



N E V A D A

AGENDA  
Regular Meeting  
Planning Commission

Wednesday, February 11, 2026 • 5:00 PM

Members

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

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

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**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](http://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](mailto: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](mailto: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](http://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. 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

- 2.1. (For Possible Action) Discussion and possible action regarding CUP23004-AMD1, a Conditional Use Permit Amendment proposing one additional storage building, minor site revisions, and phasing clarification for the Stor-All, LLC project located on parcel 021-132-64 south of Shadow Lane, west of Highway 95 South, north of Cottonwood Lane, and east of White Eagle Lane.**
- 2.2. (For Possible Action) Discussion and possible action regarding CA26001 and Bill #379, a request from the Planning Department to amend the City’s land use table, Fernley Municipal Code Title 32, Chapter 6, Section 150, Table 2, to allow multifamily and mixed-use developments by right in commercial zones pursuant to State Assembly Bill 241.**

**3. 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.)

- 3.1. Update on City Council actions from January 21, 2026 and February 4, 2026.**
- 3.2. General Planning Department updates and announcements.**

**4. ADDRESS REQUEST(S) FOR FUTURE AGENDA ITEMS**

**5. PUBLIC FORUM**

**6. ADJOURNMENT**

**Next Meeting: March 11th @ 5pm**

**MINUTES OF THE  
FERNLEY PLANNING COMMISSION MEETING  
January 14, 2026**

Commissioner Cody Wagner called the meeting to order at 5:00 pm.

**1. INTRODUCTORY ITEMS**

**1.1. Pledge of Allegiance**

**1.2. Roll Call**

**Present:** Commissioner Cody Wagner, Commissioner Robert Flores, Commissioner Tessa Garvin, Commissioner Jacob VanderHeiden, Chairperson Jenni McCullar, (via Zoom) 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:** Vice-Chairperson Angela Lewis, Commissioner Julianne Holt, Commissioner Barry Williams, Sr.

**1.3. Public Forum**

Steve Kuntz, North Lyon County Fire Protection District, Captain of Fire Prevention stated he will take over the fire marshal duties adding that Tim Myers has retired.

**1.4. (For Possible Action) Approval of Agenda**

**Motion:** I MOVE TO APPROVE THE AGENDA WITH THE DEFERRAL OF ITEM 3.3 TO THE FEBRUARY MEETING. **Action:** Approved, **Moved by:** Commissioner Garvin, **Seconded by:** Commissioner Flores. **Vote:** Passed, **Summary:** Yes 5. **Yes:** Chairperson McCullar, Commissioner Wagner, Commissioner Flores, Commissioner Garvin, Commissioner VanderHeiden

**1.5. (Possible Action) Approval of Minutes**

**Motion:** I MOVE TO APPROVE LAST MONTH'S MEETING MINUTES. **Action:** Approved, **Moved by:** Commissioner Flores, **Seconded by:** Commissioner VanderHeiden. **Vote:** Passed, **Summary:** Yes 5. **Yes:** Chairperson McCullar, Commissioner Wagner, Commissioner Flores, Commissioner Garvin, Commissioner VanderHeiden

**2. STAFF REPORTS**

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

**Motion:** I MOVE TO NOMINATE TESSA GARVIN AS CHAIRPERSON. **Action:** Approved, **Moved by:** Chairperson McCullar, **Seconded by:** Commissioner Flores. **Vote:** Passed, **Summary:** Yes 5. **Yes:** Chairperson McCullar, Commissioner Wagner, Commissioner Flores, Commissioner Garvin, Commissioner VanderHeiden

**Motion:** I MOVE TO NOMINATE JENNIE MCCULLAR AS VICE-CHAIRPERSON. **Action:** Approved, **Moved by:** Chairperson Garvin, **Seconded by:** Commissioner Flores. **Vote:** Passed, **Summary:** Yes 5. **Yes:** Chairperson McCullar, Commissioner Wagner, Commissioner Flores, Commissioner Garvin, Commissioner VanderHeiden

The gavel was passed to Chairperson Garvin.

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

Planning Director Rambo stated the plans for the power generation facility are very preliminary.

Scott Barnes with Mark IV Capital presented a powerpoint with the benefits and details of the power generation facility. He encouraged the Planning Commission to schedule a visit to the site for a guided tour either individually or as a group. He explained the first phase would be a 225-megawatt generator that will begin operation in 2028. Phase 2 would be another 225-megawatt generation system, and that would be operational in 2029. Phase 3 will be 450 megawatts, and that would be operation in 2030, and then this build-out will be 1.8 gigawatts in 2031. At this time, these are gas-powered facilities. Mr. Barnes stated Mark IV has been working closely with NV Energy for the last 3 years on this project.

## **3. PUBLIC HEARINGS**

### **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.**

Lisa Warner, Assistant Planner, explained these changes will make the code less restrictive and allow applicants to apply for a standalone gaming establishment of any size without the resort hotel component.

This item was opened for public input. There was none.

**Motion:** I MOVE TO RECOMMEND THAT THE CITY COUNCIL APPROVE BILL NUMBER 376 ASSOCIATED WITH CA25010 **Action:** Approved, **Moved by:** Commissioner Wagner, **Seconded by:** Commissioner VanderHeiden **Vote:** Passed, **Summary:** Yes 5. **Yes:** Chairperson McCullar, Commissioner Wagner, Commissioner Flores, Commissioner Garvin, Commissioner VanderHeiden

### **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.**

Lisa Warner, Assistant Planner explained the parcel was purchased by Mark IV New Fernley QOZB LLC in 2019 as part of the Mark IV Victory Logistics District Planned development. The parcel is approximately 8.96 acres in size and is located 4,000 feet westerly of the intersection to Duffy Road and Nevada Pacific Parkway between Sherwin-Williams and Loebes. One objective of this parcel split is to create a 2.0-acre parcel where the required fire station will be constructed. The fire station will be built on Parcel 1, and the land will be dedicated to the City of Fernley upon completion.

This item was opened for public input. There was none.

**Motion:** I MOVE I MOVE TO APPROVE TENTATIVE PARCEL MAP REQUEST ASSOCIATED WITH TPM 2500-003, SUBJECT TO THE CONDITIONS OF APPROVAL 1 THROUGH 30 PRESENTED BY

STAFF, AND BASED ON FINDINGS TPM1 AND THROUGH TPM12, AND THE SUPPORTING DATA AS SET FORTH IN THE STAFF REPORT. **Approved, Moved by:** Commissioner Flores, **Seconded by:** Commissioner VanderHeiden **Vote:** Passed, **Summary:** Yes 5. **Yes:** Chairperson McCullar, Commissioner Wagner, Commissioner Flores, Commissioner Garvin, Commissioner VanderHeiden.

**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.**

This item was tabled

**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).**

Senior Planner Alisa Johansson explained the proposed updates that cover several different topics and a few different chapters within the code. She explained there are two findings that must be met. The first finding is that the development code text amendment must be consistent with the City's Master Plan, and consistent with state and federal law. The amendment also maintains developable land for residential and commercial use. She continued the intention of this new section, is to facilitate development for these sites while still addressing project impacts, ensuring compatibility, making sure that there is a little landscaping, a little bit of screening, and some street improvements, so that the projects are assisting in developing those portions of the city with some community benefits in mind. It does not change the range of allowable uses in any zoning district, and it does not modify or supersede any regulatory requirements for private facilities.

This item was opened for public input.

Demetri Nikolakakis/Valutainer voiced concern regarding the required street improvements.

Senior Planner Alisa Johansson responded by saying that we do not require curb, gutter, sidewalk, but we do require the roadway to be paved. Staff felt that was appropriate, given the fact that this code amendment is specifically targeted at non-residential uses. We want those non-residential uses to be providing their share of street improvements where appropriate. Staff feels that paving alone is a reasonable compromise.

**Motion:** I MOVE TO RECOMMEND APPROVAL OF BILL NUMBER 378 ASSOCIATED WITH CA25013, ADDING DEFINITIONS AND DEVELOPMENT STANDARDS, AND AMENDING PUBLIC FACILITY REQUIREMENTS PERTAINING TOO NON-RESIDENTIAL DEVELOPMENTS IN THE REMOTE PORTIONS OF THE CITY. FERNLEY MUNICIPAL CODE 32.02.030, FMC 32.09.125, AND FMC 32.12.010. I'D ALSO JUST LIKE TO ENCOURAGE THAT THE WAIVER PROCESS BE FURTHER DEFINED AND PRESENTED AS AN OPTION FOR SMALLER-SCALE PROJECTS. **Action:** Approved, **Moved by:** Commissioner Wagner, **Seconded by:** Commissioner VanderHeiden **Vote:** Passed, **Summary:** Yes 5. **Yes:** Chairperson McCullar, Commissioner Wagner, Commissioner Flores, Commissioner Garvin, Commissioner VanderHeiden.

**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.**

Tristan Rodriguez, Associate Planner explained the applicant is requesting a waiver from curb, gutter, sidewalk, and landscape requirements associated with the site activation of a previously undeveloped industrial parcel. The site is surrounded by industrial zoning and land uses, including outdoor storage and contractor-type operations typical for this corridor. The parcel is approximately 5.13 acres in size and is currently undeveloped. Access is provided via gravel roadways, and there are no existing curb, gutter, sidewalk, or landscape improvements along the site frontage or on adjacent properties. The requested waiver maintains consistency with the established industrial character of the corridor and reflects existing conditions rather than an intensification of use.

Mr. Nikolakakis was available for questions.

There was no public input.

**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 WVR 05, AS SET FORTH IN THE STAFF REPORT. **Action:** Approved, **Moved by:** Commissioner Flores **Seconded by:** Commissioner Wagner. **Vote:** Passed, **Summary:** Yes 5. **Yes:** Chairperson McCullar, Commissioner Wagner, Commissioner Flores, Commissioner Garvin, Commissioner VanderHeiden.

#### **4. CHAIR AND COMMISSION ITEMS**

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

Chairwoman Garvin explained there are a lot of inconsistencies in the Code and wanted to open communication about the best way to update the wording and verbiage, so it is less ambiguous.

Aaron Mouritsen City Attorney explained the difficulty in writing code is that you are trying to be sufficiently precise as to give everyone an idea of what is and isn't allowed, while also being simultaneously flexible enough to handle any weird situation that comes up. A lot of contradictions were purposeful to allow the Planning Commission and City Council and the Planning Director the flexibility to review different adjacency situations and follow the spirit of the law in determining what was appropriate. The reason we have Planning Commission is to be able to look at those ambiguities and then make rulings as to what's appropriate in given situations. He added Planning Department is working on a lot of those adjacency standards right now. We thought we might have it ready to present tonight, but it turned out to be more complicated than expected.

#### **5. PLANNING DIRECTOR ITEMS**

**5.1. Update on City Council actions from December 17, 2025, and January 7, 2026.**

Michele Rambo, Planning Director, gave the update reporting on the 17th, the Mark IV annexation was approved and on January 7th, was the first readings for the code amendments regarding the major recreation in the industrial zone and grading.

**5.2. General Planning Department updates and announcements.**

Michele Rambo, Planning Director reported the South Area Plan, has been kicked off. There is an open house scheduled for the public that would like to attend on January 22nd from 6:30 to 8.30 at the CRRC. The kickoff meeting for the Master Plan update was held on Monday, and we are looking at putting together a steering committee and focus groups. If you would like to volunteer, please contact her.

**6. ADDRESS REQUEST(S) FOR FUTURE AGENDA ITEMS**

There were none

**7. PUBLIC FORUM**

Tammy Dittman stated the requirements for curb, gutters and paving do not make sense to her. She also asked if the advertising for events held at the CRR Center not be called the Boys and Girls Club.

Emily Noury spoke about the condition of the parks stating the fields are degrading at a faster rate than they can be improved.

Kevin White stated the Power Generating Facility that Mark IV plans to build is a great idea.

**8. ADJOURNMENT**

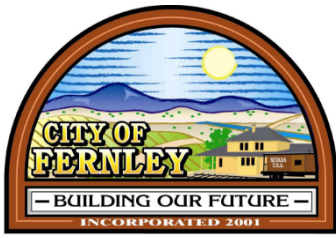
There being no further business to come before it, the Fernley Planning Commission meeting adjourned at 6:52 pm.

Approved by the Fernley Planning Commission on February 11, 2026, by vote of:

AYES \_\_\_\_\_ NAYS: \_\_\_\_\_ ABSTENTIONS: \_\_\_\_\_ ABSENT: \_\_\_\_\_

\_\_\_\_\_  
Chairperson Tessa Garvin

\_\_\_\_\_  
ATTEST:



# CITY OF FERNLEY

## Planning Commission AGENDA REPORT

Meeting Date: February 11, 2026

**REPORT TO:** Fernley Planning Commission

**REPORT FROM:** Alisa Johansson

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

**ACTION REQUESTED:** Motion

### AGENDA ITEM:

(For Possible Action) Discussion and possible action regarding CUP23004-AMD1, a Conditional Use Permit Amendment proposing one additional storage building, minor site revisions, and phasing clarification for the Stor-All, LLC project located on parcel 021-132-64 south of Shadow Lane, west of Highway 95 South, north of Cottonwood Lane, and east of White Eagle Lane.

### AGENDA ITEM BRIEF:

The Stor-All, LLC project was originally approved in 2023 and consisted of three phases: a mini-warehouse component, a commercial (retail) component, and a multifamily component. CUP23004 addresses Phase 1 of the overall project, the mini-warehouse element. Since the time of approval, the applicants have been working to extinguish an easement along the southern property line—with this achieved, an additional storage building becomes feasible. The applicants seek to amend their prior approval to add Building O, revise Building C, and clarify the construction phasing for Phase 1 of the overall project.

The scope of the amendment includes:

1. Adding Building O (9,631 feet),
2. Modifying Building C to be enclosed rather than covered storage,
3. Adjusting Phase 1 into the following sub-phases:
  - Phase 1A: Buildings A-D, G, H, N, and O consisting of 75,531 square feet.
  - Phase 1B: Remaining buildings consisting of 64,200 square feet.

### RECOMMENDED MOTION:

“Considering the information provided by staff presentations and in the staff report, I move to approve CUP23004-AMD1 amending the conditional use approval for Stor-All, LLC, Phase 1 subject to Conditions 1 through 35.”

**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 CUP23004-AMD1 amending the conditional use approval for Stor-All, LLC, Phase 1 because I am unable to make the following required finding(s):

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

Modification to Conditions

“Considering the information provided by staff presentations and in the staff report, I move to approve CUP23004-AMD1 amending the conditional use approval for Stor-All, LLC, Phase 1 subject to Conditions 1 through 35 with the following modifications:

*(Identify condition, modification, and supporting rationale—repeat for each modified condition).”*

**BACKGROUND:**

**Site, Vicinity, & History**

Abutting Highway 95A along the eastern property line, the subject property contains approximately 11.32 acres and is zoned General Commercial (C2). An infill site within the developed community core, the lot is mostly flat and sparsely vegetated. Existing residential developments within residential zoning districts adjoin the site along the western “rear” property line and along the southwestern property line. The C2 zoning district continues north and south of the project, where vacant land and a non-conforming single-family residence, respectively, neighbor the project.

The Stor-All, LLC project (CUP23004) was conditioned and received Planning Commission approval in June 2023. An extension of time was subsequently requested and granted in 2024. During the review of the extension request, the Planning Commission elected to amend the conditions of approval. Prior to the expiration of the extension of time, the applicants timely submitted an application for commercial on-site improvements through the City’s Building Department (BP25-592).

As part of the applicant’s preparations for improving the site, an easement along the southern property line was extinguished. Removal of this encumbrance facilitates the construction of one additional storage building along that edge of the facility. Additional changes to the prior approval include enclosure of Building C (previously approved as canopy-covered storage) and changes to the phasing of the mini-warehouse element of the project.

**Analysis: Conditional Use Permit Amendment**

Pursuant to Fernley Municipal Code 32.03.050(b)(7)a.2 and b, due to substantial material changes to the project, the conditional use approval must be amended and the amendment process shall follow the procedure for a new application. Thus, all of the following findings must be made in order to authorize this conditional use amendment.

1. *The approving agency must make findings that the proposed conditional use will be in compliance with the master plan;*

As conditioned, the proposed conditional use permit amendment is in compliance with the Master Plan’s goals

of growth management, land use compatibility, and efficient and cost-effective service provision. The proposed amendment is also supported by the following specific Comprehensive Master Plan goals and action strategies.

LU.1.1 Encourage and plan for new development in areas where adequate public services and facilities can be provided.

LU.1.1.2 Encourage development of vacant or underutilized lands within the community core where adequate infrastructure and facilities currently exists.

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

LU.1.5 Promote infill development.

*2. The conditional use will be compatible with the existing or permitted uses of adjacent properties;*

Located within a General Commercial (C2) zoning district that encapsulates Highway 95A South, the site adjoins properties zoned C2 to the north and south. Single-Family and Rural Residential zoning districts abut the property along the west and southwest property lines (SF6 and RR1, respectively). While developments to the west and southwest are conforming residential developments, a non-conforming single-family residence occupies a lot zoned C2 to the immediate south with associated non-residential development beyond.

Properties to the immediate north are vacant with commercial developments present farther afield.

Considering the non-residential development pattern corresponding to the adjoining north-south transportation corridor and considering appropriate development standards application along with imposition of permit conditions, staff have deemed that this use as amended is appropriate and can be made compatible with the existing and permitted uses of adjacent properties.

*3. The potential impairment of natural resources and the total population which the available natural resources will support without unreasonable impairment;*

The project as proposed, amended, and conditioned is not anticipated to impair any natural resources.

Potential resource impacts caused by construction activity will be addressed through permit review by applicable Departments. Impact mitigation may include implementation of temporary erosion and sediment control measures, drainage improvements, and revegetation and landscaping.

*4. The availability of and need for affordable housing in the community, including affordable housing that is accessible to persons with disabilities;*

The proposed mini-warehouse use and amended scope of Phase 1 neither positively nor negatively contribute to the availability of or need for affordable housing in the community. This finding does not apply.

*5. The conditional use permits impacts have been conditioned to address identified impacts; and*

The project was conditioned during the original approval process in 2023. These conditions were reevaluated and adjusted during the review of an extension of time in 2024. Staff does not propose to modify the conditions of approval except to revise the scope of approval and phasing.

Staff notes the following:

- The addition of Building O improves the applicant's response to Condition 6, which requires a continuous masonry wall and/or combination of exterior building segments around the perimeter of the facility. Building O provides a previously missing segment of wall or exterior building façade.
- The applicant's proposed clarification to the sub-phasing for Phase 1 of the overall project enhances the mini-warehouse project component's sensitivity to neighborhood impacts during construction as the

proposed phasing results in perimeter buildings constructed earliest, providing valuable visual impact mitigation for the remainder of the construction timeline without necessitating temporary screening.

- Staff supports the parking supply requirement as conditioned by the Planning Commission in 2023, noting that the previously-documented use pattern of customers parking in drive aisles near their units is not likely to be meaningfully changed by the proposal to incorporate additional units, where a drive aisle will be available for on-site, unit-proximal loading and parking.

6. *Public notice has been given and a public hearing held per the requirements of the development code and the Nevada revised statutes.*

Public notice was provided via mailed notice and published legal advertisement on January 28th, 2026. A public hearing is scheduled for February 11th, 2026.

#### **RELEVANT LAWS, STATUTES, AND REGULATIONS:**

##### General References

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

FMC 32.03.050(b) – Administration, Conditional Use Permits  
FMC 32.06.100 – Zoning Districts, Commercial (C1, C2, TC)  
FMC 32.07.280 – Use Standards, Mini-Warehouse  
FMC 32.09 – Development Standards

#### **FINANCIAL IMPLICATIONS:**

None.

#### **ATTACHMENTS:**

1. Exhibit 1 - CUP23004-AMD1 Draft Conditions
2. Exhibit 2 - Revised Site Plan
3. Exhibit 3 - Amendment Narrative - Applicant
4. Exhibit 4 - Building C Revised Section & Floor Plan
5. Exhibit 5 - Perimeter Elevations
6. Exhibit 6 - Rendered Perspective Views

# Conditions of Approval

## CONDITIONAL USE PERMIT (CUP23004-AMD1)

### SCOPE AND DURATION OF APPROVAL

**1. APPROVAL:**

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

**2. PROJECT DESCRIPTION:**

THE PROJECT APPROVAL PERTAINS TO THE DEVELOPMENT AND CONSTRUCTION OF A 139,731-SQUARE FOOT SELF-STORAGE (MINI WAREHOUSE) FACILITY ON AN 11.32-ACRE PARCEL (APN 021-132-64) ZONED GENERAL COMMERCIAL (C2).

PHASE 1 OF THE PROJECT INCLUDES THE MINI-WAREHOUSE FACILITY, PHASE 2 OF THE PROJECT IS PROPOSED TO INCLUDE APPROXIMATELY 30 MULTI-FAMILY UNITS, AND PHASE 3 OF THE PROJECT IS PROPOSED TO INCLUDE 19,300 SQUARE FEET OF COMMERCIAL RETAIL SPACE. ANY PHASES BEYOND PHASE 1 SHALL BE REQUIRED TO SUBMIT AN ADDITIONAL CONDITIONAL USE PERMIT APPLICATION OR ADMINISTRATIVE REVIEW APPLICATION AS APPLICABLE.

PHASE 1 IS FURTHER CLARIFIED AS FOLLOWS:

PHASE 1A: BUILDINGS A, B, C, D, G, H, N, AND O (TOTALING 75,531 SF)

PHASE 1B: REMAINING BUILDINGS (TOTALING 64,200 SF)

**3. EXPIRATION DATE:**

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

**4. GOVERNING DOCUMENTS:**

ALL CITY OF FERNLEY MUNICIPAL CODE (FMC) OR DEVELOPMENT CODE REFERENCES HEREIN PERTAIN TO THE VERSION OF THE CODE ESTABLISHED BY ORDINANCE NUMBER 2025-007, UNLESS OTHERWISE NOTED. THE DEVELOPER MAY SUBSTITUTE REQUIREMENTS ESTABLISHED IN FUTURE CITY OF FERNLEY MUNICIPAL CODE UPDATES, IF APPROVED BY THE ADMINISTRATOR.

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

### DESIGN STANDARDS

**5. DESIGN STANDARDS:**

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

**6. PERIMETER WALL:**

IN ACCORDANCE WITH FERNLEY MUNICIPAL CODE SECTION 32.07.280 AND SECTION 32.06.100, THE PERIMETER OF THE FACILITY SHALL BE SCREENED BY A SOLID (OPAQUE)

# **Conditions of Approval**

## **CONDITIONAL USE PERMIT (CUP23004-AMD1)**

MASONRY WALL. THE WALL SHALL INCORPORATE AT LEAST ONE OF THE FOLLOWING EVERY 50 LINEAR FEET: AT LEAST A TWO-FOOT CHANGE IN PLANE FOR AT LEAST 10 FEET; A MINIMUM 18-INCH RAISED PLANTER FOR AT LEAST TEN FEET; OR USE OF A PILASTER AT 75-FOOT INTERVALS, ON PROPERTY CORNERS, OR AT CHANGES IN WALL PLANES.

THE DEVELOPER MAY CHOOSE TO INCLUDE EXTERIOR BUILDING WALLS AS PART OF THE CONSTRUCTION OF THE MASONRY WALL; HOWEVER, IN ALL CASES, THE NON-FACADE PORTIONS OF THE WALL AND BUILDINGS COMBINED MUST BE THE SAME HEIGHT AROUND THE PERIMETER.

**7. RESIDENTIAL ZONING DISTRICT SETBACKS:**

IN ACCORDANCE WITH FERNLEY MUNICIPAL CODE SECTION 32.06.100, ALL SIDE OR REAR PORTIONS OF THE FACILITY ABUTTING A RESIDENTIAL ZONING DISTRICT MUST HAVE A SETBACK EQUAL TO THAT OF THE BUILDING HEIGHT. THIS SETBACK APPLIES TO THE WEST AND SOUTHWEST PROPERTY LINES OF THE FACILITY. THE NORTH, EAST, SOUTH, AND SOUTHEAST PROPERTY LINES ABUT NON-RESIDENTIAL ZONING DISTRICTS.

**8. PERCENTAGE LANDSCAPING REQUIRED:**

IN ACCORDANCE WITH FERNLEY MUNICIPAL CODE SECTION 32.09.090, THE MINIMUM PORTION OF THE SITE AREA TO BE LANDSCAPED IS 15%. IF PHASED, EACH INDIVIDUAL PHASE MUST CONTAIN 15% LANDSCAPING PROPORTIONATE TO THE AREA UNDER CONSTRUCTION AND ANY AREAS PREVIOUSLY CONSTRUCTED.

**9. PHASE 1 LANDSCAPE REQUIREMENTS:**

IN ACCORDANCE WITH FERNLEY MUNICIPAL CODE SECTION 32.09.090, AS PART OF PHASE 1, THE DEVELOPER SHALL INSTALL ALL LANDSCAPING REQUIRED BY THE SPECIFIC STANDARDS AND BUFFER REQUIREMENTS SUBSECTIONS. IN THE CASE THAT A SPECIFIC STANDARD OR BUFFER REQUIREMENT RELATES TO THE SQUARE FOOTAGE OF REQUIRED LANDSCAPING, THE DEVELOPER MAY SUBSTITUTE THE SQUARE FOOTAGE OF LANDSCAPING REQUIRED BY THE CURRENT PHASE.

**10. PARKING:**

BECAUSE MOST STORAGE UNITS WILL LIKELY BE ACCESSED BY PARKING IN FRONT OF THEIR UNIT, CITY OF FERNLEY PLANNING COMMISSION APPROVES A REDUCED PARKING STANDARD OF 1 OFF-STREET PARKING SPOT DEDICATED TO THE CARETAKER UNIT, 3 REGULAR PARKING SPOTS, AND 1 ADA VAN-ACCESSIBLE PARKING SPACE, FOR A TOTAL OF 5 PARKING SPACES. BECAUSE THE DEVELOPER INTENDS TO ALLOW TEMPORARY PARKING WITHIN THE DESIGNATED DRIVE AISLES, ALL FIRE LINES AND FIRE TURNAROUNDS MUST BE CLEARLY DELINEATED AS "NO PARKING" ZONES. IN NO CASE SHALL PARKING SPACES RENTED FOR STORAGE OF RVs, AUTOMOBILES, BOATS, TRAILERS, OR OTHER VEHICLES BE COUNTED TOWARD ANY PARKING MINIMUMS.

**11. CURB, GUTTER, AND SIDEWALK:**

IN ACCORDANCE WITH FERNLEY MUNICIPAL CODE SECTION 32.09.140, TABLE 1, THE DEVELOPER SHALL INSTALL CURB, GUTTER, AND SIDEWALK ALONG US95A WITH PHASE 1 OF THE PROJECT.

**CONSTRUCTION PHASE**

**12. PROJECT CONTACT:**

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

# Conditions of Approval

## CONDITIONAL USE PERMIT (CUP23004-AMD1)

PERMIT OR SITE IMPROVEMENT PERMIT.

**13. CONSTRUCTION HOURS:**

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

**14. CONSTRUCTION MAINTENANCE:**

THE DEVELOPER SHALL LOCATE A SUFFICIENT NUMBER OF TRASH CONTAINERS ON SITE TO BE USED DURING THE CONSTRUCTION OF THE PROJECT TO MAINTAIN THE PROJECT SITE IN A CLEAN AND ORDERLY STATE, TO THE APPROVAL OF THE ADMINISTRATOR.

**GRADING PERMIT REQUIREMENTS**

**15. GEOTECHNICAL REPORT:**

THE DEVELOPER SHALL PROVIDE A 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.

**16. GRADING PERMIT:**

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 RELATED TO SURFACE AREA DISTURBANCE.

PRIOR TO THE ISSUANCE OF A GRADING PERMIT FOR THE DEVELOPMENT, THE DEVELOPER SHALL POST A SURETY BOND FOR REGRADING AND RECLAMATION OF THE SITE AND SHALL PROVIDE VERIFICATION OF A STORM WATER POLLUTION PREVENTION PERMIT AND SURFACE AREA DISTURBANCE PERMIT, IF APPLICABLE.

**17. STORM WATER DRAINAGE:**

THE DEVELOPER SHALL PROVIDE A FINAL DRAINAGE 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 PRIOR TO THE ISSUANCE OF A GRADING PERMIT OR BUILDING PERMIT FOR ANY PHASE OF THE PROJECT.

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

**BUILDING PERMIT REQUIREMENTS**

**18. ADDRESSING AND STREET NAMES:**

THE DEVELOPER SHALL SUBMIT A STREET NAME RESERVATION APPLICATION AND REQUEST FOR ADDRESSING TO THE CITY OF FERNLEY FOR REVIEW AND APPROVAL. ALL LOT ADDRESSING SHALL BE COMPLETED BY THE CITY. STREET NAMES SHALL BE APPROVED AND ADDRESSING SHALL BE COMPLETE PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.

# **Conditions of Approval**

## **CONDITIONAL USE PERMIT (CUP23004-AMD1)**

**19. SCREENING:**

MECHANICAL EQUIPMENT SHALL BE SCREENED FROM VIEW OF THE PARKING LOT, ADJACENT PUBLIC STREETS, AND PUBLIC AREAS, BY USING AN ARCHITECTURAL ELEMENT OF THE BUILDING THAT CONSISTS OF THE SAME DURABLE MATERIALS USED, TO THE APPROVAL OF THE ADMINISTRATOR.

ANY LOADING AND SERVICE AREAS, TO INCLUDE TRASH COMPACTION AND/OR DUMPSTERS, SHALL BE SCREENED FROM VIEW OF PARKING LOTS AND PUBLIC AREAS. LOADING DOCK SCREENING SHALL BE TALL ENOUGH TO SCREEN THE TRUCKS. THE SCREENING SHALL BE REVIEWED AND APPROVED BY THE ADMINISTRATOR PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR EACH INDIVIDUAL BUILDING.

**20. LIGHTING:**

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

LIGHT POLES IN EXCESS OF 20 FEET IN HEIGHT, MEASURED FROM PARKING LOT GRADE, ARE NOT PERMISSIBLE. LIGHT STANDARDS WITHIN 100' OF RESIDENTIAL ZONING DISTRICTS SHALL NOT EXCEED 12 FEET IN HEIGHT.

**21. LANDSCAPING/IRRIGATION:**

THE DEVELOPER SHALL SUBMIT A LANDSCAPING AND IRRIGATION PLAN FOR THE PROJECT IN SUBSTANTIAL CONFORMANCE WITH THESE CONDITIONS OF APPROVAL AND CITY OF FERNLEY MUNICIPAL CODE SECTION 32.09.090, FOR REVIEW AND APPROVAL BY THE ADMINISTRATOR PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR THE PROJECT.

**22. ARCHITECTURE/BUILDING ELEVATIONS:**

THE DEVELOPMENT OF THE SUBJECT SITE SHALL BE IN SUBSTANTIAL CONFORMANCE WITH THE ARCHITECTURAL BUILDING ELEVATIONS SUBMITTED AS PART OF THIS APPLICATION. UNLESS REQUIRED BY THESE CONDITIONS OF APPROVAL, SUBSTANTIAL CHANGES TO THE ELEVATIONS SHALL REQUIRE REVIEW AND APPROVAL BY THE ADMINISTRATOR PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR THE BUILDINGS.

**23. WATER AND SEWER SYSTEM MODELING:**

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 PRIOR TO ISSUANCE OF A BUILDING PERMIT.

**24. WATER RIGHTS:**

THE DEVELOPER SHALL COMPLY WITH ALL CITY OF FERNLEY MUNICIPAL CODES REGARDING THE DEDICATION OF WATER RIGHTS, INCLUDING ALL ASSOCIATED FEES, FOR THE CONNECTION TO THE CITY'S MUNICIPAL WATER SYSTEM IN THE AMOUNT REQUIRED PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR ANY PHASE OF THE PROJECT.

**25. WATER SYSTEM LOOPING:**

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

# **Conditions of Approval**

## **CONDITIONAL USE PERMIT (CUP23004-AMD1)**

**26. STORM WATER TREATMENT:**

THE DEVELOPER SHALL EMPLOY STRUCTURE CONTROLS FOR THE TREATMENT OF STORM WATER RUNOFF IN ACCORDANCE WITH BEST MANAGEMENT PRACTICES AND SUBJECT TO APPROVAL OF THE CITY ENGINEER AND PUBLIC WORKS DIRECTOR. DRAINAGE CONVEYANCE FACILITIES AND OTHER IMPROVEMENTS MUST BE CONSTRUCTED AND FUNCTIONAL PRIOR TO ISSUANCE OF A BUILDING PERMIT.

**27. SANITARY SEWER REPORT:**

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

**28. TRAFFIC ANALYSIS:**

THE DEVELOPER SHALL PROVIDE A FINAL TRAFFIC ANALYSIS REPORT FOR THE PROJECT IN CONFORMANCE WITH THE CITY OF FERNLEY'S MUNICIPAL CODE AND THE PUBLIC WORKS DESIGN MANUAL FOR REVIEW AND APPROVAL BY THE CITY ENGINEER AND PUBLIC WORKS DIRECTOR PRIOR TO ISSUANCE OF A BUILDING PERMIT.

EACH SUCCESSIVE PHASE OF THE PROJECT SHALL SUBMIT AN UPDATED TRAFFIC ANALYSIS REPORT FOR REVIEW AND APPROVAL BY THE CITY ENGINEER AND PUBLIC WORKS DIRECTOR SHOWING THE CUMULATIVE EFFECT OF THE DEVELOPED PORTION OF THE PROJECT ALONG WITH THE PROPOSED PHASE.

**29. UNITED STATES POSTAL SERVICE:**

THE DEVELOPER SHALL COMPLY WITH ALL REQUIREMENTS OF THE UNITED STATES POSTAL SERVICE FOR MAIL DELIVERY, MAILBOX DESIGN, AND MAILBOX LOCATION, SUBJECT TO APPROVAL OF THE FERNLEY POSTMASTER, CITY ENGINEER, PUBLIC WORKS DIRECTOR, AND ADMINISTRATOR, PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR THE PROJECT.

**CERTIFICATE OF OCCUPANCY REQUIREMENTS:**

**30. TRASH ENCLOSURES:**

THE DEVELOPER SHALL LOCATE AND INSTALL TRASH ENCLOSURES TO THE APPROVAL OF WASTE MANAGEMENT AND THE ADMINISTRATOR, INCLUDING THE APPROPRIATE SIZE AND LOCATION. THE TRASH ENCLOSURES SHALL MATCH THE PROJECT'S ARCHITECTURE AND BUILDING MATERIALS, TO THE APPROVAL OF THE ADMINISTRATOR, AND SHALL BE CONSTRUCTED PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR ANY INDIVIDUAL BUILDING.

**31. UTILITY SCREENING:**

THE DEVELOPER SHALL WORK IN CONJUNCTION WITH THE UTILITY COMPANIES TO LOCATE UTILITY EQUIPMENT SUCH AS ELECTRICAL, GAS AND WATER JUNCTION BOXES, INCLUDING TRANSFORMER BOXES, VAULTS AND ELECTRICAL PANELS, IN AREAS WHERE THE EQUIPMENT IS SCREENED BY EITHER ARCHITECTURAL ELEMENTS THAT MATCH THE MAIN STRUCTURE'S COLORS AND MATERIALS OR BY ADJUSTING THE APPROVED LANDSCAPING TO COMPENSATE, TO THE APPROVAL OF THE ADMINISTRATOR, PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR ANY INDIVIDUAL BUILDING.

**32. LANDSCAPING/IRRIGATION:**

THE LANDSCAPING AND IRRIGATION SHALL BE INSTALLED PER THE APPROVED PLANS PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR ANY BUILDING.

# Conditions of Approval

## CONDITIONAL USE PERMIT (CUP23004-AMD1)

### REGULATORY AGENCIES

#### **33. NORTH LYON COUNTY FIRE PROTECTION DISTRICT:**

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

#### **34. FEDERAL, STATE, AND LOCAL AGENCIES:**

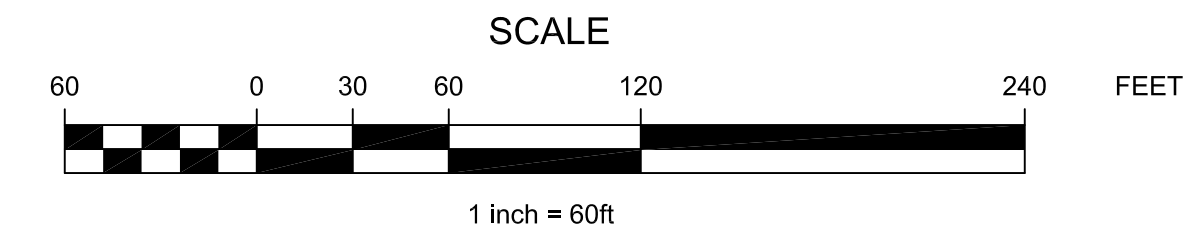
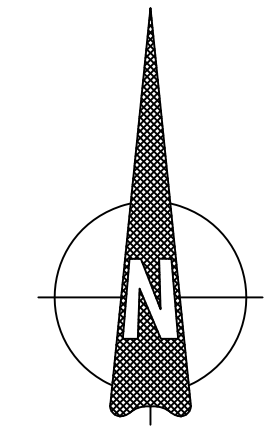
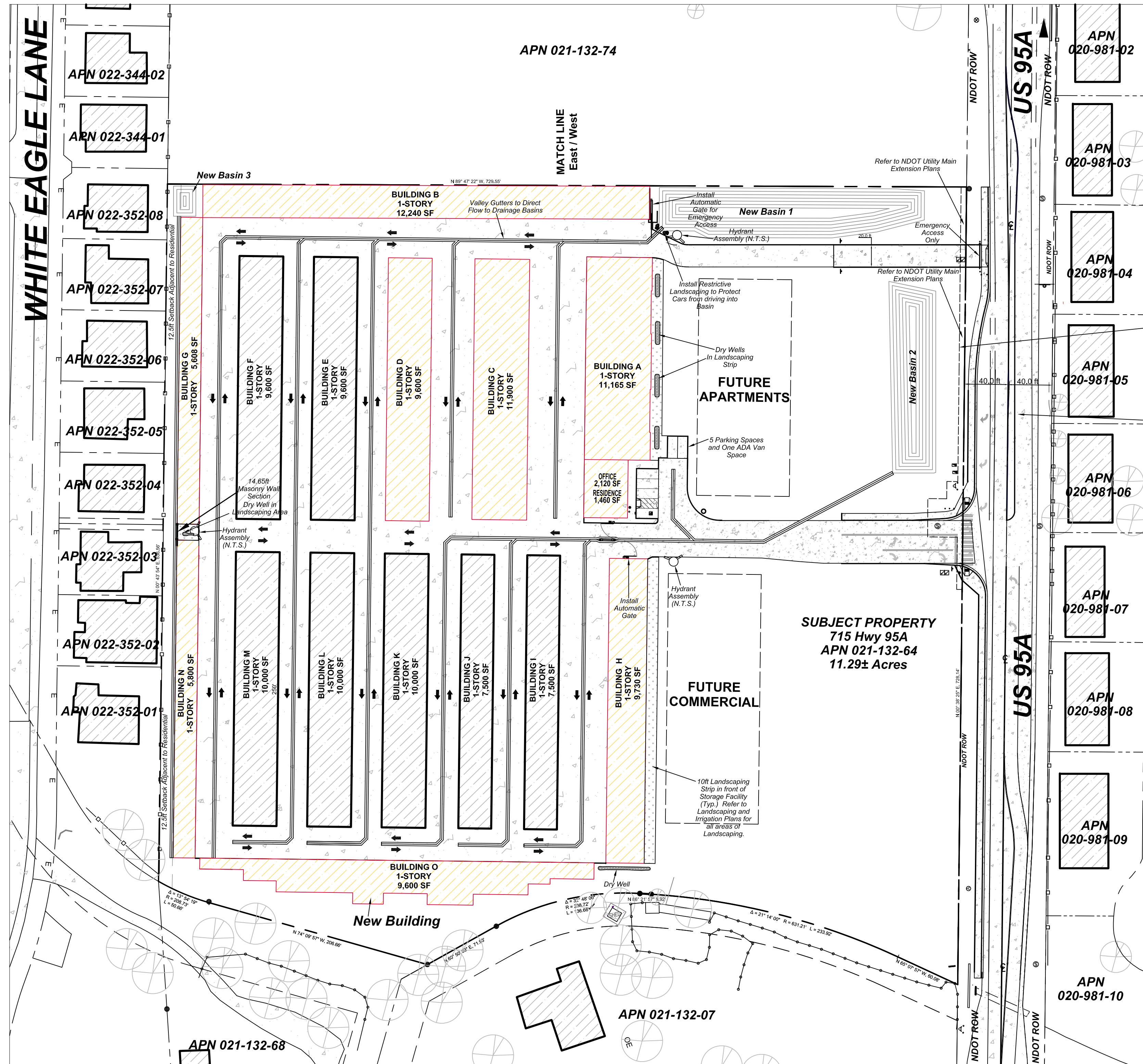
THE DEVELOPER SHALL COMPLY WITH ALL REQUIREMENTS OF ANY FEDERAL, STATE, OR LOCAL AGENCY, DEPARTMENT, OR LICENSED PROFESSIONAL WITH JURISDICTION OVER THE PROJECT INCLUDING, BUT NOT LIMITED TO: NEVADA DEPARTMENT OF TRANSPORTATION (NDOT), NEVADA DIVISION OF ENVIRONMENTAL PROTECTION (NDPE), NEVADA DIVISION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

#### **35. NEVADA DEPARTMENT OF TRANSPORTATION:**

THE DEVELOPER SHALL COMPLY WITH ALL REQUIREMENTS OF THE NEVADA DEPARTMENT OF TRANSPORTATION FOR ALL IMPROVEMENTS WITHIN THE NDOT RIGHT OF WAY. THE DEVELOPER SHALL INSTALL ALL REQUIRED IMPROVEMENTS FROM THE TRAFFIC IMPACT STUDY AND SUBSEQUENT ACCEPTANCE LETTER FROM NDOT DATED APRIL 14, 2023 WHICH INCLUDED:

INSTALLATION OF A LEFT TURN LANE FOR NORTHBOUND US50A AT THE PROJECT DRIVEWAY, INSTALLATION OF A 215-FOOT RIGHT TURN DECELERATION LANE FOR SOUTHBOUND US50A AT THE PROJECT DRIVEWAY, AND DRIVEWAY LIGHTING PER NDOT STANDARDS.

# Proposed Site Layout Overview - 715 Hwy 95A



**NOTE:** 1-foot topography contours, spot elevations, basis of bearings, and other site features obtained from topography survey by Meridian Surveying stamped 10-7-2023 by James D. Bailey Jr, Nevada PLS No. 18368.

**ALL UTILITY LOCATIONS ARE APPROXIMATE OR REPRESENTATIVE IN NATURE ONLY. EXACT LOCATIONS MUST BE DETERMINED IN THE FIELD.**

**CALL 811 PRIOR TO ANY WORK. CONTRACTOR IS RESPONSIBLE FOR CONTACTING ENGINEER REGARDING ISSUES WITH PLANS OR FIELD CONDITIONS WHICH MAY REQUIRE MODIFICATION OF PLANS.**

**TRASH ENCLOSURE AND LIGHTING FIXTURE NOTE:**

Design of Trash Enclosure and Lighting Fixtures (including foundations for poles as applicable) will be submitted with Building Permits for Vertical Construction.

**SETBACK NOTE:**

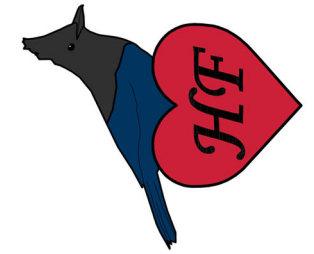
Conditional Use Permit was Applied for and Approved for this project which requires setbacks against residential to match height of buildings (12.5ft max building height along western border = 12.5ft setbacks). All Setbacks to North, South, and East are 0 feet.

BY:	
REVISIONS:	

ENGINEER'S STAMP:

**Proposed Site Layout Overview**  
**STOR-ALL FERNLEY**  
 715 Hwy 95A  
 Fernley, NV 89408  
 APN 021-132-64

**Heartfelt Engineering, LLC**  
 PO Box 2457, Carson City, NV 89702  
 Christopher Moltz, P.E.  
 (775) 546-5582  
 chris@heartfeltengineering.com



DRAWING DATE: 12/15/2025

SHEET C1 OF 1

DRAWN FOR STOR-ALL LLC FOR SUBMITTAL TO THE CITY OF FERNLEY, NV



# **CUP Amendment - CUP23004EOT**

## **Narrative**

Earlier this year, Stor-All LLC abandoned the lateral ditch easement along the southern boundary of the said parcel. This was recorded with Lyon County on March 14, 2025 as Document # 692319.

As a result, additional acreage was gained for the entire development. Therefore, the scope of the proposed changes are limited only to the following items.

1. The addition of a storage bldg. is proposed along the southern boundary of the storage development (Bldg O)\* that was not proposed with the original CUP approval. With the addition of this building, it establishes and defines the southern perimeter wall as required by the Conditions of Approval item #6.
2. This changes the 132,909 sq ft storage total indicated in the Conditions of Approval item #2. This submittal also defines Phase I of the storage development at 75,531 sq ft and future phasing at 64,200 sq ft, bringing the new storage total (built out) square footage to 139,731 sq ft. See table below for Phase I building totals.

### **Phase I - Storage**

1. Bldg A - 11,100 sq ft
2. Bldg B - 12,240 sq ft
3. Bldg C - 11, 900 sq ft (canopy)
4. Bldg D - 9,600 sq ft
5. Bldg G - 5,600 sq ft
6. Bldg H - 9,660 sq ft
7. Bldg N - 5,800 sq ft
- \*8. Bldg O - 9,631 sq ft\*

**Total Storage Phase I – 75,531 sq ft**

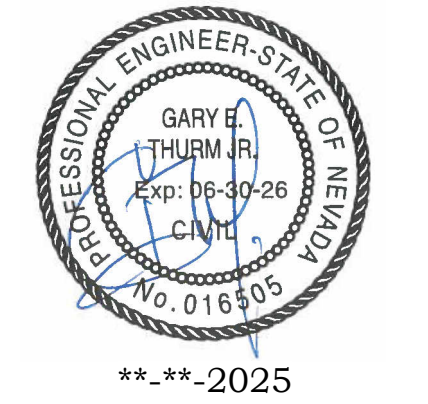
**Future Phases – 64,200 sq ft**

**NEW STORAGE BUILDING TOTAL – 139,731 sq ft**

## **Analysis**

The approved CUP plan had a few discrepancies with regards to the Conditions of Approval. Most notably, a wrought iron fence was shown instead of a solid wall along the southern boundary. The addition of a building along the southern boundary satisfies the perimeter wall requirement #6 in the Conditions of Approval. In doing so, it also changes the project total storage building square footage from 132,909 to 139,731. This constitutes a minimal 5.13% increase in the size of the project.

As amended, the project clearly continues to meet the CUP approval criteria and Design Standards set forth by the Fernley Municipal Code. It is our belief that these changes improve the project and is more consistent with the Comprehensive Master Plan than was originally approved.



ORIGIN DATE: 09-12-2024

REVISION	DATE:
*	

T.B.D.

CONTRACTOR

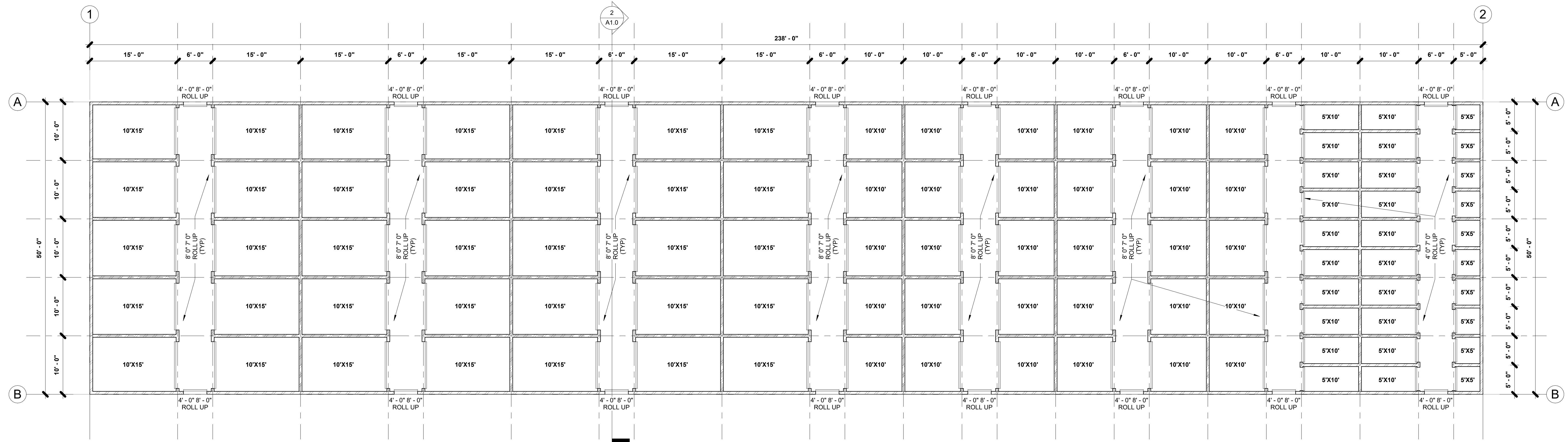
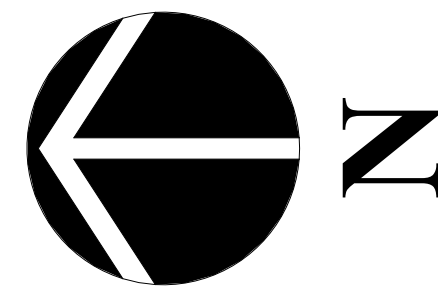
**STOR-ALL**  
 Building C Mixed Use  
 715 Hwy. 95A  
 FERNLEY, NV

PROJECT

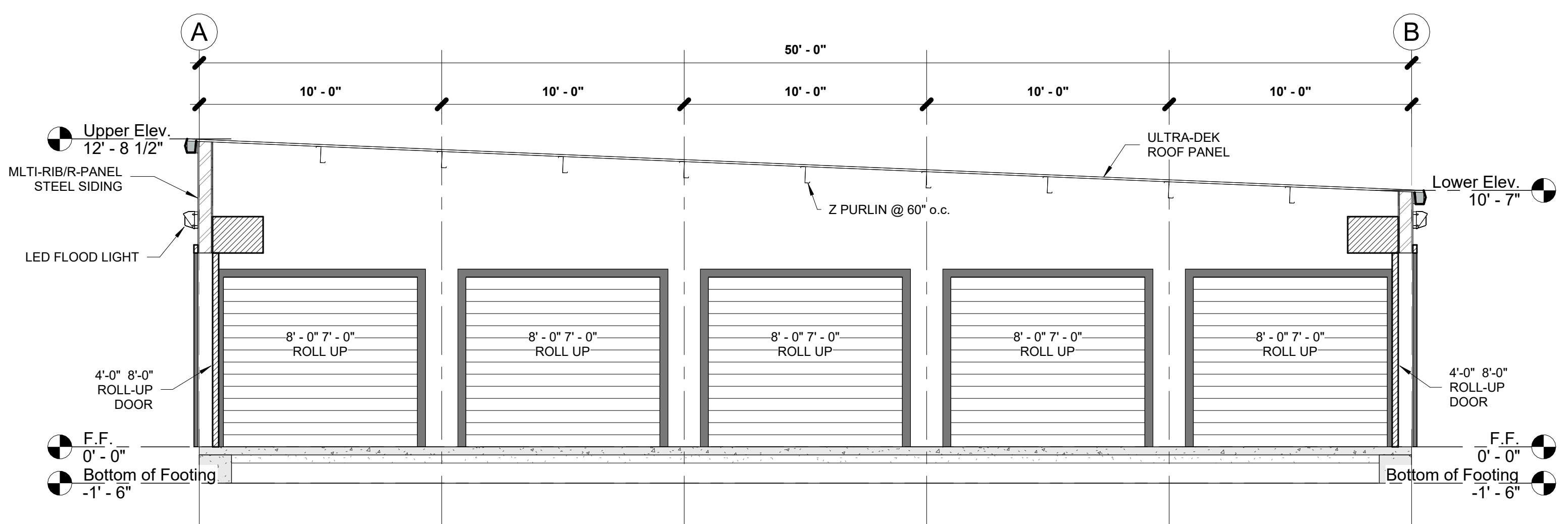
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**A1.0**

SCALE: As indicated



1 Floor Plan  
 1/8" = 1'-0"

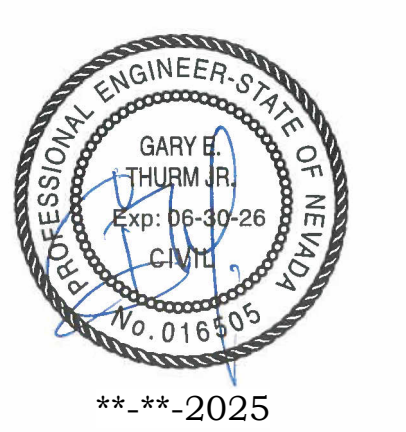


2 Section  
 1/4" = 1'-0"

# Bldg C Floor Plan and Section



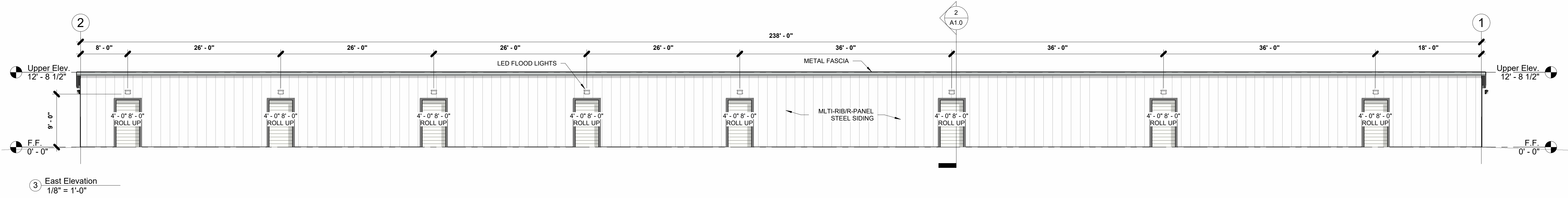
THREE CASTLES ENGINEERING, LLC  
 An Engineering and Consulting Company  
 CARY E. THURM, P.E., D.E. #16505  
 1228 Dep Circle  
 Gendenville, WI 53140  
 Phone: (773) 263-0388  
 Email: threecastlesengineering@gmail.com



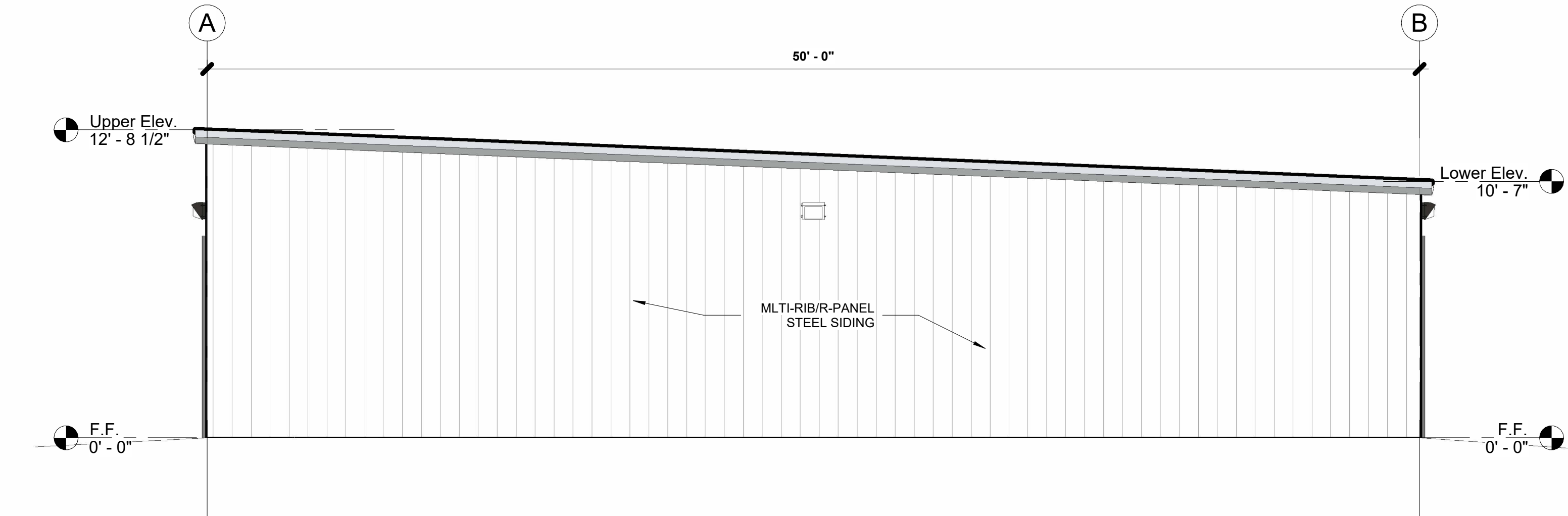
\*\*A\*\*-2025

ORIGIN DATE: 09-12-2024

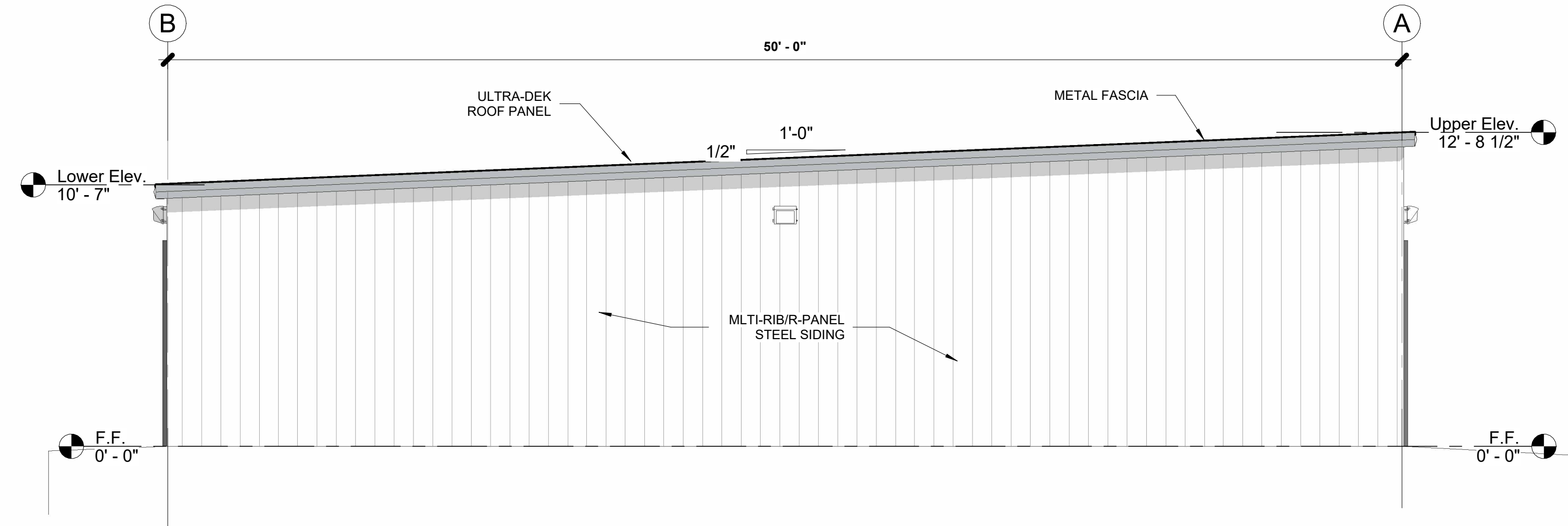
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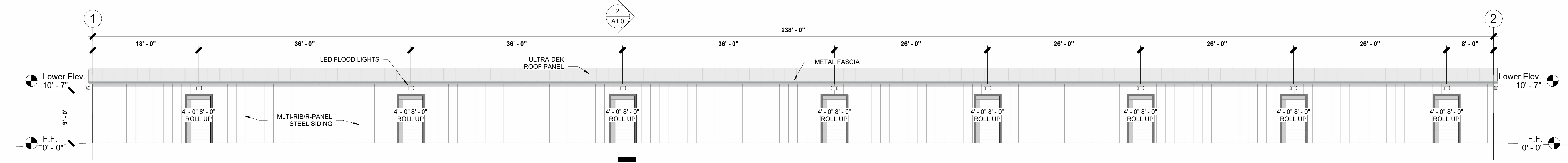
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1/8" = 1'-0"



4 South Elevation  
1/4" = 1'-0"



1 North Elevation  
1/4" = 1'-0"



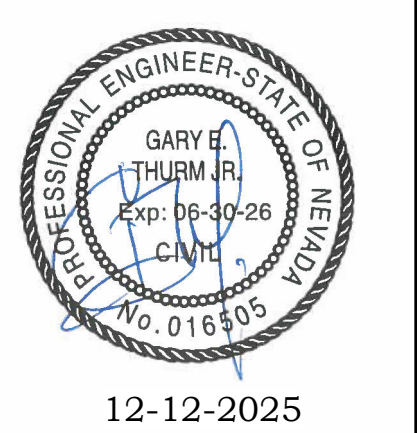
2 West Elevation  
1/8" = 1'-0"

T.B.D.  
CONTRACTOR

**STOR-ALL**  
Building C Mixed Use  
715 Hwy. 95A  
FERNLEY, NV  
PROJECT

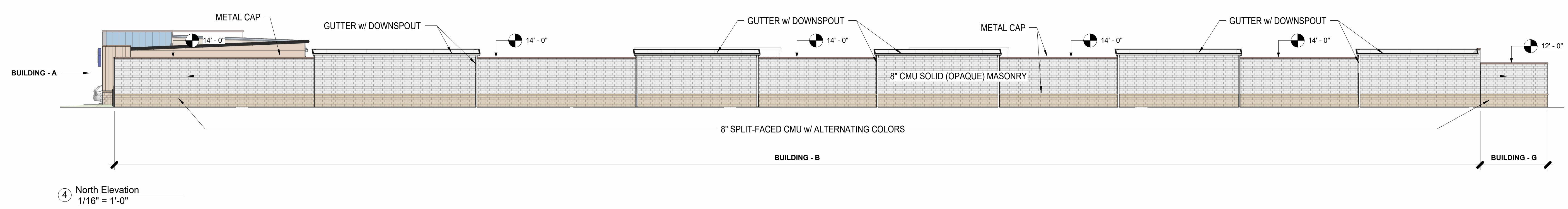
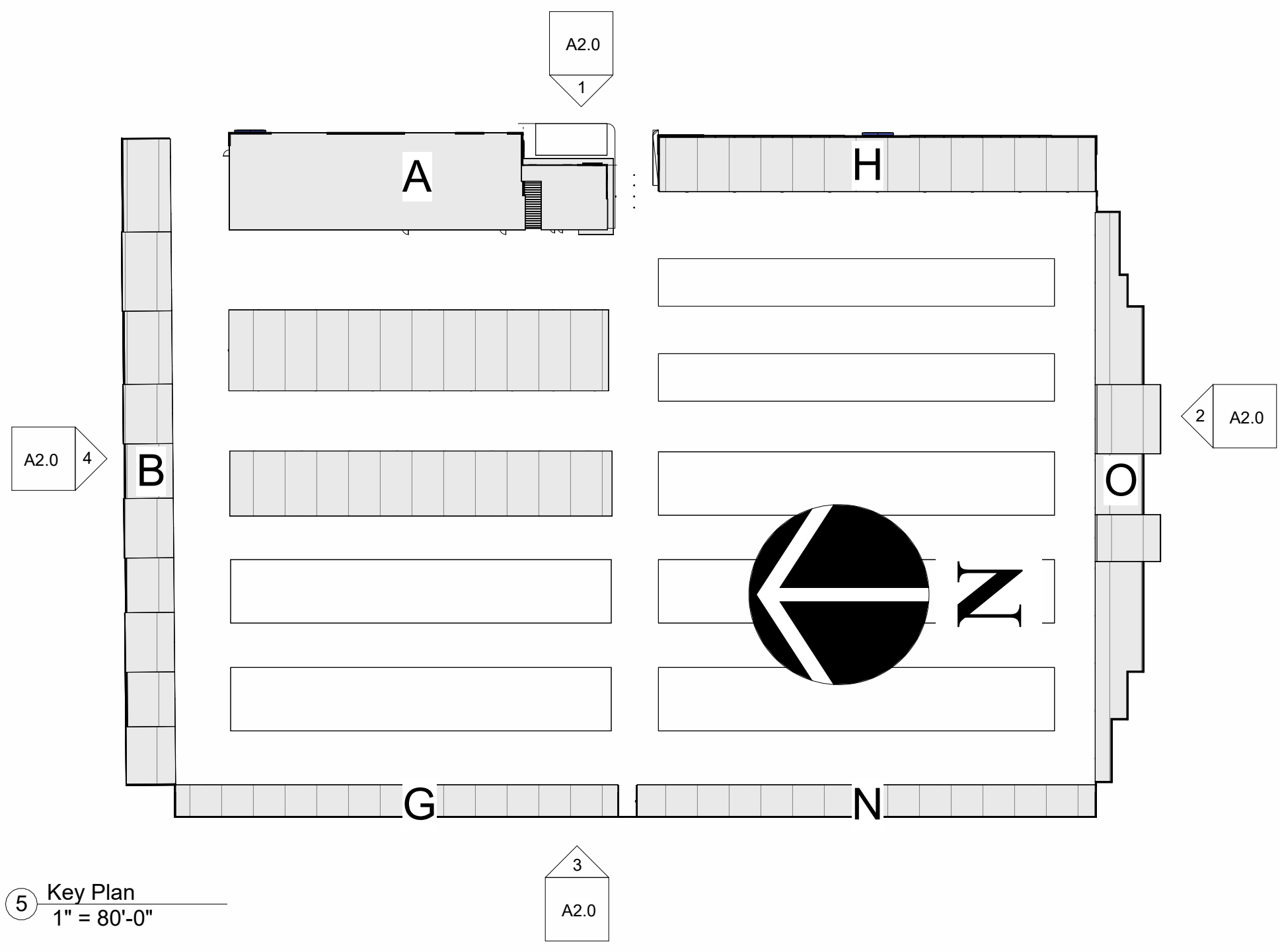
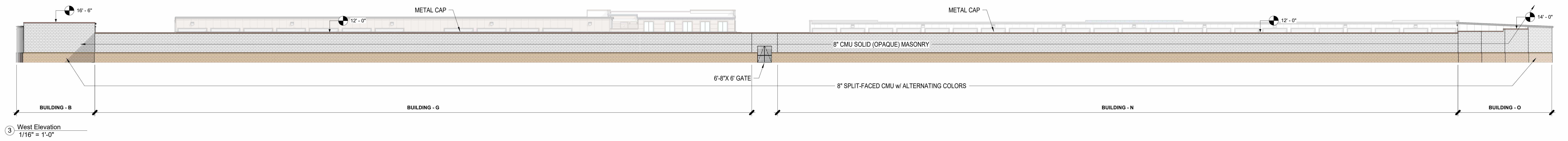
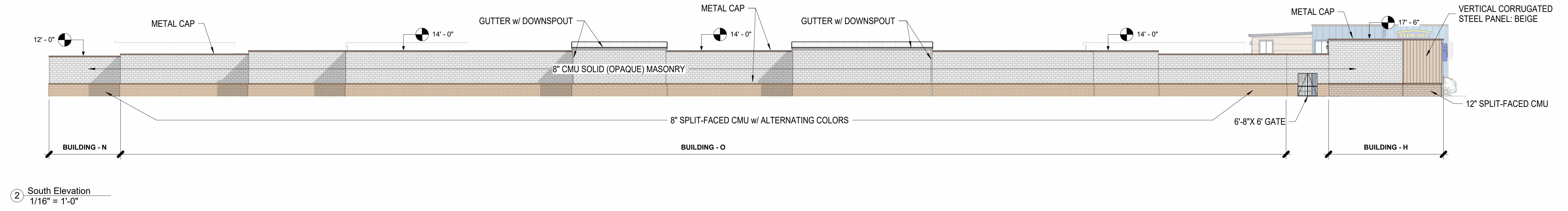
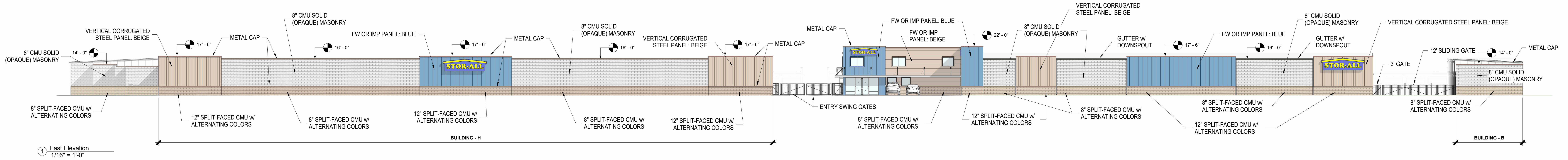
# Bldg C Elevations

DRAWN BY:	JOB:
<b>A2.0</b>	
SCALE:	As indicated



ORIGIN DATE: 09-12-2024

REVISION	DATE:
*	



T.B.D.  
 CONTRACTOR

**STOR-ALL**  
 Site Layout  
 715 Hwy 95A  
 FERNLEY, IN  
 PROJECT

**Site Elevations**

DRAWN BY: JOBE  
**A2.0**  
 SCALE: As Indicated





**STOR-ALL**

**STOR-ALL**





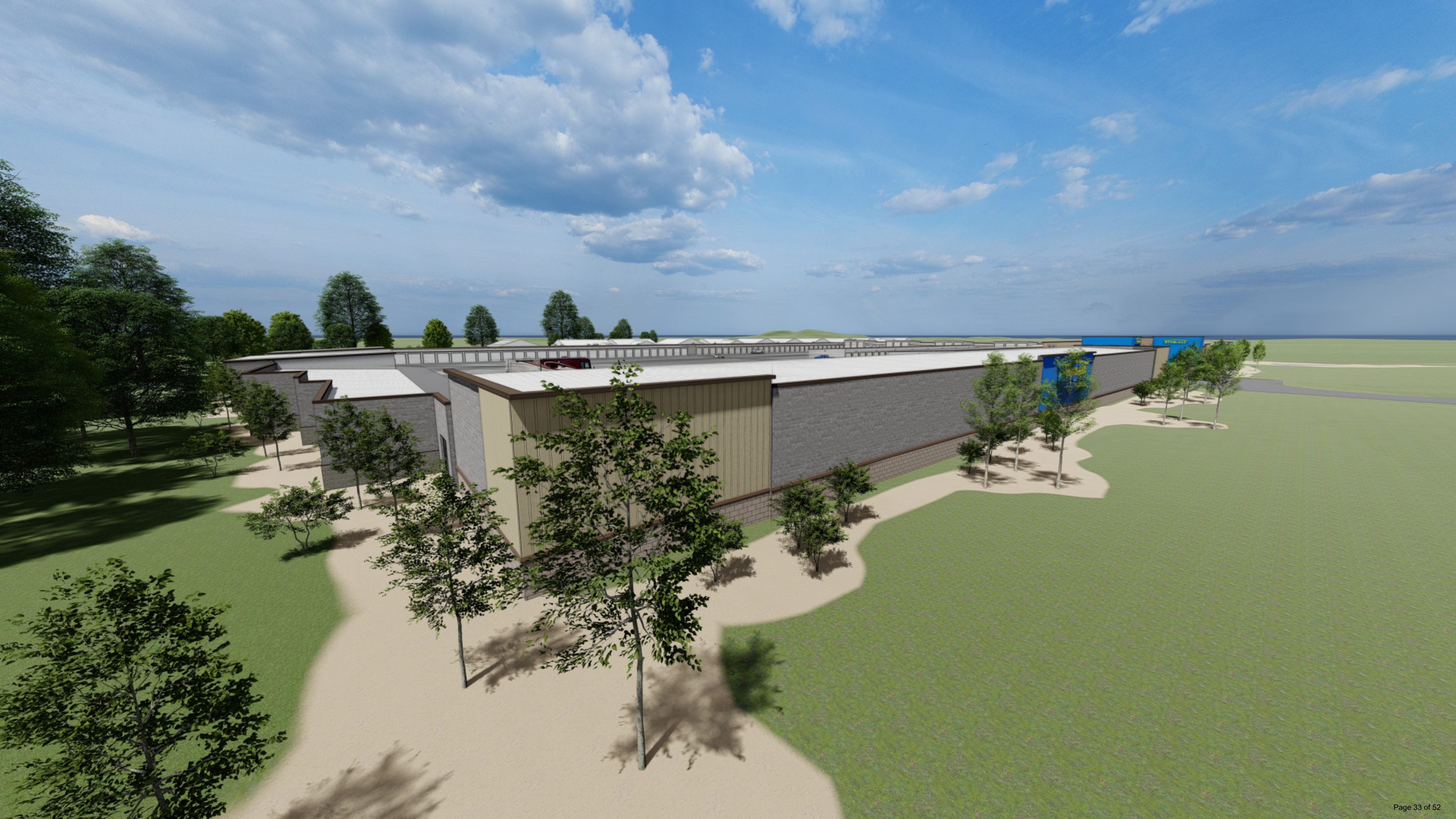






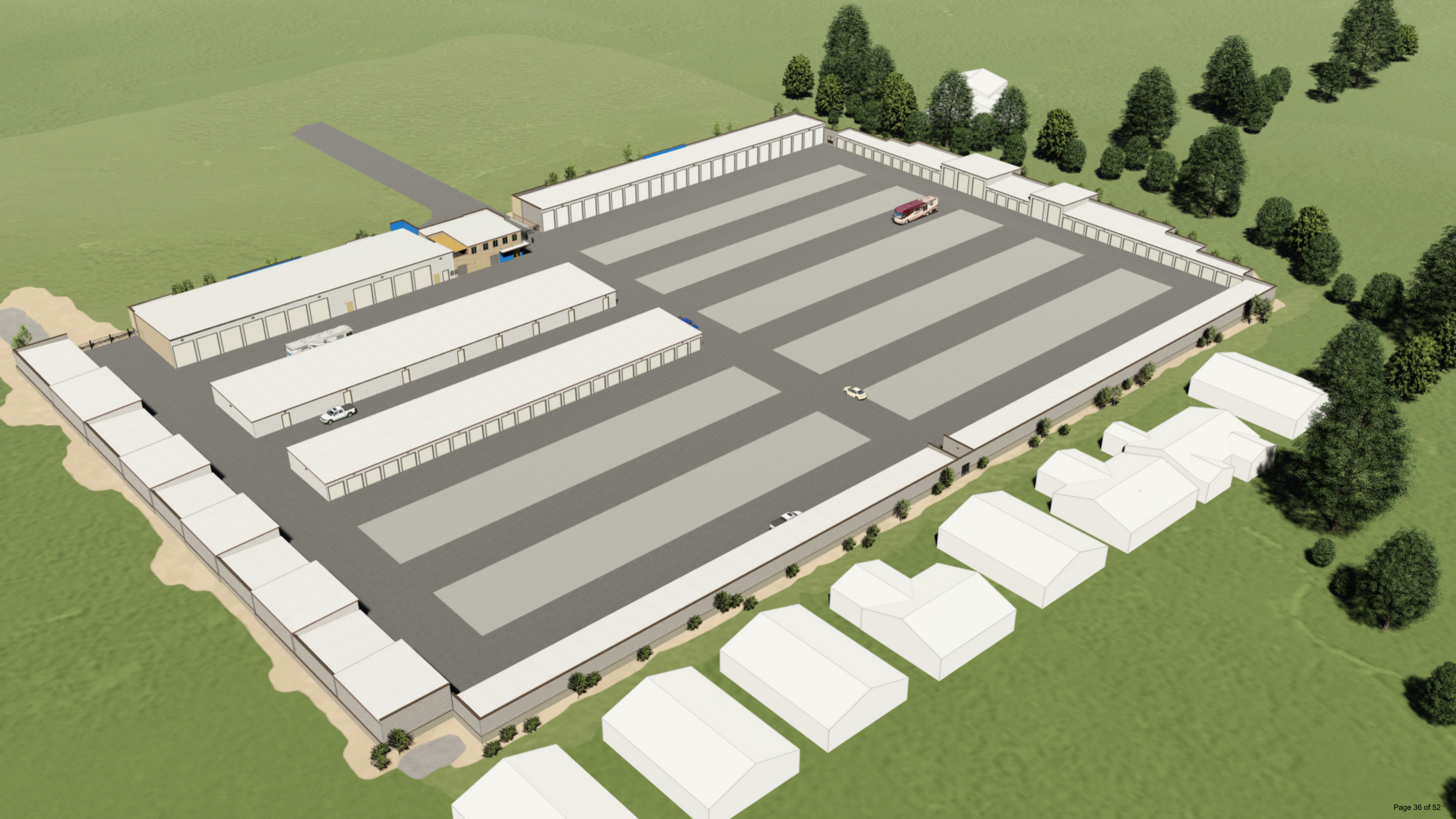


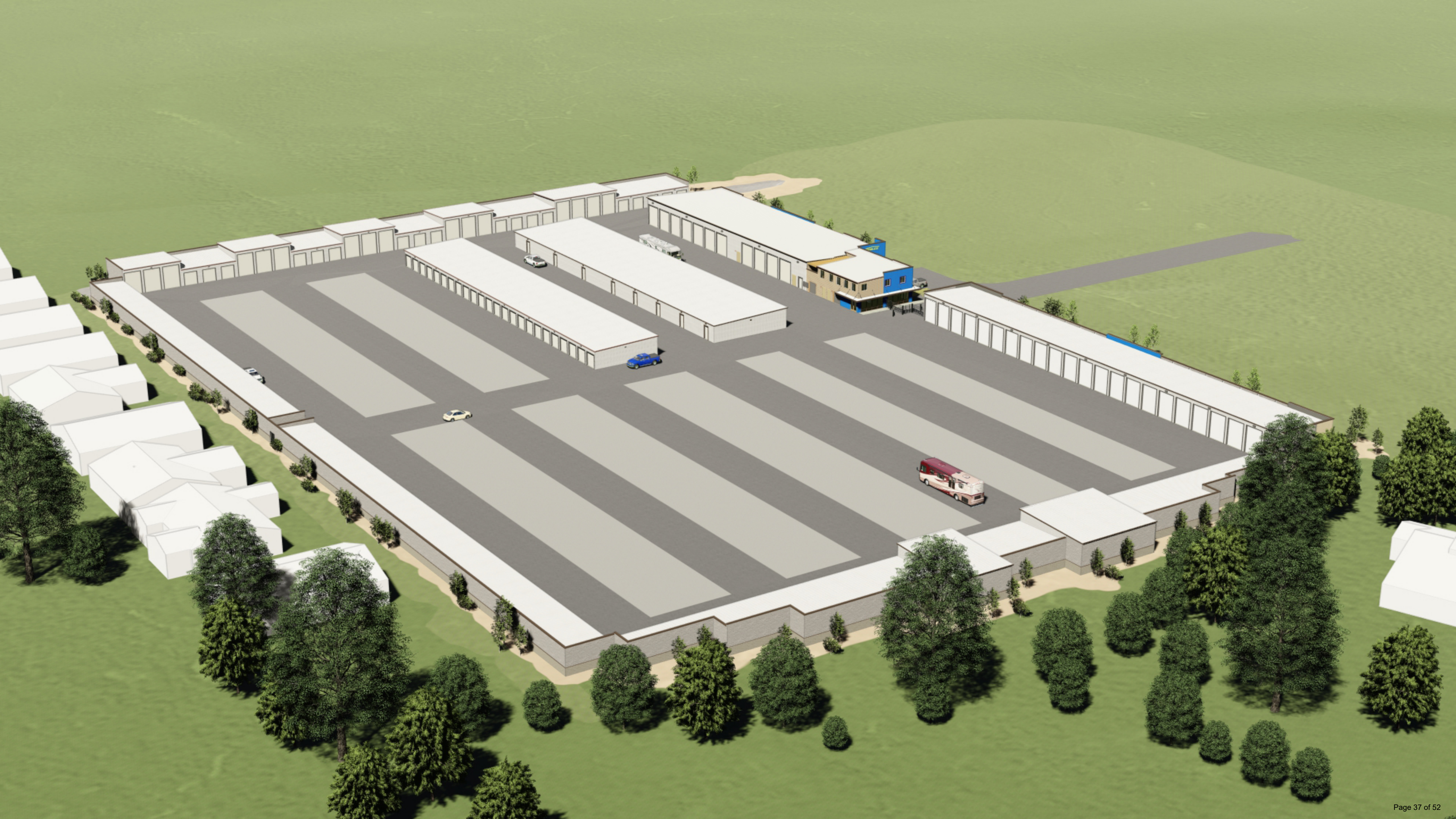














# CITY OF FERNLEY

## Planning Commission AGENDA REPORT

Meeting Date: February 11, 2026

<b>REPORT TO:</b>	Fernley Planning Commission
<b>REPORT FROM:</b>	Alisa Johansson

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

**ACTION REQUESTED:** Ordinance  
Motion

**AGENDA ITEM:**

(For Possible Action) Discussion and possible action regarding CA26001 and Bill #379, a request from the Planning Department to amend the City’s land use table, Fernley Municipal Code Title 32, Chapter 6, Section 150, Table 2, to allow multifamily and mixed-use developments by right in commercial zones pursuant to State Assembly Bill 241.

**AGENDA ITEM BRIEF:**

Multifamily and mixed-use developments are presently allowed in the City’s commercial zoning districts with conditional use permit approval. Fernley’s commercial zoning districts include the Neighborhood Commercial (C1), General Commercial (C2), and Tourist Commercial (TC) zoning districts. This code amendment aligns the City’s development regulations with recent State legislation that stipulates that multifamily and mixed-use developments shall be allowed by right in commercial zones.

**RECOMMENDED MOTION:**

“Considering the information provided by staff presentations and in the staff report, I move to recommend approval of Bill 379 associated with CA26001 amending the City’s land use table, FMC 32.06.150, Table 2, for consistency with AB 241.”

**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 379 associated with CA26001 amending the City’s land use table to align with AB 241 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 379 associated with CA26001 amending the City’s land use table to align with AB 241 with the following modifications:

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

## **BACKGROUND:**

State Assembly Bill 241 was introduced on February 17th, 2025, amended and engrossed, and approved by the Governor on May 31st, 2025. The bill came into effect on October 1st, 2025. AB 241 revises provisions related to housing, specifically providing that multifamily developments and mixed-use developments containing a residential component shall be allowed by right on properties zoned for commercial use. The bill declares void any state or local regulations that are in conflict with these provisions.

City of Fernley regulations are presently in conflict with AB 241; our use table indicates that conditional use approvals are required for multifamily developments in commercial zoning districts. This requirement would be extended to mixed-use developments with a multifamily residential component. To ensure that development, dimensional, and density standards can be applied effectively, the City proposes to amend our use table to align with AB 241, allowing the specified project types by right in the appropriate zoning districts, and also adding references to the applicable district standards to ensure their proper application. District standards are not proposed to be amended at this time.

### **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.*

While this amendment does not drastically alter the uses that can be achieved in the City’s commercial zoning districts, the proposed change does simplify the review process by removing the requirement for a discretionary entitlement process. This reduces cost and shortens timelines to construction—meaningful metrics for Fernley’s development community. The proposed change rectifies an inconsistency with state law and is a necessary response to the region’s considerable housing needs. Supporting this amendment are the following community goals and action strategies from the City’s adopted Comprehensive Master Plan.

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.1.1.1 Encourage higher densities in the downtown core and as part of master planned communities that also provide a mixture of job-generating and commercial land uses within the overall development.

HP.1.4 Provide opportunities for high-density residential development near the downtown core and elsewhere in the community where appropriate.

LU.1.5 Promote infill development.

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

*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 January 28th, 2026. A public hearing is scheduled for the February 11th 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

AB 241 - An Act Related to Housing

FMC 1.01.03 – Official Municipal Code, Amendments

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

FMC 32.06.150, Table 2 – Development Code, Zoning Districts, Use Table

**FINANCIAL IMPLICATIONS:**

None.

**ATTACHMENTS:**

1. Exhibit 1 - Bill 379
2. Exhibit 2 - Original Use Table
3. Exhibit 3 - Amended Use Table
4. Exhibit 4 - Assembly Bill 241

**BILL #379**  
**CITY OF FERNLEY**  
**ORDINANCE # \_\_\_\_\_**

**AN ORDINANCE AMENDING TITLE 32, CHAPTER 6, SECTION 150, TABLE 2 (UNLISTED USES AND USE TABLE) TO ALLOW MULTIFAMILY AND MIXED-USE DEVELOPMENTS BY RIGHT IN COMMERCIAL ZONING DISTRICTS CONSISTENT WITH STATE ASSEMBLY BILL 241.**

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

**Section 1.** Title 32, Chapter 6, Section 150, Table 2 is hereby amended as follows:

Use Category	Use Type	Additional Use Standards	GR20	RR5	RR1	RR½	SF20	SF12	SF9	SF6	MDR14	MF21	MF30	MU	C1	C2	TC	EC	I	PF
Residences																				
	Multifamily building <100 units	Reference chapter 32.06									C	P	P	P	P	P	P			
	Multifamily building ≥100 units	Reference chapter 32.06									C	C	C	P	P	P	P			

**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 March, 2026.

BILL #364 BEING HEREBY PASSED, APPROVED, and ADOPTED this 18th day of March, 2026, by the following vote of the Council:

Ayes: \_\_\_\_\_ Nays: \_\_\_\_\_ Abstentions: \_\_\_\_\_ Absent: \_\_\_\_\_

FERNLEY CITY COUNCIL

By: \_\_\_\_\_  
Neal E. McIntyre, Mayor

Date: \_\_\_\_\_

Attest By: \_\_\_\_\_  
Kim Swanson, City Clerk

Date: \_\_\_\_\_

Use Category	Use Type	Additional Use Standards	GR20	RR5	RR1	RR½	SF20	SF12	SF9	SF6	MDR14	MF21	MF30	MU	C1	C2	TC	EC	I	PF
Residences																				
	Multifamily building <100 units										C	P	P	P	C	C				
	Multifamily building ≥100 units										C	C	C	C	C	C				

Use Category	Use Type	Additional Use Standards	GR20	RR5	RR1	RR½	SF20	SF12	SF9	SF6	MDR14	MF21	MF30	MU	C1	C2	TC	EC	I	PF
Residences																				
	Multifamily building <100 units	<a href="#">Reference chapter 32.06</a>									C	P	P	P	<del>GP</del>	<del>GP</del>	<del>P</del>			
	Multifamily building ≥100 units	<a href="#">Reference chapter 32.06</a>									C	C	C	<del>GP</del>	<del>GP</del>	<del>GP</del>	<del>P</del>			

CHAPTER.....

AN ACT relating to housing; requiring the governing body of each county and city to adopt an ordinance to authorize by-right a multifamily housing development or mixed-use development that includes a residential use on property zoned for commercial use; declaring void certain county or city ordinances; authorizing the State Land Registrar to transfer, under certain circumstances, certain real property owned by the State of Nevada to certain entities without consideration; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

**Section 1** of this bill requires each governing body of a county or city to adopt an ordinance that authorizes by-right a multifamily housing development or mixed-use development that includes a residential use on property zoned for commercial use. **Section 1** also authorizes such an ordinance to establish certain standards and requirements to qualify for such a by-right development. **Section 1** further provides that any such ordinance does not apply to any property: (1) that is zoned for or in relation to an airport; or (2) within the region defined in the Tahoe Regional Planning Compact. (NRS 277.200) **Section 1** further provides that property zoned for commercial use does not include property zoned for industrial use. **Section 5** of this bill declares void any ordinance, regulation or rule of a county or city which conflicts with the provisions of this bill.

Existing law authorizes the governing body of a county or city to divide the county, city or region into zoning districts of such number, shape and area as are best suited to carry out certain purposes. Within a zoning district, the governing body may regulate and restrict the erection, construction, reconstruction, alteration, repair or use of buildings, structures or land. (NRS 278.250) **Section 4** of this bill creates an exception to account for the requirement that the governing body of a county or city adopt an ordinance to authorize by-right a multifamily housing development or mixed-use development that includes a residential use on property zoned for commercial use pursuant to **section 1**.

Existing law requires that an action or proceeding seeking judicial relief or review from or with respect to any final action, decision or order of any governing body of a county or city be commenced within 25 days after the date of filing of notice of the final action, decision or order with the clerk or secretary of the governing body. (NRS 278.0235) **Section 3** of this bill applies these provisions to **section 1**.

**Section 2** of this bill makes a conforming change to apply the definitions of certain terms relating to planning and zoning to **section 1**.

Existing law requires the State Land Registrar to execute on behalf of the State of Nevada any lease, deed or other document by which any land or interest therein owned by the State is conveyed. (NRS 321.003) **Section 5.3** of this bill authorizes the State Land Registrar to transfer title to certain real property owned by the State, with certain restrictions, to Catholic Charities of Northern Nevada and the Reno-Sparks Gospel Mission. **Section 5.3** provides that such a transfer is conditioned upon the Reno Redevelopment Agency entering into certain agreements with Catholic Charities of Northern Nevada or the Reno-Sparks Gospel Mission. **Section 5.3** further provides that such agreements must require the Reno Redevelopment



Agency to: (1) survey and generate a legal description for the portions of real property that the State Land Registrar is authorized to transfer to each entity; and (2) pay the costs relating to the transfer of the real properties. **Section 5.5** of this bill requires the deed for the real properties to include certain restrictions and provide for the reversion of the title to the real properties under certain circumstances.

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

**Section 1.** Chapter 278 of NRS is hereby amended by adding thereto a new section to read as follows:

*1. Except as otherwise provided in subsection 2, not later than March 1, 2026, each governing body shall adopt an ordinance that authorizes by-right a multifamily housing development or mixed-use development that includes a residential use on property zoned for commercial use. The ordinance may establish standards and requirements to qualify for by-right a multifamily housing development or mixed-use development.*

*2. Any ordinance adopted pursuant to this section does not apply to any property:*

*(a) That is zoned for or in relation to an airport; or*

*(b) Within the region defined by NRS 277.200, the Tahoe Regional Planning Compact.*

*3. As used in this section, “property zoned for commercial use” does not include property zoned for industrial use.*

**Sec. 2.** NRS 278.010 is hereby amended to read as follows:

278.010 As used in NRS 278.010 to 278.630, inclusive, *and section 1 of this act*, unless the context otherwise requires, the words and terms defined in NRS 278.0103 to 278.0195, inclusive, have the meanings ascribed to them in those sections.

**Sec. 3.** NRS 278.0235 is hereby amended to read as follows:

278.0235 1. No action or proceeding may be commenced for the purpose of seeking judicial relief or review from or with respect to any final action, decision or order of any governing body, commission or board authorized by NRS 278.010 to 278.630, inclusive, *and section 1 of this act*, unless the action or proceeding is commenced within 25 days after the date of filing of notice of the final action, decision or order with the clerk or secretary of the governing body, commission or board.



2. A petitioner or cross-petitioner who is seeking judicial review must serve and file a memorandum of points and authorities within 40 days after an action is commenced.

3. The respondent or cross-petitioners shall serve and file a reply memorandum of points and authorities within 30 days after the service of the memorandum of points and authorities.

4. The petition or cross-petitioner may serve and file a reply memorandum of points and authorities within 30 days after service of the reply memorandum.

5. Within 7 days after the expiration of the time within which the petitioner is required to reply, any party may request a hearing. Unless a request for hearing has been filed, the matter shall be deemed submitted.

6. All memoranda of points and authorities filed in proceedings involving petitions for judicial review must be in the form provided for appellate briefs in Rule 28 of the Nevada Rules of Appellate Procedure.

7. The court, for good cause, may extend the times allowed in this section for filing memoranda.

**Sec. 4.** NRS 278.250 is hereby amended to read as follows:

278.250 1. For the purposes of NRS 278.010 to 278.630, inclusive, *and section 1 of this act*, the governing body may divide the city, county or region into zoning districts of such number, shape and area as are best suited to carry out the purposes of NRS 278.010 to 278.630, inclusive [~~Within~~], *and section 1 of this act. Except as otherwise provided in section 1 of this act, within* the zoning district, it may regulate and restrict the erection, construction, reconstruction, alteration, repair or use of buildings, structures or land.

2. The zoning regulations must be adopted in accordance with the master plan for land use and be designed:

(a) To preserve the quality of air and water resources.

(b) To promote the conservation of open space and the protection of other natural and scenic resources from unreasonable impairment.

(c) To consider existing views and access to solar resources by studying the height of new buildings which will cast shadows on surrounding residential and commercial developments.

(d) To reduce the consumption of energy by encouraging the use of products and materials which maximize energy efficiency in the construction of buildings.

(e) To provide for recreational needs.



(f) To protect life and property in areas subject to floods, landslides and other natural disasters.

(g) To conform to the adopted population plan, if required by NRS 278.170.

(h) To develop a timely, orderly and efficient arrangement of transportation and public facilities and services, including public access and sidewalks for pedestrians, and facilities and services for bicycles.

(i) To ensure that the development on land is commensurate with the character and the physical limitations of the land.

(j) To take into account the immediate and long-range financial impact of the application of particular land to particular kinds of development, and the relative suitability of the land for development.

(k) To promote health and the general welfare.

(l) To ensure the development of an adequate supply of housing for the community, including the development of affordable housing.

(m) To ensure the protection of existing neighborhoods and communities, including the protection of rural preservation neighborhoods and, in counties whose population is 700,000 or more, the protection of historic neighborhoods.

(n) To promote systems which use solar or wind energy.

(o) To foster the coordination and compatibility of land uses with any military installation in the city, county or region, taking into account the location, purpose and stated mission of the military installation.

3. The zoning regulations must be adopted with reasonable consideration, among other things, to the character of the area and its peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the city, county or region.

4. In exercising the powers granted in this section, the governing body may use any controls relating to land use or principles of zoning that the governing body determines to be appropriate, including, without limitation, density bonuses, inclusionary zoning and minimum density zoning.

5. As used in this section:

(a) "Density bonus" means an incentive granted by a governing body to a developer of real property that authorizes the developer to build at a greater density than would otherwise be allowed under the master plan, in exchange for an agreement by the developer to perform certain functions that the governing body determines to be



socially desirable, including, without limitation, developing an area to include a certain proportion of affordable housing.

(b) “Inclusionary zoning” means a type of zoning pursuant to which a governing body requires or provides incentives to a developer who builds residential dwellings to build a certain percentage of those dwellings as affordable housing.

(c) “Minimum density zoning” means a type of zoning pursuant to which development must be carried out at or above a certain density to maintain conformance with the master plan.

**Sec. 5.** On and after March 1, 2026, any ordinance, regulation or rule of a county or city which conflicts with the provisions of this act is void and unenforceable.

**Sec. 5.3.** 1. If the Reno Redevelopment Agency enters into an agreement with Catholic Charities of Northern Nevada or the Reno-Sparks Gospel Mission, as applicable, pursuant to subsection 2, the Administrator of the Division of State Lands of the State Department of Conservation and Natural Resources, as ex officio State Land Registrar, may transfer, without consideration, to:

(a) Catholic Charities of Northern Nevada, all interest of the State of Nevada in the real property located on the western portion of the property commonly known as the Northern Nevada Adult Mental Health Services Campus, containing approximately 4 acres, and further described in the legal description generated by the Reno Redevelopment Agency pursuant to subsection 2; and

(b) The Reno-Sparks Gospel Mission, all interest of the State of Nevada in the real property located on the western portion of the property commonly known as the Northern Nevada Adult Mental Health Services Campus, containing approximately 1.3 acres, and further described in the legal description generated by the Reno Redevelopment Agency pursuant to subsection 2,

↳ to provide community and social services to at-risk and underserved populations, which may include, without limitation, affordable housing, workforce housing, supportive housing, food services, supportive services and any other service for at-risk and underserved communities.

2. The Reno Redevelopment Agency shall enter into an agreement with Catholic Charities of Northern Nevada or the Reno-Sparks Gospel Mission, as applicable, relating to the transfer of the property described in subsection 1. The agreement must require the Reno Redevelopment Agency to:

(a) Survey and generate a legal description for the real properties described in paragraphs (a) and (b) of subsection 1; and

(b) Pay the costs relating to the transfer of the real property.



**Sec. 5.5.** If real property is transferred pursuant to section 5.3 of this act, the deed from the State of Nevada to Catholic Charities of Northern Nevada or the Reno-Sparks Gospel Mission, as applicable, must, subject to any easement, condition or other encumbrance of record:

1. Include restrictions:

(a) Requiring that the real property be used to provide community and social services to at-risk and underserved communities, which may include, without limitation, affordable housing, workforce housing, supportive housing, food services and any other services provided for at-risk and underserved communities; and

(b) Prohibit Catholic Charities of Northern Nevada or the Reno-Sparks Gospel Mission, as applicable, or any successors in title from transferring, leasing, encumbering or otherwise disposing of the property except pursuant to the express authority of the Legislature.

2. Provide for the reversion of the title to the property to the State of Nevada upon the breach of any restriction specified in subsection 1.

**Sec. 6.** The provisions of NRS 354.599 do not apply to any additional expenses of a local government that are related to the provisions of this act.





