



N E V A D A

AGENDA

Regular Meeting

Planning Commission

Wednesday, January 14, 2026 • 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. GENERAL BUSINESS

- 2.1. (For Possible Action) Discussion and possible action to elect the Chair and Vice-Chair of the Planning Commission for 2026.**
- 2.2. Presentation from Mark IV Capital regarding future plans to construct a power generation facility within the Victory Logistics District development.**

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 regarding Bill #376 (associated with CA25010) to amend Section 32.03.030, Section 32.07.220, Table 32.09.120-2, and Table 32.06.150 of the Fernley Development Code to allow stand-alone gaming establishments of any size without a resort hotel component.**
- 3.2. A Tentative Parcel Map application request by M4 Victory Development, LLC (TPM25003) to subdivide a ± 8.96-acre site into four separate parcels as follows: Parcel 1 will result in ± 2.0-acres; Parcel 2 will result in ± 1.83-acres; Parcel 3 will result in ± 4.78-acres, and Parcel 4 will result in 15,133 square feet generally located at 0 Duffy Road (± 4,000 feet westerly of the intersection of Duffy Road and Nevada Pacific Parkway) (APN: 021-232-50) in an Industrial (I) zone.**
- 3.3. Discussion and possible action regarding CA25012 and Bill #377, a request from the Planning Department to amend the adjacency development standards contained in Title 32, Chapter 9, Section 30.**
- 3.4. Discussion and possible action regarding CA25013 and Bill #378, a request from the Planning Department to add definitions and development standards and to amend the public facility requirements pertaining to non-residential development in remote portions of the City (FMC 32.02.030, FMC 32.09.125, and FMC 32.12.010).**
- 3.5. (For Possible Action) Consideration and possible action regarding a Waiver application (WVR25003) submitted by Demetri Nikolakakis/Valutainer for a site located at 11 Salvage Lane (APN: 021-442-19) in an Industrial (I) zoning district. The Waiver requests relief from curb, gutter, sidewalk, and landscaping requirements for a property located within the US95A/Speedway Industrial Park area.**

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 December 17, 2025 and January 7, 2026.

5.2. General Planning Department updates and announcements.

6. ADDRESS REQUEST(S) FOR FUTURE AGENDA ITEMS

7. PUBLIC FORUM

8. ADJOURNMENT

Next Meeting: February 11th @ 5pm

**MINUTES OF THE
FERNLEY PLANNING COMMISSION MEETING
DECEMBER 10, 2025**

Vice-Chairperson Angela Lewis called the meeting to order at 5:00 pm.

1. INTRODUCTORY ITEMS

1.1. Pledge of Allegiance

1.2. Roll Call

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

1.3. Public Forum

None at this time.

1.4. (For Possible Action) Approval of Agenda

Motion: I MOVE TO APPROVE THE AGENDA WITH THE DEFERRAL OF ITEM 4.1 TO THE JANUARY MEETING. **Action:** Approved, **Moved by:** Commissioner Tessa Garvin, **Seconded by:** Commissioner Cody Wagner. **Vote:** Passed, **Summary:** Yes 6. **Yes:** Vice-Chairperson Lewis, Commissioner Wagner, Commissioner Flores, Commissioner Garvin, Commissioner Holt, Commissioner Williams.

1.5. (Possible Action) Approval of Minutes

Motion: I MOVE TO APPROVE LAST MONTH'S MEETING MINUTES. **Action:** Approved, **Moved by:** Commissioner Cody Wagner, **Seconded by:** Commissioner Robert Flores. **Vote:** Passed, **Summary:** Yes 5, Abstained 1. **Yes:** Vice-Chairperson Lewis, Commissioner Wagner, Commissioner Flores, Commissioner Holt, Commissioner Williams, **Abstain:** Commissioner Garvin due to her absence at the previous meeting.

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.

Alisa Johansson, Senior Planner, presented the request for a tentative parcel map. The site is approximately 70.59 acres. The property is proposed to be divided into three resulting parcels. Parcel 3 is presently developed with an existing single-family residence and agricultural buildings. That development is proposed to remain. No further development is proposed on resulting parcels 1 or 2 currently. Areas to look at are compliance with environmental and health laws, availability of water, availability and accessibility of utilities. We also need to analyze the availability and accessibility of public services, consistency with the zoning district regulations for the site, conformity with the Master Streets

and Highways Plan, which has been superseded by our Master Transportation Plan, and also the effect of the proposed subdivision on existing public streets and the need for new streets or highways. We received a comment from TCID pertaining to water rights that are pertinent to the subject site. This will be addressed prior to final map recordation. Compliance with the code and all other applicable regulations were analyzed on the proposed parcel map and found no apparent correction items.

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 3 RESULTING LOTS. **Action:** Approved, **Moved by:** Commissioner Garvin, **Seconded by:** Commissioner Flores. **Vote:** Passed, **Summary:** Yes 6. **Yes:** Vice-Chairperson Lewis, Commissioner Wagner, Commissioner Flores, Commissioner Garvin, Commissioner Holt, Commissioner Williams.

3. PUBLIC HEARINGS

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 ± 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).

Lisa Warner, Assistant Planner, presented explaining the purpose of the extension of time request is to allow the developer an additional 2 years to record their final subdivision map. The tentative subdivision map was approved by Council on December 15, 2021, and is set to expire on December 15, 2025. The site is under the ownership of Lucas Green Valley LLC, which was started by Mr. Stan Lucas, who passed away in early 2025. Per the trust of Mr. Lucas, co-trustees are mandated to liquidate all assets. They are asking for the two years because they need to finish settling the estate.

There was no public input.

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. **Action:** Approved, **Moved by:** Commissioner Barry Williams, **Seconded by:** Commissioner Tessa Garvin. **Vote:** Passed, **Summary:** Yes 6. **Yes:** Vice-Chairperson Lewis, Commissioner Wagner, Commissioner Flores, Commissioner Garvin, Commissioner Holt, Commissioner Williams.

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).

Lisa Warner, Assistant Planner, presented explaining the waiver for the previously known Pizza Shack building was approved by the Planning Commission on November 13, 2024. The waiver approval was conditioned to have the approved landscaping installed by November 13, 2025. The applicant submitted a landscaping plan on October 28, 2025. Then the applicant requested an extension of time.

There was no public input.

Motion: I MOVE TO APPROVE A 3-MONTH EXTENSION OF TIME FOR THE COMPLETION OF THE LANDSCAPING INSTALLATION REQUIREMENTS ASSOCIATED WITH WVR24002. THE NEW COMPLETION DATE WILL BE FEBRUARY 13, 2026. **Action:** Approved, **Moved by:** Commissioner Cody Wagner, **Seconded by:** Commissioner Robert Flores. **Vote:** Passed, **Summary:** Yes 6. **Yes:** Vice-

Chairperson Lewis, Commissioner Wagner, Commissioner Flores, Commissioner Garvin, Commissioner Holt, Commissioner Williams.

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 ±6,887-square-foot tenant space located at 95 Main Street (APN 020-034-02) in the C2 (General Commercial) zoning district.

Treston Rodriguez, Associate Planner, presented. The applicant proposes establishing a licensed childcare 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 childcare 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. The only project-specific condition is condition number 12, which addresses the outdoor play area fencing. The condition requires a 3-foot, 4-inch split-face CMU wall with a 2'8 inch chain-link fence on top, including colored vinyl slat inserts for a total height of approximately 6 feet. The intent is to ensure durability and safety along the adjacent street.

Public Input:

Leslie Colbrese, CEO of Community Services Agency, stated it this will be an early Head Start. They need to get a childcare license because of state requirements with Head Start. They need to meet both requirements with the federal government and the state. They do currently offer Head Start at Cottonwood Elementary School. There is concern about the actual physical structure of fencing. There are some limitations with their funding, and because they don't own this building, there are also limitations around that. She asked for consideration of pillars or Ballards to be put in place of all the fence posts. Cement Ballards or pillars would ensure that a car could not hit it.

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 THE CONDITIONS OF APPROVAL 1 THROUGH 12 AS PRESENTED BY STAFF. **Action:** Approved, **Moved by:** Commissioner Robert Flores, **Seconded by:** Commissioner Cody Wagner. **Vote:** Passed, **Summary:** Yes 5, No 1. **Yes:** Vice-Chairperson Lewis, Commissioner Wagner, Commissioner Flores, Commissioner Holt, Commissioner Williams, **No:** Commissioner Garvin.

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).

Alisa Johansson, Senior Planner, presented. This amendment represents an overhaul of the animal services land use in our code. This covers the definitions, the use table entries, the use standards, and the parking supply requirements. The City's existing regulations for animal service uses are cumbersome

and inflexible in the current iteration of the code. 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: (1) New animal service use definitions; (2) New or updated entries in the City's use table; (3) New use standards; (4) Updated parking supply requirements. These proposed changes are consistent with the Master Plan's goal of land use compatibility, preventing and mitigating adverse impacts, and encouraging development that can be efficiently served by services and infrastructure. The Master Plan's goal of effective growth management is met through this effort, and this amendment also helps provide robust and complementary community services, another goal in the Master Plan.

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. **Action:** Approved, **Moved by:** Commissioner Julianne Holt, **Seconded by:** Commissioner Barry Williams. **Vote:** Passed, **Summary:** Yes 6. **Yes:** Vice-Chairperson Lewis, Commissioner Wagner, Commissioner Flores, Commissioner Garvin, Commissioner Holt, Commissioner Williams.

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.

Lisa Warner, Assistant Planner, presented. Developers and builders on various subdivision projects claim that the development code for SF6 single-family residential minimum 6,000 square foot lot size, is very restrictive. This request will give developers and builders more options in the placement of single-family residences on SF6 lots, and it will also give them the option to have larger single-family homes on SF6 lots. It previously had a 20-foot side combined setback under SF6, which has been removed. There will be a 5-foot setback on each side.

There was no public comment

Motion: I MOVE TO RECOMMEND THAT THE CITY COUNCIL APPROVE BILL # 174 ASSOCIATED WITH CA25008, AS PRESENTED BY STAFF. **Action:** Approved, **Moved by:** Commissioner Tessa Garvin, **Seconded by:** Commissioner Barry Williams. **Vote:** Passed, **Summary:** Yes 6. **Yes:** Vice-Chairperson Lewis, Commissioner Wagner, Commissioner Flores, Commissioner Garvin, 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.

This item was tabled until the next Planning Commission meeting.

5. PLANNING DIRECTOR ITEMS

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

Michele Rambo, Planning Director, gave the update on Council items. At the December 3rd Meeting Commissioners Williams and Vander Heiden were reappointed for another 4 years, and then the first reading for the annexation for Mark IV.

5.2. General Planning Department updates and announcements.

Michele Rambo, Planning Director, stated that they have officially kicked off the infrastructure plans for the north and the southwest areas, the Capital Improvement Plan, the Impact Fee Study and the South Area Plan. They do plan to have some joint Planning Commission and Council workshops on January 21st. They are scheduled for 9:00 am, 10:00 am and 1:00 pm. There will be a public open house on January 22nd at 5.30 at the CRRC. A consultant has been chosen for the Master Plan update. The contract is on the Council agenda for approval. There were 8 new development project applications in November.

6. ADDRESS REQUEST(S) FOR FUTURE AGENDA ITEMS

Commissioner Cody Wagner requested information regarding Mark IV and the possibility of them building data centers and potentially building a modular gas-fired power plant here in the city limits.

7. PUBLIC FORUM

None at this time.

8. ADJOURNMENT

There being no further business to come before it, the Fernley Planning Commission meeting adjourned at 6:09 pm.

Approved by the Fernley Planning Commission on January 14, 2026, by vote of:

AYES _____ NAYS: _____ ABSTENTIONS: _____ ABSENT: _____

Chairperson Jenni McCullar

ATTEST:



CITY OF FERNLEY

Planning Commission AGENDA REPORT

Meeting Date: January 14, 2026

REPORT TO: Fernley Planning Commission

REPORT FROM: Michele Rambo, Planning Director

FINANCIAL IMPACT:

Yes: No: X

CURRENTLY BUDGETED:

Yes: No: X

FUND/ACCOUNT:

N/A

ACTION REQUESTED: Motion

AGENDA ITEM:

(For Possible Action) Discussion and possible action to elect the Chair and Vice-Chair of the Planning Commission for 2026.

AGENDA ITEM BRIEF:

Per Section 3-1 of the Planning Commission bylaws, the Planning Commission is required to elect a Chair and Vice-Chair at their January meeting each year.

RECOMMENDED MOTION:

I move to elect Commissioner _____ as Chair and Commissioner _____ as Vice-Chair of the Planning Commission for 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:

None

BACKGROUND:

Section 3-1 of the Planning Commission bylaws outlines the election of officers as shown below.

3-1. Election of Officers

1. The Commission shall, at its first regular meeting in January, unless the January meeting is cancelled, in which case at the next regularly scheduled meeting, elect from its membership a Chair and Vice-Chair.

2. Each shall serve for a term of one year or until their successor(s) are elected.

3. Any office may be re-elected but may not serve more than two consecutive terms in a single office.

4. Following the election, the gavel shall be passed to the officers at the existing meeting of the Commission.

Should a permanent vacancy occur in the position of Chair or Vice-Chair, the Commission, at its next meeting, shall fill the vacancy by electing a new Chair and/or Vice-Chair from its remaining membership. The term of such election shall expire at the next January meeting, or the next regularly scheduled meeting if the January meeting is cancelled. If a Chair or Vice-Chair serves in the position for six months or less, that individual shall be eligible for two additional one-year terms.

Based on the bylaw restrictions, Commissioner McCullar and Commissioner Lewis are not eligible to serve in their current offices of Chair and Vice-Chair (respectively) for another term because they have been serving in those positions for two consecutive terms.

RELEVANT LAWS, STATUTES, AND REGULATIONS:

City of Fernley Planning Commission Bylaws adopted March 3, 2024

FINANCIAL IMPLICATIONS:

None

ATTACHMENTS:

1. 2024 PC Bylaws

City of Fernley Planning Commission Bylaws

SECTION 1 – CREATION OF THE PLANNING COMMISSION

1-1. Authorization

Pursuant to Nevada Revised Statutes (NRS) 268.110, the Planning Commission is hereby created and appointed by the City Council. There shall be seven voting members.

SECTION 2 – PLANNING COMMISSION COMPOSITION

2-1. Membership

A. The mayor shall appoint, subject to advice and consent by the City Council, seven members of the Commission, not more than two of whom shall be nonresidents of the city (NRS 268.120). The term “resident” is defined in accordance with the guidelines established in NRS 281.050 for the purposes of eligibility for office. The Mayor, City Attorney, and City Engineer, or designees of these parties, shall be ex-officio members of the Commission.

1. The mayor may also appoint an alternate member to the Planning Commission to sit on the planning commission when another commissioner is absent or a vacancy occurs.

B. The City Attorney’s Office shall be the legal counsel for the Commission.

2-2. Compensation, Term of Office, Absences, and Vacancies

A. **Compensation.** The City Council may provide by resolution for compensation, expenses, and subsistence allowances to Commission members, subject to limitation of NRS 278.040.

B. **Term of Office.** The term of each appointed member shall be four years, or until a successor takes office. Terms of the Commission shall be staggered pursuant to NRS 268.120(2).

C. **Absences.** The Planning Director may recommend to the Mayor removal of a Commissioner when they miss 33 percent or greater of regularly scheduled meetings per annum due to unexcused absences. An absence is excused if:

1. It is due to personal emergency of the Commissioner or a family member; or
2. It is otherwise unavoidable, and the Commissioner provides 24-hour advance notice to the Planning Director at planning@cityoffernley.org or 775-784-9810.

D. **Vacancies.** All vacancies shall be filled by the mayor for the unexpired term.

SECTION 3 – ELECTION OF OFFICERS AND POWERS AND DUTIES

3-1. Election of Officers

A. The Commission shall, at its first regular meeting in January, unless the January meeting is cancelled, in which case at the next regularly scheduled meeting, elect from its membership a Chair and Vice-Chair.

- B. Each shall serve for a term of one year or until their successor(s) are elected.
- C. Any office may be re-elected but may not serve more than two consecutive terms in a single office.
- D. Following the election, the gavel shall be passed to the officers at the existing meeting of the Commission.
- E. Should a permanent vacancy occur in the position of Chair or Vice-Chair, the Commission, at its next meeting, shall fill the vacancy by electing a new Chair and/or Vice-Chair from its remaining membership. The term of such election shall expire at the next January meeting, or the next regularly scheduled meeting if the January meeting is cancelled. If a Chair or Vice-Chair serves in the position for six months or less, that individual shall be eligible for two additional one-year terms.

3-2. Powers and Duties

A. Chair

- 1. Serve as Presiding Officer
- 2. Ensure meetings are held in compliance with "City of Fernley Planning Commission Rules of Procedure", hereafter referred to as Rules of Procedure.

B. Vice-Chair

- 1. Serve as Presiding Officer when the Chair is absent and follow Rules of Procedure when presiding.
- 2. In the event of the resignation or permanent vacancy of the Chair, the Vice-Chair will perform such duties as are imposed of the Chair until the Commission elects a new Chair.
- 3. Should the Chair nor Vice-Chair be present, a temporary Chair shall be elected by a vote of the members present.

C. Planning Commissioners

- 1. Arrive on time for all meetings.
- 2. Review all meeting material in preparation for Commission meetings and be properly prepared to discuss the items that are on the agenda.
- 3. Notify the Planning Director when unable to attend a meeting.
- 4. Wait to speak until acknowledged by the Chair.

SECTION 4 - MEETINGS AND CONDUCT

4-1. Meetings

- A. All meetings will be held in the Council Chambers at Fernley City Hall, 595 Silver Lace Boulevard. Meetings will be called to order at 5:00 PM, unless advertised otherwise, canceled, or rescheduled.

- B. Regular meetings of the Commission shall be held on the second Wednesday of each month. If the regular meeting date falls on a holiday, the meeting shall then be held on the next business day.
- C. Special meetings may be called by the Chair when deemed necessary. Members of the Commission shall be notified at least three days prior to the special meeting. Special meetings shall be noticed and agendaized pursuant to NRS Chapter 241, hereafter referred to as "Nevada Open Meeting Law".
- D. In the event there is no business to conduct, a notice shall be emailed to the Commissioners and posted as required by Nevada Open Meeting Law.
- E. Noticing and posting of the agenda shall follow the Nevada Open Meeting Law as set forth by NRS.
- F. The Chair shall have the authority to eject or cause to be ejected any person(s) whose behavior disturbs or causes unreasonable interruptions to the proceedings of the Commission.
- G. All rules of order not herein provided for shall be determined in accordance with Fernley Planning Commission Rules of Procedure and Nevada Open Meeting Law.

4-2. Public Rights

- A. Public hearings shall be conducted in accordance with subsection 5-5 of the Rules of Procedure.
- B. Any person engaging in prohibited conduct in accordance with subsection 5-4 of the Rules of Procedure be requested to leave the meeting. The presiding officer may call for a break to notify Lyon County Sheriff's Department to remove any disruptive person(s).
- C. Interested persons, or their authorized representatives, may address the Commission for the presentation of protest, petitions, or communications relating to any matter over which the Commission has control when the item is under consideration by the Commission.
- D. Written information and materials provided by the project proponent, including graphics, photographs, and records of verbal statements, which pertain to Commission meetings, may be submitted to the Commission staff. All such information and materials shall be received a minimum of three working days in advance of the meeting for distribution to all Commission members and the public.

4-3. Rules for Voting

- A. Approval of any motion brought before the Commission shall require the affirmative vote of a majority of the members present, unless otherwise specified by law.

Note: The adoption of the master plan, or of any amendment, extension, or addition thereof, as required by NRS 278.210, must be by resolution of the Commission carried by the affirmative votes of not less than two-thirds (five members) of the total membership of the Commission (seven members).

- B. A tie vote results in a failed motion. A tie vote is neither denial nor approval of the motion. A denial and an approval are both “actions”: requiring a majority vote. If there is a tie vote, and there are less than seven Commissioners present, upon consent of the applicant, the matter shall be continued to the next regular meeting of the Commission to allow absent members to vote on the matter.

If the applicant does not consent, and the Commission is not sitting as an appellate body, the Commission may make subsequent motions. If the matter involves an appeal and an affirmative vote does not occur, the result is that the decision appealed stands as decided by the decision-maker from which the appeal was taken.

- C. Planning Commissioners desiring to abstain on a question shall do so at the time the agenda item is called and shall state the reason for the abstention. With respect to the item, the Commissioner shall move to the public area during the duration of the agenda item’s discussion.

SECTION 5 – ETHICS AND RESPONSIBILITIES

5-1. Conflicts of Interest

- A. Planning Commissioners shall comply with state and local regulations related to conflict of interest.
- B. In connection with matters coming before the Commission, NRS 281A.420, as amended, discusses three circumstances where disclosure and abstention may be required. These three circumstances include when a member of the Commission:
 - 1. Has received a gift or loan;
 - 2. Has a pecuniary interest; or
 - 3. Has a commitment in a private capacity to others in connection with the matter, (i.e.: familial relationship, business relationship or close personal friendship).
- C. If a member of the Commission has an ownership interest in property or a project being considered individually for a master plan amendment, re-zoning, special use permit, variance, tentative map or an entitlement, the member must abstain, but may address the Commission to discuss the facts about the property. Said Commissioner must not ask, advocate, or give any reason for or against a vote.
- D. The legislature encourages appointed or elected members of public bodies to vote, not abstain. NRS 420(4)(b) states: “Because abstention by a public officer disrupts the normal course of representative government and deprives the public and the public officer’s constituents of a voice in governmental affairs, the provisions of this section are intended to require abstention only in clear cases where the independence of judgment of a reasonable person in the public officer’s situation would be materially affected by the public officer’s acceptance of a gift or loan, significant pecuniary interest or commitment in a private capacity to the interests of another person.”
- E. Planning Commissioners should not accept any gifts from applicants, representatives of applicants, or other people, institutions, associations, or organizations concerned with matters which have either been or are before the Commission. Even a well-intentioned and innocent action has the appearance of a conflict of interest.

SECTION 6 – OPEN MEETING LAW CONSIDERATIONS

6-1. On-site Inspections and Neighborhood Meetings

- A. NRS 278.190(3) permits the Commissioners to conduct site visitations in the performance of their functions.
- B. If the applicant arranges a tour of the property, it is strongly recommended that two or three Commissioners attend jointly.
- C. An applicant may hold neighborhood meetings to solicit neighborhood input, provide information to the neighborhood, and attempt to resolve disputes prior to the presentation of their applications. Should the Commissioners wish to attend, they shall ensure that the requirements of the Nevada Open Meeting Law are met. The Commissioners must also disclose their attendance at the meeting.

6-2. Attendance at City Council Meetings

- A. Members of the Commission may attend the City Council meetings provided that all requirements of the Nevada Open Meeting Law are met.
- B. A member of the Commission shall not comment or express the opinion of the Commission on planning items being considered by the City Council.

SECTION 7 – AMENDMENTS TO BYLAWS

7-1. Procedure

- A. The Commission Bylaws may be amended by the Commission by resolution as deemed necessary by a majority vote of the Commission members.
- B. The resolution to amend Planning Commission Bylaws must also be adopted by a majority vote of City Council members.
- C. An amendment to the Bylaws shall become effective immediately upon adoption unless the motion to adopt specifies another time for becoming effective.



CITY OF FERNLEY

Planning Commission AGENDA REPORT

Meeting Date: January 14, 2026

REPORT TO: Fernley Planning Commission

REPORT FROM: Michele Rambo, Planning Director

FINANCIAL IMPACT:

Yes: No: X

CURRENTLY BUDGETED:

Yes: No: X

FUND/ACCOUNT:

N/A

ACTION REQUESTED: Receive/File

AGENDA ITEM:

Presentation from Mark IV Capital regarding future plans to construct a power generation facility within the Victory Logistics District development.

AGENDA ITEM BRIEF:

At the December 10, 2025 Planning Commission meeting, a request was made by Commissioner Wagner for a presentation by Mark IV Capital. A representative from Mark IV Capital will present the future plans to construct a power generation facility within the Victory Logistics District development.

RECOMMENDED MOTION:

None

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:

None

FINANCIAL IMPLICATIONS:

If a power generation facility is constructed, the City would collect franchise fees.

ATTACHMENTS:

None



CITY OF FERNLEY

Planning Commission AGENDA REPORT

Meeting Date: January 14, 2026

REPORT TO: Fernley Planning Commission

REPORT FROM: Lisa Warner

FINANCIAL IMPACT:

Yes: No: X

CURRENTLY BUDGETED:

Yes: No: X

FUND/ACCOUNT:

N/A

ACTION REQUESTED: Ordinance
Motion

AGENDA ITEM:

(For Possible Action) Discussion and possible action regarding Bill #376 (associated with CA25010) to amend Section 32.03.030, Section 32.07.220, Table 32.09.120-2, and Table 32.06.150 of the Fernley Development Code to allow stand-alone gaming establishments of any size without a resort hotel component.

AGENDA ITEM BRIEF:

The Development Code currently requires any gaming establishment with more than 16 slot machines and any amount of table games to include a resort hotel component. The Code also only allows non-restricted gaming operations. These two requirements make it almost impossible for developers and/or property owners to create a new stand alone gaming establishment similar to Frontier Crossing or the Nugget. This Code Amendment would eliminate these barriers and bring the Development Code into closer alignment with NRS regulations on gaming establishments.

RECOMMENDED MOTION:

"I move to recommend that the City Council approve Bill #376 associated with CA25010 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 #376 associated with CA25010 as presented by staff based on the following finding(s): _____."

"I move to recommend that the City Council approve Bill #376 associated with CA25010 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, some developers have expressed frustration with the current resort hotel requirement for the gaming establishment (non-restrictive) use. Our current code only allows for a gaming establishment (non-restrictive) use, which is defined as a resort hotel and 16 or more slot machines, or the operation of any number of slot machines together with any game, gaming device, race book, or sports pool at one establishment.

The code as currently written is very restrictive; therefore, planning staff have deemed it necessary to amend the Development Code to remove the resort hotel requirement and to remove the "non-restrictive" text which will allow for any number of slot machines in a gaming establishment.

By amending the Development Code it will make the gaming establishment use less restrictive, allowing applicants the option to apply for a gaming establishment use consisting of any number of slot machines, together with any game, gaming device, race book, sports pool, or other accessory use such as food services or ATM at one establishment.

To complete this amendment, Planning staff have removed the resort hotel requirement and have removed the "non-restrictive" text from Section 32.02.030 (Definitions). To ensure completeness throughout the code, staff have also removed the "non-restricted" text from other Sections and Tables in the Development Code including: Section 32.07.220 (Live/work dwellings), Table 32.09.120-2 (Parking Ratios), and Table 32.06.150 (Unlisted uses and use table).

FINDINGS:

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

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

The Master Plan does not specifically address Development 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 32.02.030 – Definitions

Fernley Development Code Section 32.07.220 – Live/work dwellings
Fernley Development Code Table 32.09.120-2 – Parking Ratios
Fernley Development Code Table 32.06.150 – Unlisted use and use table

FINANCIAL IMPLICATIONS:

N/A

ATTACHMENTS:

1. Original
2. Original_redlineV1_PC
3. Bill #376_Final

Section 32.02.030 – Definitions

Gaming establishment (non-restricted). A resort hotel as defined in NRS 463.01865 and consisting of 16 or more slot machines or operation of any number of slot machines together with any game, gaming device, race book or sports pool at one establishment. A "nonrestricted gaming operation" in existence in Fernley as of January 1, 2020, need not meet the resort hotel requirement of this section.

Section 32.06.150 – Unlisted uses and use table

Use Category	Use Type	Additional Standards	GR20	RR5	RR1	RR1/2	SF20	SF12	SF9	SF6
Animal Services										
	Gaming Establishment (non-restricted)									

Section 32.07.220 – Live/work dwellings

(a) Applicability.

(1) This section applies to any live/work dwelling.

(2) A live/work dwelling may occupy a building originally designed for industrial or commercial occupancy.

(b) Standards.

(1) A live-work dwelling shall include one dwelling unit, and any nonresidential use except the following (see use table):

Adult business

Alternative financial services/payday loan establishment

Animal services

Assembly uses

Auction house

Auto and truck repair (heavy)

Auto and truck repair (light)

Automated teller machine, stand alone

Autopawn

Bail bond services

Bar/lounge

Building material sales and services

Car wash

Contractor shop

Crematorium

Cultural institution

Data processing, hosting, and related services (including data centers)

Entertainment facility/theater

Gaming establishment (non-restricted)

Gas station

Health/fitness club

Hospital

Industrial services

Liquor store

Lodging/short-term rental

Manufactured home dealers

Media production

Medical marijuana dispensary

Medical marijuana production or cultivation

Medical office, clinic, or laboratory

Medical office, clinic, or laboratory (more than 50,000 square feet gross floor area)

Mining and quarrying

Mobile vendor

Nursery (commercial, retail and wholesale)

Outdoor processing

Park/open space

Production, general

Recreational facility, major

Recreational facility, minor

Restaurant

Truck stop/Travel Center

Vehicle or equipment sales and rentals

Warehousing, storage and distribution

(2) The total number of dwelling units on the subject property shall not exceed the maximum number of dwelling units permitted by the zoning district.

(3) The conversion to a live/work dwelling of a building or part of a building that was originally designed for non-residential occupancy is not subject to the requirements for off-street parking in [chapter 32.09](#) and is not subject to the open space requirements for new residential dwelling units contained in the applicable zoning district or districts. If the building is converted from an existing building designed for non-residential occupancy, existing parking spaces or open space shall be retained.

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

TABLE [32.09.120](#)-2 - Parking Ratios

Use	Parking Spaces Required
See Chapter 32.06 (Use Table)	(sf = building gross floor area unless otherwise provided)
Cultural Institution	1 per 400 sf
Gaming establishment (non restricted)	1 per 100 square feet of gaming floor, plus 1 per 300 sf for accessory uses such as shops, bars, restaurants, showrooms, meeting rooms, and hotel rooms

Section 32.02.030 – Definitions

Gaming establishment. ~~(non-restricted). A resort hotel as defined in NRS 463.01865 and consisting of 16 or more slot machines or~~ Operation of any number of slot machines together with any game, gaming device, race book, ~~or~~ sports pool, ~~or other accessory uses such as food services and ATM~~ at one establishment. ~~A "nonrestricted gaming operation" in existence in Fernley as of January 1, 2020, need not meet the resort hotel requirement of this section.~~

Section 32.07.220 – Live/work dwellings

(a) *Applicability.*

(1) This section applies to any live/work dwelling.

(2) A live/work dwelling may occupy a building originally designed for industrial or commercial occupancy.

(b) *Standards.*

(1) A live-work dwelling shall include one dwelling unit, and any nonresidential use except the following (see use table):

Adult business

Alternative financial services/payday loan establishment

Animal services

Assembly uses

Auction house

Auto and truck repair (heavy)

Auto and truck repair (light)

Automated teller machine, stand alone

Autopawn

Bail bond services

Bar/lounge

Building material sales and services

Car wash

Contractor shop

Crematorium

Cultural institution

Data processing, hosting, and related services (including data centers)

Entertainment facility/theater

Gaming establishment (~~non-restricted~~)

Gas station

Health/fitness club

Hospital

Industrial services

Liquor store

Lodging/short-term rental

Manufactured home dealers

Media production

Medical marijuana dispensary

Medical marijuana production or cultivation

Medical office, clinic, or laboratory

Medical office, clinic, or laboratory (more than 50,000 square feet gross floor area)

Mining and quarrying

Mobile vendor

Nursery (commercial, retail and wholesale)

Outdoor processing

Park/open space

Production, general

Recreational facility, major

Recreational facility, minor

Restaurant

Truck stop/Travel Center

Vehicle or equipment sales and rentals

Warehousing, storage and distribution

(2) The total number of dwelling units on the subject property shall not exceed the maximum number of dwelling units permitted by the zoning district.

(3) The conversion to a live/work dwelling of a building or part of a building that was originally designed for non-residential occupancy is not subject to the requirements for off-street parking in [chapter 32.09](#) and is not subject to the open space requirements for new residential dwelling units contained in the applicable zoning district or districts. If the building is converted from an existing building designed for non-residential occupancy, existing parking spaces or open space shall be retained.

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

TABLE 32.09.120-2 - Parking Ratios

Use	Parking Spaces Required
See Chapter 32.06 (Use Table)	(sf = building gross floor area unless otherwise provided)
Cultural Institution	1 per 400 sf
Gaming establishment (non-restricted)	1 per 100 square feet of gaming floor, plus 1 per 300 sf for accessory uses such as shops, bars, restaurants, showrooms, meeting rooms, and hotel rooms

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Section 32.06.150 - Unlisted uses and use table

Use Categor y	Use Type	Addition al Standar ds	GR 20	R R5	R R1	RR 1/2	SF 20	SF 12	SF 9	SF 6	MDR 14	MF 21	MF 30	M U	C 1	C 2	T C	E C	I	P F
Animal Services																				
	Gaming Establishment (non-restricted)													C		C	C			

BILL #376
CITY OF FERNLEY
ORDINANCE # _____

AN ORDINANCE AMENDING SECTION 32.03.030, SECTION 32.07.220, TABLE 32.09.120-2, AND TABLE 32.06.150 OF THE FERNLEY DEVELOPMENT CODE TO ALLOW STAND-ALONE GAMING ESTABLISHMENTS OF ANY SIZE WITHOUT A RESORT HOTEL COMPONENT.

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

Section 1. Title 32, Chapter 32.03, Section 32.03.030, Title 32, Chapter 32.07, Section 32.07.220, Title 32, Chapter 32.09, Section 32.09.120-2 Table, and Title 32, Chapter 32.06, Section 32.06.150 Table are hereby amended as follows:

Sec. 32.03.030 – Definitions

Gaming establishment. Operation of any number of slot machines together with any game, gaming device, race book, sports pool, or other accessory uses such as food services and ATM at one establishment.

Sec. 32.07.220 – Live/work dwellings

(a) Applicability.

(1) This section applies to any live/work dwelling.

(2) A live/work dwelling may occupy a building originally designed for industrial or commercial occupancy.

(b) Standards.

(1) A live-work dwelling shall include one dwelling unit, and any nonresidential use except the following (see use table):

Adult business

Alternative financial services/payday loan establishment

Animal services

Assembly uses

Auction house

Auto and truck repair (heavy)

Auto and truck repair (light)

Automated teller machine, stand alone

Autopawn

Bail bond services

Bar/lounge

Building material sales and services

Car wash

Contractor shop

Crematorium

Cultural institution

Data processing, hosting, and related services (including data centers)

Entertainment facility/theater

Gaming establishment

Gas station

Health/fitness club

Hospital

Industrial services

Liquor store

Lodging/short-term rental

Manufactured home dealers

Media production

Medical marijuana dispensary

Medical marijuana production or cultivation

Medical office, clinic, or laboratory

Medical office, clinic, or laboratory (more than 50,000 square feet gross floor area)

Mining and quarrying

Mobile vendor

Nursery (commercial, retail and wholesale)

Outdoor processing

Park/open space

Production, general

Recreational facility, major

Recreational facility, minor

Restaurant

Truck stop/Travel Center

Vehicle or equipment sales and rentals

Warehousing, storage and distribution

(2) The total number of dwelling units on the subject property shall not exceed the maximum number of dwelling units permitted by the zoning district.

(3) The conversion to a live/work dwelling of a building or part of a building that was originally designed for non-residential occupancy is not subject to the requirements for off-street parking in [chapter 32.09](#) and is not subject to the open space requirements for new residential dwelling units contained in the applicable zoning district or districts. If the building is converted from an existing building designed for non-residential occupancy, existing parking spaces or open space shall be retained.

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

Section 32.09.120-2 Table – Parking Ratios

Use	Parking Spaces Required
See Chapter 32.06 (Use Table)	(sf = building gross floor area unless otherwise provided)
Cultural Institution	1 per 400 sf
Gaming establishment	1 per 100 square feet of gaming floor, plus 1 per 300 sf for accessory uses such as shops, bars, restaurants, showrooms, meeting rooms, and hotel rooms

Section 32.06.150 – Unlisted uses and use table

Use Category	Use Type	Additional Standards	GR20	RR5	RR1	RR 1/2	SF20	SF12	SF9	SF6	MDR14	MF21	MF30	MU	C1	C2	TC	EC	I	PF
Animal Services																				
	Gaming Establishment													C		C	C			

- 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 #376 BEING HEREBY PROPOSED on the 4th day of February, 2026.

BILL #376 BEING HEREBY PASSED, APPROVED, and ADOPTED this 18th 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



CITY OF FERNLEY

Planning Commission AGENDA REPORT

Meeting Date: January 14, 2026

REPORT TO: Fernley Planning Commission

REPORT FROM: Lisa Warner

FINANCIAL IMPACT:

Yes: No: X

CURRENTLY BUDGETED:

Yes: No: X

FUND/ACCOUNT:

N/A

ACTION REQUESTED: Motion

AGENDA ITEM:

A Tentative Parcel Map application request by M4 Victory Development, LLC (TPM25003) to subdivide a $\pm$ 8.96-acre site into four separate parcels as follows: Parcel 1 will result in $\pm$ 2.0-acres; Parcel 2 will result in $\pm$ 1.83-acres; Parcel 3 will result in $\pm$ 4.78-acres, and Parcel 4 will result in 15,133 square feet generally located at 0 Duffy Road ($\pm$ 4,000 feet westerly of the intersection of Duffy Road and Nevada Pacific Parkway) (APN: 021-232-50) in an Industrial (I) zone.

AGENDA ITEM BRIEF:

These parcels have a land-use designation of Industrial (I) and are zoned as Industrial (I). The purpose of the map is to divide the $\pm$ 8.96-acre parcel into four separate parcels of varying sizes.

RECOMMENDED MOTION:

Approval

"I move to approve the Tentative Parcel Map request associated with TPM25003 subject to conditions of approval 1 through 30 presented by staff and based on Findings TPM1 through TPM12 and the supporting data as set forth in the staff report."

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 the information received in written materials and at the public hearing on this matter, I move to deny the Tentative Parcel Map request associated with TPM25003 because I have determined the proposed changes are detrimental to the public’s health, safety, and general welfare and am unable to make the following required Finding(s). I am unable to make the Finding _____ as it relates to _____.

Therefore, I cannot recommend approval of the Tentative Parcel Map.”

NOTE: Though no further specific language has not been provided, all motions possible under Planning Commission parliamentary procedure are appropriate.

BACKGROUND:

The parcel was purchased by M4 New Fernley QOZB, LLC in 2019 and is part of the Mark IV Victory Logistics District Planned Development.

The parcel is ± 8.96-acres in size and is located at 0 Duffy Road (± 4,000 feet westerly of the intersection of Duffy Road and Nevada Pacific Parkway) (APN: 021-232-50) in an Industrial (I) zoning district between the current Sherwin Williams and Lowe’s.

One objective of the subdivision is to create a parcel ± 2-acres in size where the Fire Station required in the Development Agreement (DA22001) and in the Planned Development Handbook (PD23001) will be constructed.

The Fire Station will be built on resultant Parcel 1 and the land will then be dedicated to the City of Fernley.

ANALYSIS:

The applicant has submitted a Tentative Parcel Map request to subdivide a ± 8.96-acres site into four separate parcels. The proposed new parcels will be Parcel 1 - ± 2.0-acres; Parcel 2 - ± 1.83-acres; Parcel 3 - ± 4.78-acres; and Parcel 4 – 15,133 square feet.

The City of Fernley’s Master Plan Land Use Map states the parcel currently has a land use designation of Industrial (I) and the City’s Zoning Map identifies the parcel as being located within the Industrial (I) zoning district.

The parcel is surrounded by Industrial (I) zoned parcels to the south and east, and Commercial (C2) zoned parcels to the west and north.

The proposed project materials were additionally distributed to the City’s outside agencies for comment, and any relevant agency comments have been incorporated into the Conditions of Approval which must be satisfied prior to the recordation of the Final Parcel Map.

Should the Planning Commission determine if the project, as submitted and conditioned, is consistent with the development code, will not have a significant adverse impact on the existing surrounding uses, promotes public health, safety, and general welfare and can make the applicable Findings, the Planning Commission may approve the project.

If the Planning Commission cannot make some or all the applicable Findings and determines the project as submitted and conditioned is not consistent with the development code, will have significant adverse impact on the existing surrounding uses, and/or does not promote public health, safety, and general welfare, the Planning

Commission could deny the application. The motion to deny should be based upon information received in written materials and at the public hearing on this matter and the Planning Commission's inability to make any Finding(s) should be explicitly described.

FINDINGS:

TPM1: Environmental and health laws and regulations concerning water and air pollution, the disposal of solid waste, facilities to supply water, community or public sewage disposal and, where applicable, individual systems for sewage disposal.

The developer agrees to construct and dedicate all infrastructure necessary for the development of the entire Victory Logistics District project.

TPM2: Availability of water that meets applicable health standards and is sufficient for the reasonably foreseeable needs of the subdivision.

The developer agrees to construct and dedicate all infrastructure necessary for the development of the entire Victory Logistics District project.

TPM3: Availability and Accessibility of Utilities.

The developer agrees to construct and dedicate all infrastructure necessary for the development of the entire Victory Logistics District project.

TPM4: Availability and Accessibility of public services such as schools, police protection, transportation, protection, recreation facilities and parks.

Police: Parcel site is located in an area currently serviced by the Lyon County Sheriff's Office.

Schools: The project was submitted to the Lyon County Office of Education for review and no response was received.

Parks & Recreation Facilities: The project is not in close proximity to any current park; however, the developer has planned open space and parks within the Victory Logistics District planned project.

TPM5: Conformity with the zoning ordinances and master plan, except that if any existing zoning ordinance is inconsistent with the master plan, the zoning ordinance takes precedence.

The proposed Tentative Parcel Map is generally consistent with the zoning regulations as outlined within the City of Fernley Development Code.

TPM6: General conformity with the governing body's master plan of streets and highways.

Developer agrees to construct streets that are in compliance with the City's Master Plan of streets and highways.

TPM7: The effect of the proposed subdivision on existing public streets and the needs for new streets or highways to service the subdivision.

Developer agrees to construct streets that are in compliance with the City's Master Plan of streets and highways.

TPM8: Physical characteristics of the land such as floodplain, slope and soil.

There are no unusual physical characteristics of the land on this parcel.

TPM9: The recommendations and comments of those entities and people reviewing the tentative map pursuant to NRS 278.330 to 278.3485, inclusive.

All agency comments and recommendations have been addressed.

TPM10: The availability and accessibility of fire protection, including but not limited to, the availability and accessibility of water and services for the prevention and containment of fires, including fires in wild lands.

The developer is constructing an ± 11,894 square foot Fire and Emergency Response building on resultant Parcel 1 which will have the capacity to service entire Victory Logistics District project as well as surrounding areas.

TPM11: The potential impacts to wildlife and wildlife habitat.

The project was sent to the Nevada Department of Wildlife (NDOW) for review and the department had no concerns or comments regarding the project.

TPM12: The submission by the subdivider of an affidavit stating that the subdivider will make provision for payment of the tax imposed by Chapter 375 of NRS and for compliance with the disclosure and recording requirement of paragraph (f) of subsection 1 of NRS 598.0923, if applicable by the subdivider or any success in interest.

All taxes are currently paid in full.

RELEVANT LAWS, STATUTES, AND REGULATIONS:

Nevada Revised Statutes (NRS), Chapter 278 - Planning and Zoning

Fernley Municipal Code (FMC), Title 32 - Development Code

City of Fernley Master Plan, August 2018

Specific References:

NRS 278.461-278.469 - Parcel Maps

FMC 32.03.020, Table 32.02.020-1 - Development Code, Administration, Review and decision-making bodies, Summary Table of Development Code Procedures

FMC 32.03.060(d) - Development Code, Administration, Land division applications, Parcel Maps

FMC 32.06.110 - Development Code, Zoning Districts, Industrial (EC and I)

FMC Chapter 32.01 - Development Code, Development Standards

FINANCIAL IMPLICATIONS:

N/A

ATTACHMENTS:

1. 2025-12-12 REV FIRE STATION PM
2. Conditions of Approval_FINAL

OWNER'S CERTIFICATE

THIS IS TO CERTIFY THAT THE UNDERSIGNED, M4 NEW FERNLEY QOZB, LLC., IS THE 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 ACCESS, UTILITY AND DRAINAGE ARE HEREBY GRANTED.

DATE

BY:

TITLE:

NOTARY ACKNOWLEDGEMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA

COUNTY OF

ON BEFORE ME, PERSONALLY

APPEARED, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL.

SIGNATURE

PRINTED NAME

MY PRINCIPAL COUNTY OF BUSINESS IS:

MY COMMISSION EXPIRES:

MY COMMISSION NUMBER IS:

CITY SURVEYOR'S CERTIFICATE

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

CITY SURVEYOR DATE

PRINTED NAME & CERTIFICATE NUMBER

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 A PROPER FINANCIAL SECURITY HAS BEEN POSTED GUARANTEEING COMPLETION OF THIS FINAL MAP AND ALL CONDITIONS OF APPROVAL HAVE BEEN SATISFIED. IN ADDITION ALL OFFERS OF DEDICATION FOR ALL PUBLIC ROADWAYS WERE REJECTED WITH THE RESERVATION TO ACCEPT SAID OFFERS AT A LATER DATE.

CITY OF FERNLEY ENGINEER DATE

PLANNING DIRECTOR DATE

PRINTED NAME:

PRINTED NAME:

COUNTY CLERK'S CERTIFICATE

THE UNDERSIGNED HEREBY CERTIFIES THAT THERE ARE NO LIENS FOR UNPAID STATE, COUNTY, CITY OR LOCAL TAXES OR SPECIAL ASSESSMENTS AN THAT ALL TAXES FOR THE FISCAL YEAR HAVE BEEN PAID ON THE PROPERTY SHOWN HEREON.

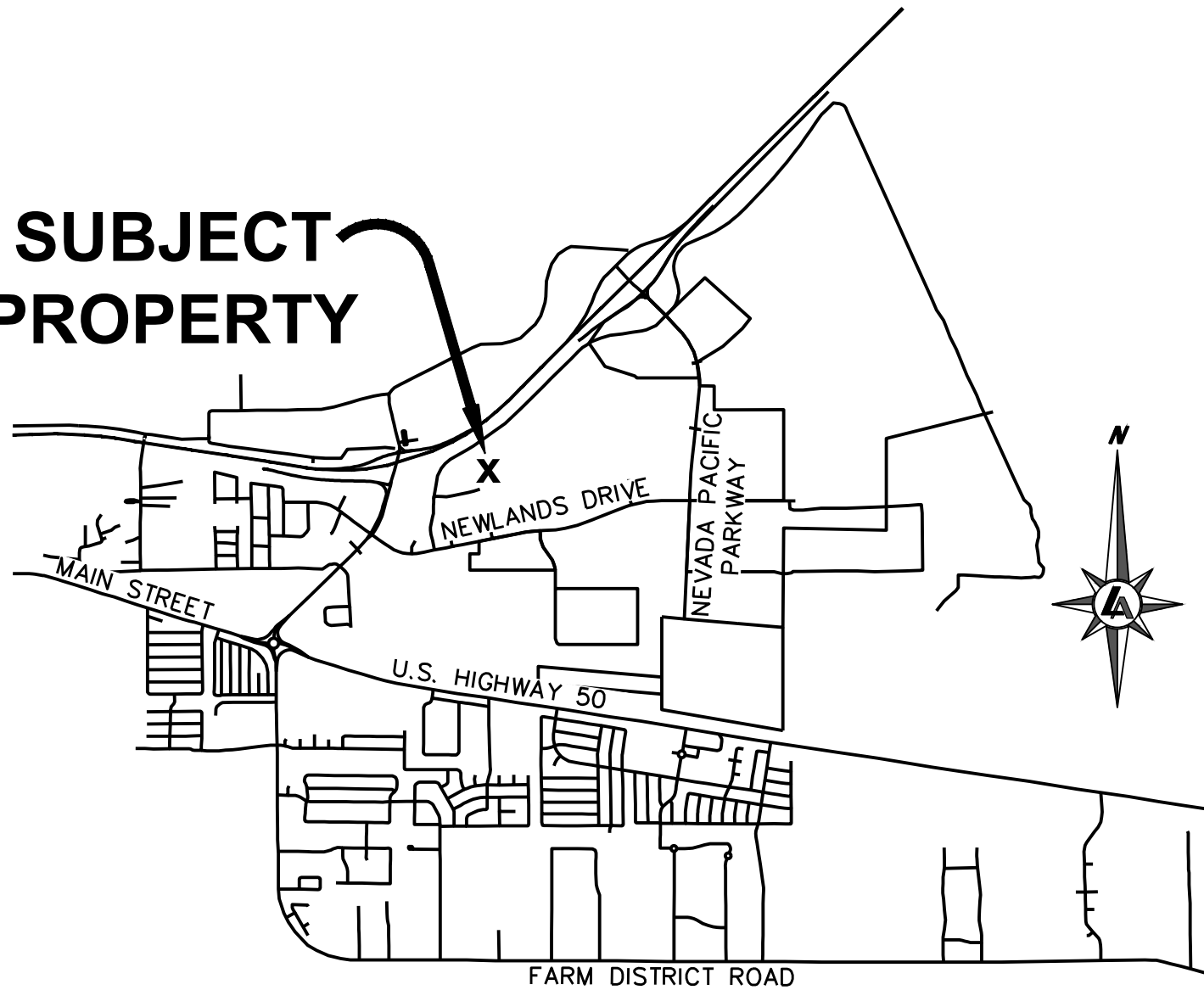
APNS: 021-232-50

BY: DATE:

LYON COUNTY CLERK / TREASURER

PRINTED NAME:

SUBJECT PROPERTY



VICINITY MAP

NOT TO SCALE

VICINITY MAP

NOT TO SCALE

SECURITY INTEREST HOLDERS CERTIFICATE

THE UNDERSIGNED HOLDERS OF SECURITY INTEREST, JPMORGAN CHASE BANK, NA, LISTED AS BENEFICIARY ON DEED OF TRUST, FILED ON OCTOBER 2, 2023 AS FILE NO. 674488 IN THE OFFICIAL RECORDS OF LYON COUNTY, NEVADA AND FILED JUNE 10, 2024 AS FILE NO. 5461151 IN THE OFFICIAL RECORDS OF WASHOE COUNTY, NEVADA, AND AS MODIFIED BY DOCUMENT NO. 693613, FILED APRIL 18, 2025 IN THE OFFICIAL RECORDS OF LYON COUNTY, NEVADA, BY DOCUMENT NO. HEREBY CERTIFY THAT I/WE HAVE EXAMINED THE MAP SUBMITTED FOR APPROVAL TO THE CITY OF FERNLEY TITLED PARCEL MAP FOR M4 NEW FERNLEY QOZB, LLC AND CONSENT TO ITS PREPARATION AND RECORDING, INCLUDING THE DEDICATION OF LANDS AND GRANTING OF EASEMENTS DEPICTED HEREON.

BY:

TITLE:

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 THAT THE ONLY HOLDERS OF SECURITY INTEREST CREATED BY MORTGAGE OR DEED OF TRUST ARE JPMORGAN CHASE BANK, NA, PER DEED OF TRUST, SECURITY AGREEMENT, ASSIGNMENT OF LEASES AND RENTS AND FIXTURE FILING, FILED ON OCTOBER 2, 2023 AS FILE NO. 674488 IN THE OFFICIAL RECORDS OF LYON COUNTY, NEVADA AND FILED JUNE 10, 2024 AS FILE NO. 5461151 IN THE OFFICIAL RECORDS OF WASHOE COUNTY, NEVADA, WHO HAVE CONSENTED TO THIS MAP BY SIGNING THE SECURITY HOLDER'S CERTIFICATE 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.

FIRST AMERICAN TITLE INSURANCE COMPANY, A NEBRASKA CORPORATION

BY:

TITLE:

LYON COUNTY FIRE DISTRICT

I HEREBY CERTIFY THAT I HAVE EXAMINED THIS PARCEL MAP AND HAVE NO OBJECTIONS TO THE APPROVAL OF THIS MAP.

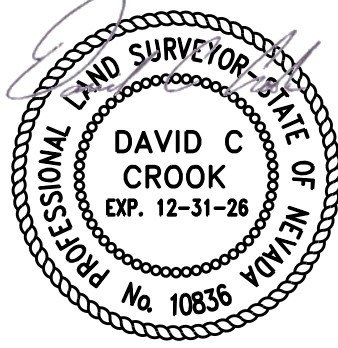
FIRE MARSHALL DATE

PRINTED NAME:

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:

- 1) THIS PLAT REPRESENTS THE RESULTS OF A SURVEY CONDUCTED UNDER MY DIRECT SUPERVISION AT THE INSTANCE OF M4 NEW FERNLEY QOZB, LLC.
- 2) THE LANDS SURVEYED LIE WITHIN A PORTION OF THE E 1/2 OF SECTION 7, T.20 N., R.25 E., M.D.M., AND THE SURVEY WAS COMPLETED ON .
- 3) 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.
- 4) THE MONUMENTS DEPICTED ON THE PLAT ARE OF THE CHARACTER SHOWN, OCCUPY THE POSITIONS INDICATED AND ARE OF SUFFICIENT NUMBER AND DURABILITY.



12/12/2025

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

UTILITY COMPANY'S CERTIFICATE

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

NV ENERGY DATE

BY:

TITLE:

NEVADA BELL d/b/a AT&T NEVADA DATE

BY:

TITLE:

CHARTER COMMUNICATIONS DATE

BY:

TITLE:

SOUTHWEST GAS CORPORATION DATE

BY:

TITLE:

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.

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

M4 NEW FERNLEY QOZB, LLC.

A DIVISION OF ADJUSTED PARCEL 1 AS SHOWN ON FILE NO. 338829
SITUATE WITHIN A PORTION OF THE E 1/2 OF SECTION 7,
TOWNSHIP 20 NORTH, RANGE 25 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
Sheet : 1 of 3
Job No. : 10067.032
Drawing No.: 10066032PM

REFERENCE DOCUMENTS

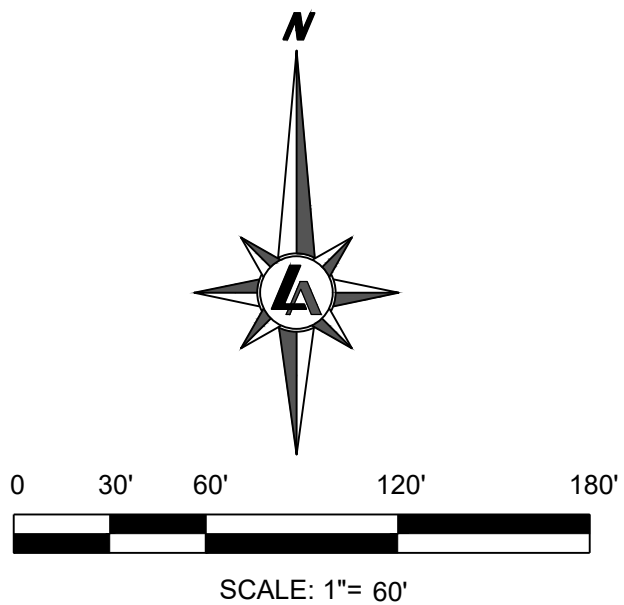
- (R1) COMMITMENT FOR TITLE INSURANCE PREPARED BY FIRST AMERICAN COMPANY, DATED JULY 2, 2025, FILE NO. NCS-1268609-HHLV.
- (R2) RECORD OF SURVEY MAP, FILE NO. 417245, FILED NOVEMBER 27, 2007 IN THE OFFICIAL RECORDS OF LYON COUNTY, NEVADA.
- (R3) RECORD OF SURVEY MAP, FILE NO. 338829, FILED DECEMBER 22, 2004 IN THE OFFICIAL RECORDS OF LYON COUNTY, NEVADA.
- (R4) RECORD OF SURVEY MAP, FILE NO. 328911, FILED AUGUST 19, 2004 IN THE OFFICIAL RECORDS OF LYON COUNTY, NEVADA.
- (R5) RECORD OF SURVEY MAP, FILE NO. 193018, FILED MAY 6, 1996 IN THE OFFICIAL RECORDS OF LYON COUNTY, NEVADA.
- (R6) PARCEL MAP, FILE NO. 99301, FILED MAY 5, 1996 IN THE OFFICIAL RECORDS OF LYON COUNTY, NEVADA.

NOTES

1. LEGAL DESCRIPTION:
A DIVISION OF ADJUSTED PARCEL 1 AS SHOWN ON THE RECORD OF SURVEY FOR SONTERRA DEVELOPMENT COMPANY, LLC., FILE NO. 338829, SITUATE WITHIN A PORTION OF THE EAST ONE-HALF (E1/2) OF SECTION 7, T.20N., R.25E., M.D.M.
2. PROPOSED PARCEL SIZE:
PARCEL 1: 87288± SQ.FT. / 2.00± ACRES
PARCEL 2: 79696± SQ.FT. / 1.83± ACRES
PARCEL 3: 208193± SQ.FT. / 4.78± ACRES
PARCEL 4: 15133± SQ. FT. / 0.35± ACRES
TOTAL AREA: 390310± SQ.FT. / 8.96± ACRES
3. CURRENT ZONING = INDUSTRIAL (VACANT)
CURRENT MASTER PLAN DESIGNATION = INDUSTRIAL (I)
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.
5. PUBLIC UTILITY EASEMENTS ARE HEREBY GRANTED 10' IN WIDTH COINCIDENT WITH ALL STREET RIGHT-OF-WAYS, PRIVATE AND PUBLIC, 5' IN WIDTH COINCIDENT WITH ALL OTHER EXTERIOR BOUNDARIES, AND 10' CENTERED ON ALL INTERIOR PARCEL LINES UNLESS THOSE EASEMENTS ALREADY EXIST.
6. ALL PUBLIC UTILITY EASEMENTS SHALL INCLUDE CABLE TELEVISION.
7. 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.

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY IS N00°53'58"E, BEING THE BEARING OF THE EAST LINE OF THE NW 1/4 OF SECTION 7, T.20N., R.25E., M.D.M. AND IS BASED ON THE NEVADA STATE PLANE COORDINATE SYSTEM, WEST ZONE NAD83(94) BASED UPON REAL TIME KINEMATIC GPS OBSERVATIONS, OBSERVED AUGUST 15, 2024 USING A SURVEY GRADE DUAL FREQUENCY GPS RECEIVER FROM NEVADA DEPARTMENT OF TRANSPORTATION MONUMENT NO. 1528012 MODIFIED BY A COMBINED 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.

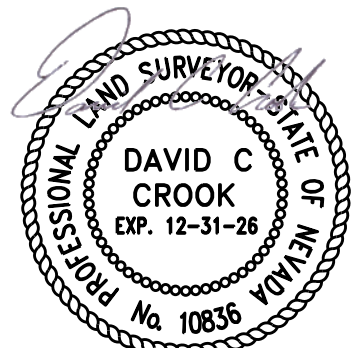


Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	214.57'	5201.33'	2°21'49"	S52°38'39"W	214.56'
C2	142.91'	5201.33'	1°34'27"	N50°40'31"E	142.90'
C3	143.88'	5201.33'	1°35'06"	N49°05'45"E	143.87'
C4	74.62'	50.00'	85°30'44"	N82°03'36"W	67.89'
C5	75.35'	50.00'	86°20'52"	N3°52'12"E	68.42'
C6	108.50'	275.00'	22°36'18"	S28°00'05"E	107.79'
C7	21.32'	21.00'	58°09'36"	N68°27'33"W	20.41'
C8	284.02'	55.00'	295°52'35"	N50°23'57"E	58.39'
C9	21.06'	21.00'	57°28'23"	S10°23'57"E	20.19'
C10	501.36'	5201.33'	5°31'22"	N51°03'53"E	501.17'
C11	151.32'	5201.33'	1°40'01"	N52°59'34"E	151.31'
C12	10.01'	5201.33'	0°06'37"	N52°06'15"E	10.01'

Parcel Line Table		
Line #	Length	Direction
L1	54.56'	N16°41'56"W
L2	46.61'	S73°18'04"W
L3	16.16'	S73°18'04"W
L4	105.16'	N39°18'14"W
L5	50.00'	N50°41'46"E
L6	38.69'	N50°41'46"E
L7	5.45'	S39°18'14"E
L8	4.99'	N39°18'14"W
L9	26.44'	S35°39'36"E
L10	10.00'	N53°47'54"E
L11	26.74'	N35°39'36"W
L12	30.44'	S43°26'12"E
L13	22.36'	S36°45'44"W
L14	446.85'	S53°46'56"W
L15	131.52'	S6°07'27"W
L16	77.34'	N16°41'54"W
L17	73.49'	N6°07'27"E
L18	455.61'	N53°46'56"E
L19	23.06'	N36°45'44"E

LEGEND

- EXTERIOR BOUNDARY - GRAPHIC BORDER
- SUBJECT PARCEL LINE
- - - EASEMENT SIDELINE AS NOTED
- ===== EDGE OF PAVEMENT
- - - ADJOINER BOUNDARY LINE
- FOUND CORNER AS NOTED NOTED
- ⊙ FOUND 2" ALUMINUM CAP IN MONUMENT WELL
- SET 5/8" REBAR AND CAP, PLS 10836
- FOUND 5/8" REBAR & CAP, PLS 10836
- ◆ FOUND USPLSS CORNER
- (RAD) RADIAL BEARING ALREADY IN NOTES



12/12/2025

PARCEL MAP

FOR

M4 NEW FERNLEY QOZB, LLC.

A DIVISION OF ADJUSTED PARCEL 1 AS SHOWN ON FILE NO. 338829
SITUATE WITHIN A PORTION OF THE E 1/2 OF SECTION 7,
TOWNSHIP 20 NORTH, RANGE 25 EAST, M.D.M.

CITY OF FERNLEY

LYON COUNTY

STATE OF NEVADA

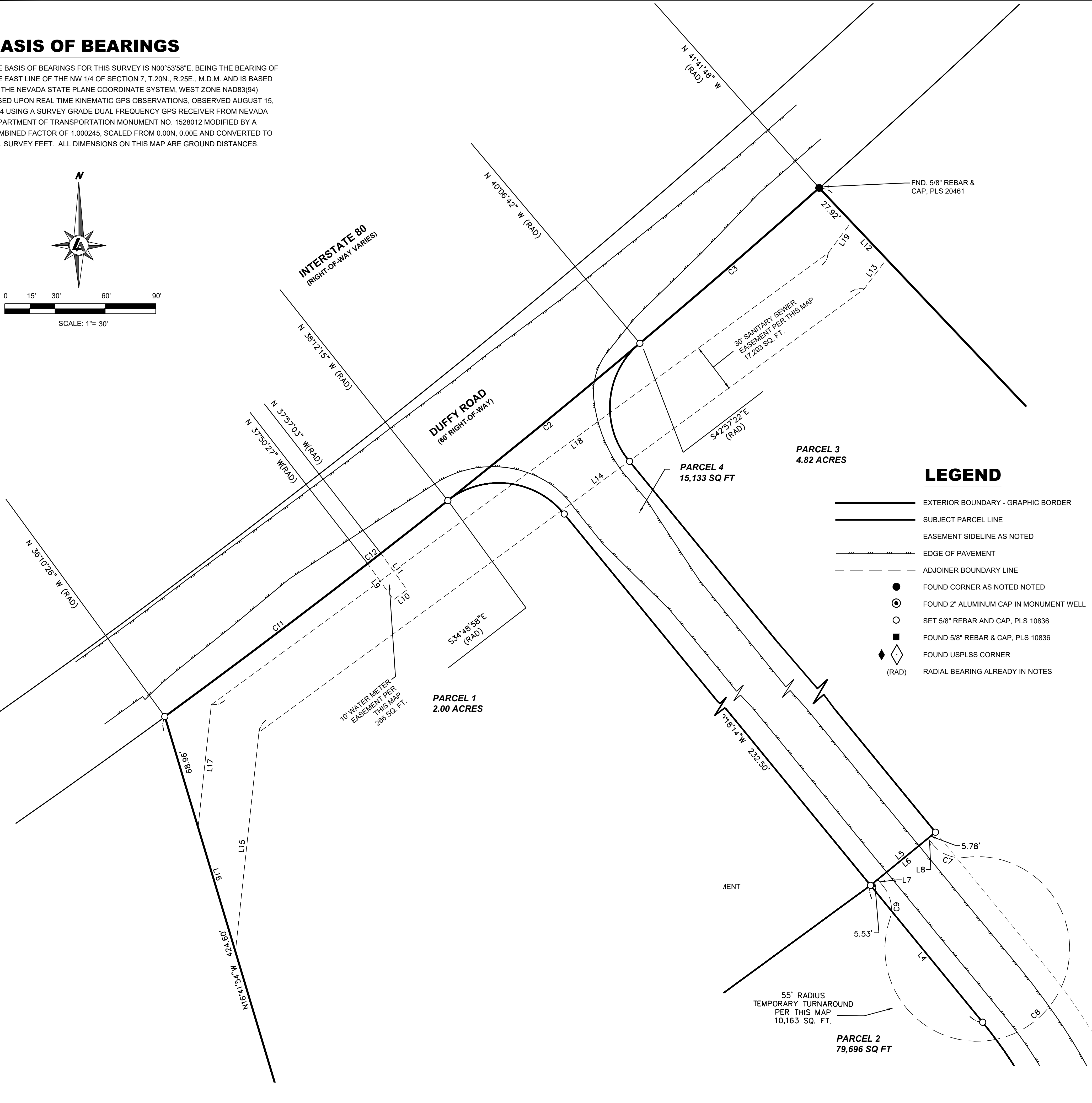
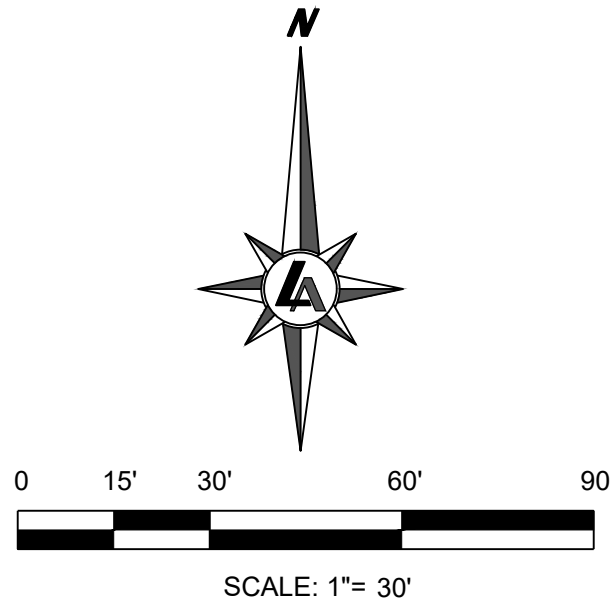


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FALLON, NV 89406
TEL (775) 423-2188
LUMOSINC.COM

Drawn By : DCC
Sheet : 2 of 3
Job No. : 10067.032
Drawing No.: 10067032PM

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY IS N00°53'58"E, BEING THE BEARING OF THE EAST LINE OF THE NW 1/4 OF SECTION 7, T.20N., R.25E., M.D.M. AND IS BASED ON THE NEVADA STATE PLANE COORDINATE SYSTEM, WEST ZONE NAD83(94) BASED UPON REAL TIME KINEMATIC GPS OBSERVATIONS, OBSERVED AUGUST 15, 2024 USING A SURVEY GRADE DUAL FREQUENCY GPS RECEIVER FROM NEVADA DEPARTMENT OF TRANSPORTATION MONUMENT NO. 1528012 MODIFIED BY A COMBINED 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.



LEGEND

- EXTERIOR BOUNDARY - GRAPHIC BORDER
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- EASEMENT SIDELINE AS NOTED
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- FOUND CORNER AS NOTED NOTED
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- RADIAL BEARING ALREADY IN NOTES

APN 021-242-08
SHERWIN-WILLIAMS
ACCEPTANCE COR
PARCEL 1
ROS 417245

Curve Table

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	214.57'	5201.33'	2°21'49"	S52°38'39"W	214.56'
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12/12/2025

PARCEL MAP

FOR

M4 NEW FERNLEY QOZB, LLC.

A DIVISION OF ADJUSTED PARCEL 1 AS SHOWN ON FILE NO. 338829
SITUATE WITHIN A PORTION OF THE E 1/2 OF SECTION 7,
TOWNSHIP 20 NORTH, RANGE 25 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
Sheet : 3 of 3
Job No. : 10067.032
Drawing No.: 10067032PM

Conditions of Approval for TPM25003 – Victory Logistics Fire Station 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 THE SUBDIVISION OF A ± 8.96-ACRE SITE INTO FOUR SEPARATE PARCELS AS FOLLOWS: PARCEL 1 WILL RESULT IN ± 2.0-ACRES; PARCEL 2 WILL RESULT IN ± 1.83-ACRES; PARCEL 3 WILL RESULT IN ± 4.78-ACRES; AND PARCEL 4 WILL RESULT IN 15,133 SQUARE FEET GENERALLY LOCATED AT 0 DUFFY ROAD (± 4,000 FEET WESTERLY OF THE INTERSECTION OF DUFFY ROAD AND NEVADA PACIFIC PARKWAY) (APN: 021-232-50) IN AN INDUSTRIAL (I) ZONE.

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 2025-007, 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 REGULATION AS SET FORTH IN THE CITY OF FERNLEY’S DEVELOPMENT CODE AND PUBLIC WORKS MANUAL UNLESS IN CONFLICT WITH THE 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

Conditions of Approval for TPM25003 – Victory Logistics Fire Station TENTATIVE PARCEL MAP

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.

GRADING AND CIVIL PERMIT CONDITIONS

8. GEOTECHNICAL REPORT:

THE DEVELOPER SHALL PROVIDE A FINAL GEOTECHNICAL REPORT FOR THE PROJECT IN CONFORMANCE WITH THE REQUIREMENTS OF THE DEVELOPMENT CODE FOR REVIEW AND APPROVAL BY THE CITY ENGINEER PRIOR TO ISSUE OF GRADING PERMIT OR BUILDING PERMIT FOR ANY PORTION OF THE PROJECT.

9. GRADING PERMIT:

PRIOR TO ISSUE OF A GRADING PERMIT FOR THE DEVELOPMENT, THE DEVELOPER SHALL POST A SURETY BOND FOR REGRADING AND RECLAMATION OF THE SITE. THE DEVELOPER SHALL COMPLY WITH ALL GRADING REQUIREMENTS SET FORTH IN THE CITY OF FERNLEY DEVELOPMENT CODE, AS WELL AS ALL STATE AND FEDERAL REGULATIONS INCLUDING, BUT NOT LIMITED TO, STORM WATER POLLUTION PREVENTION AND AIR QUALITY.

THE DEVELOPER SHALL PROVIDE VERIFICATION OF A STORM WATER DISCHARGE PERMIT FROM THE NEVADA DEPARTMENT OF ENVIRONMENTAL PROTECTION AS WELL AS A SURFACE AREA DISTURBANCE PERMIT, PRIOR TO ISSUE OF A GRADING PERMIT. THIS REQUIREMENT IS SUBJECT TO THE APPROVAL OF THE CITY ENGINEER.

10. 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.

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 THE 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. THE DRAINAGE REPORT AND GRADING PLANS FOR ANY PHASE OF THE DEVELOPMENT SHALL BE REVIEWED AND APPROVED BY THE ADMINISTRATOR, CITY ENGINEER, AND PUBLIC WORKS

Conditions of Approval for TPM25003 – Victory Logistics Fire Station TENTATIVE PARCEL MAP

DIRECTOR PRIOR TO THE ISSUANCE OF A GRADING PERMIT.

BUILDING PERMIT REQUIREMENTS

11. 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.

12. CONVENANTS, CONDITIONS, AND RESTRICTIONS (CC&Rs):

THE DEVELOPER SHALL PROVIDE COVENANTS, CONDITIONS, AND RESTRICTIONS (CC&Rs) WITH THE FIRST FINAL MAP TO BE REVIEWED BY THE ADMINISTRATOR AND CITY ATTORNEY. CC&Rs SHALL BE RECORDED CONCURRENTLY WITH THE FINAL PARCEL MAP.

THE DEVELOPER SHALL INCLUDE IN THE CC&Rs PROVISIONS OUTLINING PERPETUAL MAINTENANCE RESPONSIBILITIES OF COMMON AREAS, LANDSCAPE MEDIANS, PERIMETER FENCING, OR OTHER COMMON ELEMENTS TO THE APPROVAL OF THE ADMINISTRATOR, CITY ENGINEER, AND PUBLIC WORKS DIRECTOR.

THE CITY SHALL BE NAMED A THIRD-PARTY BENEFICIARY OF SAID MAINTENANCE OBLIGATIONS TO THE APPROVAL OF THE ADMINISTRATOR AND SHALL DISCLOSE THAT THE CITY MAY REQUIRE FORMATION OF A LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT IN THE EVENT OF DEFAULT UNDER SUCH MAINTENANCE OBLIGATIONS.

13. 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.

14. 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.

15. 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 LOADING, DEVELOPMENT CODE REQUIREMENTS, AND STATE REQUIREMENTS.

Conditions of Approval for TPM25003 – Victory Logistics Fire Station TENTATIVE PARCEL MAP

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.

16. WATER AND SEWER SYSTEM MODELING:

PRIOR TO ISSUE 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.

17. WATER SYSTEM LOOPING:

PRIOR TO ISSUE OF A BUILDING PERMIT, THE DEVELOPER SHALL PROVIDE THE CITY WITH A UTILITY PLAN FOR THE WATER SYSTEM THAT DEMONSTRATES ADEQUATE SYSTEM LOOPING. THE PLAN SHALL BE IN CONFORMANCE WITH THE CITY OF FERNLEY'S MUNICIPAL CODE, NEVADA ADMINISTRATIVE CODE, AND PUBLIC WORKS DESIGN MANUAL. THIS REQUIREMENT IS SUBJECT TO THE APPROVAL OF THE CITY ENGINEER AND PUBLIC WORKS DIRECTOR.

PUBLIC WATER MAIN EXTENSION ONTO PRIVATE PROPERTY WILL NOT BE PERMITTED. SERVICES SHALL BE TAPPED OFF OF THE 18-INCH WATER MAIN WITHIN FARM DISTRICT ROAD. THE METER SERVICES SHALL BE LOCATED OUTSIDE OF NDOT RIGHT OF WAY WITHIN A PUBLIC UTILITY EASEMENT.

18. UTILITY EASEMENTS:

THE DEVELOPER SHALL PROVIDE EASEMENTS TO THE CITY OF FERNLEY FOR THE MAINTENANCE OF THE WATER MAINS, METER BOXES AND SEWER MAINS 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.

19. SANITARY SEWER SYSTEM:

ALL ONSITE SEWER MAINS MUST BE PRIVATELY OWNED AND MAINTAINED BY THE COMMERCIAL OWNERS' ASSOCIATION. THE DEVELOPER SHALL INSTALL A SANITARY SEWER MANHOLE WITHIN 5-FEET OF THE NDOT RIGHT OF WAY. THIS MANHOLE WILL DELINEATE BETWEEN THE PUBLIC AND PRIVATE SEWER SYSTEMS.

20. SANITARY SEWER REPORT:

PRIOR TO ISSUE OF A BUILDING PERMIT, THE DEVELOPER SHALL PROVIDE A FINAL SANITARY SEWER REPORT FOR THE PROJECT IN CONFORMANCE WITH THE FERNLEY MUNICIPAL CODE AND THE PUBLIC WORKS DESIGN MANUAL FOR REVIEW AND APPROVAL BY THE CITY ENGINEER.

21. STORM WATER TREATMENT AND DRAINAGE:

THE DEVELOPER SHALL PROVIDE A FINAL DRAINAGE REPORT FOR THE PROJECT IN CONFORMANCE WITH FERNLEY MUNICIPAL CODE AND THE PUBLIC WORKS

Conditions of Approval for TPM25003 – Victory Logistics Fire Station TENTATIVE PARCEL MAP

DESIGN MANUAL FOR REVIEW AND APPROVAL BY THE CITY ENGINEER. THE DEVELOPER SHALL UTILIZE STRUCTURAL CONTROLS FOR THE TREATMENT OF STORM WATER RUNOFF, IN ACCORDANCE WITH BEST MANAGEMENT PRACTICES.

PRIOR TO ISSUE OF A BUILDING PERMIT FOR ANY PHASE OF THE PROJECT, DRAINAGE CONVEYANCE FACILITIES AND OTHER IMPROVEMENTS MUST BE CONSTRUCTED AND FUNCTIONAL. DESIGN AND CONSTRUCTION OF ALL DRAINAGE CONVEYANCE FACILITIES IS SUBJECT TO APPROVAL OF THE ADMINISTRATOR, CITY ENGINEER, AND PUBLIC WORKS DIRECTOR.

ALL INTERNAL STORM DRAIN INFRASTRUCTURE SHALL BE MAINTAINED BY THE PROPERTY OWNER.

REGULATORY AGENCIES

22. 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.

23. 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.

24. POSTAL SERVICE:

PRIOR TO ISSUE OF A BUILDING PERMIT FOR EACH PHASE, 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.

25. 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 ISSUE OF A BUILDING PERMIT.

26. NEVADA DEPARTMENT OF ENVIRONMENTAL PROTECTION:

THE DEVELOPER SHALL COMPLY WITH ALL REQUIREMENTS OF THE NEVADA DEPARTMENT OF ENVIRONMENTAL PROTECTION BUREAU OF SAFE DRINKING

Conditions of Approval for TPM25003 – Victory Logistics Fire Station TENTATIVE PARCEL MAP

WATER AND BUREAU OF WATER POLLUTION CONTRAOL FOR THE WATER AND SEWER INFRASTRUCTURE DESIGN AND CONSTRUCTION TO THE APPROVAL OF THE ADMINISTRATOR, PUBLIC WORKS DIRECTOR, AND CITY ENGINEER.

27. 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.

28. WASTE MANAGEMENT:

THE DEVELOPER SHALL PROVIDE A WILL-SERVE FROM WASTE MANAGEMENT, SUBJECT TO APPROVAL OF THE ADMINISTRATOR, PRIOR TO RECORDING ANY FINAL SUBDIVISION MAP.

29. STREETS AND SIGNAGE:

STREET IDENTIFICATION SIGNS MUST BE IN PLACE AND STREETS WITHIN THE SUBDIVISION MUST BE COMPLETE, TO THE APPROVAL OF THE CITY ENGINEER AND FIRE CHIEF, PRIOR TO SUBMITTING THE FINAL MAP APPLICATION.

30. PARCEL DEDICATION:

PARCEL 1 IS TO BE DEDICATED TO THE CITY OF FERNLEY AS REQUIRED BY THE RECORDED VICTORY LOGISTICS DISTRICT DEVELOPMENT AGREEMENT.



CITY OF FERNLEY

Planning Commission AGENDA REPORT

Meeting Date: January 14, 2026

REPORT TO: Fernley Planning Commission

REPORT FROM: Alisa Johansson

FINANCIAL IMPACT:

Yes: No: X

CURRENTLY BUDGETED:

Yes: No: X

FUND/ACCOUNT:

N/A.

ACTION REQUESTED: Ordinance
Motion

AGENDA ITEM:

Discussion and possible action regarding CA25012 and Bill #377, a request from the Planning Department to amend the adjacency development standards contained in Title 32, Chapter 9, Section 30.

AGENDA ITEM BRIEF:

Adjacency standards have long frustrated both developers and regulatory bodies. Intended to preserve and enhance compatibility between different intensities and densities of uses, the current iteration of the standards is unclear and the requirements imposed are inadequate. The proposed amendment seeks to improve clarity, simplify requirements and developer options, and improve regulatory results.

The proposed changes include:

1. Clerical corrections (spelling, punctuation),
2. Minor restructuring and word selection changes throughout the section to improve clarity of requirements,
3. In Multifamily, Commercial, and Industrial zoning districts when adjoining residential zoning districts:
 - a. Additional upper-level setback requirement of 10', and
 - b. Additional articulation and human scale requirements along select facades.

Due to challenging holiday schedules, the final legal review for this proposal is still pending as of the date of agenda publication. Final drafts of the proposed code amendment will be provided at the meeting.

RECOMMENDED MOTION:

"Considering the information provided by staff presentations and in the staff report, I move to recommend approval of Bill #377 associated with CA25012 amending the adjacency development standards contained in Title 32, Chapter 9, Section 30."

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 heard in public testimony and considering the facts of the case, I move to deny Bill 377 associated with CA25012 amending the adjacency development standards because I am unable to make the following required finding(s):

(State finding and associated rationale—repeat for each applicable finding)."

Modification

"Considering the information provided by staff presentations and in the staff report, I move to recommend approval of Bill 377 associated with CA25012 amending the adjacency development standards contained in Title 32, Chapter 9, Section 30 with the following modifications:

(Identify modification and supporting rationale—repeat for each requested modification)."

BACKGROUND:

Adjacency or intensity-buffering standards are a critical tool in integrating new development into existing neighborhood contexts and development patterns. In Fernley, the issue of adjacency is particularly salient due to a plethora of related regulatory and community conditions that have resulted in frictioned approval processes for development proposals: sharp population growth and increased demand for housing, rural and agricultural development patterns and expectations, and master planning that establishes a pathway for higher density projects throughout the City. This "perfect storm" has resulted in both development pressure and difficult approvals in formerly low density, large-lot portions of the community. The City's adjacency standards as presently written are somewhat confusing, resulting in dissatisfaction from neighbors, developers, and regulators alike. This amendment proposes to streamline requirements by simplifying options, adjusting standards for better results, and adding measurable, easy-to-apply standards for projects in Multifamily, Commercial, and Industrial zoning districts.

The proposed changes include:

1. Clerical corrections, restructuring, and word selections throughout the section to improve clarity of requirements,
2. In Multifamily, Commercial, and Industrial zoning districts when adjoining residential zoning districts:
 - a. New upper-level setback requirements, and
 - b. New articulation and human scale requirements.

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 code amendment is consistent with the Master Plan's overall goal of orderly growth of the community. Adjacency standards directly impact existing and new developments by requiring the use of development siting and platting strategies that ensure compatibility between uses, making this standard

particularly impactful in implementing the Master Plan.

This amendment is also supported by the following specific goals and action strategies in that the adjusted regulations enhance land use compatibility. When compatibility requirements are more easily understood and applied, the approval process for denser developments is simplified and streamlined and adjoining property owners are better served by the results. These conditions make a greater range of housing and development options available to the community, encourage infill development, and preserve neighborhood character.

HP.1.1 Enhance Fernley's vitality as a community by providing a variety of housing types, density, and costs that accommodate the needs, desires, and financial ability of the current and future households.

HP.1.3.1 Encourage a distribution of household incomes throughout the various planning areas.

LU.1.4 Ensure existing and future land uses are compatible.

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.

LU.1.5 Promote infill development.

LU.1.8 Ensure that future growth is sensitive to existing agricultural/farming uses.

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

Public notice was provided via published legal ad in the Reno-Gazette Journal on December 31st, 2025. A public hearing will be held at the January 14th Planning Commission meeting.

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 32.09.030 – Adjacency

FINANCIAL IMPLICATIONS:

None.

ATTACHMENTS:

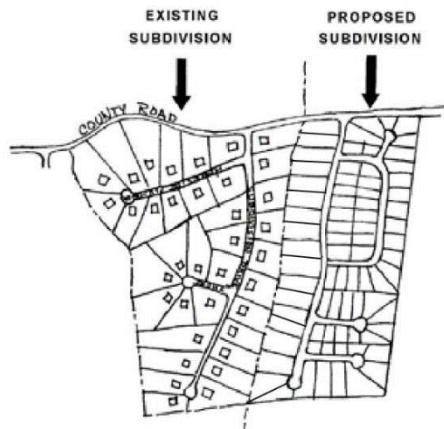
1. Exhibit 2 - Adjacency - Original Code

Sec. 32.09.030. - Adjacency standards.

Purpose. The purpose of this section is to define adjacency standards for different types and intensities of development.

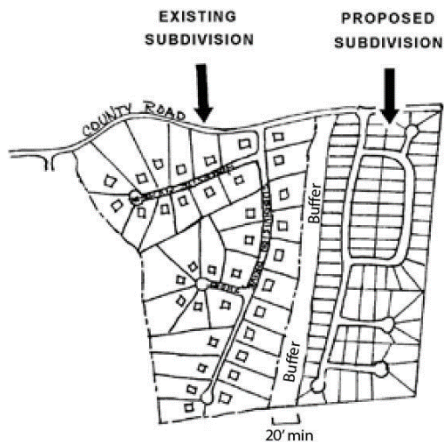
- (a) Applicability.* The standards established in this section shall apply to any new development. Wherever a natural barrier (e.g., ridgeline, river, open space, or natural terrain change) buffers the existing built environment or platted lots from the new development, these standards shall not apply.
- (b) Density.* To the extent that land in such areas affected by this standard would be buildable under federal, state, or local regulations, the full eligible density may be utilized on other locations on the site.
- (c) Generally.*
 - (1) All development shall be designed to minimize impacts on adjacent properties by:
 - a. Limiting exterior lighting to full-cutoff shielded fixtures and directing lights away from adjacent properties;
 - b. Limiting sources of audible noise (e.g., heating and air conditioning units) from building facades that face lower intensity uses; and
 - c. Locating off-street parking, loading, and service areas away from the shared property and incorporating them into the design of buildings they are intended to serve;
 - d. Placing windows on the new development so as to maintain privacy by avoiding direct lines of sight into adjacent properties; and
 - e. Orienting balconies and other outdoor living spaces away from a shared property line.
- (d) Lot adjacency and transition standards—Single-family residential.*
 - (1) To provide adequate transition between varying sizes of single-family residential parcels designated one dwelling unit per five acres to one dwelling unit per acre, the minimum adjacent lot size shall be one acre, unless approved otherwise by the administrator.
 - (2) To provide adequate transition between varying sizes of single-family residential parcels designated as one unit per acre or greater density, one of the following methods shall be utilized:
 - a. *Transition.* New subdivision lots adjacent to existing subdivision lots shall match the rear yard setbacks per base zoning, not exceed the number of stories of the existing adjacent homes and shall not exceed a 50-percent reduction in lot size of the existing subdivision lots. If existing subdivision lots are less than half acre, no transition is required.

Figure 32.09.030-1 - Lot Size Transition



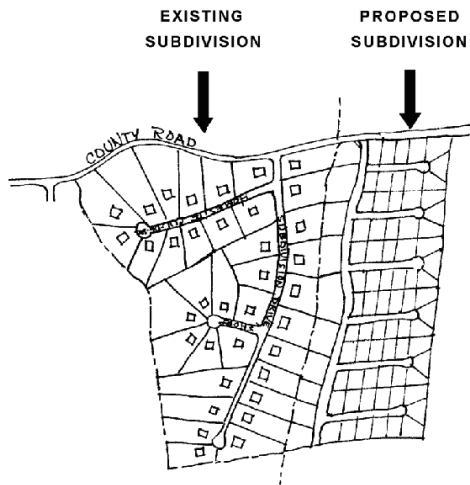
- b. *Buffering.* A "buffer zone" shall be established and shall be a minimum of 20 feet wide. The buffer zone may be common open space for the proposed subdivision and shall include at least one of the following improvements: paths, trails, drainageways, landscaping, berms, or other subdivision amenities. The city may require a larger landscape buffer of a specific width, or other visual and/or sound barrier (open view fence, wall, landscaping, or combination of such measures), to mitigate any potential adverse impacts. The city may allow a major roadway or railroad right of way to constitute adequate buffering.

Figure 32.09.030-2 - Buffering



- c. *Yard matching.* The rear yard widths of the proposed development shall match the rear yard widths of the existing development as depicted in Figure 32.09.030-3:

Figure 32.09.030-3 - Yard Matching



- (2) In addition, lots proposed within a new subdivision that share a common property line with an established subdivision shall not contain structures that exceed the maximum height of the adjacent equivalent zoning district.

(e) Lot adjacency standards—Multiple-family residential.

- (1) Residential infill that exceeds the height of adjacent existing homes by more than one story in height and/or are significantly larger in terms of their overall mass shall provide a transition using at least three of the following techniques:
- a. "Stepping down" building height and mass along the shared property line to meet the height of the existing adjacent home, the "stepped down" portion of the building shall be a minimum of ten feet in depth along a minimum of 50 percent of the building's length;
 - b. Increasing the side yard setback, a minimum of five feet beyond that which is required and providing a landscape buffer along a shared lot edge;
 - c. Providing variations in the side building wall and roof form so that new structures have a comparable scale as adjacent homes along a shared side;
 - d. Utilizing a roof pitch and overhang similar to that of the adjacent structures; and
 - e. Utilizing dormers and sloping roofs to accommodate upper stories.

Alternative approaches may be approved by the administrator provided the overall objective of this standard can be satisfied.

(f) Lot adjacency standards—Commercial and mixed use.

- (1) Transitions between mixed-use and commercial areas and adjacent residential neighborhoods shall be provided by utilizing the following techniques, as applicable:
- a. Concentrating tallest buildings at the center of the site or along primary street frontages;

- b. Providing gradual decreases in building height and mass so that new structures are a maximum of 24 feet in height along the shared lot line or a maximum of 36 feet height along the shared lot line or street frontage; or
- c. Incorporating lower-intensity housing types (e.g., townhomes, duplexes, etc.) along a shared street frontage.

(g) Lot adjacency standards—Industrial.

(1) Industrial development shall be oriented on the site to minimize off-site adverse impacts of noise, glare, smoke, dust, exhaust, vibration, etc., and protect the privacy of adjacent nonindustrial zoning districts to the extent practicable. The following standards apply to all development within industrial zoning districts when abutting nonindustrial zoning districts:

- a. Mechanical equipment, lights, emissions, shipping/receiving areas, and other components of an industrial use that are outside of an enclosed building shall be located away from abutting residential zoning districts, schools, parks and other nonindustrial zoning districts as practicable; and
- b. A buffer with a minimum width of 20 feet is required between industrial development and any adjacent residential zoning district. The buffer shall provide landscaping to screen the industrial activities, such as parking, service and delivery areas, from the residential districts. The buffer shall not contain trash receptacles or be used for the storage of equipment, materials, vehicles, etc. The city may require a larger landscape buffer of a specific width, or other visual and/or sound barrier (fence, wall, landscaping, or combination of such measures), to mitigate any potential adverse impacts.



CITY OF FERNLEY

Planning Commission AGENDA REPORT

Meeting Date: January 14, 2026

REPORT TO: Fernley Planning Commission

REPORT FROM: Alisa Johansson

FINANCIAL IMPACT:

Yes: No: X

CURRENTLY BUDGETED:

Yes: No: X

FUND/ACCOUNT:

N/A.

ACTION REQUESTED: Ordinance
Motion

AGENDA ITEM:

Discussion and possible action regarding CA25013 and Bill #378, a request from the Planning Department to add definitions and development standards and to amend the public facility requirements pertaining to non-residential development in remote portions of the City (FMC 32.02.030, FMC 32.09.125, and FMC 32.12.010).

AGENDA ITEM BRIEF:

Constrained by codified requirements to connect to public water and sewer infrastructure, non-residential sites on the periphery of Fernley remain largely undeveloped and underutilized. Although potentially suitable for a range of district-appropriate uses, these properties are located too far from City infrastructure for connection to be feasible or reasonable. This code amendment seeks to add flexibility for these unserved non-residential sites by allowing connection to private facilities, or no facilities at all. Also included are adjustments to landscaping, screening, and street improvement requirements to better fit the remote locations in which affected projects will be proposed.

The changes include:

1. New definition for "unserved," identifying sites not mapped within an Area Plan and not within 1/4 mile of any City utility infrastructure,
2. New definition for "xeriscaping," as a landscaping method intended to reduce water needs,
3. A limited suite of new non-residential development standards for "unserved sites" for landscaping, screening, and street improvements, and
4. Updates to the Development Code's chapter concerning adequate public facilities allowing for private facilities under certain circumstances.

RECOMMENDED MOTION:

“Considering the information provided by staff presentations and in the staff report, I move to recommend approval of Bill #378 associated with CA25013 adding definitions and development standards and amending public facility requirements pertaining to non-residential developments in the remote portions of the City (FMC 32.02.030, FMC 32.09.125, and FMC 32.12.010).”

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 heard in public testimony and considering the facts of the case, I move to deny Bill 378 associated with CA25013 adding definitions and development standards and amending public facility requirements pertaining to non-residential developments because I am unable to make the following required finding(s):

(State finding and associated rationale—repeat for each applicable finding).”

Modification

“Considering the information provided by staff presentations and in the staff report, I move to recommend approval of Bill 378 associated with CA25013 adding definitions and development standards and amending public facility requirements pertaining to non-residential developments with the following modifications: *(Identify modification and supporting rationale—repeat for each requested modification).”*

BACKGROUND:

Infrastructure development is a critical but slow component of community development. Planning, prioritization, funding, design, construction—each step takes much time and effort before results can be realized. In the City of Fernley, development interest has long outpaced the City’s expansion of public infrastructure networks including roads, water, stormwater, and sewer systems. While this condition sometimes directs development to infill sites, it also constrains growth in the community, particularly on the periphery of the developed community core, where developable land often sits vacant in wait. This development code text amendment seeks to relax public facility, screening, landscaping, and street improvement requirements in the newly defined “unserved” portions of the City—sites not within an Area Plan and not within one-quarter mile of existing infrastructure—where some non-residential uses can be compatibly sited. Uses most likely to take advantage of this amendment include those uses with low visitation and staffing levels, low utility needs, and larger spatial needs—all of which indicate appropriate siting in the more remote parts of the City.

The proposed changes include:

1. New definitions for “unserved” and “xeriscaping,”
2. A suite of new non-residential development standards for unserved sites, and
3. Updates to the Development Code’s chapter concerning adequate public facilities.

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 code amendment is consistent with the Master Plan's overall goal of orderly growth of the community, appropriate flexibility for development, and land use compatibility. Although the Master Plan's specific stipulations regarding public services for each zoning district are, in places, in conflict with these proposed changes, the community's clear need for relaxed regulations and additional flexibility in the more remote portions of the City outweigh this discrepancy. Staff also note that the City's Comprehensive Master Plan is currently undergoing an update, where this conflict will be resolved and where additional flexibility for remote sites may be incorporated and ultimately adopted.

This amendment is further supported by the following specific goals and action strategies:

LU.1.3 Provide a balanced distribution of employment and population.

LU.1.3.2 Maintain adequate supplies of developable land for both residential and commercial land uses.

This development code text amendment directly supports these community goals by increasing feasibility for non-residential projects on Fernley's periphery. Enhanced feasibility in the Development Code adds land previously deemed infeasible back into the City's stock of developable sites. Uses and sites that will now become feasible combinations attract new business types to the City, increasing the variety of employment opportunities within the community.

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.

The development standards proposed through this amendment seek to retain land use compatibility while reducing overall requirements on project proponents in more remote portions of the City. Screening and surfacing requirement, while necessary in denser parts of the community, are less impactful in the outskirts of Fernley. This proposed amendment acknowledges the nexus between the cost burden and positive impact of such requirements and adjusts standards in the unserved portions of the City accordingly.

LU.1.5.4 Adopt development regulations that recognize the relationship between land use timing and the provision of services and facilities.

This community goal is perhaps most directly supported by this code amendment. The City is sensitive to the timing discrepancy between development and the provision of services and facilities, particularly in the outer reaches of the community. This amendment seeks to provide short-, mid-, and potentially long-term alternatives while the City's infrastructure remains distant and inaccessible to remote properties.

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

Public notice was provided via published legal advertisement in the Reno-Gazette Journal on December 31st, 2025. A public hearing will be held at the January 14th Planning Commission meeting.

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 32.02.030 – Definitions

FMC 32.09.125 – Non-Residential Standards for Unserved Sites (New)

FMC 32.12.010 – Adequate Public Facilities

FINANCIAL IMPLICATIONS:

None.

ATTACHMENTS:

1. Exhibit 1 - Bill 378
2. Exhibit 2 - Original Code - Non-Residential Standards for Unserved Sites
3. Exhibit 3 - Amended Code - Non-Residential Standards for Unserved Sites

BILL #378
CITY OF FERNLEY
ORDINANCE # _____

AN ORDINANCE AMENDING TITLE 32, CHAPTER 2, SECTION 030 (DEFINITIONS); CHAPTER 9, SECTION 125 (NON-RESIDENTIAL STANDARDS FOR UNSERVICED SITES); AND CHAPTER 12, SECTION 10 (ADEQUATE PUBLIC FACILITIES) OF THE FERNLEY DEVELOPMENT CODE TO IMPROVE FLEXIBILITY AND FEASIBILITY FOR NON-RESIDENTIAL PROJECTS IN THE UNSERVICED PORTIONS OF 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:

Unserviced. Unserved sites are those sites that are not mapped within an adopted Area Plan and that are more than one quarter mile from any public utility infrastructure.

Xeriscaping. The process of landscaping that significantly reduces or eliminates the need for irrigation.

Title 32, Chapter 9, Section 125 is hereby added as follows:

Purpose: This section provides less restrictive regulations for non-residential developments in remote portions of the City where public facilities or utilities are not readily available and where adverse impacts to adjoining properties are less likely.

(a) *Applicability.* This section applies to development projects meeting all of the following locational requirements:

- 1) The site is not mapped within an adopted Area Plan, and
- 2) The site is not within ¼ mile of any public utility infrastructure.

(b) *Landscaping.*

- 1) Xeriscaping shall be provided to the approval of the Administrator. Native vegetation shall be retained to the extent practicable.

(c) *Screening.*

- 1) Opaque screening shall be provided along any street frontage and between non-residential and residential uses.
- 2) Where use standards require screen fences or masonry walls, any opaque material acceptable to the Administrator may be used.

(d) *Street Improvements.*

- 1) Streets adjoining the development boundary shall be improved to the GR20 standards per Sec. 32.09.140, Table 1.

Title 32, Chapter 12, Section 10 is hereby amended as follows:

Purpose. The purpose of this section is to ensure that the public infrastructure necessary to support a development project will be available concurrently with the impacts of that

development without causing the level of service at which the infrastructure is provided to fall below adopted standards.

(a) *Applicability.* These regulations shall apply to all development projects requiring installation of public facilities on-site, adjacent, or off-site to the project.

(b) *Definitions.*

TABLE 32.12.010-1 - Definitions

Applicable Public Facility Plans	Adopted plans for the provision of water supply, sanitary sewer, storm drainage and flood management, transportation (streets, transit, pedestrian, bicycle), public safety (fire and law enforcement), parks, and schools that ensures necessary public facilities will be provided concurrent with the impacts from any land use entitlement for development.
Adequate Public Facilities	Facilities which have the capacity to serve development without decreasing levels of service below the established minimum Level of Service.
Development Project	Any land use permit required by the city for a project action, including but not limited to building permits, subdivisions, parcel maps, planned unit developments, conditional uses, administrative reviews, zoning map amendments, and amendments to the city's comprehensive master plan which request an increase in the extent or density of development on the subject property.
Level of Service (LOS)	An established minimum capacity of public facilities or services that must be provided per unit of demand or other appropriate measure of need. Level of service standards are synonymous with locally established minimum standards.

(c) *General standards.*

- 1) Any subdivision of land or other development project, unless located in a GR (general rural) or RR (rural residential) zone, shall be required to connect to the city's water and wastewater systems except as otherwise provided in this section.
- 2) No development project which includes the subdivision or intensification of land shall be approved until such time as all applicable public facility plans are in place to serve the development, including a financing plan for the construction and long-term maintenance of the necessary public facilities.

- 3) Any development project application which includes the subdivision or intensification of land shall be required to submit a fiscal impact analysis to the approval of the administrator.
 - 4) Areas within the general rural land use designation shall not be subdivided or intensified until adequate public facility plans for the area have been adopted by the city council.
 - 5) Notwithstanding paragraph (1) of this subsection, any existing parcel not within 300 feet of the city's water and wastewater systems may utilize a well and/or septic system pursuant to applicable regulations and subject to all other requirements of the city's development code.
- (d) *Determination of adequate public facilities.* Prior to the approval of any development project, the administrator shall determine whether:
- 1) Adequate public facilities exist;
 - 2) Applicable public facility plans are in place to serve the development and the public facilities will be constructed concurrently with the development project;
or
 - 3) Private facilities should be allowed pursuant to this section and based on current and future availability of public facilities in the area.

The administrator's determination of adequate public facilities shall be based on adopted levels of service and/or available capacity.

- (e) *Future development areas.* Future development areas identified in the City of Fernley Comprehensive Master Plan shall be required to have an area plan developed by the city, property owner(s), and/or developer(s) to create a unified vision for the area and cumulatively address development impacts including land use, transportation, drainage facilities, community infrastructure (water and waste water), community services (police and fire), physical constraints, conservation, and parks and open space. The existing zoning or land use shall not be intensified in any of these areas until an area plan has been approved and adopted by the City of Fernley to ensure concurrency management, and the provision of new infrastructure and city services can be provided concurrently with new development. At a minimum, an area plan shall consider the following:
- 1) Transportation and traffic.
 - a. Roadways.
 - b. Bike and pedestrian connectivity.
 - c. Future transit opportunities.
 - d. Park and ride lots.
 - 2) Land use and zoning.
 - 3) Development standards.
 - 4) Flooding and regional drainage facilities.

- 5) Community infrastructure.
 - a. Water.
 - b. Wastewater.
 - c. Reclaimed water.
- 6) Community services.
 - a. Police.
 - b. Fire.
 - c. Schools.
- 7) Parks and open space.
- 8) Fiscal impacts to the city.
- 9) Funding and financing for public infrastructure.

- 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 4th day of February, 2026.

BILL #364 BEING HEREBY PASSED, APPROVED, and ADOPTED this 18th 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: _____
Kim Swanson, City Clerk

Date: _____

Sec. 32.12.010. - Adequate public facilities required.

Purpose. The purpose of this section is to ensure that the public infrastructure necessary to support a development project will be available concurrently with the impacts of that development without causing the level of service at which the infrastructure is provided to fall below adopted standards.

(a) *Applicability.* These regulations shall apply to all development projects requiring installation of public facilities on-site, adjacent, or off-site to the project.

(b) *Definitions.*

TABLE 32.12.010-1 - Definitions

Applicable Public Facility Plans	Adopted plans for the provision of water supply, sanitary sewer, storm drainage and flood management, transportation (streets, transit, pedestrian, bicycle), public safety (fire and law enforcement), parks, and schools that ensures necessary public facilities will be provided concurrent with the impacts from any land use entitlement for development.
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Level of Service (LOS)	An established minimum capacity of public facilities or services that must be provided per unit of demand or other appropriate measure of need. Level of service standards are synonymous with locally established minimum standards.

(c) *General standards.*

- 1) Except on parcels zoned GR (general rural) and RR (residential - rural), any subdivision of land or other development project shall be required to connect to the city's water and wastewater systems.
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 - 4) Areas within the general rural land use designation shall not be subdivided or intensified until adequate public facility plans for the area have been adopted by the city council.
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The administrator's determination of adequate public facilities shall be based on adopted levels of service and/or available capacity.

- (e) *Future development areas.* Future development areas identified in the City of Fernley Comprehensive Master Plan shall be required to have an area plan developed by the city, property owner(s), and/or developer(s) to create a unified vision for the area and cumulatively address development impacts including land use, transportation, drainage facilities, community infrastructure (water and waste water), community services (police and fire), physical constraints, conservation, and parks and open space. The existing zoning or land use shall not be intensified in any of these areas until an area plan has been approved and adopted by the City of Fernley to ensure concurrency management, and the provision of new infrastructure and city services can be provided concurrently with new development. At a minimum, an area plan shall consider the following:
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 - 3) Development standards.
 - 4) Flooding and regional drainage facilities.
 - 5) Community infrastructure.

- a. Water.
 - b. Wastewater.
 - c. Reclaimed water.
- 6) Community services.
 - a. Police.
 - b. Fire.
 - c. Schools.
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- 2) No development project which includes the subdivision or intensification of land shall be approved until such time as all applicable public facility plans

are in place to serve the development, including a financing plan for the construction and long-term maintenance of the necessary public facilities.

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- 5) ~~Any~~Notwithstanding paragraph (1) of this subsection, any existing parcel not within 300 feet of the city's water and wastewater systems may utilize a well and/or septic system pursuant to applicable regulations and subject to ~~the~~all other requirements of the city's development code.

(d) *Determination of adequate public facilities.* Prior to the approval of any development project, the administrator shall determine whether:

- 1) Adequate public facilities exist ~~or~~;
- 2) Applicable public facility plans are in place to serve the development and the public facilities will be constructed concurrently with the development project ~~;~~ or
- 3) Private facilities should be allowed pursuant to this section and based on current and future availability of public facilities in the area.

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- 4) Flooding and regional drainage facilities.
- 5) Community infrastructure.
 - a. Water.
 - b. Wastewater.
 - c. Reclaimed water.
- 6) Community services.
 - a. Police.
 - b. Fire.
 - c. Schools.
- 7) Parks and open space.
- 8) Fiscal impacts to the city.
- 9) Funding and financing for public infrastructure.

Sec 32.09.125 –Non-Residential Standards for Unserved Sites

Purpose: This section provides less restrictive regulations for non-residential developments in remote portions of the City where public facilities or utilities are not readily available and where adverse impacts to adjoining properties are less likely.

(a) *Applicability.* This section applies to development projects meeting all of the following locational requirements:

- 1) The site is not located within an adopted Area Plan, and
- 2) The site is not within ¼ mile of any public utility infrastructure.

(b) *Landscaping.*

- 1) Xeriscaping shall be provided to the approval of the Administrator. Native vegetation shall be retained to the extent practicable.

(c) *Screening.*

- 1) Opaque screening shall be provided along any street frontage and between non-residential and residential uses.
- 2) Where use standards require screen fences or masonry walls, any opaque material acceptable to the Administrator may be used.

(d) *Street Improvements.*

- 1) Streets adjoining the development boundary shall be improved to the GR20 standards per Sec. 32.09.140, Table 1.

Sec 32.02.030

Unserviced. Unserved sites are those sites that are not mapped within an adopted Area Plan and that are more than one quarter mile from any public utility infrastructure.

Xeriscaping. The process of landscaping that significantly reduces or eliminates the need for irrigation.



CITY OF FERNLEY

Planning Commission AGENDA REPORT

Meeting Date: January 14, 2026

REPORT TO: Fernley Planning Commission

REPORT FROM: Treston Rodriguez

FINANCIAL IMPACT:

Yes: No: X

CURRENTLY BUDGETED:

Yes: No: X

FUND/ACCOUNT:

N/A

ACTION REQUESTED: Motion

AGENDA ITEM:

(For Possible Action) Consideration and possible action regarding a Waiver application (WVR25003) submitted by Demetri Nikolakakis/Valutainer for a site located at 11 Salvage Lane (APN: 021-442-19) in an Industrial (I) zoning district. The Waiver requests relief from curb, gutter, sidewalk, and landscaping requirements for a property located within the US95A/Speedway Industrial Park area.

AGENDA ITEM BRIEF:

Waiver application requesting the removal of curb, gutter, sidewalk, and landscaping requirements for a property located within the US95A/Speedway Industrial Park area. The applicant proposes to establish a Building and Landscaping Materials Supplier operation on the site. No new buildings or utility connections are proposed at this time. A concurrent Administrative Review (AR25001) has been initiated to evaluate site layout and operational details and will proceed following action on this Waiver.

RECOMMENDED MOTION:

I move to approve the Waiver (WVR25003) associated with 11 Salvage Lane (APN 021-442-19), subject to Conditions of Approval 1 through 12 and Findings WVR01 through WVR05 as set forth in this staff report.

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 deny WVR25003 because the following finding(s) can not be met: _____.

BACKGROUND:

The subject property is located at 11 Salvage Lane (APN 021-442-19) within the US95A/Speedway Industrial Park area and is zoned I (Industrial). The site carries an Industrial Master Plan designation and is surrounded by similar industrial uses, including contractor yards, trucking operations, and outdoor storage areas.

The site is approximately 5.13 acres in size and currently undeveloped, with gravel access and natural desert vegetation. The applicant, Demetri Nikolakakis with Valutainer, proposes to utilize the site for the storage and staging of shipping containers, commercial vehicles, and associated equipment. According to the applicant, containers are periodically delivered to the site for storage and staging prior to being supplied or deployed for off-site use by other businesses. While the operation primarily functions as outdoor storage and logistics support, staff has determined, consistent with the Planning Director's direction, that it is most appropriately classified as a Building and Landscaping Materials Supplier use, defined as a business that sells building or landscaping materials primarily through wholesale transactions to other firms, and which is permitted by right within the Industrial zoning district pursuant to Table 32.06.110-1 of the Fernley Municipal Code (FMC).

Because the property is undeveloped and lacks existing public improvements, the proposed site activation triggers development standards requiring curb, gutter, sidewalk, and landscaping. The applicant has therefore requested a Waiver from these standards, citing that surrounding properties within the same industrial area have not been required to install similar improvements and that doing so would be inconsistent with the area's existing development pattern.

Concurrent Administrative Review:

Although "Building and Landscaping Materials Supplier" is a permitted use within the Industrial zoning district and does not independently require Administrative Review, staff has determined that site activation on a previously undeveloped parcel constitutes development activity under FMC 32.03.050(a)(1)(b). Accordingly, an Administrative Review (AR25001) is being processed concurrently to evaluate site layout, access, circulation, and safety measures, and to provide a mechanism for applying enforceable Conditions of Approval in coordination with the requested Waiver.

The Administrative Review cannot be approved until such time as the associated Waiver (WVR25003) is acted upon. This staff report addresses only the Waiver request; the Administrative Review will be processed administratively following Planning Commission action.

Code Applicability

While "Building and Landscaping Materials Supplier" is a permitted use within the Industrial zoning district, the development of a previously undeveloped parcel constitutes new development activity under FMC Title 32 and requires Administrative Review pursuant to FMC 32.03.050(a)(1)(b). As a result, the project is subject to current development standards, including curb, gutter, sidewalk, and landscaping requirements. Because the applicant seeks relief from these standards, a Waiver is required prior to final approval of the Administrative Review.

As shown in Table 32.03.090-1 (Summary of Modification Options), a waiver is an available entitlement tool for relief from select development standards, including curb, gutter, sidewalk, and landscaping. The subject request therefore qualifies for waiver consideration as an eligible modification type under FMC Title 32.

Pursuant to FMC 32.03.090(e), waivers may be granted for eligible development standards within designated areas of the City when the applicable approval criteria are met. The subject property is located within the US95A/Speedway Road Industrial Park, where curb, gutter, sidewalk, and landscaping standards are expressly

eligible for waiver consideration. Accordingly, the request qualifies for waiver review and approval by the Planning Commission, subject to the required findings.

Analysis

The applicant, Demetri Nikolakakis with Valutainer, through his authorized representative, Ryan Sims with Axion Engineering, submitted a waiver justification statement requesting relief from the curb, gutter, sidewalk, and landscaping requirements applicable under the Fernley Municipal Code (FMC). The applicant notes that the subject property is located within the US95A/Speedway Industrial Park area, which is characterized by gravel roadways, minimal urban infrastructure, and natural desert vegetation.

The applicant states that there are no existing curbs, gutters, or sidewalks along the frontages serving the property or on adjacent parcels, and that installation of such improvements would be inconsistent with the surrounding development pattern. The justification also notes that curb and gutter improvements could interfere with existing drainage courses and alter natural flow patterns.

Additionally, the applicant requests that the landscaping requirement be waived, asserting that the area's natural vegetation provides sufficient buffering and that the introduction of formal landscaping would conflict with the established visual character of the industrial park.

Staff acknowledges that the US95A/Speedway Industrial Park contains limited public infrastructure. Requiring isolated improvements on a single parcel may result in discontinuous or nonfunctional features that do not meaningfully advance connectivity or visual consistency. The waiver, if approved, would maintain consistency with the surrounding industrial context while allowing for continued use and investment within the area.

The findings below evaluate whether the proposed waiver meets the applicable approval criteria outlined in FMC 32.03.090(e)(6). If the Planning Commission determines that all required findings can be made, staff will proceed with administrative approval of the associated Administrative Review (AR25001).

WAIVER APPLICATION FINDINGS

WVR01: There is evidence of circumstances beyond the reasonable control of the property owner such as: unusual size, shape, or topography of the site; existing conditions on the site that make complying with the code impractical; or the site is somehow legally nonconforming.

The subject property is a rectangular 5.13-acre parcel located within the US95A/Speedway Industrial Park area. The site is relatively flat with no unique topographic constraints. However, there are no existing curbs, gutters, or sidewalks along Salvage Lane or on adjacent parcels. The property is accessed via gravel roadways, which serve multiple industrial users throughout the area.

The applicant notes that compliance with current improvement requirements would be impractical due to the absence of adjacent infrastructure and that installation of curb, gutter, and sidewalk improvements could disrupt existing drainage patterns and create isolated, nonfunctional improvements. Staff acknowledges that the site's context creates circumstances beyond the applicant's control that make strict adherence to current standards unreasonable.

Can this finding be met? YES

WVR02: The waiver does not impair the purpose of the zoning district.

The property is zoned I (Industrial) and carries an Industrial Master Plan designation, which identifies appropriate uses such as manufacturing, warehousing, maintenance and repair shops, distribution, mining, storage, and construction. The intent of the Industrial designation is to create an environment where industrial activities may occur with minimal impact on the natural environment and surrounding land uses, typically

located near major transportation corridors and separated from residential development.

According to FMC 32.06.110, the Industrial District provides areas appropriate for both low- and high-intensity industrial processes, including manufacturing, warehousing, construction, and small-scale commercial uses, and is intended to facilitate operations with limited environmental and neighborhood impact.

The proposed Building and Landscaping Materials Supplier use aligns with these objectives by supporting business-to-business operations typical of industrial trade and logistics. The requested waiver pertains only to site improvement standards (curb, gutter, sidewalk, and landscaping) and does not alter the land use, intensity, or operational characteristics of the project. Granting the waiver will not impair the purpose or intent of the zoning district and will allow continued development consistent with the established industrial context along the US95A/Speedway corridor.

Can this finding be met? YES

WVR03: The waiver does not impact any fire, building, or health codes.

The requested waiver applies solely to site improvement standards—specifically, the requirement to install curb, gutter, sidewalk, and landscaping improvements. The waiver does not involve any building construction, habitable structures, or mechanical systems that would trigger compliance with the International Building Code (IBC), International Fire Code (IFC), or public health regulations.

Upon receipt of this application, the project was routed to various reviewing agencies, including the North Lyon County Fire Protection District for comment. No comments or concerns were received from any reviewing agency. Fire access and circulation will also be reviewed through the concurrent Administrative Review (AR25001) to ensure continued compliance with applicable fire and building codes. Granting the waiver will not conflict with life-safety regulations or compromise public health or welfare.

Can this finding be met? YES

WVR04: The waiver is consistent with the Master Plan.

The Fernley Master Plan designates the subject site as Industrial, intended to support uses such as manufacturing, warehousing, maintenance and repair, distribution, mining, storage, and construction. The designation emphasizes creating an environment where industrial operations may occur with minimal impact on the natural environment and surrounding land uses, generally located near major transportation corridors and away from residential areas.

The proposed Building and Landscaping Materials Supplier use is consistent with these objectives, supporting industrial employment and logistics activity within an established corridor along US95A. The requested waiver allows the site to develop in a manner consistent with adjacent properties, which also operate without urban street or landscape improvements.

Granting the waiver ensures that new development within this industrial area can proceed without imposing inconsistent infrastructure requirements that could discourage future industrial reinvestment. As such, the waiver is consistent with the intent of the Fernley Master Plan and supports implementation of the City's industrial employment goals.

Can this finding be met? YES

WVR05: The waiver is necessary to preserve a substantial property right enjoyed by surrounding properties.

Parcels within the US95A/Speedway Industrial Park area have been developed and are actively operating

without curb, gutter, sidewalk, or landscaping improvements. These parcels function as part of the City's established industrial network and reflect the prevailing development pattern within the industrial park.

Requiring the applicant to install full street and landscape improvements in isolation would impose a disproportionate burden relative to surrounding properties and create inconsistent conditions within the same industrial corridor. Granting the waiver ensures equitable treatment among similarly situated property owners and preserves a substantial property right to develop and operate the site consistent with its zoning and surrounding development pattern.

Approval of the waiver will also enable the associated Administrative Review (AR25001) to proceed, ensuring the project's operational details are reviewed and conditioned under applicable industrial standards

Can this finding be met? YES

RELEVANT LAWS, STATUTES, AND REGULATIONS:

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

Fernley Municipal Code (FMC), Title 32 – Development Code

FMC 32.03.050(a)(1)(b) – Administrative Review Applicability

FMC 32.03.090(e) – Development Code – Waivers

Table 32.03.090-1 – Summary of Modification Options

FMC 32.06.110, Title 32 – Development Code - Zoning Districts – Industrial (EC and I)

FMC 32.09.090-1 – Title 32 – Development Code – Development Standards – Landscaping and Screening

FMC 32.09.120-2 – Title 32 – Development Code – Development Standards – Streets

FINANCIAL IMPLICATIONS:

N/A

ATTACHMENTS:

1. Conditions of Approval
2. Vicinity Map
3. Site Plan

Conditions of Approval for WVR25002

WAIVER

SCOPE AND DURATION OF APPROVAL

1. APPROVAL: THE APPLICATION IS APPROVED AS DESCRIBED IN CONDITION #2 BELOW, 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 CURB, GUTTER, SIDEWALK, AND LANDSCAPING REQUIREMENTS ON A I (INDUSTRIAL) SITE LOCATED AT 11 SALVAGE LANE (APN: 021-442-19).
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.

SITE AND OPERATIONAL REQUIREMENTS

5. 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.

6. HEIGHT LIMITATION: MATERIALS, EQUIPMENT, AND STORAGE CONTAINERS SHALL BE STORED IN A SINGLE LAYER AND SHALL NOT BE STACKED VERTICALLY, IN ORDER TO MINIMIZE VISUAL IMPACTS, PROMOTE SAFETY, AND MAINTAIN COMPATIBILITY WITH SURROUNDING DEVELOPMENT.

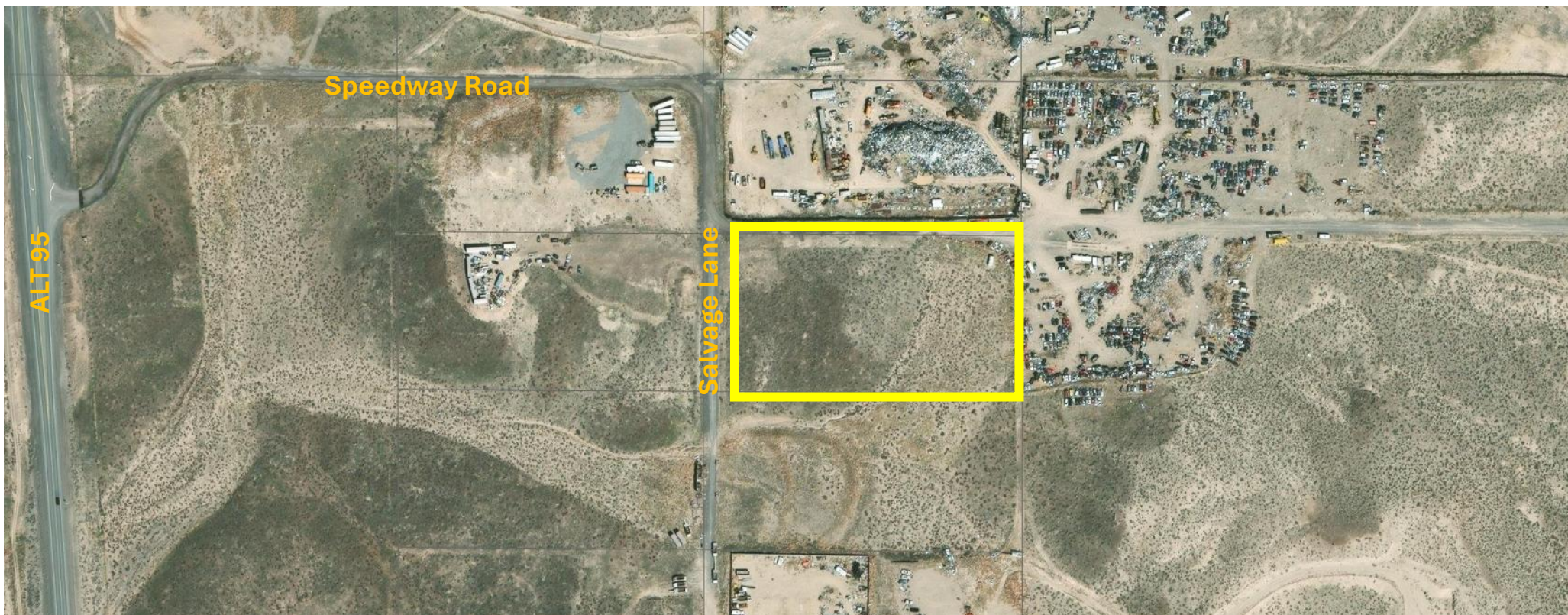
OUTDOOR STORAGE OPERATIONS

7. OUTDOOR STORAGE AREA MAINTENANCE: THE OUTDOOR STORAGE AREA SHALL BE MAINTAINED IN A CLEAN, ORDERLY, AND DUST-FREE CONDITION AT ALL TIMES. MATERIALS SHALL BE STORED IN A MANNER THAT DOES NOT CREATE VISUAL CLUTTER OR SAFETY HAZARDS.
8. PROHIBITED STORAGE: NO HAZARDOUS MATERIALS, SOLID WASTE, DERELICT VEHICLES, OR ITEMS NOT RELATED TO THE APPROVED USE SHALL BE STORED ON THE SITE.
9. CHANGE OF USE OR OCCUPANCY: ANY CHANGE IN THE TYPE OF MATERIALS STORED OR THE OPERATIONAL CHARACTERISTICS OF THE SITE SHALL REQUIRE REVIEW AND APPROVAL BY THE ADMINISTRATOR TO DETERMINE IF AN AMENDED ADMINISTRATIVE REVIEW OR WAIVER IS NECESSARY.

REGULATORY AGENCIES

10. NORTH LYON COUNTY FIRE PROTECTION DISTRICT: THE DEVELOPER SHALL COMPLY WITH ALL REQUIREMENTS OF THE NORTH LYON COUNTY FIRE PROTECTION DISTRICT (NLCFPD), INCLUDING BUT NOT LIMITED TO MAINTAINING ADEQUATE EMERGENCY ACCESS THROUGHOUT THE SITE. SHOULD FUTURE BUILDINGS OR IMPROVEMENTS BE PROPOSED, A MASTER FIRE HYDRANT, FIRE FLOW, AND FIRE DEPARTMENT CONNECTION (FDC) PLAN SHALL BE SUBMITTED TO THE APPROVAL OF THE FIRE CHIEF PRIOR TO ISSUANCE OF ANY BUILDING PERMIT.
11. ADMINISTRATIVE REVIEW COORDINATION: APPROVAL OF THIS WAIVER AUTHORIZES THE ADMINISTRATIVE REVIEW (AR25001) TO PROCEED. ANY CONDITIONS ARISING FROM THE ADMINISTRATIVE REVIEW PROCESS SHALL BE INCORPORATED BY REFERENCE AND ENFORCED IN CONJUNCTION WITH THESE WAIVER CONDITIONS.
12. COMPLIANCE: NONCOMPLIANCE WITH ANY OF THE ABOVE CONDITIONS MAY RESULT IN CODE ENFORCEMENT ACTION OR REVOCATION OF THE WAIVER APPROVAL.

Vicinity Map





CITY OF FERNLEY

Planning Commission AGENDA REPORT

Meeting Date: January 14, 2026

REPORT TO: Fernley Planning Commission

REPORT FROM: Michele Rambo, Planning Director

FINANCIAL IMPACT:

Yes: No: X

CURRENTLY BUDGETED:

Yes: No: X

FUND/ACCOUNT:

N/A

ACTION REQUESTED: Motion
Receive/File

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.	