRES, A NEW WAIVER APPLICATION SHALL BE REQUIRED.
4. GOVERNING DOCUMENTS:
ALL CITY OF FERNLEY MUNICIPAL CODE (FMC) OR DEVELOPMENT CODE REFERENCES HEREIN PERTAIN TO THE VERSION OF THE CODE ESTABLISHED BY ORDINANCE NUMBER 2023-010, UNLESS OTHERWISE NOTED. THE DEVELOPER MAY SUBSTITUTE REQUIREMENTS ESTABLISHED IN FUTURE FMC UPDATES, IF APPROVED BY THE ADMINISTRATOR.

UNLESS WAIVED BY THIS APPROVAL, THE DEVELOPER SHALL ALSO COMPLY WITH ALL STANDARDS FOUND WITHIN THE "CITY OF FERNLEY DEPARTMENT OF PUBLIC WORKS DESIGN STANDARDS & REVIEW GUIDELINES" OF MAY 2008, THE "CITY OF FERNLEY STANDARD DETAILS FOR PUBLIC WORKS CONSTRUCTION" OF JULY 15, 2008, AND THE "CITY OF FERNLEY COMPREHENSIVE MASTERPLAN" OF AUGUST 2018.

DESIGN STANDARDS

5. TRASH ENCLOSURES:
THE DEVELOPER SHALL LOCATE AND INSTALL TRASH ENCLOSURES TO THE APPROVAL OF WASTE MANAGEMENT AND THE ADMINISTRATOR INCLUDING THE APPROPRIATE SIZE AND LOCATION. THE TRASH ENCLOSURES SHALL MATCH THE PROJECT'S ARCHITECTURE AND BUILDING MATERIALS TO THE APPROVAL OF THE ADMINISTRATOR PRIOR TO FINAL SIGN-OFF OF THE BUILDING PERMIT.
6. UTILITY SCREENING:
THE DEVELOPER SHALL WORK IN CONJUNCTION WITH THE UTILITY COMPANIES TO LOCATE ANY NEW UTILITY EQUIPMENT SUCH AS ELECTRICAL, GAS AND WATER JUNCTION BOXES, INCLUDING TRANSFORMER BOXES, VAULTS AND ELECTRICAL PANELS, IN AREAS WHERE THE EQUIPMENT IS SCREENED BY ARCHITECTURAL ELEMENTS THAT MATCH THE MAIN STRUCTURE'S COLORS AND TO

Conditions of Approval for WVR24002

WAIVER

THE APPROVAL OF THE ADMINISTRATOR PRIOR TO FINAL SIGN-OFF OF THE BUILDING PERMIT.

7. SCREENING:

MECHANICAL EQUIPMENT SHALL BE SCREENED FROM VIEW OF THE PARKING LOT, ADJACENT PUBLIC STREETS, AND PUBLIC AREAS BY USING AN ARCHITECTURAL ELEMENT OF THE BUILDING CONSISTING OF SAME MATERIALS AND BE DURABLE MATERIALS TO THE APPROVAL OF ADMINISTRATOR. THE SCREENING SHALL BE REVIEWED AND APPROVED BY THE ADMINISTRATOR PRIOR TO FINAL SIGN-OFF OF THE BUILDING PERMIT.

8. LIGHTING:

THE DEVELOPER SHALL SUBMIT A LIGHTING PLAN FOR REVIEW AND APPROVAL BY THE ADMINISTRATOR PRIOR TO THE ISSUANCE OF A BUILDING PERMIT. THE DEVELOPER IS REQUIRED TO COMPLY WITH THE LIGHTING STANDARDS AND REQUIREMENTS IN THE CITY OF FERNLEY DEVELOPMENT CODE. TO REDUCE THE IMPACT OF GLARE AND MINIMIZE THE EFFECT OF FIELD AND PARKING LIGHTING, LIGHTING FIXTURES WITH EXTERNAL "HOODS" AND INTERNAL GLARE REDUCTION LOUVERS SHALL BE USED.

PER FMC SECTION 32.09.100(D)¹ THE HEIGHT OF PARKING LOT LIGHTING SHALL NOT EXCEED 20 FEET FROM THE GRADE OF PARKING LOT.

9. SIGNAGE:

ANY NEW SIGNS TO BE INSTALLED ON THE PROPERTY (EITHER WALL SIGNS OR FREESTANDING SIGNS) SHALL REQUIRE THE SUBMITTAL OF A SIGN PERMIT APPLICATION AND SHALL CONFORM TO CHAPTER 32.10 (SIGNS) OF THE DEVELOPMENT CODE.

10. LANDSCAPING:

LANDSCAPING IN ACCORDANCE WITH THE PLANS PRESENTED AT THE PLANNING COMMISSION MEETING IS TO BE INSTALLED WITHIN ONE YEAR OF THE APPROVAL OF THIS WAIVER (NOVEMBER 13, 2025) REGARDLESS OF THE STATUS OF ANY FUTURE CURB, GUTTER, OR SIDEWALK.

GRADING AND CIVIL IMPROVEMENTS

11. FUTURE DRAINAGE REPORT/PLAN:

IF THE IMPERMEABLE SURFACE AREA OF THE SITE IS INCREASED FROM WHAT IS CURRENTLY EXISTING (WITH THE EXCEPTION OF WORK REQUIRED IN CONDITION NUMBER 11 BELOW) A DRAINAGE REPORT BY A NEVADA REGISTERED CIVIL ENGINEER SHALL BE PROVIDED TO THE CITY OF FERNLEY ENGINEERING DEPARTMENT ALONG WITH A SITE DRAINAGE PLAN. PLEASE SEE CHAPTER 10 OF THE CITY OF FERNLEY PUBLIC WORKS DESIGN STANDARDS FOR MORE INFORMATION.

12. BACKFLOW DEVICE:

THE COMMERCIAL PROPERTY WILL NEED TO HAVE A BACKFLOW PREVENTION ASSEMBLY INSTALLED AS OUTLINED IN CHAPTER 4 OF THE CITY OF FERNLEY PUBLIC WORKS DESIGN STANDARDS (SECTION 4.3.10). THE INSTALLATION OF THE BACKFLOW PREVENTION DEVICE SHALL BE COMPLETED UNDER A BUILDING PERMIT.

Conditions of Approval for WVR24002

WAIVER

BUILDING PERMIT REQUIREMENTS

13. BUILDING PERMIT:

A BUILDING PERMIT SHALL BE REQUIRED FOR ALL REQUIRED ADA UPGRADES, BACKFLOW DEVICE, AND PREVIOUS KITCHEN REMODEL (PREVIOUS BUILDING PERMIT HAS EXPIRED). THE DEVELOPER SHALL SUBMIT A BUILDING PERMIT APPLICATION FOR REVIEW AND APPROVAL OF BY THE BUILDING OFFICIAL PRIOR TO OPERATION OF A NEW BUSINESS.

14. PROJECT CONTACT:

THE DEVELOPER SHALL DESIGNATE TO THE ADMINISTRATOR A PROJECT CONTACT PERSON RESPONSIBLE/AUTHORIZED TO CORRECT PROBLEMS REGARDING THE PROJECT ON A 24-HOUR/7-DAYS A WEEK BASIS. THE DEVELOPER SHALL DESIGNATE THE PROJECT CONTACT PERSON TO THE ADMINISTRATOR PRIOR TO ISSUANCE OF ANY PERMIT FOR THE PROJECT.

REGULATORY AGENCIES

15. NORTH LYON COUNTY FIRE PROTECTION DISTRICT:

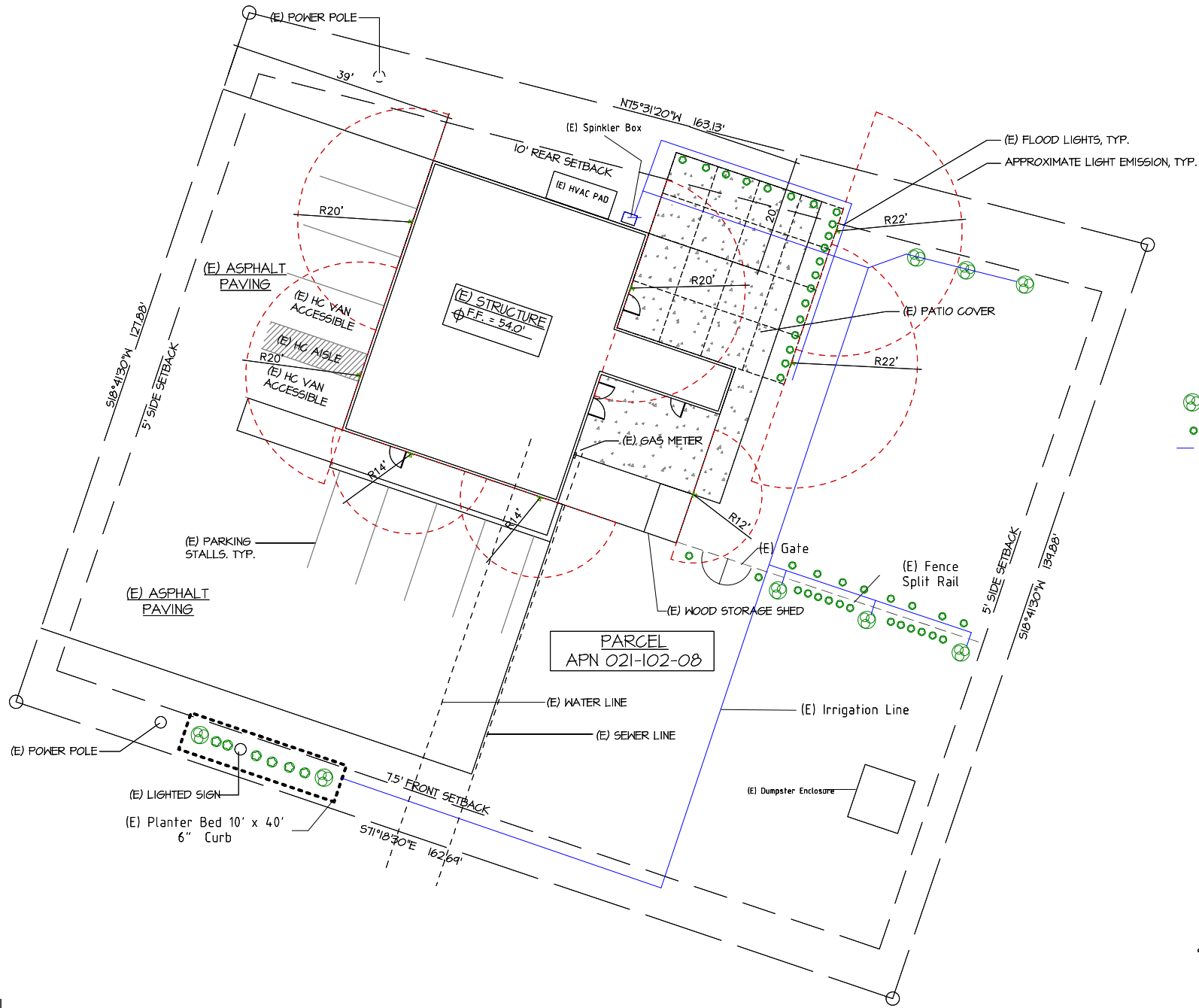
THE DEVELOPER SHALL COMPLY WITH ALL REQUIREMENTS OF THE NORTH LYON COUNTY FIRE PROTECTION DISTRICT INCLUDING BUT NOT LIMITED TO DEVELOPING A PLAN TO PROVIDE ADEQUATE EMERGENCY ACCESS THROUGHOUT THE SITE, DEVELOPING A MASTER FIRE HYDRANT AND FIRE FLOW PLAN, DEVELOPING A MASTER FIRE DEPARTMENT CONNECTION (FDC) PLAN, AND INSTALLING FIRE SUPPRESSION AND/OR ALARM SYSTEMS TO THE APPROVAL OF THE FIRE CHIEF PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.

16. NEVADA DEPARTMENT OF TRANSPORTATION:

ANY CONSTRUCTION OR PLACEMENT OF ITEMS WITHIN THE RIGHT-OF-WAY WILL REQUIRE REVIEW AND APPROVAL FROM THE NEVADA DEPARTMENT OF TRANSPORTATION. THIS INCLUDES ANY LANDSCAPING, SIGNAGE, LIGHTING, ETC.

Table 1 - Landscaping and Screening

	Landscaped Area*	Sq Ft	Material	Trees	Shrubs**
1	<i>Patio</i>	596	Concrete	0	6
2	<i>Horseshoe Pits</i>	1800	DG***	2	16
3	<i>Seating Area</i>	1500	DG***	5	20
4	<i>Front Planter Bed</i>	348	Turf	1	6
5	<i>TOTAL</i>	4244.25		8	48



ALL POINTS GRILL

790 E. Main St.
 APN 021-102-08
 Fernley, NV 89408

- (E) Red Maple Tree x8
- (E) Shrub (Hydrangeas) x48
- (E) PVC Pipe 3/4" - 1"

Job Number
 101-All Points Grill
 Issue Date
 17 September 2025
 Subject
 Landscaping

Drawing Title
 Plot Plan
 Drawing Number





CITY OF FERNLEY

Planning Commission AGENDA REPORT

Meeting Date: December 10, 2025

REPORT TO:	Fernley Planning Commission
REPORT FROM:	Treston Rodriguez

FINANCIAL IMPACT:		CURRENTLY BUDGETED:		FUND/ACCOUNT:
Yes:	No: X	Yes:	No: X	N/A

ACTION REQUESTED: Motion

AGENDA ITEM:

(For Possible Action) Discussion and possible action on Conditional Use Permit CUP25003, a request by Leslie Colbrese (Community Services Agency) to allow a child care facility within an existing ±6,887-square-foot tenant space located at 95 Main Street (APN 020-034-02) in the C2 (General Commercial) zoning district.

AGENDA ITEM BRIEF:

The applicant proposes to establish a licensed child care facility within an existing ±6,887-square-foot tenant space at 95 Main Street. The project includes interior tenant improvements and the addition of a fenced 1,380-square-foot outdoor play area. No building additions are proposed. The facility will operate Monday through Friday from 7:30 a.m. to 5:00 p.m., with occasional meetings extending no later than 6:00 p.m.

To promote safety during pick-up and drop-off, six parking spaces located directly at the suite entrance will be designated "Pick-Up and Drop-Off Only." Parents will park and escort children into the building for check-in; children will not enter or exit independently. These spaces are surplus to the required parking supply and eliminate the need for families to cross the drive aisle. Directional arrows for traffic flow already exist. The operator estimates fewer than six simultaneous drop-offs or pick-ups during peak periods.

This Conditional Use Permit authorizes the child care facility use within the C2 district and ensures that operations remain compatible with surrounding uses through appropriate site design, licensing, and compliance with Title 32 standards.

RECOMMENDED MOTION:

Based on the information provided in the staff report and as presented in the staff presentation, I move to approve the Conditional Use Permit associated with CUP25003 (Fernley Daycare), subject to Conditions of Approval 1 through 12 as presented by staff.

BUSINESS IMPACT (per NRS Chapter 237):

A Business Impact Statement is not required because this is not a rule (term excludes vehicles by which legislative powers are exercised under NRS Chapters 271, 278, 278A, or 278B).

See attached report for background, analysis, alternatives.

ALTERNATIVES:

Based on the information provided in the staff report and as presented in the staff presentation, I move to approve the Conditional Use Permit associated with CUP25003 (Fernley Daycare), with the following modifications: _____.

Based on the information provided in the staff report and as presented in the staff presentation, I move to deny the Conditional Use Permit associated with CUP25003 (Fernley Daycare) because the following finding(s) cannot be met: _____.

BACKGROUND:

The subject property is located at 95 Main Street (APN 020-034-02) within an existing multi-tenant commercial center. The property is zoned C2 – General Commercial, which aligns with the site’s established commercial character.

The applicant, *Community Services Agency (CSA)*, proposes to occupy an existing ±6,887-square-foot suite to operate a licensed child care facility. The project includes tenant improvements to meet Building and Fire Code requirements and a fenced ±1,380-square-foot outdoor play yard at the southwest side of the building.

Child care facilities are conditionally permitted within the C2 zoning district under the Fernley Development Code. A Conditional Use Permit is required to ensure the use complies with the Comprehensive Master Plan and remains compatible with surrounding properties.

Surrounding zoning designations include C2 to the north across Main Street, C2 and MF30 to the west across Center Street, C2 and C1 to the east across 95A South, and OSP (Open Space and Parks) to the south. The site is fully served by existing roadways, water, and sewer infrastructure.

ANALYSIS:

FINDINGS FOR CONDITIONAL USE PERMIT

Finding A – The proposed conditional use will be in compliance with the Comprehensive Master Plan.

The Comprehensive Master Plan encourages infill development and community-serving uses within established commercial corridors. The proposed child care facility supports local families and workforce needs while utilizing existing infrastructure and services.

The project aligns with the following Comprehensive Master Plan goals and policies:

- **Policy LU.1.1 – Encourage and plan for new development in areas where adequate public services and facilities can be provided efficiently.**

The site is fully served by existing roadway, water, sewer, and storm drainage systems, consistent with this policy.

- **Policy LU.1.2 – Encourage development patterns that make efficient use of existing infrastructure.**

The project reuses an existing commercial suite within a developed corridor, reducing the need for new infrastructure investment.

- **Policy LU.1.5 – Promote infill development.**

The project represents infill redevelopment by occupying a vacant tenant space in an existing commercial center.

- **Policy LU.1.6 – Support a balanced mix of land uses that provide convenient access to employment, shopping, and community services.**

The child care facility adds a neighborhood-scale service that directly supports surrounding residential neighborhoods and nearby employment centers.

Collectively, these policies demonstrate that the proposed use is consistent with the intent of the Comprehensive Master Plan to promote compatible, service-oriented infill development in areas with existing infrastructure.

Finding A can be made.

Finding B – The conditional use will be compatible with the existing or permitted uses of adjacent properties.

The proposed child care facility will operate within an existing commercial suite, adding a new use to a mix of existing commercial tenants within the multi-tenant center. The site provides adequate parking and a defined plan for drop-off and pick-up operations.

To promote safety, six parking spaces located directly at the suite entrance will be designated “Pick-Up and Drop-Off Only.” Parents will park and escort children into the building for check-in; children will not enter or exit independently. These spaces are surplus to the required parking supply and remove the need for families to cross the drive aisle. Directional arrows for on-site circulation are already in place, and the operator estimates fewer than six simultaneous drop-offs or pick-ups during peak periods.

Outdoor play will occur within a fenced and screened yard during business hours only. Together, these operational measures ensure the proposed child care facility remains compatible with surrounding development and minimize potential impacts to adjacent tenants and land uses.

Finding B can be made.

Finding C – The potential impairment of natural resources and the total population which the available natural resources will support without unreasonable impairment.

The proposed child care facility will occupy an existing commercial suite within a fully developed multi-tenant center. The site is already connected to municipal water, sewer, and storm-drainage systems, and no new grading, utility extensions, or infrastructure improvements are required.

This reuse of an existing building aligns with Policy LU.1.2 – Encourage development patterns that make efficient use of existing infrastructure, by locating a new community-serving use where adequate services already exist. No adverse impacts to natural resources or municipal service capacities are anticipated.

Finding C can be made.

Finding D – The availability of and need for affordable housing in the community, including affordable housing that is accessible to persons with disabilities.

The proposed child care facility is a commercial, service-oriented use and does not remove, replace, or limit existing housing. The use indirectly supports housing accessibility by providing childcare options that benefit the local workforce and nearby residential neighborhoods.

Finding D can be made.

Finding E – The conditional use permit’s impacts have been conditioned to address identified impacts.

The proposed child care facility will occupy an existing commercial suite within a developed site, with no new construction or grading proposed. Potential impacts related to building occupancy, fire and life safety, traffic circulation, and parking have been reviewed by the appropriate City departments and agencies and will continue to be evaluated through the building permit process.

The project will be required to comply with all applicable provisions of the Fernley Development Code and other agency standards. Approval of the Conditional Use Permit shall be subject to Conditions 1-12, which will ensure the project operates safely, remains compatible with surrounding uses, and meets applicable design and construction requirements.

Finding E can be made.

RELEVANT LAWS, STATUTES, AND REGULATIONS:

Nevada Revised Statutes (NRS), Chapter 278 – Planning and Zoning
Nevada Revised Statutes (NRS), Chapter 432A – Child Care Facilities
Fernley Municipal Code (FMC), Title 32 – Development Code
FMC 32.03.050(b) – Conditional Use Permits
FMC 32.07.150 – Day care/child care
FMC 32.09.120 – Parking and Loading

FINANCIAL IMPLICATIONS:

N/a

ATTACHMENTS:

1. CUP25003 - CONDITIONS OF APPROVAL
2. CUP25003 - Vicinity Map
3. CUP25003 - Zoning Map
4. CUP25003 - Site Plan
5. CUP25003 - Floor Plan

6. CUP250003 - Applicant Narrative and Analysis

CUP25003 - CONDITIONS OF APPROVAL:

1. APPROVAL:

THIS CONDITIONAL USE PERMIT IS APPROVED AS CONDITIONED HEREIN. ANY SUBSTANTIVE CHANGE SHALL REQUIRE REVIEW AND APPROVAL BY PLANNING COMMISSION AS AN AMENDMENT TO THIS CONDITIONAL USE PERMIT.

2. PROJECT DESCRIPTION:

THE APPROVAL OF THE CONDITIONAL USE PERMIT IS LIMITED TO THE ESTABLISHMENT OF A LICENSED CHILD CARE FACILITY WITHIN AN EXISTING ± 6,887 SQUARE-FOOT SPACE LOCATED AT 95 MAIN STREET (APN 020-034-02), INCLUDING ASSOCIATED TENANT IMPROVEMENTS AND CONSTRUCTION OF A FENCED ± 1,380 SQUARE FOOT OUTDOOR PLAY AREA.

3. EXPIRATION DATE:

THE CONDITIONAL USE PERMIT SHALL EXPIRE WITHIN ONE (1) YEAR OF THE DATE OF APPROVAL, UNLESS THE PERMITTED USE HAS BEEN ESTABLISHED OR CONSTRUCTION TO ACCOMMODATE THAT USE HAS BEGUN AND IS BEING DILIGENTLY PURSUED. A ONE-YEAR EXTENSION MAY BE GRANTED BY THE PLANNING COMMISSION IF REQUESTED PRIOR TO THE EXPIRATION DATE OF THE CONDITIONAL USE PERMIT.

4. GOVERNING DOCUMENTS:

ALL CITY OF FERNLEY MUNICIPAL CODE (FMC) OR DEVELOPMENT CODE REFERENCES HEREIN PERTAIN TO THE VERSION OF THE CODE ESTABLISHED BY ORDINANCE NUMBER 2024-035, UNLESS OTHERWISE NOTED. THE DEVELOPER MAY SUBSTITUTE REQUIREMENTS ESTABLISHED IN FUTURE CITY OF FERNLEY MUNICIPAL CODE UPDATES, IF APPROVED BY THE ADMINISTRATOR.

THE DEVELOPER SHALL ALSO COMPLY WITH ALL STANDARDS FOUND WITHIN "CITY OF FERNLEY DEPARTMENT OF PUBLIC WORKS DESIGN STANDARDS & REVIEW GUIDELINES" OF MARCH 2024, "CITY OF FERNLEY STANDARD DETAILS FOR PUBLIC WORKS CONSTRUCTION" OF JULY 2022, AND "CITY OF FERNLEY COMPREHENSIVE MASTER PLAN" OF APRIL 2024.

5. DESIGN STANDARDS:

THE DEVELOPER SHALL COMPLY WITH ANY DESIGN STANDARDS AND REGULATIONS AS SET FORTH IN THE CITY OF FERNLEY DEVELOPMENT CODE UNLESS IN CONFLICT WITH THE LOCAL, STATE, OR FEDERAL REGULATIONS IN WHICH CASE THE MORE STRINGENT REGULATION WILL TAKE PRECEDENCE.

6. PROJECT CONTACT:

PRIOR TO ISSUE OF A BUILDING PERMIT, THE DEVELOPER SHALL DESIGNATE A PROJECT CONTACT PERSON TO THE ADMINISTRATOR. THE CONTACT PERSON SHALL BE AUTHORIZED TO AND RESPONSIBLE FOR CORRECTING ANY PROJECT-RELATED ISSUES ON A 24-HOUR, 7-DAYS-PER-WEEK BASIS.

7. GENERAL DEVELOPMENT STANDARDS:

THIS PROJECT SHALL COMPLY WITH ALL DEVELOPMENT STANDARDS FOUND WITHIN THE GOVERNING DOCUMENTS LISTED IN ITEM 4; THIS INCLUDES BUT IS NOT LIMITED TO ITEMS RELATED TO INTENSITY STANDARDS, LANDSCAPING AND SCREENING, LIGHTING, BUILDING PROJECTIONS, PARKING AND LOADING, AND ANY DEVELOPMENT STANDARDS REQUIRED FOR THE SPECIFIC ZONING DESIGNATION.

8. CONSTRUCTION DEBRIS:

ALL CONSTRUCTION SITES SHALL HAVE APPROVED TRASH RECEPTACLE(S) OR AN APPROVED TRASH REMOVAL PLAN IN PLACE AT THE TIME OF THE FIRST INSPECTION AND DURING CONSTRUCTION, UNTIL CERTIFICATE OF OCCUPANCY IS ISSUED. THE RECEPTACLE(S) SHALL BE USED APPROPRIATELY TO MAINTAIN A CLEAN WORK SITE.

9. CONSTRUCTION HOURS:

PRIOR TO THE START OF ANY CONSTRUCTION-RELATED ACTIVITY, THE DEVELOPER SHALL INSTALL SIGNS AT ALL ACCESS POINTS TO THE PROJECT THAT CLEARLY INDICATE THE HOURS OF ACTIVITY ON-SITE. THE DEVELOPER SHALL LIMIT ALL CONSTRUCTION-RELATED ACTIVITIES TO BETWEEN THE HOURS OF 7:00 AM AND 7:00 PM, SEVEN DAYS PER WEEK. ONCE CONSTRUCTION IS FINISHED, THE DEVELOPER SHALL REMOVE THESE SIGNS.

10. NORTH LYON COUNTY FIRE PROTECTION DISTRICT:

THE DEVELOPER SHALL COMPLY WITH ALL REQUIREMENTS OF THE MOST RECENT FIRE CODE ADOPTED BY THE NORTH LYON COUNTY FIRE PROTECTION DISTRICT, TO THE APPROVAL OF THE FIRE CHIEF, FIRE MARSHAL, OR DESIGNEE.

11. FEDERAL, STATE, AND LOCAL AGENCIES:

THE DEVELOPER SHALL COMPLY WITH ALL REQUIREMENTS OF ANY FEDERAL, STATE, LOCAL AGENCY, DEPARTMENT, OR LICENSED PROFESSIONAL WITH JURISDICTION OVER THE PROJECT INCLUDING, BUT NOT LIMITED TO: BUREAU OF RECLAMATION (BOR), NEVADA DEPARTMENT OF TRANSPORTATION (NDOT), NEVADA DIVISION OF ENVIRONMENTAL PROTECTION (NDEP), NEVADA DIVISION OF WATER RESOURCES (NDWR), NEVADA BUREAU OF WATER POLLUTION CONTROL, NEVADA BUREAU OF SAFE DRINKING WATER, NEVADA STATE ENVIRONMENTAL COMMISSION, TRUCKEE CARSON IRRIGATION DISTRICT (TCID), THE CITY OF FERNLEY BUILDING OFFICIAL, THE CITY OF FERNLEY ENGINEER, CITY OF FERNLEY PLANNING DEPARTMENT, CITY OF FERNLEY PUBLIC WORKS DEPARTMENT, AND THE CITY OF FERNLEY PROFESSIONAL LAND SURVEYOR.

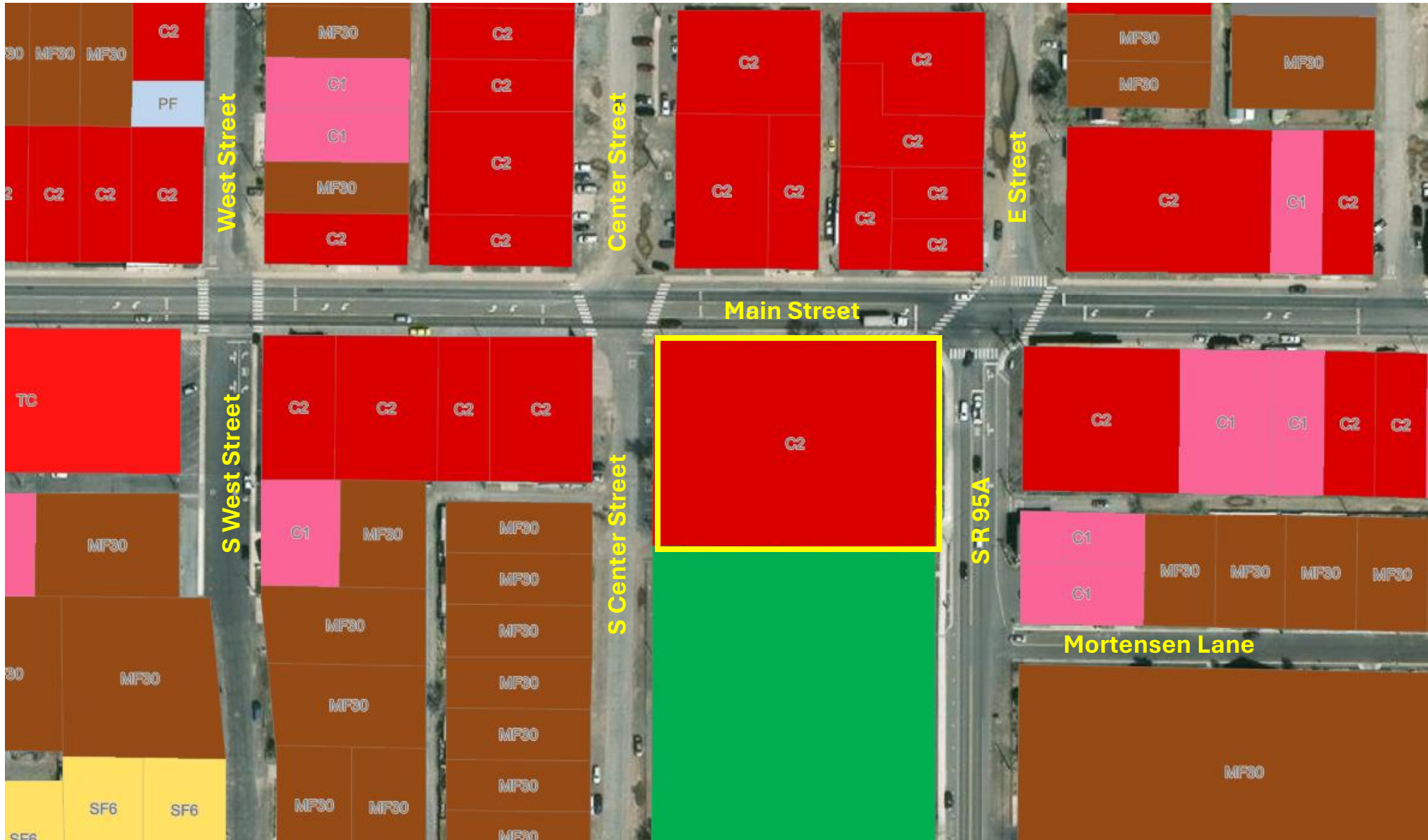
12. PLAY AREA FENCING

THE OUTDOOR PLAY AREA FENCING SHALL BE CONSTRUCTED CONSISTENT WITH THE MATERIALS AND DIMENSIONS SHOWN ON CUP25003, INCLUDING A 3'-4" SPLIT-FACE CMU WALL WITH A 2'-8" CHAIN-LINK FENCE WITH COLORED VINYL SLAT INSERTS INSTALLED ABOVE, FOR A TOTAL HEIGHT OF APPROXIMATELY 6 FEET. THE APPROVED FENCING SHALL BE SHOWN ON THE FINAL SITE PLAN AND INSTALLED PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY. THE FENCING SHALL BE MAINTAINED FOR THE DURATION OF THE USE.

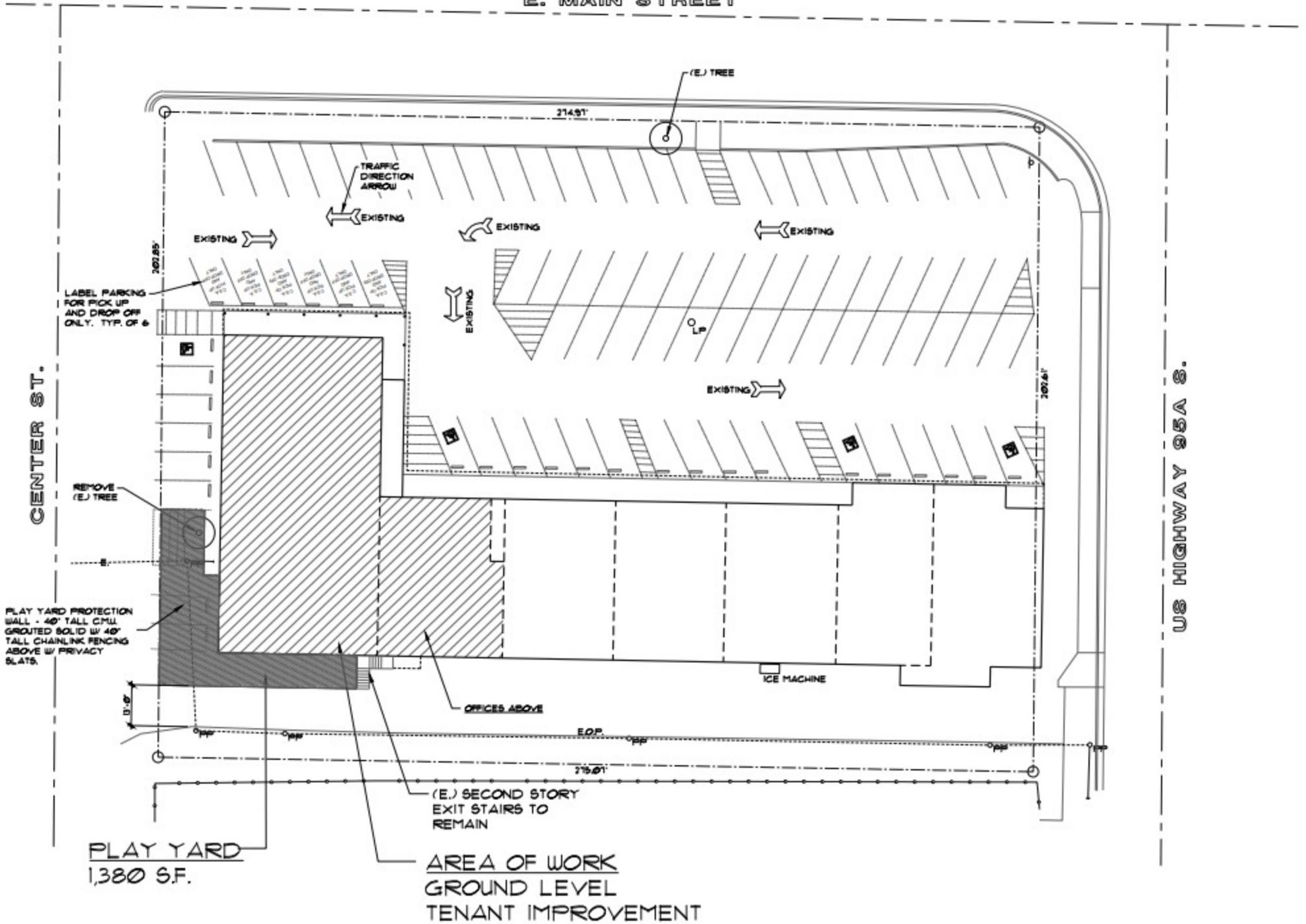
Vicinity Map



Zoning Map



E. MAIN STREET



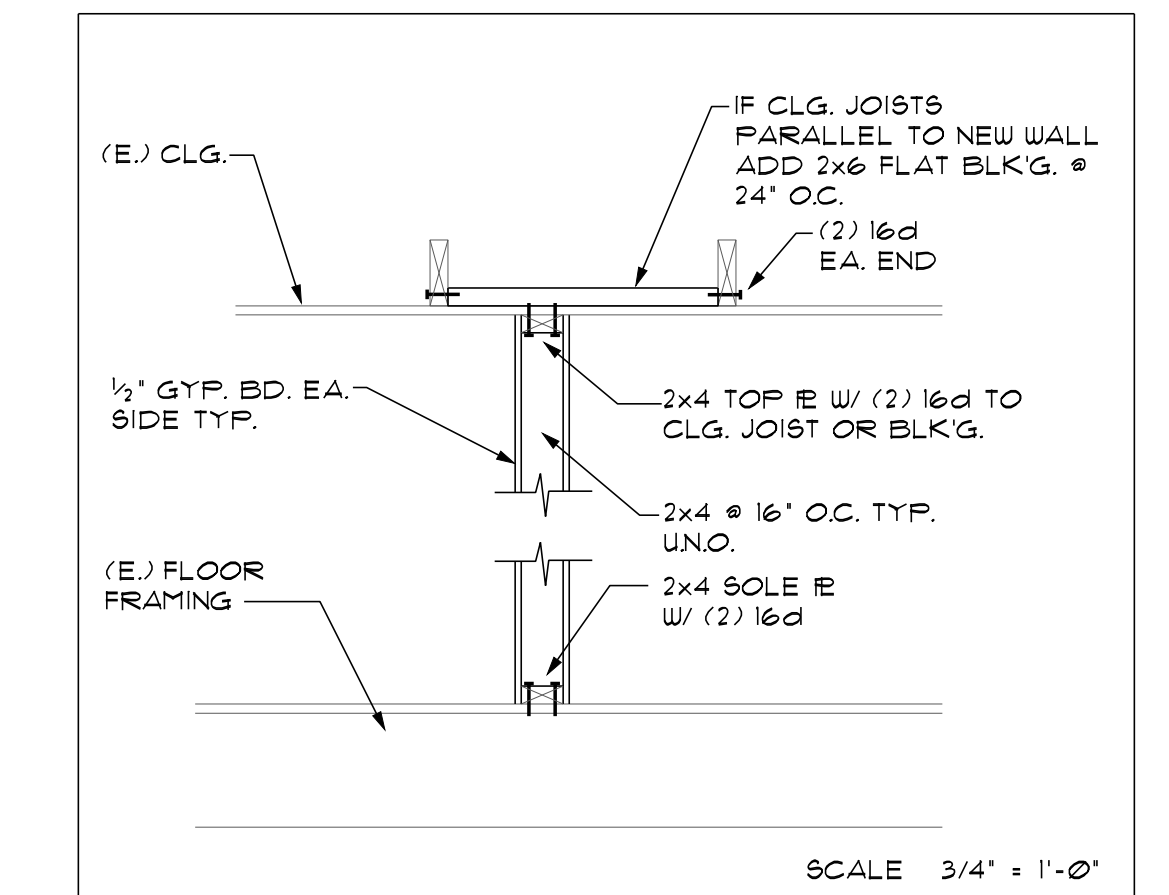


LEGEND

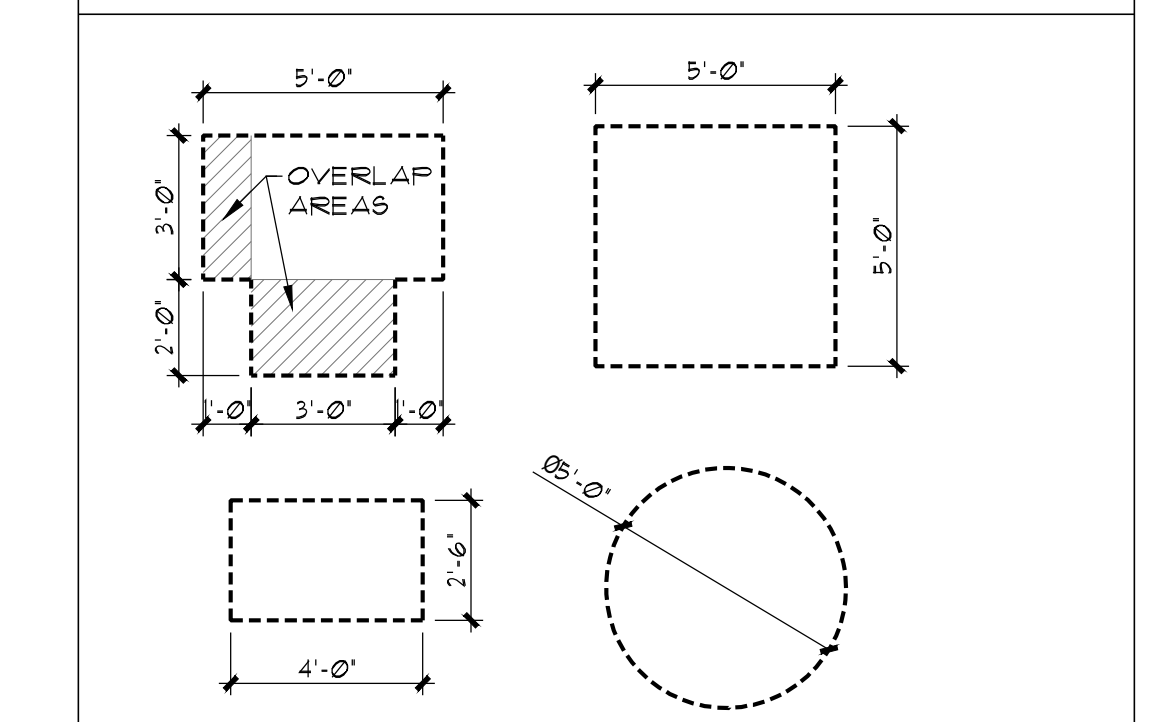
- 2x4 @ 16" O.C. STUDS
- TYP. UNO. - SEE DETAIL
- EXISTING PARTITION

DOOR NOTES

1. ALL DOOR TO HAVE LEVER TYPE HARDWARE, UNLESS OTHERWISE NOTED AS PANIC HARDWARE (LEVER AT FULL SIDE) AND THE MAXIMUM EFFORT TO OPERATE DOORS SHALL NOT EXCEED 8.5 POUNDS FOR EXTERIOR DOORS AND 5 POUNDS FOR INTERIOR DOORS (5 POUNDS AT FIRE DOORS).
2. ALL DOOR HARDWARE TO COMPLY WITH ANSI 111.1-2011 STANDARDS AND BE ADA COMPLIANT.
3. ALL DIMENSIONS ARE FOR BIDDING PURPOSES ONLY. CONTRACTOR SHALL VERIFY ALL DIMENSIONS PRIOR TO FABRICATION.
4. PROVIDE (1) WALL MOUNT DOOR STOP AT ALL DOORS.
5. ALL MAIN EXIT DOORS TO BE PROVIDED WITH DURABLE SIGN OVER DOOR TO READ 'THIS DOOR TO REMAIN UNLOCKED DURING BUSINESS HOURS'.



TYP. NEW INTERIOR WALL



FLOOR PLAN NOTES

1. INTERIOR WALLS TO BE 2x4 @ 16" O.C. (2x6 MIN. @ PLUMBING WALLS) W/ 1/2" GYP. BOARD, EA. SIDE. PROVIDE SOLID BLK.G. @ 10'-0" MAX.
2. INSULATE ALL INTERIOR WALLS W/ R-13 SOUND BATTS.
3. INTERIOR FLOOR FINISHES TO COMPLY WITH FLAME AND SMOKE RATINGS PER SECTION 804.
4. INSULATION IN CONCEALED SPACES TO COMPLY WITH SECT. 1202 FOR FLAME AND SMOKE INDEX REQUIREMENTS.
5. EXPOSED INSULATION TO COMPLY WITH SECT. 1203 FOR FLAME AND SMOKE INDEX REQUIREMENTS.
6. ACOUSTICAL LAY-IN CEILINGS TO COMPLY WITH SECTION 808.11 AND MATCH THE WALL AND FLOOR FINISH REQUIREMENTS.
7. WINDOWS TO BE VINYL OR FIBERGLASS FRAMED WITH LOW-E GLAZING ('ARGON FILLED'). U=0.30 OR LESS. SHGC = 0.25.

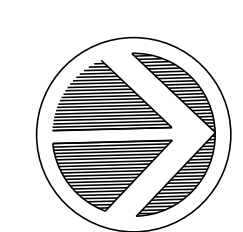
RESTROOM REQUIREMENTS:

1. FLOORS TO HAVE A HARD, NON-ABSORBENT SURFACE WITH A NON-ABSORBENT BASE EXTENDING 4" MIN. UP THE ADJOINING WALL SURFACE PER 1209.2.1.
2. WALLS AND PARTITIONS WITHIN 2' (24") OF SINKS, URINALS, WATER CLOSETS (TOILETS) TO HAVE A SMOOTH, HARD, NON-ABSORBENT SURFACE TO 4" (48") ABOVE THE FLOOR SURFACE. ACCESSORIES INSTALLED AGAINST THESE SURFACES TO BE SEALED AGAINST MOISTURE INTRUSION.
3. SHOWER COMPARTMENTS TO BE FINISHED WITH A HARD, NON-ABSORBENT MATERIAL TO 12" ABOVE THE DRAIN INLET.
4. URINAL SCREENS SHALL START WITHIN 12" OF FLOOR, EXTEND TO 46" MIN. ABOVE FLOOR SURFACE, AND EXTEND 18" MIN. AWAY FROM WALL AND / OR NOT LESS THAN 6" FROM FRONT LIP OF URINAL, WHICH EVER IS GREATER. URINAL RIM TO BE 1" MAX. ABV. FLOOR FINISH.
5. ALL WALLS TO BE SHEATHED IN HARDIE CEMENT BACKER OR GLASS MAT BACKING PANELS.

DAYCARE REQUIRE 48 SF. PER CHILD.
(16) 3-YEARS OLD
(36) 3-5-YEARS OLD
(52) TOTAL = 2,496 SF. REQ'D.

OUTSIDE PLAY YARD
40 SF. PER CHILD IN PLAY YARD.
(36) CHILDREN MAX.

TENANT IMPROVEMENT PLAN
SCALE 1/4" = 1'-0"





CSA Headstart Daycare Tenant Improvement – Project Narrative & Analysis

Project: Licensed child care (day use)

Address/APN: 95 Main Street, Fernley, NV [APN if available]

Zoning / Land Use: C-2 (General Commercial); multi-tenant building

Request: Conditional Use Permit (CUP) to allow a daycare use within an existing tenant space, with interior tenant improvements and a fenced 1,380 sf outdoor play area. No building additions are proposed.

Enrollment & Staffing: 52 children total (16 ages 1–3; 36 ages 3–5). Staffing to meet Nevada licensing ratios (NRS/NAC 432A).

Parking (shared lot): 55 spaces required (worksheet in plans); 85 spaces available on site (surplus 30).

Operations: Weekdays, approximately business hours; staggered drop-off/pick-up.

Fernley’s CUP submittal calls for a detailed narrative addressing compatibility with the Development Code & Master Plan, compatibility with neighbors, and findings.

1) Compatibility with the Development Code and Master Plan

Development Code (Title 32) consistency

- **Applicability & purpose.** Title 32 applies to all land uses in Fernley and sets minimum standards to protect public health, safety, and welfare. This TI will obtain all required building/fire permits prior to operation.
- **Use authorization.** Daycare/child care facilities are processed where listed by district; C-2 requires a Conditional Use Permit when identified in the use table. This application follows the CUP procedure under Title 32.
- **Procedure & noticing.** CUPs are heard by the Planning Commission with mailed/public notice per the Development Code.
- **Development standards.** General use standards apply (e.g., screening, lighting, operations); the project complies or will be conditioned to comply.



Comprehensive Master Plan consistency

The Master Plan promotes community-serving uses in established commercial areas with existing infrastructure. This infill TI leverages existing streets/parking/utilities and supports working families—consistent with the Plan’s goals for economic vitality and quality of life.

2) Compatibility with Neighbors

Context & site use

The tenant space is within a multi-tenant commercial building on Main Street with shared parking and low-speed internal circulation—an appropriate context for a daytime, community-serving use.

Traffic, circulation, and parking

- **Trip timing** – is concentrated in short morning/afternoon windows and is staggered by family schedules; mid-day demand is low compared with typical retail.
- **Pickup/drop-off operations** – use a signed/striped loading zone at the entrance. Parents park and escort children inside (no curbside idling). Internal wayfinding arrows and door-control hardware enhance safety.
- **Parking** –: Meets Title 32 via shared supply—55 required vs. 85 provided (surplus 30), documented in the parking worksheet.

Noise, screening, and lighting

The 1,380 sf outdoor play area is fenced (min. 6 ft privacy where adjacent to sensitive edges), surfaced with resilient material, and limited to scheduled blocks during business hours; no amplified sound. Exterior lighting remains full-cutoff and directed away from residential edges; refuse remains in existing enclosure.

Life safety and licensing

TI includes any required egress/exit signage, occupancy controls, restroom/fixture compliance, and ADA upgrades with Building and North Lyon County Fire Protection District coordination. The facility will obtain/maintain Nevada child care licensing (NRS/NAC 432A).

3) Conditional Use Permit Findings (Applicant Responses)

Finding 1 – Consistency with the Master Plan.

The daycare provides neighborhood-scale services in a C-2 corridor, utilizing existing infrastructure and supporting family/workforce needs—consistent with the Master Plan’s land use and community objectives.



Finding 2 – Compatibility with surrounding uses.

Daytime operations, indoor-focused activity, limited/scheduled outdoor play, and site management (striping, signage, escorted drop-off) are compatible with adjacent commercial tenants and nearby uses. Typical conditions (hours of outdoor play, fencing, and loading management) ensure ongoing compatibility.

Finding 3 – Adequacy of public services and infrastructure.

No new public infrastructure is required. The TI occurs within an existing serviced building; water/sewer, access, and fire protection are available.

Finding 4 – No undue adverse impacts; impacts mitigated by conditions.

Potential traffic, noise, and operational impacts are mitigated via the pickup/drop-off plan, play-yard screening/hours, and adherence to use standards and any staff conditions of approval.

Finding 5 – Compliance with Title 32 and other regulations.

The project will meet Title 32, Fernley building/fire codes, and Nevada child-care licensing requirements prior to operation.

Finding 6 – Public notice and process.

Public notice will be provided and a hearing held by the Planning Commission consistent with the Development Code; any conditions of approval will be accepted.

4) Proposed Conditions (accepted by applicant)

- Implement the Pickup/Drop-off Management Plan (striping, signage, parent-escort policy, and staff parking in rear).
- Limit outdoor play to business hours, no amplified sound; maintain 6-ft privacy fencing around play yard.
- Maintain parking supply per the worksheet and preserve the loading zone; re-stripe as necessary.
- Obtain all building/fire permits and pass inspections prior to operation; coordinate with North Lyon County Fire Protection District.
- Obtain and maintain Nevada child care licensing (NRS/NAC 432A).



CITY OF FERNLEY

Planning Commission AGENDA REPORT

Meeting Date: December 10, 2025

REPORT TO:	Fernley Planning Commission
REPORT FROM:	Alisa Johansson

FINANCIAL IMPACT:		CURRENTLY BUDGETED:		FUND/ACCOUNT:
Yes:	No: X	Yes:	No: X	N/A.

ACTION REQUESTED: Ordinance Motion
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AGENDA ITEM: Discussion and possible action regarding CA25007 and Bill #373, a request from the Planning Department and City Manager’s Office to amend the definitions, use table entries, use standards, and parking supply requirements for the animal services land use as contained in Fernley Municipal Code, Title 32, Chapters 2, 6, 7, and 9 (FMC 32.02.030; FMC 32.06.150, Table 2; FMC 32.07.060; and FMC 32.09.120, Table 2).
--

AGENDA ITEM BRIEF: The City’s existing regulations for animal service uses are cumbersome and inflexible—in the current iteration of the code, many routine activities are prohibited unless associated with a veterinary practice, limiting the community’s access to important animal care services unless the particular business model envisioned by the code is employed. In consultation with the City Manager’s Office and the Animal Control Program Manager, Planning staff have developed additional definitions, use allowances, and development standards to enhance the feasibility of such businesses. The proposed changes include: <ol style="list-style-type: none"> 1. New animal service use definitions that create additional flexibility for project proponents and easier regulatory responsibilities for City staff by separating this land use classification into four distinct uses with one additional defined accessory use, 2. New or updated entries in the City’s use table, increasing allowances for animal service uses in many zoning districts, 3. New use standards intended to enhance operational efficacy, simplify enforcement, and ensure compatibility with other uses, and 4. Updated parking supply requirements intended to more adequately support the needs of these business types.

RECOMMENDED MOTION:

“Considering the information provided by staff presentations and in the staff report, I move to recommend that the City Council approve Bill #373 associated with CA25007 amending the definitions, use table entries, use standards, and parking supply requirements for the animal services land uses, FMC 32.02.030; FMC 32.06.150, Table 2; FMC 32.07.060; and FMC 32.09.120, Table 2.”

BUSINESS IMPACT (per NRS Chapter 237):

A Business Impact Statement is not required because this is not a rule (term excludes vehicles by which legislative powers are exercised under NRS Chapters 271, 278, 278A, or 278B).

See attached report for background, analysis, alternatives.

ALTERNATIVES:

Denial:

“Considering the information provided in public testimony and considering the facts of the case, I move to recommend that the City Council deny Bill #373 associated with CA25007 amending the definitions, use table entries, use standards, and parking supply requirements for the animal services land uses, FMC 32.02.030; FMC 32.06.150, Table 2; FMC 32.07.060; and FMC 32.09.120, Table 2 because I am unable to make the following required finding(s):

(State finding and supporting analysis—repeat for each applicable finding).”

Modification:

“Considering the information provided by staff presentations and in the staff report, I move to recommend that the City Council approve Bill #373 associated with CA25007 amending the definitions, use table entries, use standards, and parking supply requirements for the animal services land uses, FMC 32.02.030; FMC 32.06.150, Table 2; FMC 32.07.060; and FMC 32.09.120, Table 2 with the following modifications:

(Identify proposed modification and supporting rationale—repeat for each desired modification).”

BACKGROUND:

Title 32, Development Code presently categorizes animal service land uses into two types: “indoor” and “overnight and/or outdoor.” The use standards for this use furthermore require that any animal boarding or daycare associated with an "animal service, indoor" use must be associated with a veterinary clinic, and only to the extent that it is part of medical care. Over the years, these definitions and the application of the associated use standards have effectively limited the presence of any animal boarding or shelter services within the City of Fernley. In working to correct this clear regulatory error, additional clarification needs were discovered. This proposal now includes a complete overhaul of the animal service land use and all associated references in the City’s Development Code as noted above.

Analysis: Development Code Text Amendment

A development code text amendment is committed to the City Council’s legislative discretion. A development code text amendment may be approved if it meets the following criteria.

1. *Consistent with the city's master plan and otherwise consistent with state and federal law.*

The proposed development code text amendment is consistent with the City of Fernley’s Comprehensive Master Plan in that it establishes regulations that support the Plan’s overarching goals of effective growth management,

land use compatibility, and fostering feasible projects that can provide a range of services to the community. Additionally, the following specific community goals are also supported by this code change.

LU.1.4.2 Projects shall be evaluated with the intent to promote land use compatibility; community design measures can increase compatibility among adjoining land uses.

This code amendment includes several new stipulations regarding outdoor confinement and play areas—the component most likely to constitute an adverse impact to adjoining uses and developments. By enacting strict regulations regarding this accessory use, land use compatibility can be promoted while use allowances are relaxed or adjusted.

LU.1.6 Create a growth pattern that assures flexible, feasible and efficient projects.

By adopting this code amendment, the City provides new feasibility and flexibility for animal service uses—flexibility and feasibility that were previously absent from the Development Code. This amendment opens the door for new business models and project types while enhancing operational efficacy through increased parking supply requirements and use-specific standards.

PSF.3.3 Ensure appropriate levels of public services and facilities are continually provided.

In Fernley, where agriculture and outdoor culture predominate, pet and livestock ownership is a key component of the Fernley lifestyle. Shelters and other animal service uses provide an important public service to the community. Presently, many of Fernley’s animal service needs, particularly impoundment, are provided in nearby communities. This is not only an inefficient arrangement but provides inadequate levels of service for community members. City regulations must be continually adapted to the growing and evolving needs of the community—this code amendment ensures that the demand for shelter, kennel, and other animal services can be provided at appropriate levels within the City.

2. Public notice was given, and a public hearing held per the requirements of the Development Code and Nevada Revised Statutes.

A public hearing will be held in accordance with Fernley Municipal Code and Nevada Revised Statutes. Legal notice was published in the Reno-Gazette Journal on November 25, 2025. An additional public hearing with appropriate legal notice is tentatively scheduled for January 21, 2026.

RELEVANT LAWS, STATUTES, AND REGULATIONS:

General References

Nevada Revised Statutes (NRS) Chapter 266 – General Law for Incorporation of Cities and Towns

Nevada Revised Statutes (NRS) Chapter 268 – Powers and Duties Common to Cities and Towns Incorporated under General or Special Laws

Nevada Revised Statutes (NRS) Chapter 278 – Planning and Zoning

Fernley Municipal Code (FMC) Title 32 – Development Code

City of Fernley Comprehensive Master Plan (2018, 3rd Update)

Specific References

NRS 266.105-118 – Ordinances and Resolutions

NRS 268.014 – Codification of Ordinances; Publication of Code

FMC 1.01.03 – Official Municipal Code, Amendments

FMC 32.03.040(d) – Development Code, Administration, Development Code Text Amendments

FMC 32.02.020 – Definitions
FMC 32.06.150, Table 2 – Use Table
FMC 32.07.060 – Animal Services
FMC 32.09.120, Table 2 – Parking Supply

FINANCIAL IMPLICATIONS:

None.

ATTACHMENTS:

1. Exhibit 1 - Bill 373
2. Exhibit 2 - Animal Services - Original Code
3. Exhibit 3 - Animal Services - Amended Code

BILL #373
CITY OF FERNLEY
ORDINANCE # _____

AN ORDINANCE AMENDING TITLE 32, CHAPTER 2, SECTION 030 (DEFINITIONS); CHAPTER 6, SECTION 150, TABLE 2 (USE TABLE), CHAPTER 7, SECTION 060 (ANIMAL SERVICES), AND CHAPTER 9, SECTION 120, TABLE 2 (PARKING AND LOADING) OF THE FERNLEY DEVELOPMENT CODE TO IMPROVE COMPATIBILITY, REDUCE ADVERSE IMPACTS, RELAX USE ALLOWANCES, AND SIMPLIFY REGULATIONS FOR ANIMAL SERVICE USES IN THE CITY OF FERNLEY.

THE CITY COUNCIL OF THE CITY OF FERNLEY, hereinafter “the Council”, DO HEREBY ORDAIN:

Section 1. Title 32, Chapter 2, Section 030 (Definitions) is hereby amended as follows:

Animal Service, Veterinary. An animal medical service use offering routine, diagnostic, emergency, surgical, and rehabilitative care. May include mobile call-out services, grooming, and short-term boarding offered as incidental services.

Animal Service, General. A commercial establishment offering animal grooming, breeding, or similar general services at a fixed location. May include mobile call-out services as an incidental service.

Animal Boarding or Training. A commercial establishment offering short-term or temporary boarding and/or training for domestic animals.

Animal Shelter. A commercial or public facility establishment primarily providing care and custody for animals. May include incidental veterinary, grooming, temporary boarding for a fee, and training services.

Outdoor confinement/play. Any outdoor area devoted to the confinement, exercise, training, or recreation of domestic animals associated with a commercial animal service use.

Title 32, Chapter 6, Section 150, Table 2 (Use Table) is hereby amended as follows:

Use Category	Use Type	Use Standards	GR20	RR5	RR1	RR1/2	SF20	SF12	SF9	SF6	MDR14	MF21	MF30	MU	C1	C2	TC	EC	I	PF
Animal Services	Animal Services, Veterinary	Chapter 32.07	C	C	C									P	P	P		P	P	
	Animal Services, General	Chapter 32.07	C	C	C									P	P	P		P	P	
	Animal Boarding or Training	Chapter 32.07	C											C	C	P		P	P	
	Animal Shelter	Chapter 32.07														C			P	P
	Outdoor confinement/play	Chapter 32.07	C	C										C	C	P			P	P

Title 32, Chapter 7, Section 060 (Animal Services) is hereby amended as follows:

Sec. 32.07.060. - Animal services.

- (a) The following standards apply to any animal service use:
 - i. Solid waste collection service is required for any commercial animal service use.
 - ii. 10’ separation shall be provided between all feeding and relief areas, unless a guillotine or animal door and separating wall are provided.
 - iii. Animal bedding shall be provided when the floors of confinement areas are hard-surfaced.
- (b) The following standards apply to any animal service use that includes outdoor confinement or play areas:
 - i. Animals shall have access to an area sheltered from adverse climactic conditions at all times.
 - ii. Outdoor confinement/play areas shall be located at least 500’ from any surrounding residential lots and shall be located away from public streets and/or property frontages.
 - iii. For the purpose of providing visual and auditory screening from other developments and from public view, outdoor animal confinement or play areas shall be fenced with solid materials at least 6’ in height along the perimeter of any outdoor area where it abuts any other lot, tenant space, or public or private roadway.
 - iv. Noise resulting from outdoor exercise, play, or confinement areas shall not create an adverse impact for adjoining properties and uses. A noise impact study may be required to demonstrate that noise levels do not exceed acceptable levels, with or without mitigation measures.
 - v. Outdoor animal confinement or play areas shall not result in odors detectable beyond the boundaries of the subject lot. Waste receptacles are required in or near the outdoor area in a sufficient quantity to contain all animal waste between collection days.

Title 32, Chapter 9, Section 120, Table 2 (Parking Supply Requirements) are hereby amended as follows:

	Use	Parking Spaces Required
	See Chapter 32.06 (Use Table)	(sf = building gross floor area unless otherwise provided)
Commercial		
Animal Services:	General Animal Services	1 per 1,000 sf and 1 space per employee ¹
	Veterinary Services	1 per 750 sf and 1 space per employee ¹
	Boarding or Training	1 per 750 sf and 1 space per employee ¹
	Shelters	1 per 750 sf and 1 space per employee ¹
	All Animal Services	1 per 4 animals for loading/unloading, computed based on facility capacity

¹Employee counts shall be based on the maximum number of employees working at one time with the facility is operating at full capacity.

- Section 2.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.
- Section 3.** The City Clerk is instructed and authorized to publish the title of this ordinance as provided by law.
- Section 4.** This ordinance shall become effective upon passage, approval, and publication.
- Section 5.** The provisions of this ordinance shall be liberally construed to effectively carry out its purposes in the interest of the public health, safety, welfare, and convenience.
- Section 6.** In any subsection, phrase, sentence, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions.
- Section 7.** The City Council finds that this ordinance is not likely to impose a direct and significant economic burden upon a business or directly restrict the formation, operation, or expansion of a business, or is otherwise exempt from Nevada Revised Statutes Chapter 237.

BILL #364 BEING HEREBY PROPOSED on the 21st day of January, 2026.

BILL #364 BEING HEREBY PASSED, APPROVED, and ADOPTED this 4th day of February, 2026, by the following vote of the Council:

Ayes: _____ Nays: _____ Abstentions: _____ Absent: _____

FERNLEY CITY COUNCIL

By: _____ Date: _____
 Neal E. McIntyre, Mayor

Attest By: _____ Date: _____
 Kim Swanson, City Clerk

Sec. 32.02.030 - Definitions

Animal services. A building or area where animals are boarded, groomed, bred, or trained, or given medical care or recreational activities. This includes any kennel, animal hospital, animal grooming, veterinarian, animal spa, or animal shelter that provides temporary housing of stray, abandoned, abused, neglected or unwanted domestic animals.

Animal services, indoor. An animal service (including a veterinary services) that occurs entirely within an enclosed building, and where animals are not boarded overnight.

Animal services, overnight and/or outdoor. Any animal service (including veterinary service or kennel) that has overnight boarding or outdoor confinement or exercise areas.

Sec. 32.06.150, Table 2

Use Category	Use Type	Additional Use Standards	GR20	RR5	RR1	RR½	SF20	SF12	SF9	SF6	MDR14	MF21	MF30	MU	C1	C2	TC	EC	I	PF
	Animal Services																			
	Animal services, indoor	Reference chapter 32.07	P	P	P									P	P	P		P		P/L
	Animal services, overnight and/or outdoor	Reference chapter 32.07	P	C	C									C	C	AR		P		P/L

Sec. 32.07.060 - Animal services.

This section applies to any animal service:

(a) Animal boarding or daycare is permitted within the animal services, indoor use only as part of a veterinary clinic, and only to the extent that it is part of medical care.

(b) Outdoor animal exercise or containment areas are limited to 20 percent of the lot and shall be located at least 500 feet from any residential zoning district, except for the GR20 and RR5 residential districts.

Sec. 32.09.120, Table 2

<i>Animal Services:</i>	Animal services, indoor	1 per 1,500 sf
	Animal services, overnight and/or outdoor	1 per 1,500 sf

Sec. 32.02.030 - Definitions

Animal Service, Veterinary. An animal medical service use offering routine, diagnostic, emergency, surgical, and rehabilitative care. May include mobile call-out services, grooming, and short-term boarding offered as incidental services.

Animal Service, General. A commercial establishment offering animal grooming, breeding, or similar general services at a fixed location. May include mobile call-out services as an incidental service.

Animal Boarding or Training. A commercial establishment offering short-term or temporary boarding and/or training for domestic animals.

Animal Shelter. A commercial or public facility establishment primarily providing care and custody for animals. May include incidental veterinary, grooming, temporary boarding for a fee, and training services.

Outdoor confinement/play. Any outdoor area devoted to the confinement, exercise, training, or recreation of domestic animals associated with a commercial animal service use.

Animal services. A building or area where animals are boarded, groomed, bred, or trained, or given medical care or recreational activities. This includes any kennel, animal hospital, animal grooming, veterinarian, animal spa, or animal shelter that provides temporary housing of stray, abandoned, abused, neglected or unwanted domestic animals.

Animal services, indoor. An animal service (including a veterinary services) that occurs entirely within an enclosed building, and where animals are not boarded overnight.

Animal services, overnight and/or outdoor. Any animal service (including veterinary service or kennel) that has overnight boarding or outdoor confinement or exercise areas.

Sec. 32.07.060 - Animal services.

(a) The following standards apply to any animal service use:

- i. Solid waste collection service is required for any commercial animal service use.
- ii. 10' separation shall be provided between all feeding and relief areas, unless a guillotine or animal door and separating wall are provided.
- iii. Animal bedding shall be provided when the floors of confinement areas are hard-surfaced.

(b) The following standards apply to any animal service use that includes outdoor confinement or play areas:

- i. Animals shall have access to an area sheltered from adverse climactic conditions at all times.

- ii. Outdoor confinement/play areas shall be located at least 500’ from any surrounding residential lots and shall be located away from public streets and/or property frontages.
- iii. For the purpose of providing visual and auditory screening from other developments and from public view, outdoor animal confinement or play areas shall be fenced with solid materials at least 6’ in height along the perimeter of any outdoor area where it abuts any other lot, tenant space, or public or private roadway.
- iv. Noise resulting from outdoor exercise, play, or confinement areas shall not create an adverse impact for adjoining properties and uses. A noise impact study may be required to demonstrate that noise levels do not exceed acceptable levels, with or without mitigation measures.
- v. Outdoor animal confinement or play areas shall not result in odors detectable beyond the boundaries of the subject lot. Waste receptacles are required in or near the outdoor area in a sufficient quantity to contain all animal waste between collection days.

This section applies to any animal service:

(a) ~~Animal boarding or daycare is permitted within the animal services, indoor use only as part of a veterinary clinic, and only to the extent that it is part of medical care.~~

(b) ~~Outdoor animal exercise or containment areas are limited to 20 percent of the lot and shall be located at least 500 feet from any residential zoning district, except for the GR20 and RR5 residential districts.~~

Sec. 32.09.120, Table 2

	Use	Parking Spaces Required
	See Chapter 32.06 (Use Table)	(sf = building gross floor area unless otherwise provided)
Commercial		
Animal Services:	Animal services, indoor <u>Animal Services, General</u>	1 per 1,500-sf <u>1 per 1,000 sf and 1 space per employee¹</u>
	Animal services, overnight and/or outdoor <u>Animal Services, Veterinary</u>	1 per 1,500-sf <u>1 per 750 sf and 1 space per employee¹</u>
	<u>Animal Boarding or Training</u>	<u>1 per 750 sf and 1 space per employee¹</u>
	<u>Shelters</u>	<u>1 per 750 sf and 1 space per employee¹</u>

	<u>All Animal Service Uses</u>	<u>1 per 4 animals, computed based on maximum facility capacity</u>
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¹Employee counts shall be based on the maximum number of employees working at one time when the facility is operating at full capacity.

Sec. 32.06.150, Table 2

Use Category	Use Type	Additional Standards	GR 20	RR5	RR1	RR 1/2	SF20	SF12	SF9	SF6	MDR 14	MF21	MF30	MU	C1	C2	TC	EC	I	PF
Animal Services																				
	Animal services Services, indoor Veterinary	32.07	PC	PC	PC									P	P	P		P	P/L	
	Animal services Services, overnight and/or outdoor General	32.07	P	C	C									GP	GP	ARP		P	P/L	
	Animal Boarding or Training	32.07	C											C	C	P		P	P	
	Animal Shelter	32.07														C			P	P
	Outdoor Confinement/Play	32.07	C	C										C	C	P			P	P



CITY OF FERNLEY

Planning Commission AGENDA REPORT

Meeting Date: December 10, 2025

REPORT TO:	Fernley Planning Commission
REPORT FROM:	Lisa Warner

FINANCIAL IMPACT:	CURRENTLY BUDGETED:	FUND/ACCOUNT:
Yes: No: X	Yes: No: X	N/A

ACTION REQUESTED: Ordinance
Motion

AGENDA ITEM:

(For Possible Action) Discussion and possible action to recommend approval of Bill #174 (associated with CA25008) to amend Section 32.06.070 of the Fernley Development Code to amend Table 070-1 (Residential - Single-Family Density/Intensity Standards) to remove the 20' side combined setback for the SF6 zone and make minor grammatical corrections to the section as a whole.

AGENDA ITEM BRIEF:

At the request of developers, builders, and realtors, the Planning Department has initiated an update to the Fernley Development Code to remove the 20' side combined setback for the SF6 zone.

RECOMMENDED MOTION:

"I move to recommend that the City Council approve Bill #174 associated with CA25008 as presented by staff."

BUSINESS IMPACT (per NRS Chapter 237):

A Business Impact Statement is not required because this is not a rule (term excludes vehicles by which legislative powers are exercised under NRS Chapters 271, 278, 278A, or 278B).

See attached report for background, analysis, alternatives.

ALTERNATIVES:

"I move to recommend that the City Council deny Bill #174 associated with CA25008."

"I move to recommend that the City Council approve Bill #174 associated with CA25008 with the following

modifications_____.”

Note: Though no further language has been provided, the Planning Commission may make any other motion consistent with Fernley Planning Commission Rules of Procedure.

BACKGROUND:

Over the past year, many developers, builders, and relators have expressed frustration with the current setback requirements of the SF6 zoning district, specifically the combined side setback requirement of 20 feet. At their request, the Planning Department staff have initiated an update to the Fernley Development Code to remove the 20’ side combined setback for the SF6 zone. The 20’ side combined setback is very restrictive, especially for 6,000 square foot lots which are generally only about 60 feet wide.

Removing this 20’ side combined setback requirement will enable developers and builders to have more options in the placement of single-family residences on SF6 zoned lots and will also enable them to have additional square footage options for single-family residences.

Although the primary change in this Code Amendment is the removal of the 20’ side combined setback requirement for the SF6 zone, there were other minor grammatical corrections that were made.

FINDINGS:

In order to be approved, the following findings must be met:

1) The code amendment is consistent with the city’s Master Plan and is otherwise consistent with state and federal law.

The Master Plan does not specifically address Development Standards and Zoning District Density and Intensity Standards; therefore, the proposed Code Amendment does not violate any specific Master Plan requirement.

2) Public notice was given, and a public hearing held per the requirements of the Development Code and Nevada Revised Statutes.

Public notices were given, and a public hearing will be held at both the Planning Commission and the City Council meetings.

RELEVANT LAWS, STATUTES, AND REGULATIONS:

Fernley Development Code Section 32.06.070

Fernley Development Code Table 32.06.070-1

FINANCIAL IMPLICATIONS:

N/A

ATTACHMENTS:

1. SF6 Setbacks Original
2. SF6 Setbacks V1_LW_PC Redlined
3. SF6 Setbacks V1_LW_PC Proposed
4. Bill #174

Sec. 32.06.070. - Residential - Single-family (SF20, SF12, SF9, SF6).

Purpose: These districts are intended primarily for single family detached homes with varied lot sizes and a mix of low to medium densities. The districts encourage new development to provide buffering, lot matching or transition of density when adjacent to existing residential. The districts require municipal services can be provided, and accommodate a range of development types, from conventional large lot subdivisions to smaller lots with a more urban setting. This section establishes two development options: (1) conventional development that incorporates minimum lot size, setback, and coverage standards, and (2) design development that incorporates design and density standards.

(a) *Uses.* Refer to section 32.06150(c) (use table).

(b) *Dimensional standards.*

(1) Alley loaded garages may be constructed within the rear setback and may utilize up to a four-foot drive apron, whereas alley loaded driveways are prohibited.

(c) *Design standards.*

Purpose: These design standards maximize flexibility in the design of residential lots and encourage a variety of product types, while protecting of the community and its environmental resources. These standards encourage well-designed developments that: (1) reduce the prominence of garages in the front elevation, (2) promote pedestrian activity, (3) create functional and visual diversity, (4) provide community open space; and (5) protect significant features of the natural environment.

(1) *Generally.*

a. New subdivisions that comply with these design standards are subject to the density standards, the minimum lot size and coverage requirements of this district (see subsection (b) above).

b. The city's review of a single-family residential project will consider the following criteria:

1. Proportional size, mix and arrangement of lots;

2. Placement of dwelling unit on lot;
3. Varied garage placement and orientation;
4. Provisions of amenities (entrance treatment, landscaping, open space, etc.);
5. Preservation of natural features;
6. Treatment of grading drainage courses, and;
7. Treatment of walls.

(2) *Architectural standards.*

a. *Building design.*

1. There is no specific architectural "style" required for residential structures. Within a development, the architecture shall include building style, form, size, color, materials and roof line that are complementary. Attached or detached garages or carports shall match the main structure in architecture, building material and roof pitch.
2. Any building addition or additional building(s) (over 200 square feet) on a property shall match the main structure in building design, building materials, roof pitch and architectural character.
3. At least three distinctive floor plans are required within each subdivision. A subdivision with 20 or less lots may have less than three distinctive floor plans, upon approval of the administrator.
4. The architectural character (i.e., exterior materials, window trims, cornices, arches, etc.) of the front elevations shall be utilized on all sides of the home.
5. Roofs shall have variations in plane accomplished by use of dormers (pitched, shed-roof or eyebrow), gables, hipped roofs and variations in pitch. Pitched roofs are preferred and when a

flat roof is used, it must relate to the architectural style as approved by the administrator. All roofs shall be articulated. This may be achieved by changes in plane or by the use of traditional roof forms such as hips, gables, and dormers.

6. In order to encourage front porches as a dominant feature for the street facade, and the connectivity of this space into the street neighborhood:

A. The roof of the porch shall be solid.

B. The porch shall be a minimum of 36 square feet with a minimum dimension of four feet in width.

b. Building materials.

1. Exterior elevation shall demonstrate a logical use of materials and a unified appearance. The design between the home and the garage shall use complementary materials and/or colors. The materials shall be architecturally related. Large expanses of uninterrupted, single exterior materials without window trim, plane or color changes shall not be allowed.

2. Change of materials or color shall occur at changes in plane or at a logical break on that facade, so as not to give the appearance of "tacked-on" quality. Accent colors can be used for shutters, trim, balcony rail, columns, stucco recesses, or cornice bands and shall relate to the architectural character of the building. Accent materials utilized on the front facade corners shall extend and continue around the corners a minimum of two feet or a logical break on side facade.

3. Building materials and color schemes shall be consistent with the chosen architectural style. For example, with Spanish style homes, the design is consistent with stucco buildings and mission tile roof.

4. Exterior color elevations for all sides with proposed materials shall be provided for review and consideration by the administrator prior to the issuance of a building permit.

c. *Garage frontage and location.* The intent of the garage standards are to ensure that the garage is not the dominant feature of the street façade.

1. *Street loading garages.* To prevent the design of street loading garages as a dominant front visual street element of the building façade, houses with street loading garages shall not exceed 60 percent of the total overall length of the street building façade, and shall incorporate at least a two-foot offset as part of the front façade.

2. *Side loading garages.* To prevent the side of the garage towards the street from being a blank wall, houses with side loading garages shall incorporate architectural features, windows, faux windows, or other details on the façade of the garage facing the street.

3. *Alley loading garages.* To ensure compatibility, the garage off the alley shall have architectural features that complement the main structure and shall be oriented so as to not block they alley.

4. *Driveway length.* The length of a driveway to the front of a garage door shall be a minimum of 20 feet. The driveway length shall be designed to prevent an automobile parked in the driveway from blocking the sidewalk and to accommodate off street parking.

[\(Ord. No. 2020-005, § 1\(Exh. A\), 3-4-2020\)](#)

TABLE 32.06.070-1 - Residential - Single-Family Density/Intensity Standards

	SF20	SF12	SF9	SF6
Lot				
Lot size (min) (square feet)	20,000	12,000	9,000	6,000
Lot coverage (max)	30%	35%	40%	50%
Lot frontage (min)	35'	35'	35'	35'
Lot width (min)	80'	70'	65'	60'
Lot width - corner	80'	70'	65'	65'
Setbacks (principal buildings)				
Front (livable space or side load garage)	20'	20'	15'	15'
- garage/carport	25'	25'	20'	20'
Side	10'	10'	7.5'	5'
side combined			20'	20'
Exterior Side	20'	20'	10'	10'
Rear	20'	20'	20'	10'
Alley loaded garage¹				
Density (maximum)				
Residential (du/ac)	2.2	3.6	4.8	7.2
Height (structures)				
Residential	35'	35'	35'	35'
Nonresidential	35'	35'	35'	35'

Sec. 32.06.070. - Residential - Single-Family (SF20, SF12, SF9, SF6).

Purpose: These districts are intended primarily for single family detached homes with varied lot sizes and a mix of low to medium densities. The districts encourage new development to provide buffering, lot matching or transition of density when adjacent to existing residential. The districts require municipal services can be provided, and accommodate a range of development types, from conventional large lot subdivisions to smaller lots with a more urban setting. This section establishes two development options: (1) conventional development that incorporates minimum lot size, setback, and coverage standards, and (2) design development that incorporates design and density standards.

(a) *Uses.* Refer to section 32.06.150(c) (use table).

(b) *Dimensional standards.*

(1) Alley loaded garages may be constructed within the rear setback and may utilize up to a four-foot drive apron, whereas alley loaded driveways are prohibited.

(c) *Design standards.*

Purpose: These design standards maximize flexibility in the design of residential lots and encourage a variety of product types, while protecting of the community and its environmental resources. These standards encourage well-designed developments that: (1) reduce the prominence of garages in the front elevation, (2) promote pedestrian activity, (3) create functional and visual diversity, (4) provide community open space; and (5) protect significant features of the natural environment.

(1) *Generally.*

a. New subdivisions that comply with these design standards are subject to the density standards, the minimum lot size and coverage requirements of this district (see subsection (b) above).

b. The city's review of a single-family residential project will consider the following criteria:

1. Proportional size, mix and arrangement of lots;

2. Placement of dwelling unit on lot;
3. Varied garage placement and orientation;
4. Provisions of amenities (entrance treatment, landscaping, open space, etc.);
5. Preservation of natural features;
6. Treatment of grading drainage courses, and;
7. Treatment of walls.

(2) *Architectural standards.*

a. *Building design.*

1. There is no specific architectural "style" required for residential structures. Within a development, the architecture shall include building style, form, size, color, materials and roof line that are complementary. Attached or detached garages or carports shall match the main structure in architecture, building material and roof pitch.
2. Any building addition or additional building(s) (over 200 square feet) on a property shall match the main structure in building design, building materials, roof pitch and architectural character.
3. At least three distinctive floor plans are required within each subdivision. A subdivision with 20 or less lots may have less than three distinctive floor plans, upon approval of the administrator.
4. The architectural character (i.e., exterior materials, window trims, cornices, arches, etc.) of the front elevations shall be utilized on all sides of the home.
5. Roofs shall have variations in plane accomplished by use of dormers (pitched, shed, ~~roof~~ or eyebrow), gables, hipped roofs and variations in pitch. Pitched roofs are preferred and when a

flat roof is used, it must relate to the architectural style as approved by the administrator. All roofs shall be articulated. This may be achieved by changes in plane or by ~~the use of~~ traditional roof forms such as hips, gables, and dormers.

6. ~~In order to~~ encourage front porches as a dominant feature for the street facade, and the connectivity of this space into the street neighborhood:

A. The roof of the porch shall be solid.

B. The porch shall be a minimum of 36 square feet with a minimum dimension of four feet in width.

b. *Building materials.*

1. Exterior elevation shall demonstrate a logical use of materials and a unified appearance. The design between the home and the garage shall use complementary materials and/or colors. The materials shall be architecturally related. Large expanses of uninterrupted, single exterior materials without window trim, plane or color changes shall not be allowed.

2. Change of materials or color shall occur at changes in plane or at a logical break on that ~~façade~~ facade, so as not to give the appearance of "tacked-on" quality. Accent colors can be used for shutters, trim, balcony rail, columns, stucco recesses, or cornice bands and shall relate to the architectural character of the building. Accent materials utilized on the front facade corners shall extend and continue around the corners a minimum of two feet or a logical break on side facade.

3. Building materials and color schemes shall be consistent with the chosen architectural style. For example, with Spanish style homes, the design is consistent with stucco buildings and mission tile roof.

4. Exterior color elevations for all sides with proposed materials shall be provided for review and consideration by the administrator prior to the issuance of a building permit.

c. *Garage frontage and location.* The intent of the garage standards ~~is~~are to ensure that the garage is not the dominant feature of the street façade.

1. *Street loading garages.* To prevent the design of street loading garages as a dominant front visual street element of the building façade, houses with street loading garages shall not exceed 60 percent of the total overall length of the street building façade, and shall incorporate at least a two-foot offset as part of the front façade.

2. *Side loading garages.* To prevent the side of the garage towards the street from being a blank wall, houses with side loading garages shall incorporate architectural features, windows, faux windows, or other details on the façade of the garage facing the street.

3. *Alley loading garages.* To ensure compatibility, the garage off the alley shall have architectural features that complement the main structure and shall be oriented ~~so as~~ to not block the alley.

4. *Driveway length.* The length of a driveway to the front of a garage door shall be a minimum of 20 feet. The driveway length shall be designed to prevent an automobile parked in the driveway from blocking the sidewalk and to accommodate off street parking.

[\(Ord. No. 2020-005, § 1\(Exh. A\), 3-4-2020\)](#)

TABLE 32.06.070-1 - Residential - Single-Family Density/Intensity Standards

	SF20	SF12	SF9	SF6
Lot				
Lot size (min) (square feet)	20,000	12,000	9,000	6,000
Lot coverage (max)	30%	35%	40%	50%
Lot frontage (min)	35'	35'	35'	35'
Lot width (min)	80'	70'	65'	60'
Lot width - corner	80'	70'	65'	65'
Setbacks (principal buildings)				
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Side	10'	10'	7.5'	5'
side combined			20'	20'
Exterior Side	20'	20'	10'	10'
Rear	20'	20'	20'	10'
Alley loaded garage¹				
Density (maximum)				
Residential (du/ac)	2.2	3.6	4.8	7.2
Height (structures)				
Residential	35'	35'	35'	35'
Nonresidential	35'	35'	35'	35'

Commented [LW1]: Removing the side setback requirement for SF6

Sec. 32.06.070. - Residential - Single-Family (SF20, SF12, SF9, SF6).

Purpose: These districts are intended primarily for single family detached homes with varied lot sizes and a mix of low to medium densities. The districts encourage new development to provide buffering, lot matching or transition of density when adjacent to existing residential. The districts require municipal services can be provided, and accommodate a range of development types, from conventional large lot subdivisions to smaller lots with a more urban setting. This section establishes two development options: (1) conventional development that incorporates minimum lot size, setback, and coverage standards, and (2) design development that incorporates design and density standards.

(a) *Uses.* Refer to section 32.06.150(c) (use table).

(b) *Dimensional standards.*

(1) Alley loaded garages may be constructed within the rear setback and may utilize up to a four-foot drive apron, whereas alley loaded driveways are prohibited.

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(1) *Generally.*

a. New subdivisions that comply with these design standards are subject to the density standards, the minimum lot size and coverage requirements of this district (see subsection (b) above).

b. The city's review of a single-family residential project will consider the following criteria:

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2. Placement of dwelling unit on lot;
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a. *Building design.*

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3. At least three distinctive floor plans are required within each subdivision. A subdivision with 20 or less lots may have less than three distinctive floor plans, upon approval of the administrator.
4. The architectural character (i.e., exterior materials, window trims, cornices, arches, etc.) of the front elevations shall be utilized on all sides of the home.
5. Roofs shall have variations in plane accomplished by use of dormers (pitched, shed, or eyebrow), gables, hipped roofs and variations in pitch. Pitched roofs are preferred and when a flat

roof is used, it must relate to the architectural style as approved by the administrator. All roofs shall be articulated. This may be achieved by changes in plane or by using traditional roof forms such as hips, gables, and dormers.

6. To encourage front porches as a dominant feature for the street facade, and the connectivity of this space into the street neighborhood:

A. The roof of the porch shall be solid.

B. The porch shall be a minimum of 36 square feet with a minimum dimension of four feet in width.

b. Building materials.

1. Exterior elevation shall demonstrate a logical use of materials and a unified appearance. The design between the home and the garage shall use complementary materials and/or colors. The materials shall be architecturally related. Large expanses of uninterrupted, single exterior materials without window trim, plane or color changes shall not be allowed.

2. Change of materials or color shall occur at changes in plane or at a logical break on that facade, so as not to give the appearance of "tacked-on" quality. Accent colors can be used for shutters, trim, balcony rail, columns, stucco recesses, or cornice bands and shall relate to the architectural character of the building. Accent materials utilized on the front facade corners shall extend and continue around the corners a minimum of two feet or a logical break on side facade.

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4. Exterior color elevations for all sides with proposed materials shall be provided for review and consideration by the administrator prior to the issuance of a building permit.

c. *Garage frontage and location.* The intent of the garage standards is to ensure that the garage is not the dominant feature of the street façade.

1. *Street loading garages.* To prevent the design of street loading garages as a dominant front visual street element of the building façade, houses with street loading garages shall not exceed 60 percent of the total overall length of the street building façade and shall incorporate at least a two-foot offset as part of the front façade.

2. *Side loading garages.* To prevent the side of the garage towards the street from being a blank wall, houses with side loading garages shall incorporate architectural features, windows, faux windows, or other details on the façade of the garage facing the street.

3. *Alley loading garages.* To ensure compatibility, the garage off the alley shall have architectural features that complement the main structure and shall be oriented to not block the alley.

4. *Driveway length.* The length of a driveway to the front of a garage door shall be a minimum of 20 feet. The driveway length shall be designed to prevent an automobile parked in the driveway from blocking the sidewalk and to accommodate off street parking.

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TABLE 32.06.070-1 - Residential - Single-Family Density/Intensity Standards

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side combined			20'	
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Density (maximum)				
Residential (du/ac)	2.2	3.6	4.8	7.2
Height (structures)				
Residential	35'	35'	35'	35'
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Commented [LW1]: Removing the side setback requirement for SF6

BILL #174
CITY OF FERNLEY
ORDINANCE # _____

AN ORDINANCE AMENDING SECTION 32.06.070 OF THE FERNLEY DEVELOPMENT CODE TO AMEND TABLE 070-1 (RESIDENTIAL – SINGLE-FAMILY DENSITY/INTENSITY STANDARDS) TO REMOVE THE 20’ SIDE COMBINED SETBACK FOR THE SF6 ZONE AND MAKE MINOR GRAMMATICAL CORRECTIONS TO THE SECTION AS A WHOLE.

THE CITY COUNCIL OF THE CITY OF FERNLEY, hereinafter “the Council”, DO HEREBY ORDAIN:

Section 1. Title 32, Chapter 32.06, Section 32.06.070 and Title 32, Chapter 32.06, Section 32.07.070-1 are hereby amended as follows:

Sec. 32.06.070 – Residential – Single-family (SF20, SF12, SF9, SF6).

Purpose: These districts are intended primarily for single family detached homes with varied lot sizes and a mix of low to medium densities. The districts encourage new development to provide buffering, lot matching or transition of density when adjacent to existing residential. The districts require municipal services can be provided, and accommodate a range of development types, from conventional large lot subdivisions to smaller lots with a more urban setting. This section establishes two development options: (1) conventional development that incorporates minimum lot size, setback, and coverage standards, and (2) design development that incorporates design and density standards.

(a) *Uses.* Refer to section 32.06.150(c) (use table).

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(1) Alley loaded garages may be constructed within the rear setback and may utilize up to a four-foot drive apron, whereas alley loaded driveways are prohibited.

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(1) *Generally.*

a. New subdivisions that comply with these design standards are subject to the density standards, the minimum lot size and coverage requirements of this district (see subsection (b) above).

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1. Proportional size, mix and arrangement of lots;
2. Placement of dwelling unit on lot;
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4. The architectural character (i.e., exterior materials, window trims, cornices, arches, etc.) of the front elevations shall be utilized on all sides of the home.
5. Roofs shall have variations in plane accomplished by use of dormers (pitched, shed, or eyebrow), gables, hipped roofs and variations in pitch. Pitched roofs are preferred and when a flat roof is used, it must relate to the architectural style as approved by the administrator. All roofs shall be articulated. This may be achieved by changes in plane or by using traditional roof forms such as hips, gables, and dormers.
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 - A. The roof of the porch shall be solid.

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b. *Building materials.*

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4. *Driveway length.* The length of a driveway to the front of a garage door shall be a minimum of 20 feet. The driveway length shall be designed to prevent an

automobile parked in the driveway from blocking the sidewalk and to accommodate off street parking.

[\(Ord. No. 2020-005, § 1\(Exh. A\), 3-4-2020\)](#)

Sec. 32.06.070-1 – Residential – Single-Family Density/Intensity Standards

TABLE 32.06.070-1 - Residential - Single-Family Density/Intensity Standards

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Setbacks (principal buildings)				
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- garage/carport	25'	25'	20'	20'
Side	10'	10'	7.5'	5'
side combined			20'	
Exterior Side	20'	20'	10'	10'
Rear	20'	20'	20'	10'
Alley loaded garage ¹				
Density (maximum)				
Residential (du/ac)	2.2	3.6	4.8	7.2
Height (structures)				
Residential	35'	35'	35'	35'
Nonresidential	35'	35'	35'	35'

- Section 2.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.
- Section 3.** The City Clerk is instructed and authorized to publish the title of this ordinance as provided by law.
- Section 4.** This ordinance shall become effective upon passage, approval, and publication.
- Section 5.** The provisions of this ordinance shall be liberally construed to effectively carry out its purposes in the interest of the public health, safety, welfare, and convenience.
- Section 6.** In any subsection, phrase, sentence, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions.

Section 7. The City Council finds that this ordinance is not likely to impose a direct and significant economic burden upon a business or directly restrict the formation, operation, or expansion of a business, or is otherwise exempt from Nevada Revised Statutes Chapter 237.

BILL #174 BEING HEREBY PROPOSED on the 7th day of January, 2026.

BILL #174 BEING HEREBY PASSED, APPROVED, and ADOPTED this 21st day of January, 2026, by the following vote of the Council:

Ayes: _____ Nays: _____ Abstentions: _____ Absent: _____

FERNLEY CITY COUNCIL

By: _____ Date: _____
Neal E. McIntyre, Mayor

Attest By: _____ Date: _____
Kim Swanson, City Clerk



CITY OF FERNLEY

Planning Commission AGENDA REPORT

Meeting Date: December 10, 2025

REPORT TO:	Fernley Planning Commission
REPORT FROM:	Michele Rambo, Planning Director

FINANCIAL IMPACT:	CURRENTLY BUDGETED:	FUND/ACCOUNT:
Yes: No: X	Yes: No: X	N/A

ACTION REQUESTED: Receive/File Motion

AGENDA ITEM:
(Possible Action) Discussion and possible action regarding potential inconsistencies within the Development Code. Item requested by Commissioner Garvin.

AGENDA ITEM BRIEF:
Commissioner Garvin will discuss a list of potential inconsistencies in the Development Code that she has provided to the Planning Department.

RECOMMENDED MOTION:
To be determined based on the discussion.

BUSINESS IMPACT (per NRS Chapter 237):
A Business Impact Statement is not required because this is not a rule (term excludes vehicles by which legislative powers are exercised under NRS Chapters 271, 278, 278A, or 278B).

See attached report for background, analysis, alternatives.

ALTERNATIVES:

None

BACKGROUND:

None

RELEVANT LAWS, STATUTES, AND REGULATIONS:

N/A

FINANCIAL IMPLICATIONS:

None

ATTACHMENTS:

1. Inconsistency Log

CODE SECTION	AMBIGUITY IDENTIFIED	RESPONSE
32.01 - General Provisions	Right to Farm Ordinance: Terms like “normal agricultural operations” and “generally accepted agricultural practices” are undefined. Intent language is broad and open to interpretation, especially regarding compatibility and community character.	
32.02 - Definitions	Several key terms (e.g., “visual interest,” “monotony,” “logical break,” “resource-efficient landscaping”) are subjective and lack measurable criteria.	
32.02 - Definitions	Grants the administrator discretion to interpret zoning boundaries when unclear. No objective criteria or mapping standards are provided.	
32.03 - Administration	Major/Minor Deviations: Thresholds (10% vs. 50%) are defined, but criteria for approval are vague.	
	Waivers: “Significant restraints” and “substantial property right” are undefined.	
	Variances: “Hardship” and “practical difficulty” are open to interpretation.	
	Temporary Use Permits: “Short-term” and “special event” definitions are unclear. Permit duration (30 days) lacks clarity on cumulative vs. consecutive use.	
	Appeals: Timeline and criteria for appeal are not consistently defined. Grounds for appeal (e.g., “better design,” “misinterpretation”) are broad.	
32.03.030 - Common Review Procedures	Concurrent Processing: Allows multiple applications (e.g., rezoning, conditional use permits) to be processed together. States that the longest time frame and approval process applies, but does not clarify how conflicts between applications are resolved or whether zoning transitions are evaluated independently or as part of a bundled review.	
32.03.040 - Annexation, MPA, ZMA	Table 32.03.040-1 outlines how Lyon County zoning classifications convert to Fernley zoning upon annexation. However, it lacks clarity on how existing uses are treated during conversion, whether nonconforming uses are grandfathered, and what happens if the Master Plan designation conflicts with the proposed zoning.	
32.03.040(e) - ZMAs	Describes the process for rezoning, including initiation, notice, and decision-making. Does not specify: Criteria for evaluating compatibility with adjacent zones, whether buffer zones or transitional zoning are required between incompatible districts, how rezoning aligns with the land use map vs. zoning map discrepancies.	
32.04 - Zoning Districts [sic]	Use Table Codes (P, C, A, AR, T) are not always defined in context. Cross-referencing required to understand permitted uses, which may contain exceptions or conditions not visible in the table.	
32.05 - Site Development Standards [sic]	Design Standards: Language such as “complementary materials,” “unified appearance,” and “avoid monotony” is subjective. Administrator discretion is allowed without objective criteria.	
	Landscaping and Screening: “Adequate screening” and “durable, decorative materials” are undefined. Tree preservation and mitigation standards are vague.	

32.06 - Subdivision Standards [sic]	Parcel and Lot Design: “Adequate public facilities” and “environmental performance standards” are referenced but not defined. Infrastructure concurrency is not clearly enforced.	
32.07 - Use-Specific Standards	Renewable Energy: “Private” vs. “Utility” systems are distinguished by 100% consumption offset, but no method for calculation is provided. “Other non-fossil fuel sources” are not defined.	
	Mobile Vendors and Temporary Uses: Definitions vary and may conflict. Weight and size limits for vehicles are unclear in mixed-use zones.	