



N E V A D A

AGENDA  
Regular Meeting  
Planning Commission

Wednesday, March 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  
Anglea Lewis - Commissioner  
Julianne Holt - Alternate

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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. GENERAL BUSINESS**

- 2.1. Discussion and possible action to formally establish a Steering Committee for the City of Fernley Comprehensive Master Plan (CMP) Update and for the Planning Commission to appoint members for Steering Committee membership.**

**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 CA25012 and Bill #377, a request from the Planning Department to amend the adjacency development standards contained in Title 32, Chapter 9, Section 30.**
- 3.2. (For Possible Action) Consideration and possible action on a second Extension of Time request for an additional four months to complete the landscaping installation required by the Conditions of Approval for the Waiver (WVR24002) application that was approved by the Planning Commission on November 13, 2024.**
- 3.3. (For Possible Action) Discussion and possible action regarding Resolution #26-002 and Bill #381 associated with MPA26001 and ZMA26001, concurrent requests from M4 Victory Power QOZB, LLC for parcel 021-031-13 containing approximately 107.87 acres and generally located east of Interstate 80, west of Fernley Sink Lake, northeast of Duffy Road, and north of the existing Victory Logistics Planned Development adjusting the master plan land use designation from GR (General Rural) to I (Industrial) and rezoning the property from GR20 (General Rural, 20-acre minimum) to I (Industrial).**

**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.)

**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 February 18, 2026 and March 4, 2026.**
- 5.2. General Planning Department updates and announcements.**

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

**7. PUBLIC FORUM**

**8. ADJOURNMENT**

**Next Meeting: April 8th @ 5pm**

**MINUTES OF THE  
FERNLEY PLANNING COMMISSION MEETING  
FEBRUARY 11, 2026**

**1. INTRODUCTORY ITEMS**

Chairwoman Tessa Garvin called the meeting to order at 05:00 PM at Fernley City Hall, 595 Silver Lace Blvd., Fernley, NV 89408.

**1.1. Pledge of Allegiance**

**1.2. Roll Call**

**Present:** Chair Tessa Garvin, Vice Chair Jenni McCullar, Commissioner Barry Williams SR, Commissioner Cody Wagner, Commissioner Julianne Holt, City Attorney Aaron Mouritsen, City Clerk Kim Swanson, Admin Specialist II Rachael Goetz, Senior Planner Alisa Johansson, Planning Director Michele Rambo. **Absent:** Commissioner Angela Lewis, Commissioner Jacob VanderHeiden, Commissioner Robert Flores.

**1.3. Public Forum**

Becki Howlett invited the public to the Fernley 4th of July Spaghetti Dinner fundraiser on 2/21/26 at the Fernley Senior Center.

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

**Motion:** I MOVE TO APPROVE TONIGHT'S AGENDA AS PRESENTED. **Action:** Approved. **Moved by:** Commissioner Cody Wagner. **Seconded by:** Commissioner Berry Williams. **Vote:** Passed, **Summary:** Yes: 5 **Yes:** Commissioner Wagner, Vice Chair McCuller, Commissioner Williams, Commissioner Holt, Chairwoman Garvin.

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

**Motion:** I MOVE TO APPROVE THE LAST MEETING'S MINUTES AS PRESENTED. **Action:** Approved, **Moved by:** Vice Chair McCuller, **Seconded by:** Commissioner Holt **Vote:** Passed, **Summary:** Yes: 3 **Yes:** Commissioner Wagner, Vice Chair McCuller, Chairwoman Garvin, **Abstain:** 2 Commissioner Williams, Commissioner Holt

**2. PUBLIC HEARINGS**

**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.**

Senior Planner Alisa Johansson presented stating that Stor-All LLC would like to add one additional storage along the southern property boundary and minor site revisions, including satisfying the requirement for perimeter masonry walls. This will also include minor impacts to US95A such as a deceleration lane and curb-gutter sidewalk improvements.

The commission took a 5-minute recess for technical difficulties.

The commissioners had questions in the presentation regarding the new drainage infrastructure and retention basins.

Christopher Maltz with Heartfelt Engineering spoke briefly regarding the drainage infrastructure and

retention basins. Explaining the need for three retention basins placed where they are due to the land being a sump where there used to be a farm with no way for the land to drain.

No public comment

**Motion:** CONSIDERING THE INFORMATION PROVIDED BY STAFF PRESENTATIONS AND IN THE STAFF REPORT, I MOVE TO APPROVE CUP23004AMD1 AMENDING THE CONDITIONAL USE APPROVAL FOR STORE ALL, LLC PHASE 1, SUBJECT TO CONDITIONS 1 THROUGH 35.

**Action:** Approve **Moved by:** Commissioner Holt **Seconded by:** Vice Chair McCuller **Vote:** Yes

**Summary:** 5 **Yes:** Commissioner Holt, Vice Chair McCuller, Commissioner Williams, Commissioner Wagner, Chairwoman Garvin

**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.**

Senior Planner Alisa Johansson presented explaining this code amendment is required to bring our city code into compliance with the new State law. Our current regulations require a conditional use permit for multifamily developments in commercial zones. This requirement would extend to any mixed-use development. Our use table does not currently differentiate between mixed-use and other types of multifamily or commercial developments, so they are not a separately categorized use in our use table. Any multifamily development or mixed-use development that involves a residential component would be considered a multifamily that requires conditional use approval to comply with Assembly Bill 241.

No public comment

**Motion:** CONSIDERING THE INFORMATION PROVIDED BY STAFF PRESENTATIONS AND IN THE STAFF REPORT, I MOVE TO RECOMMEND APPROVAL OF BILL 379 ASSOCIATED CA26001 AMENDING THE CITY'S LAND USE TABLE, FMC 32.06.150 TABLE 2, FOR CONSISTENCY WITH AB241.

**Action:** Approve, **Moved by:** Commissioner Wagner **Seconded by:** Commissioner Williams **Vote:** Yes, **Summary:** 5 **Yes:** Commissioner Holt, Vice Chair McCuller, Commissioner Williams, Commissioner Wagner Chairwoman Garvin.

**3. PLANNING DIRECTOR ITEMS**

**3.1. Update on City Council actions from January 21, 2026, and February 4, 2026.**

Planning Director Michele Rambo reported the City Council adopted the update to the grading code and the recreation facility updates at their January 21<sup>st</sup> meeting. First readings for the change to the SF6 setback, the daycare changes, and the new Animal Services Code. On February 4<sup>th</sup> the council adopted the daycare changes, the SF6 setback and the Animal Services Code. First readings for the change to the gaming ordinance and the new rural development standards also took place at the February 4<sup>th</sup> meeting.

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

There were none.

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

Commissioner Wagner wants to start discussing a subsection for general energy production and make it as thorough as the renewable energy section is.

**5. PUBLIC FORUM**

No public comment

**6. ADJOURNMENT**

There being no further business to come before it, the Fernley Planning Commission meeting adjourned at 5:49 PM.

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

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

\_\_\_\_\_  
Chairwoman Tessa Garvin

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



# CITY OF FERNLEY

## Planning Commission AGENDA REPORT

**Meeting Date: March 11, 2026**

<b>REPORT TO:</b>	Fernley Planning Commission
<b>REPORT FROM:</b>	Treston Rodriguez

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

**ACTION REQUESTED:** Motion

**AGENDA ITEM:**

Discussion and possible action to formally establish a Steering Committee for the City of Fernley Comprehensive Master Plan (CMP) Update and for the Planning Commission to appoint members for Steering Committee membership.

**AGENDA ITEM BRIEF:**

As part of the process to update the Comprehensive Master Plan, the consultant has recommended that a Steering Committee be formed to provide guidance throughout the process, provide feedback, review draft materials, and offer insights on community priorities and implementation. Staff is requesting that the Planning Commission appoint members to the Steering Committee as part of this agenda item.

**RECOMMENDED MOTION:**

I move to formally establish the Comprehensive Master Plan Steering Committee and approve the proposed membership framework, and authorize staff to coordinate formation of the Committee consistent with the Comprehensive Master Plan update schedule.

**BUSINESS IMPACT (per NRS Chapter 237):**

N/A

See attached report for background, analysis, alternatives.

**ALTERNATIVES:**

**BACKGROUND:**

The City of Fernley has retained Matrix Design Group to lead the update of the City's Comprehensive Master Plan (CMP). The CMP serves as the City's long-range policy document guiding land use, growth, infrastructure planning, housing, transportation, public facilities, conservation, and related community development matters. The City's Comprehensive Master Plan was last amended in 2020. The current update effort is intended to produce an actionable, policy-driven document consistent with Nevada statutory requirements and reflective of current community conditions, growth trends, and infrastructure planning considerations.

As part of the CMP update process, the formation of a Steering Committee is recommended. The purpose of the Steering Committee is to:

- Provide project-level guidance throughout the update process
- Receive milestone updates and review draft materials
- Offer policy-level input prior to formal Planning Commission hearings
- Serve as a community advisory body representing diverse stakeholder interests
- Assist in strengthening transparency and public engagement

Following consultation with legal counsel, staff recommends that the Planning Commission retain its formal statutory role under Nevada law and not serve concurrently as the Steering Committee. Instead, staff recommends that the Planning Commission formally establish a separate Steering Committee and approve its membership.

This approach maintains clear procedural separation between:

- Advisory input (Steering Committee), and
- Statutory review and recommendation authority (Planning Commission).

**Proposed Steering Committee Framework**

The proposed Comprehensive Master Plan Steering Committee shall consist of up to seven (7) members representing a cross-section of community interests, including but not limited to:

- Downtown Business Representative
- General Business Representative
- Economic Development Representative
- Historic Preservation Representative
- Multi-Cultural / Community Diversity Representative
- Resident / Neighborhood Representative
- Housing / Development Representative

The Steering Committee shall serve in an advisory capacity only and shall not have final decision-making

authority under NRS 278. The Planning Commission shall retain its statutory authority to review and recommend the Comprehensive Master Plan to the City Council.

Members shall be appointed by the Planning Commission.

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

**FINANCIAL IMPLICATIONS:**

**ATTACHMENTS:**

None



# CITY OF FERNLEY

## Planning Commission AGENDA REPORT

Meeting Date: March 11, 2026

**REPORT TO:** Fernley Planning Commission

**REPORT FROM:** Alisa Johansson, Michele Rambo, Planning Director

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 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, enhance requirements and developer options, and improve regulatory results.

The proposed changes include a complete overhaul of the section as follows:

1. Adding new purpose and applicability clauses to guide applicants and staff,
2. Adding subsection-specific definitions to aid in code application,
3. Refining requirements based on zoning district, and
4. Added an alternative option for "adequate buffering,"

**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.

The proposed changes include a complete overhaul of the section as follows:

1. Adding new purpose and applicability clauses to guide applicants and staff,
2. Adding section-specific definitions to aid in code application,
3. Refining requirements based on zoning district, and
4. Added an alternative option for "adequate buffering,"

**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. Due to further legal and internal review, the item was continued at the January 14th Planning Commission meeting. A public hearing will be held at the March 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

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 1 - Bill 377

2. Exhibit 2 - Adjacency - Original Code
3. Exhibit 3 - Adjacency - Amended Code

**BILL #377**  
**CITY OF FERNLEY**  
**ORDINANCE # \_\_\_\_\_**

**AN ORDINANCE AMENDING TITLE 32, CHAPTER 9, SECTION 30 OF THE CITY OF FERNLEY DEVELOPMENT CODE TO IMPROVE CLARITY, REGULATORY RESULTS, AND DEVELOPMENT OPTIONS AS RELATED TO ADJACENCY STANDARDS.**

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

**Section 1.** Title 32, Chapter 9, Section 030 (Adjacency) is hereby amended as follows:

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

- (a) *Applicability.* The standards in this section shall apply to any new development unless an existing barrier (e.g., ridgeline, river, open space, right-of-way or natural terrain change) adequately buffers the existing built environment or platted lots from the new development.
- (b) *Generally applicable standards.*
  - (1) All development shall be designed to minimize impacts on adjacent properties by:
  - (2) Limiting exterior lighting to full-cutoff shielded fixtures and directing lights away from adjacent properties;
  - (3) Limiting sources of audible noise (e.g., heating and air conditioning units) from building facades that face lower intensity uses; and
  - (4) Locating off-street parking, loading, and service areas away from shared property lines and incorporating them into the design of buildings they are intended to serve;
  - (5) Placing windows on the new development so as to maintain privacy by avoiding direct lines of sight into windows of adjoining developments; and
  - (6) Orienting upper-level balconies and other outdoor living spaces away from shared property lines to the extent practicable.
- (c) *Lot adjacency and transition standards for rural neighborhoods.*
  - (1) *Purpose.* The purpose of this subsection is to maintain the established rural and semi-rural character of neighborhoods zoned GR20, RR5, RR1, and RR½ by requiring transitional lot sizes or physical separation where new single-family residential subdivisions abut such zoning districts.
  - (2) *Applicability.* This subsection applies to any application for a tentative map, parcel map, final map, or other subdivision approval that creates new single-family residential lots where any portion of the subdivision’s exterior boundary shares a common boundary line with an Adjacent Rural Parcel.
  - (3) *Definitions.* For purposes of this subsection:
    - a. “Adjacent Rural Parcel” means a parcel with zoning designation GR20, RR5, RR1, or RR½ that shares a common boundary line with a proposed subdivision.

- b. "Common Boundary Line" means a shared property line segment between the subdivision boundary and an Adjacent Rural Parcel.
- c. "Transitional Edge Lot" means a lot within the subdivision having a rear or side lot line that is coextensive with the subdivision boundary along a Common Boundary Line.

(4) *Standards.*

- a. *Default Requirement – Transitional Edge Lots.* A subdivision to which this subsection applies shall provide Transitional Edge Lots along each Common Boundary Line with an Adjacent Rural Parcel. Each Transitional Edge Lot shall be a minimum of one-half (½) acre in size.
- b. *Alternative Standard.* In lieu of providing Transitional Edge Lots of at least one-half (½) acre, the subdivision may provide Adequate Buffering in accordance with subsection (e), in which case lots adjacent to the Buffer Zone may be sized in accordance with the underlying zoning district.

(d) *Lot adjacency and transition standards for residential subdivision compatibility.*

- (1) *Purpose.* The purpose of this subsection is to ensure compatibility between new subdivisions and existing subdivisions by requiring comparable rear yard separation, building scale, and lot size transitions at shared boundaries.

(2) *Applicability.*

- a. This subsection applies to any tentative map, parcel map, final map, or other subdivision approval that creates new residential lots, where any portion of the proposed subdivision's exterior boundary shares a Common Boundary Line with an Adjacent Subdivision Lot.
- b. The standards in this subsection apply to all Boundary Lots along the applicable Common Boundary Line and shall apply regardless of the zoning of the proposed subdivision and the Adjacent Subdivision.
- c. These standards are in addition to any other applicable development standards (including any rural adjacency standards). Where multiple standards apply, the more restrictive standard governs.

(3) *Definitions.* For purposes of this subsection:

- a. "Adjacent Subdivision" means an existing, recorded subdivision (final map) containing platted lots, where one or more lots share a Common Boundary Line with a proposed subdivision.
- b. "Adjacent Subdivision Lot" means a platted lot within an Adjacent Subdivision that shares a Common Boundary Line with a proposed subdivision.
- c. "Boundary Lot" means a lot within a proposed subdivision that includes a rear or side lot line that is coextensive with the subdivision boundary along a Common Boundary Line.
- d. "Common Boundary Line" means a shared property line segment between the proposed subdivision boundary and an Adjacent Subdivision Lot.

(4) *Standards.*

a. *Default Requirements.*

1. *Rear Setback Compatibility.* For each Boundary Lot, the minimum rear yard setback shall be not less than the rear yard setback applicable to the Adjacent Subdivision Lots along the same Common Boundary Line.
2. *Height Compatibility.* No principal structure located on a Boundary Lot shall exceed the maximum existing height of principal structures on the Adjacent Subdivision Lots along the same Common Boundary Line. If there are no existing principal structures on the Adjacent Subdivision Lots along the Common Boundary Line at the time of application, the maximum height of principal structures on Boundary Lots shall not exceed the maximum building height permitted for principal structures in the zoning district applicable to the Adjacent Subdivision.
3. *Minimum Lot Size Compatibility.* Each Boundary Lot shall have a minimum lot size equal to at least fifty percent (50%) of the average lot size of the Adjacent Subdivision Lots along the same Common Boundary Line.
4. *Alternative Compliance.* In lieu of complying with the rear setback, height, and minimum lot size compatibility requirements, the subdivision may provide Adequate Buffering in accordance with subsection (e), in which case lots adjacent to the Buffer Zone may be developed in accordance with the standards applicable to the underlying zoning district.

(e) *Adequate Buffering.*

(1) *Purpose and Effect.* This subsection establishes standards for “Adequate Buffering” that may be used as an alternative means of complying with the lot adjacency and transition standards for rural neighborhoods and residential subdivision compatibility. Where Adequate Buffering is provided in accordance with this subsection along a Common Boundary Line:

- a. *Rural Adjacency.* The subdivision is not required to provide one-half (½) acre Transitional Edge Lots adjacent to parcels zoned GR20, RR5, RR1, or RR½ along that Common Boundary Line; and
- b. *Subdivision-to-Subdivision Compatibility.* Boundary Lots adjacent to an existing subdivision along that Common Boundary Line are not required to (i) match rear setbacks, (ii) be limited to the height of existing structures, or (iii) meet the 50% minimum lot size compatibility standard, provided the Buffer Zone fully complies with this Section.

(2) *Definitions.* For purposes of this subsection:

- a. “Buffer Zone” means a separate lot, parcel, common area, easement, or dedicated area within the subdivision that is intended to provide physical and/or visual separation between development and an adjacent parcel or subdivision.
- b. “Common Boundary Line” means a shared property line segment between the subdivision and an adjacent parcel or platted lot.
- c. “Adequate Buffering” means a Buffer Zone and associated improvements meeting the requirements of this subsection.

(3) *Adequate Buffering Standards.* Adequate Buffering shall meet all of the following minimum standards:

a. *Minimum Width and Continuity.*

1. *Width.* The Buffer Zone shall be a minimum of thirty (30) feet wide, measured perpendicular from the Common Boundary Line inward to the subdivision.
2. *Continuity.* The Buffer Zone shall be continuous along the full length of the applicable Common Boundary Line, except where interrupted by streets, public access connections, or necessary utility crossing.

b. *Required Buffer Zone Improvements.* The Buffer Zone shall include at least two (2) of the following improvements, designed to function together as an integrated separation feature:

1. *Trail/Path Corridor.* A paved or unpaved trail or path, with appropriate access control, wayfinding, and safety features as required by the City.
2. *Drainageway or Drainage Facility.* An open channel, swale, naturalized drainageway, or similar facility, including stabilized slopes and erosion control.
3. *Landscaping.* A continuous landscape screen using drought-tolerant and/or native plantings, with irrigation where required to ensure establishment and long-term viability.
4. *Berms or Grade Separation.* Berming or grade changes designed to provide visual screening and/or physical separation; may be combined with landscaping and fencing.
5. *Common Open Space Amenity.* Park space, common open space, community garden, or similar subdivision amenity designed to serve as separation area and not merely as residual land.
6. *Decorative Wall/Fence.* A wall or fence designed to provide privacy and separation; when used, it shall be combined with either landscaping or berming.

(4) *Use Restrictions.*

- a. The Buffer Zone shall not be used for private yards, private storage, private accessory structures, driveways, or parking.
- b. The Buffer Zone may contain only those improvements necessary to serve the Buffer Improvements (e.g., trails, drainage structures, landscaping, lighting, benches, small shade structures, utilities, and similar appurtenances), as approved with the subdivision.

(5) *Ownership and Maintenance.*

- a. The Buffer Zone shall be placed in common ownership (i.e., conveyed to a HOA or a landscape maintenance district), a conservation easement, or similar legal mechanism approved by the City that provides for perpetual maintenance and repair.

- b. The Buffer Zone shall be subject to recorded covenants, conditions, easements, map notes, or similar instruments prohibiting encroachments inconsistent with the buffering standards in this subsection and requiring maintenance in perpetuity.
- (6) *Credit for existing separation areas.* Existing public rights-of-way, dedicated open space, drainage facilities, trail corridors, or similar separation areas located between the subdivision and the adjacent parcel or subdivision may be credited toward the width requirement in this subsection if the Administrator determines such areas function as part of the buffer and are reasonably comparable in separation effect.
- (f) *Adjacency standards for multiple-family residential, commercial, and mixed-use development.*
- (1) *Purpose.* This subsection is intended to minimize visual, privacy, and scale impacts where multifamily residential development, commercial development, or mixed-use development abuts single-family residential lots by requiring increased setbacks, upper-level setbacks, and/or a height plane based on existing grade on the single-family side of the shared property line.
  - (2) *Standards.*
    - a. *Upper-level setback.* An upper-level setback of 10' for all portions of the building greater than 24' in height shall be provided along any shared property line. This setback is in addition to any setback required by the applicable zoning district regulations. Building projections such as balconies, eaves, and similar appurtenances may project up to 5' into the required combined total setback.
    - b. *Articulation and human scale.* To limit the appearance of bulk and scale, vertical or horizontal modulation, changes in color or materials, fenestration, and/or architectural appurtenances shall be provided on all facades facing adjoining rural residential or single-family residential zoning districts to the approval of the administrator.

Alternative approaches may be approved by the administrator provided the overall objective of these standards can be satisfied.

- (g) *Lot adjacency standards—Industrial development.*
- (1) *Purpose.* This subsection is intended to minimize visual, privacy, and scale impacts where industrial development abuts residential zoning districts by implementing buffers and site orientation
  - (2) *Standards.*
    - a. *Site Orientation.* 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 developments to the extent practicable.
    - b. *Appurtenances.* 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

- c. *Buffering.* 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 development from residential development. 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 identified by the administrator.

- 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 #377 BEING HEREBY PROPOSED on the 1st day of April, 2026.

BILL #377 BEING HEREBY PASSED, APPROVED, and ADOPTED this 15th day of April, 2026, by the following vote of the Council:

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

FERNLEY CITY COUNCIL

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

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

**Sec. 32.09.030. - 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.

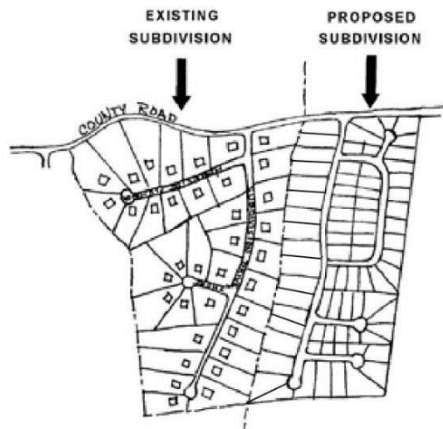
(d) *Lot adjacency and transition standards—Single-family residential.*

(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:

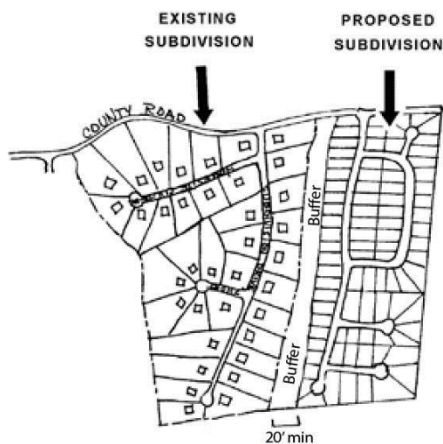
- a. *Transition.* New subdivision lots adjacent to existing subdivision lots shall match the rear yard setbacks per base zoning, not exceed the number of stories of the existing adjacent homes and shall not exceed a 50-percent reduction in lot size of the existing subdivision lots. If existing subdivision lots are less than half acre, no transition is required.

Figure 32.09.030-1 - Lot Size Transition



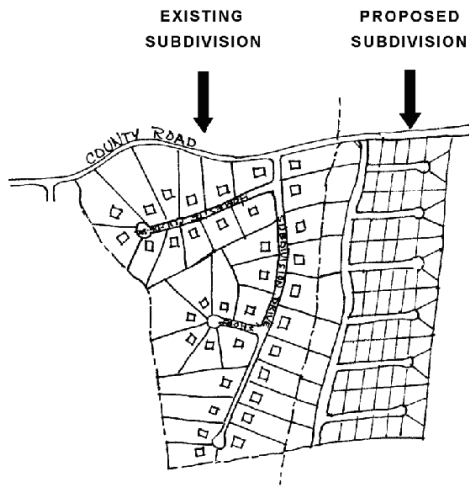
- b. *Buffering.* A "buffer zone" shall be established and shall be a minimum of 20 feet wide. The buffer zone may be common open space for the proposed subdivision and shall include at least one of the following improvements: paths, trails, drainageways, landscaping, berms, or other subdivision amenities. 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.

### 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, unless an existing~~ barrier (e.g., ridgeline, river, open space, ~~right-of-way~~ or natural terrain change) ~~adequately~~ buffers the existing built environment or platted lots from the new development, ~~these,~~

~~(a)(b)~~ ~~Generally applicable 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.~~(2) Limiting exterior lighting to full-cutoff shielded fixtures and directing lights away from adjacent properties;

~~b.~~(3) Limiting sources of audible noise (e.g., heating and air conditioning units) from building facades that face lower intensity uses; and

~~c.~~(4) Locating off-street parking, loading, and service areas away from ~~the~~ shared property ~~lines~~ and incorporating them into the design of buildings they are intended to serve;

~~d.~~(5) Placing windows on the new development so as to maintain privacy by avoiding direct lines of sight into ~~adjacent properties~~ ~~windows of adjoining developments~~; and

~~e.~~(6) Orienting ~~upper-level~~ balconies and other outdoor living spaces away from ~~a~~ shared property ~~line.~~ ~~lines to the extent practicable.~~

~~(d)(c)~~ ~~Lot adjacency and transition standards—Single-family residential for rural neighborhoods.~~

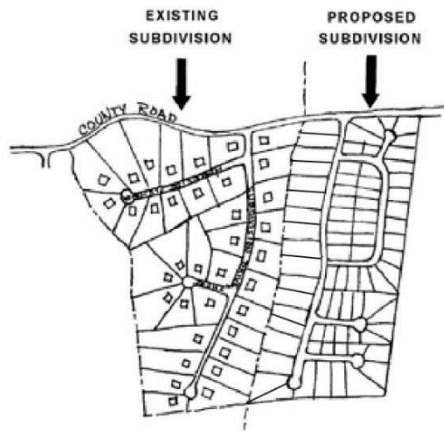
~~(1)~~ ~~To provide adequate transition between varying sizes of single-family residential parcels designated one dwelling unit per five acres to one dwelling unit per acre, the minimum adjacent lot size shall be one acre, unless approved otherwise by the administrator.~~

~~(1)~~ ~~To provide adequate transition between varying sizes of Purpose. The purpose of this subsection is to maintain the established rural and semi-rural character of neighborhoods zoned GR20, RR5, RR1, and RR½ by requiring transitional lot sizes or physical separation where new single-family residential subdivisions abut such zoning districts.~~

~~(2)~~ *Applicability.* ~~This subsection applies to any application for a tentative map, parcel map, final map, or other subdivision approval that creates new single-family residential parcels designated as one unit per acre or greater density, one~~ ~~lots where any portion~~ of the following methods shall be utilized:

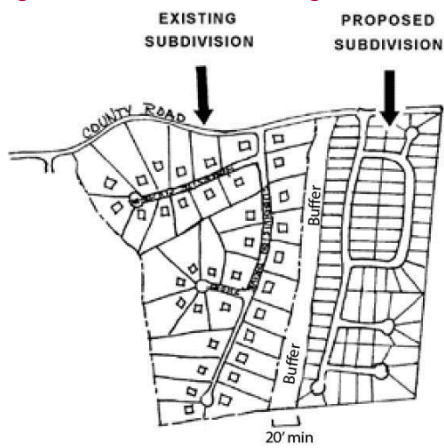
~~a.~~ *Transition.* ~~New subdivision lots adjacent to existing subdivision lots shall match the rear yard setbacks per base zoning, not exceed the number of stories of the existing adjacent homes and shall not exceed a 50-percent reduction in lot size of the existing subdivision lots. If existing subdivision lots are less than half acre, no transition is required.~~

Figure 32.09.030-1--Lot Size Transition



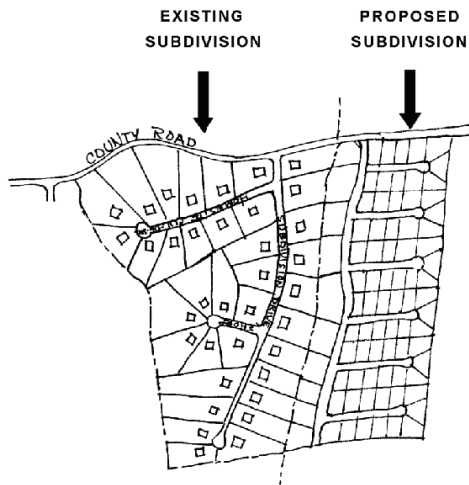
b.(2) Buffering. A "buffer zone" shall be established and shall be subdivision's exterior boundary shares a minimum of 20 feet wide. The buffer zone may be common open space for the proposed subdivision and shall include at least one of the following improvements: paths, trails, drainageways, landscaping, 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 boundary line with an Adjacent Rural Parcel.

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:

(3) "Stepping down" building height and mass along the *Definitions*. For purposes of this subsection:

- a. "Adjacent Rural Parcel" means a parcel with zoning designation GR20, RR5, RR1, or RR½ that shares a common boundary line with a proposed subdivision.
- b. "Common Boundary Line" means a shared property line to meet segment between the height of subdivision boundary and an Adjacent Rural Parcel.
- c. "Transitional Edge Lot" means a lot within the existing adjacent home, subdivision having a rear or side lot line that is coextensive with the "stepped-down" portion of the building subdivision boundary along a Common Boundary Line.

(4) Standards.

- a. Default Requirement – Transitional Edge Lots. A subdivision to which this subsection applies shall provide Transitional Edge Lots along each Common Boundary Line with an Adjacent Rural Parcel. Each Transitional Edge Lot shall be a minimum of ten feet in depth along a minimum of 50 percent of the building's length; one-half (½) acre in size.
- b. Increasing Alternative Standard. In lieu of providing Transitional Edge Lots of at least one-half (½) acre, the subdivision may provide Adequate Buffering in accordance with subsection (e), in which case lots adjacent to the Buffer Zone may be sized in accordance with the underlying zoning district.

(d) Lot adjacency and transition standards for residential subdivision compatibility.

(1) Purpose. The purpose of this subsection is to ensure compatibility between new subdivisions and existing subdivisions by requiring comparable rear yard separation, building scale, and lot size transitions at shared boundaries.

(2) Applicability.

- a. This subsection applies to any tentative map, parcel map, final map, or other subdivision approval that creates new residential lots, where any portion of the proposed subdivision's exterior boundary shares a Common Boundary Line with an Adjacent Subdivision Lot.
- b. The standards in this subsection apply to all Boundary Lots along the applicable Common Boundary Line and shall apply regardless of the zoning of the proposed subdivision and the Adjacent Subdivision.
- c. These standards are in addition to any other applicable development standards (including any rural adjacency standards). Where multiple standards apply, the more restrictive standard governs.

(3) Definitions. For purposes of this subsection:

- a. "Adjacent Subdivision" means an existing, recorded subdivision (final map) containing platted lots, where one or more lots share a Common Boundary Line with a proposed subdivision.
- b. "Adjacent Subdivision Lot" means a platted lot within an Adjacent Subdivision that shares a Common Boundary Line with a proposed subdivision.
- c. "Boundary Lot" means a lot within a proposed subdivision that includes a rear or side lot line that is coextensive with the subdivision boundary along a Common Boundary Line.
- d. "Common Boundary Line" means a shared property line segment between the proposed subdivision boundary and an Adjacent Subdivision Lot.

(4) Standards.

a. Default Requirements.

- 1. Rear Setback Compatibility. For each Boundary Lot, the minimum rear yard setback, ~~a minimum of five feet beyond that which is~~ shall be not less than the rear yard setback applicable to the Adjacent Subdivision Lots along the same Common Boundary Line.
- 2. Height Compatibility. No principal structure located on a Boundary Lot shall exceed the maximum existing height of principal structures on the Adjacent Subdivision Lots along the same Common Boundary Line. If there are no existing principal structures on the Adjacent Subdivision Lots along the Common Boundary Line at the time of application, the maximum height of principal structures on Boundary Lots shall not exceed the maximum building height permitted for principal structures in the zoning district applicable to the Adjacent Subdivision.
- 3. Minimum Lot Size Compatibility. Each Boundary Lot shall have a minimum lot size equal to at least fifty percent (50%) of the average lot size of the Adjacent Subdivision Lots along the same Common Boundary Line.
- 4. Alternative Compliance. In lieu of complying with the rear setback, height, and minimum lot size compatibility requirements, the subdivision may provide Adequate Buffering in accordance with subsection (e), in which case lots adjacent to the Buffer Zone may be developed in accordance with the standards applicable to the underlying zoning district.

(e) Adequate Buffering.

- (1) Purpose and Effect. This subsection establishes standards for "Adequate Buffering" that may be used as an alternative means of complying with the lot adjacency and transition standards for rural neighborhoods and residential subdivision compatibility. Where Adequate Buffering is provided in accordance with this subsection along a Common Boundary Line:

- a. Rural Adjacency. The subdivision is not required and providing a to provide one-half (½) acre Transitional Edge Lots adjacent to parcels zoned GR20, RR5, RR1, or RR½ along that Common Boundary Line; and
- b. Subdivision-to-Subdivision Compatibility. Boundary Lots adjacent to an existing subdivision along that Common Boundary Line are not required to (i) match rear setbacks, (ii) be limited to the height of existing structures, or (iii) meet the 50% minimum lot size compatibility standard, provided the Buffer Zone fully complies with this Section.

(2) Definitions. For purposes of this subsection:

- a. “Buffer Zone” means a separate lot, parcel, common area, easement, or dedicated area within the subdivision that is intended to provide physical and/or visual separation between development and an adjacent parcel or subdivision.
- b. “Common Boundary Line” means a shared property line segment between the subdivision and an adjacent parcel or platted lot.
- c. “Adequate Buffering” means a Buffer Zone and associated improvements meeting the requirements of this subsection.

(3) Adequate Buffering Standards. Adequate Buffering shall meet all of the following minimum standards:

a. Minimum Width and Continuity.

- 1. Width. The Buffer Zone shall be a minimum of thirty (30) feet wide, measured perpendicular from the Common Boundary Line inward to the subdivision.
- 2. Continuity. The Buffer Zone shall be continues along the full length of the applicable Common Boundary Line, except where interrupted by streets, public access connections, or necessary utility crossing.

b. Required Buffer Zone Improvements. The Buffer Zone shall include at least two (2) of the following improvements, designed to function together as an integrated separation feature:

- 1. Trail/Path Corridor. A paved or unpaved trail or path, with appropriate access control, wayfinding, and safety features as required by the City.
- 2. Drainageway or Drainage Facility. An open channel, swale, naturalized drainageway, or similar facility, including stabilized slopes and erosion control.
- 3. Landscaping. A continuous landscape screen using drought-tolerant and/or native plantings, with irrigation where required to ensure establishment and long-term viability.
- 4. Berms or Grade Separation. Berming or grade changes designed to provide visual screening and/or physical separation; may be combined with landscaping and fencing.
- 5. Common Open Space Amenity. Park space, common open space, community garden, or similar subdivision amenity designed to serve as separation area and not merely as residual land.
- 6. Decorative Wall/Fence. A wall or fence designed to provide privacy and separation; when used, it shall be combined with either landscaping or berming.

(4) Use Restrictions.

- a. The Buffer Zone shall not be used for private yards, private storage, private accessory structures, driveways, or parking.
- b. The Buffer Zone may contain only those improvements necessary to serve the Buffer Improvements (e.g., trails, drainage structures, landscaping, lighting, benches, small shade structures, utilities, and similar appurtenances), as approved with the subdivision.

(5) Ownership and Maintenance.

- a. The Buffer Zone shall be placed in common ownership (i.e., conveyed to a HOA or a landscape maintenance district), a conservation easement, or similar legal mechanism approved by the City that provides for perpetual maintenance and repair.
- b. The Buffer Zone shall be subject to recorded covenants, conditions, easements, map notes, or similar instruments prohibiting encroachments inconsistent with the buffering standards in this subsection and requiring maintenance in perpetuity.

~~b.(6)~~ Credit for existing separation areas. Existing public rights-of-way, dedicated open space, drainage facilities, trail corridors, or similar separation areas located between the subdivision and the adjacent parcel or subdivision may be credited toward the width requirement in this subsection if the Administrator determines such areas function as part of the buffer along a shared lot edge; and are reasonably comparable in separation effect.

- ~~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.~~

(f) Adjacency standards for multiple-family residential, commercial, and mixed-use development.

(1) Purpose. This subsection is intended to minimize visual, privacy, and scale impacts where multifamily residential development, commercial development, or mixed-use development abuts single-family residential lots by requiring increased setbacks, upper-level stepbacks, and/or a height plane based on existing grade on the single-family side of the shared property line.

(2) Standards.

- a. Upper-level stepback. An upper-level stepback of 10' for all portions of the building greater than 24' in height shall be provided along any shared property line. This setback is in addition to any setback required by the applicable zoning district regulations. Building projections such as balconies, eaves, and similar appurtenances may project up to 5' into the required combined total setback.
- b. Articulation and human scale. To limit the appearance of bulk and scale, vertical or horizontal modulation, changes in color or materials, fenestration, and/or architectural appurtenances shall be provided on all facades facing adjoining rural residential or single-family residential zoning districts to the approval of the administrator.

Alternative approaches may be approved by the administrator provided the overall objective of ~~this standard~~ these standards 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 development.*

(1) Purpose. This subsection is intended to minimize visual, privacy, and scale impacts where industrial development abuts residential zoning districts by implementing buffers and site orientation

(2) Standards.

(1)a. Site Orientation. 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~~developments to the extent practicable. ~~The following standards apply to all development within industrial zoning districts when abutting nonindustrial zoning districts:~~

a.b. Appurtenances. 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.c. Buffering. 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, development~~ from ~~the residential districts~~development. 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: identified by the administrator.



# CITY OF FERNLEY

## Planning Commission AGENDA REPORT

Meeting Date: March 11, 2026

<b>REPORT TO:</b>	Fernley Planning Commission
<b>REPORT FROM:</b>	Lisa Warner

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

**ACTION REQUESTED:** Motion

**AGENDA ITEM:**

(For Possible Action) Consideration and possible action on a second Extension of Time request for an additional four months to complete the landscaping installation required by the Conditions of Approval for the Waiver (WVR24002) application that was approved by the Planning Commission on November 13, 2024.

**AGENDA ITEM BRIEF:**

Second Extension of Time request to complete the landscaping installation required by the Conditions of Approval for the Waiver application associated with WVR24002. If the second Extension of Time is approved, the deadline for the landscaping installation completion will be June 20, 2026.

**RECOMMENDED MOTION:**

Approval

"I move to approve a second Extension of Time for the landscaping installation completion associated with WVR24002 – Pizza Shack. The new completion date will be June 30, 2026.

**BUSINESS IMPACT (per NRS Chapter 237):**

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

See attached report for background, analysis, alternatives.

**ALTERNATIVES:**

Denial

"Based on information received in the written materials and at the Public Hearing on this matter, I move to deny

the second Extension of Time request associated with WVR24002. I have determined that the proposed extension of time is detrimental to the public’s health, safety, and welfare.”

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

**BACKGROUND:**

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

A landscaping site plan was submitted by the applicant on October 28, 2025. The landscaping site plan was approved by Planning Department staff on October 28, 2025.

The Extension of Time request was received on November 6, 2025, and was approved by the Planning Commission on December 10, 2025. The approval allowed for a new expiration date of February 13, 2025, for the completion of the required landscaping installation.

Between December 2025, and February 2026, the hardscaping (planting island) and irrigation were completed.

Through communication between Planning staff and the property owners, a second Extension of Time to push back the completion date was discussed.

A second Extension of Time request was received on February 11, 2026, requesting the landscaping installation completion date be pushed back to June 30, 2026. The applicant has requested a second extension of time for the landscaping installation due to:

1. Threat of frost in Northern Nevada between April and May;
2. Frost poses a risk to newly planted shrubs and trees; and
3. Postponement of the planting will support the long-term sustainability of the landscaping.

**ANALYSIS:**

Since the second Extension of Time request was received prior to the landscaping installation deadline of February 13, 2026, the Extension of Time request is consistent with both the City’s Master Plan and the City’s Municipal Code.

**FINDINGS OR APPROVAL CRITERIA:**

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

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

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

**FINANCIAL IMPLICATIONS:**

N/A

**ATTACHMENTS:**

1. 3d. Site Plan
2. Request for Extension of Landscaping Completion\_Feb2026
3. Landscaping Plans
4. Final Action Letter with Conditions\_WVR24002
5. Final Action letter\_WVR24002EOT


# Commercial Kitchen

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

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

PLAN CHECK - 12.01.17

PLAN CHECK REVISIONS - 08.27.18 

NLCFPD Revision 2 - 10.19.18 


Job Number

101-Commercial Kitchen

Issue Date

12 September 2024

Subject

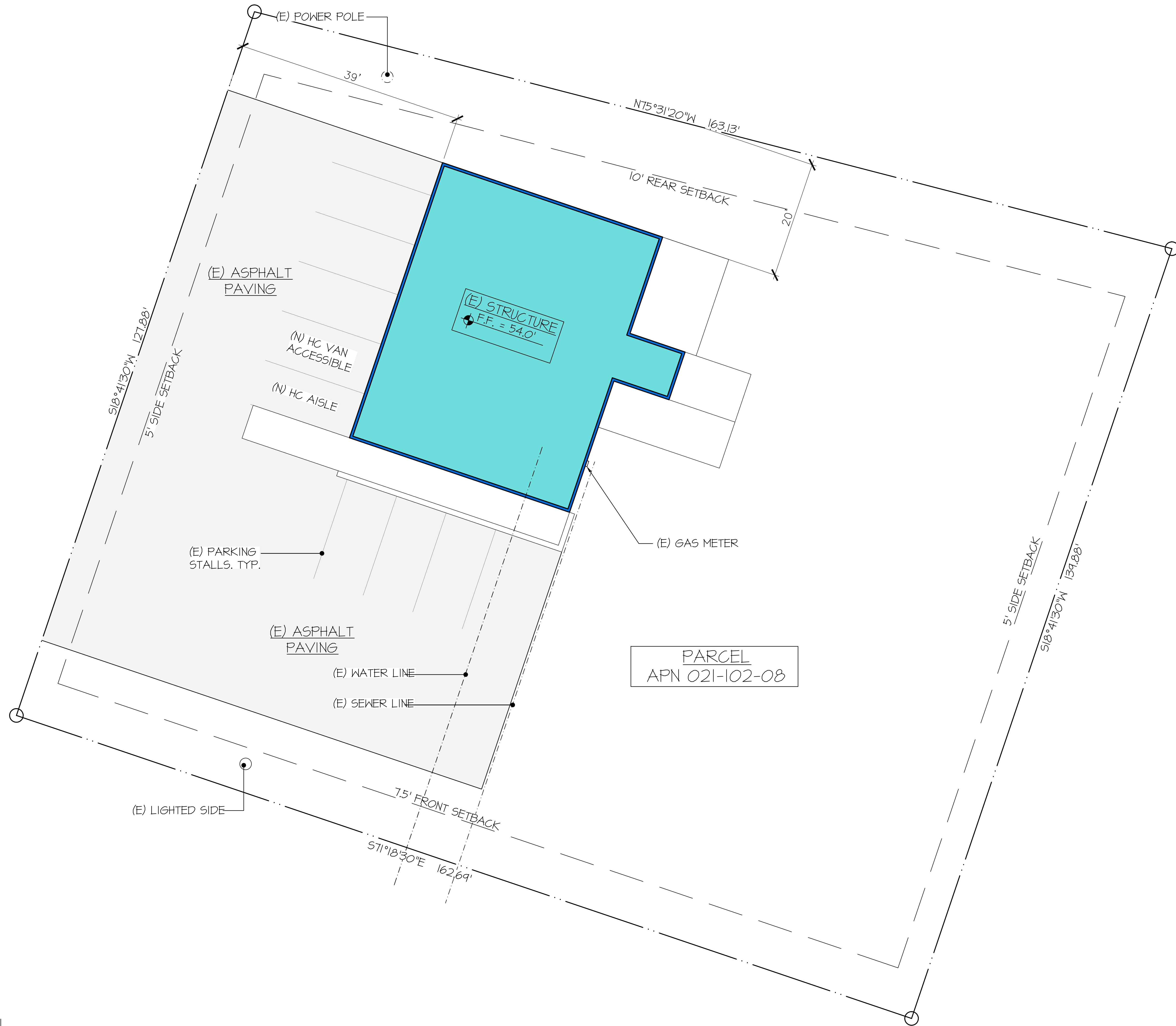
All-Points Revisions 

Drawing Title

Plot Plan

Drawing Number

a 0.2



PLOT PLAN

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



## Request for Extension of Landscaping Completion

City of Fernley Planning Department and Planning Commission,

I am writing to formally request an additional extension to complete the landscaping at 790 E Main St, All Points Bar & Grill. The original extension was approved on December 10, 2025, allowing work through February 13, 2026. Since then, we have completed the hardscaping and irrigation components according to the approved plans. However, after further consultation with our landscaper, we have determined that it is not ideal to proceed with planting at this time.

We are seeking an extension until June 30, 2026. This timeframe will provide the opportunity to finish planting in May and allow sufficient time for the City to conduct inspections.

### Rationale for Extension Request

The last frost in northern Nevada typically falls between late April and mid-May, though exact dates can fluctuate annually. For 2026, it is reasonable to expect the risk of frost to continue until mid-May, which poses a risk to newly planted shrubs and trees. To ensure the healthy establishment of new plantings, we propose scheduling these landscaping activities after the frost period. This timing is the primary reason for our extension request, as the hardscaping and irrigation work is already complete and only the planting remains. By postponing the final phase of landscaping, we aim to minimize the risk of frost damage and support the long-term sustainability of the landscape at 790 E Main St.

Thank you for your time and consideration.

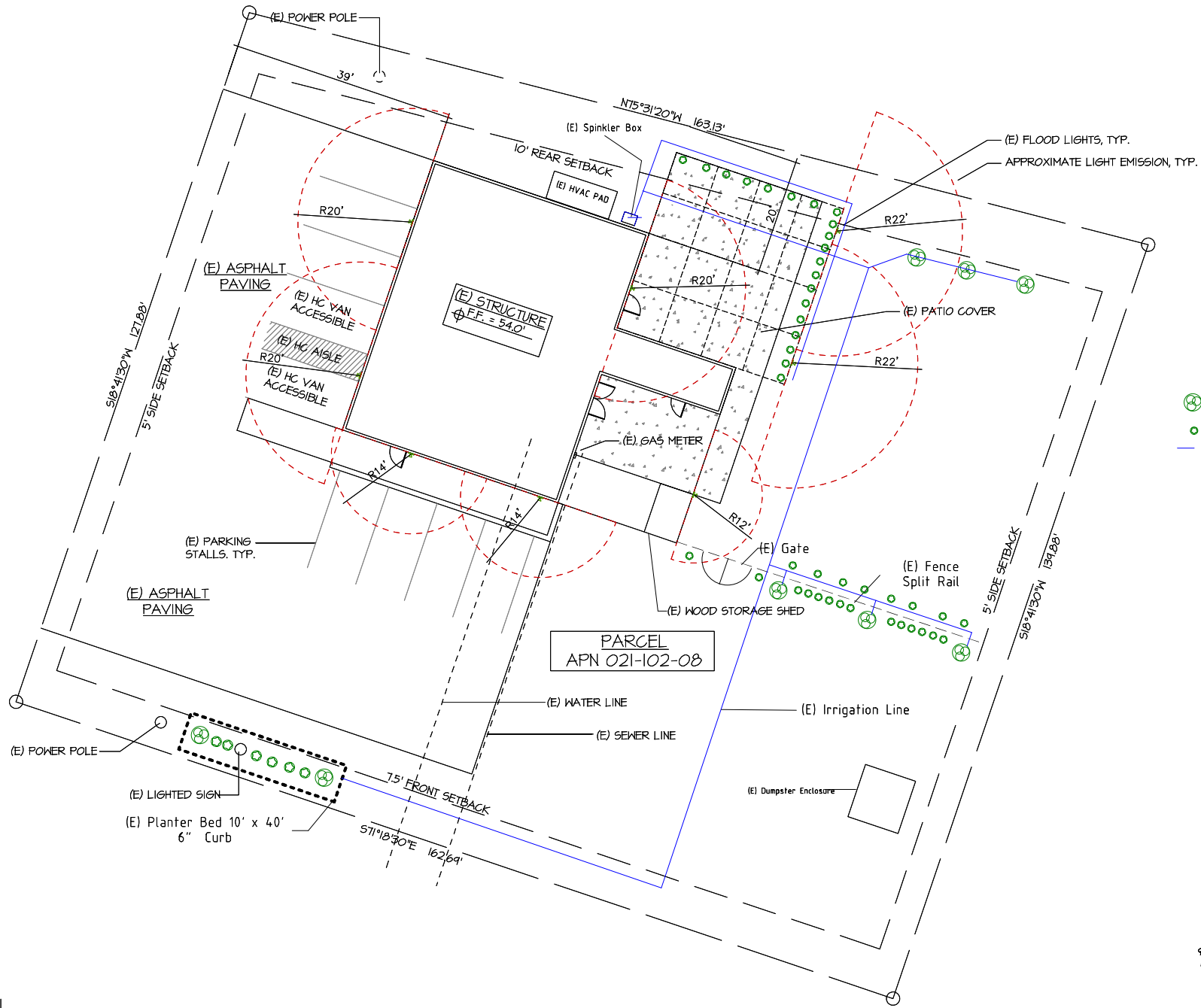
### **Battle Born Equity Group, LLC**

Kimberly Barney (Owner)

Michelle Barney (Owner)

Aron Vargas (Owner)

Daniel Milke (Owner)



**ALL POINTS GRILL**

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

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


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

Drawing Title  
 Plot Plan  
 Drawing Number





## Planning Department

Michele Rambo, AICP  
Planning Director

Lisa Warner  
Assistant Planner

Tyler Hanson  
Planning Technician

November 26, 2024

Kimberly Barney  
Battle Born Equity Group, LLC  
[kimberlyjobarney@gmail.com](mailto:kimberlyjobarney@gmail.com)

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

Dear Applicant:

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

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

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

Sincerely,

*Lisa Warner*

Lisa Warner  
Assistant Planner  
[lwarner@cityoffernley.org](mailto:lwarner@cityoffernley.org)  
(775)784-9819

Enclosure: Conditions of Approval for WVR24002

CC: Michelle Barney  
Battle Born Equity Group, LLC  
[michellebarney@sbcglobal.com](mailto:michellebarney@sbcglobal.com)

# Conditions of Approval for WVR24002

## WAIVER

### **SCOPE AND DURATION OF APPROVAL**

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

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

### **DESIGN STANDARDS**

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

# Conditions of Approval for WVR24002

## WAIVER

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

7. SCREENING:

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

8. LIGHTING:

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

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

9. SIGNAGE:

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

10. LANDSCAPING:

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

### **GRADING AND CIVIL IMPROVEMENTS**

11. FUTURE DRAINAGE REPORT/PLAN:

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

12. BACKFLOW DEVICE:

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

# Conditions of Approval for WVR24002

## WAIVER

### **BUILDING PERMIT REQUIREMENTS**

13. BUILDING PERMIT:

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

14. PROJECT CONTACT:

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

### **REGULATORY AGENCIES**

15. NORTH LYON COUNTY FIRE PROTECTION DISTRICT:

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

16. NEVADA DEPARTMENT OF TRANSPORTATION:

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



## Planning Department

Michele Rambo, AICP  
Planning Director

Alisa Johansson  
Senior Planner

Treston Rodriguez  
Senior Planner

Lisa Warner  
Assistant Planner

Jim Umbach, AICP  
Planning Technician

December 22, 2025

Aron Vargas  
Battle Born Equity Group  
aronvrgs@gmail.com

RE: Final Action – Waiver Extension of Time (WVR24002EOT) – 790 E. Main Street – Pizza Shack

Dear Applicant:

On December 10, 2025, the City of Fernley Planning Commission reviewed a Waiver Extension of Time (WVR24002EOT) application request on behalf of Battle Born Equity Group, LLC to allow for a three-month extension of time to complete the landscaping installation required by the Conditions of Approval for the Waiver application that was approved by Planning Commission on November 13, 2024.

The new expiration date for the completion of the landscaping installation shall be **February 13, 2025**.

If you have any further questions, please contact me at [lwarner@cityoffernley.org](mailto:lwarner@cityoffernley.org) 04 775-784-9819.

Sincerely,  
*Lisa Warner*  
Lisa Warner  
Assistant Planner  
[lwarner@cityoffernley.org](mailto:lwarner@cityoffernley.org).  
(775)784-9819

CC: Oscar Sanchez  
Sanchez Landscaping  
[Sanchezlandscaping76@hotmail.com](mailto:Sanchezlandscaping76@hotmail.com)



# CITY OF FERNLEY

## Planning Commission AGENDA REPORT

**Meeting Date: March 11, 2026**

**REPORT TO:** Fernley Planning Commission

**REPORT FROM:** Michele Rambo, Planning Director, Alisa Johansson

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

**ACTION REQUESTED:** Ordinance  
Resolution  
Motion

**AGENDA ITEM:**

(For Possible Action) Discussion and possible action regarding Resolution #26-002 and Bill #381 associated with MPA26001 and ZMA26001, concurrent requests from M4 Victory Power QOZB, LLC for parcel 021-031-13 containing approximately 107.87 acres and generally located east of Interstate 80, west of Fernley Sink Lake, northeast of Duffy Road, and north of the existing Victory Logistics Planned Development adjusting the master plan land use designation from GR (General Rural) to I (Industrial) and rezoning the property from GR20 (General Rural, 20-acre minimum) to I (Industrial).

**AGENDA ITEM BRIEF:**

An application to adjust the master plan land use designation and zoning district for parcel 021-031-13, recently annexed to the City of Fernley through a voluntary petition by the property owner.

**RECOMMENDED MOTION:**

“Based on the analysis presented in the staff report, I move to recommend approval of Resolution #26-002 and Bill #381 associated with MPA26001 and ZMA26001 adjusting the master plan land use designation for parcel 021-031-13 from General Rural to Industrial and rezoning the property from General Rural, 20-acre minimum to Industrial.”

**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 public testimony and based on the facts of the case, I move to recommend denial of Resolution #26-002 and Bill #381 associated with MPA26001 and ZMA26001 because I am unable to make the following required finding(s):

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

## **BACKGROUND:**

### **Site, Vicinity, & History**

Located within City limits in northeast Fernley, the triangular site is bounded by Interstate 80 to the west, Bureau of Reclamation lands to the west, and City of Fernley parcels to the south. Roughly 107.87 acres in size, the site is gently sloped to the south and east and directly abuts properties that are part of the Victory Logistics Planned Development along the southern property line. Vegetated with desert flora such as scrub grasses and shrubs, the property is presently undeveloped with no formal vehicular access. The immediate vicinity is similarly undeveloped.

The property owner, M4 Victory Power QOZB, LLC, submitted a voluntary annexation petition to the City of Fernley in October 2025. Fernley City Council adopted the proposed annexation ordinance on December 17<sup>th</sup>, 2026.

### **Analysis: Comprehensive Master Plan Amendment**

The adoption of the master plan must be by resolution of the Planning Commission, carried by the affirmative votes of not less than two-thirds of the total membership of the committee. In order to adopt an amendment to the master plan, the Planning Commission shall find that a change is justified based on the following findings.

*1. The master plan amendment would implement the goals listed within the City of Fernley Master Plan as listed in the staff report.*

The proposed Master Plan Amendment facilitates the related Zoning Map Amendment. Taken together, the change implements the following goals and policies from the City's Master Plan.

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

Abutting the subject property along the southern property line, the Victory Logistics District Planned Development has been conditioned to provide robust utility and public roadway infrastructure within its boundaries. The Victory Logistics developers are currently in the process of obtaining City and state approval for utility infrastructure improvements. These water main, sewer main, and roadway extensions will efficiently provide service to the subject site when development is proposed. Located within City limits and within the established service areas for public services, the site is not anticipated to result in significant impacts to operations in order to receive service from applicable providers.

LU.1.2 Encourage new development to be in accordance with the Comprehensive Master Plan land use category, and other land use controls to accomplish community principles.

Although the final development plans for the site are unknown at this time, it is anticipated that a use aligning with the Industrial zoning district is most likely to be proposed. Thus, by approving the proposed adjustment to the Master Plan land use category and zoning district, the City ensures that the development will be consistent

with the Master Plan and with district dimensional and development standards.

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

The triangular site abuts a spectrum of land use designations, zoning districts, and authority-having jurisdictions. To the immediate south, the Victory Logistics District's V-I industrial zoning district and underlying industrial land use designation adjoin the site. To the east, Bureau of Reclamation lands devoted to a wildlife management area and zoned GR20 (General Rural, 20-acre minimum) with a land use designation of OSP (Open Space and Parks) are present. Interstate 80 bounds the site along the third property line to the northwest. The proposed industrial land use designation and industrial zoning district are compatible with these surrounding master plan land uses as a complement to the industrial zoning within the adjacent planned development, and as an appropriate district placement at the periphery of the developed community where impacts are less likely to be felt by Fernley's citizens.

#### *2. The master plan amendment would be compatible with surrounding land uses.*

The requested Master Plan Amendment adjusting the site's land use designation to Industrial is compatible with the surrounding established or future land uses as well as with the surrounding Master Plan land use designations. Predominantly vacant at this time, the Victory Logistics District's V-I industrial zone is contemplated for a range of industrial uses similar to those allowed by the City's land use table—these uses would be inherently compatible with one another. The Victory Logistics District's underlying Master Plan land use designation is also Industrial and is compatible with the requested amendment.

To the east, the Fernley Wildlife Management Area's underlying land use designation of Open Space and Parks is, per the Comprehensive Plan, compatible with all other land use designations and zoning districts. Additionally, the wildlife management area's passive and active recreation use is unlikely to be negatively impacted by industrial uses proposed on the subject site when properly conditioned.

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

Public notice was provided via legal advertisement published in the Reno-Gazette Journal on February 23, 2026. A public hearing is scheduled for the March 11th Planning Commission meeting. Additional public notice and an additional public hearing are tentatively scheduled for April.

### **Analysis: Zoning Map Amendment**

Zoning map amendments are committed to the City Council's legislative discretion. A zoning map amendment may be approved when the following findings can be made.

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

The proposed zoning district will be consistent with the City's Master Plan through the related Master Plan Amendment request. By adjusting the land use designation and zoning district in tandem, the City ensures internally consistent changes to the City's zoning maps.

#### *2. Consistent with the surrounding land uses.*

As noted above, the site abuts a range of land use designations, zoning districts, and authority-having jurisdictions. The land uses allowed in the proposed Industrial zoning district are anticipated to be compatible with the uses allowed in the adjoining Victory Logistics District planned development and are likewise anticipated to be appropriate for siting in Fernley's periphery.

#### *3. 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 legal advertisement published in the Reno-Gazette Journal on February 21, 2026. Mailed notice was provided to nearby property owners pursuant to FMC 32.03 and Nevada Revised Statutes. A public hearing is scheduled for the March 11<sup>th</sup> Planning Commission meeting. Additional public notice and an additional public hearing are tentatively scheduled for April.

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

General

Nevada Revised Statutes (NRS) Chapter 278 – Planning and Zoning  
Fernley Municipal Code (FMC) Title 32 – Development Code  
City of Fernley Comprehensive Master Plan

Specific

NRS 278.030 – Creation of Planning Commission by cities and counties; number of members  
NRS 278.150 – Master plan: Preparation and adoption by planning commission; adoption by governing body of city or county  
NRS 278.210 – Adoption of master plan and amendments by commission: Notice, hearing; neighborhood meeting; resolution; frequency of certain amendments; attested copies; certification by electronic means  
NRS 278.260 – Determination, establishment, enforcement and amendment of zoning regulations  
  
FMC 32.03.040(b) – Comprehensive master plan amendments  
FMC 32.03.040(e) – Zoning map amendments (rezoning)  
FMC 32.06.060 – General rural (GR20) and residential rural (RR5, RR1, and RR½)  
FMC 32.06.110 – Industrial (EC and I)

**FINANCIAL IMPLICATIONS:**

None.

**ATTACHMENTS:**

1. Exhibit 1 - Resolution 26-002
2. Exhibit 2 - Bill 381
3. Exhibit 3 - Land Use & Zoning Maps
4. Exhibit 4 - Applicant Narrative & Fiscal Impact Analysis

**CITY OF FERNLEY**  
**RESOLUTION # 26-002**

**A RESOLUTION OF THE CITY OF FERNLEY FOR A COMPREHENSIVE MASTER PLAN AMENDMENT ASSOCIATED WITH CASE NUMBER MPA26001, TO ADJUST THE MASTER PLAN LAND USE FOR PARCEL 021-031-13 LOCATED EAST OF INTERSTATE 80, WEST OF FERNLEY SINK LAKE, NORTHEAST OF DUFFY ROAD, AND NORTH OF THE VICTORY LOGISTICS PLANNED DEVELOPMENT FROM GENERAL RURAL TO INDUSTRIAL.**

**WHEREAS**, the Comprehensive Master Plan was adopted by Resolution of the Planning Commission on August 8<sup>th</sup>, 2018, and by the City Council on August 15<sup>th</sup>, 2018; and

**WHEREAS** Nevada Revised Statutes chapter 278.210 specifies that master plans or any amendments, including zoning map and text amendments must be adopted by resolution of the Planning Commission and City Council;

**WHEREAS** the Planning Commission held a public hearing on March 11<sup>th</sup>, 2026 and the City Council heard this item on April 15<sup>th</sup>, 2026; and

**WHEREAS** the proposed Master Plan Amendment would implement Goals LU.1.1, LU.1.2, and LU.1.4 of the City of Fernley Comprehensive Master Plan.

**NOW, THEREFORE, BE IT RESOLVED**, that based on the discussion and findings provided in the staff report and/or testimony presented at the March 11<sup>th</sup>, 2026 Planning Commission and the April 15<sup>th</sup>, 2026 City Council meetings, that the proposed Master Plan Amendment be adopted as part of the City of Fernley's comprehensive master plan; and

**BE IT FURTHER RESOLVED** that the Fernley Planning Commission approves and recommends that the City Council certify this Master Plan Amendment as part of the Fernley Comprehensive Plan.

**RESOLUTION PASSED this 11<sup>th</sup> day of March 2026, by the following vote of the Fernley Planning Commission:**

AYES: 7      NAYS: 0      ABSTENTIONS: 0      ABSENT: 0

By: \_\_\_\_\_

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

Tessa Garvin, Chairwoman

Attest By: \_\_\_\_\_

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

Sandy Harris, Deputy City Clerk

**RESOLUTION CERTIFIED this 15<sup>th</sup> day of April 2026, by the following vote of the Fernley City Council:**

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

FERNLEY CITY COUNCIL

By: \_\_\_\_\_

Neal E. McIntyre, Mayor

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

Attest By: \_\_\_\_\_

Kim Swanson, City Clerk

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

When recorded, mail to:  
City Clerk  
City of Fernley  
595 Silver Lace Boulevard  
Fernley, NV 89408

**BILL #381**  
**CITY OF FERNLEY**  
**ORDINANCE # \_\_\_\_\_**

**A GENERAL ORDINANCE FOR A ZONING MAP AMENDMENT, ASSOCIATED WITH CASE NUMBER ZMA26001, TO CHANGE THE ZONING OF A ±107.87-ACRE PARCEL GENERALLY LOCATED EAST OF INTERSTATE 80, WEST OF FERNLEY SINK LAKE, NORTHEAST OF DUFFY ROAD, AND NORTH OF THE VICTORY LOGISTICS PLANNED DEVELOPMENT FROM GR20 (GENERAL RURAL, 20-ACRE MINIMUM) TO I (INDUSTRIAL) (APN 021-031-13).**

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

Section 1: The zoning of that certain real property totaling ±107.87 acres, more or less, situated in the City of Fernley, Nevada, and owned by M4 Victory Power QOZB, LLC, being more particularly described on Exhibit “A” attached hereto and depicted on “Exhibit B” attached hereto is hereby reclassified from GR20 (General Rural, 20-acre minimum) to I (Industrial).

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 to this ordinance as provided by law and to record the same certified herein 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 public health, safety, welfare, and convenience.

Section 6: If any subsection, phrase, sentence, or portion of this section 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 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 #365 BEING HEREBY PROPOSED this 1<sup>st</sup> day of April 2026.

BILL #365 BEING HEREBY PASSED, APPROVED, AND ADOPTED this 15<sup>th</sup> day of April 2026, by the following vote of the Council:

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

FERNLEY CITY COUNCIL

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

Attest By: \_\_\_\_\_ Date: \_\_\_\_\_

Kimberly Swanson, City Clerk

**Exhibit "A"**  
**LEGAL DESCRIPTION**  
**FOR**  
**PARCEL INCLUDED IN**  
**MASTER PLAN AND ZONING MAP AMENDMENTS**

The Land referred to herein below is situated in the County of Lyon, State of Nevada, and is described as follows:

Parcel I:

Township 21 North, Range 25 East, M.D.B.&M., County of Lyon, State of Nevada.

Section 33:

ALL THAT PORTION LYING SOUTHEASTERLY OF THE INTERSTATE ROUTE 80 RIGHT-OF-WAY.

EXCEPTING THEREFROM THAT PORTION LYING WITHIN INTERSTATE ROUTE 80 RIGHT-OF-WAY AS THE SAME NOW EXISTS.

This legal description was provided in the Commitment for Title Insurance prepared by First American Title Insurance Company National Commercial Services, Commitment Number NCS-1213942-HHLV, Second Amended, dated August 01, 2025.

Said Land contains approximately 109.06 acres.

---

Eric V. Snyder, PLS 11194  
Bowman Consulting Group Ltd.  
1150 Corporate Blvd.  
Reno, NV 89502

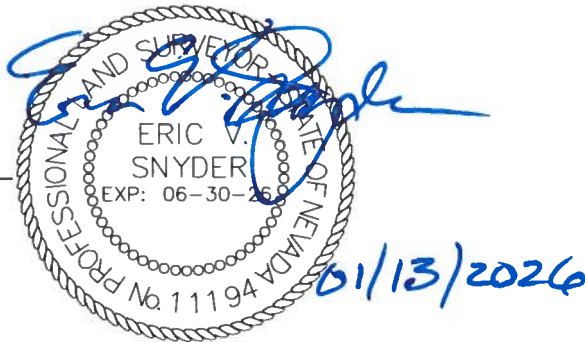
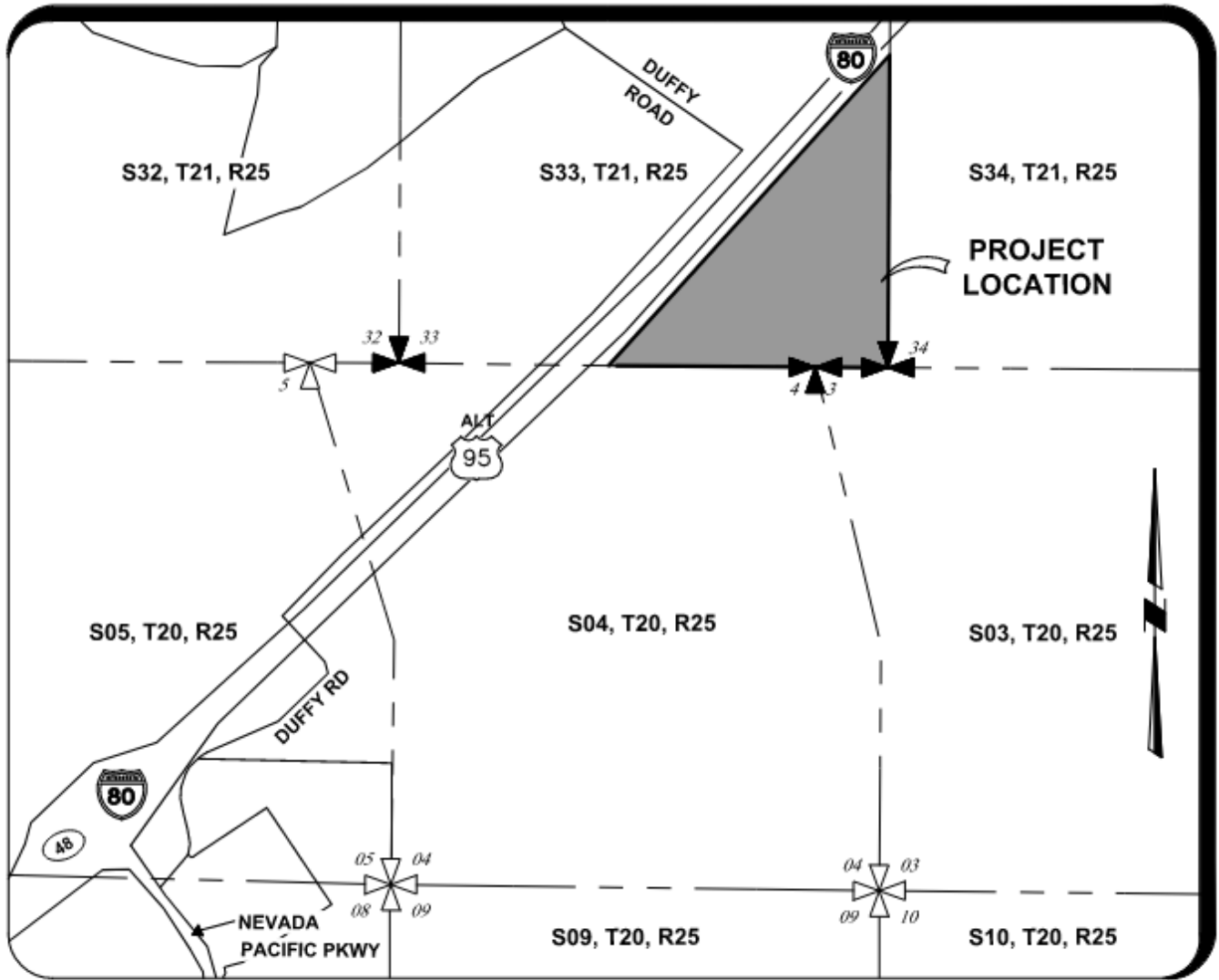
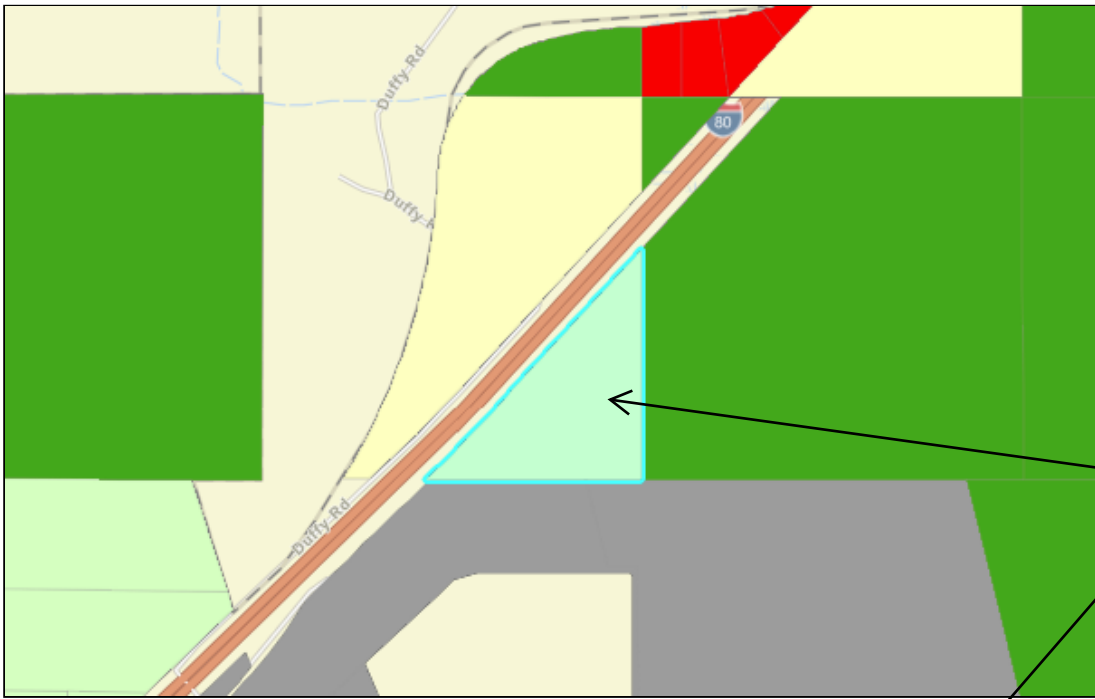


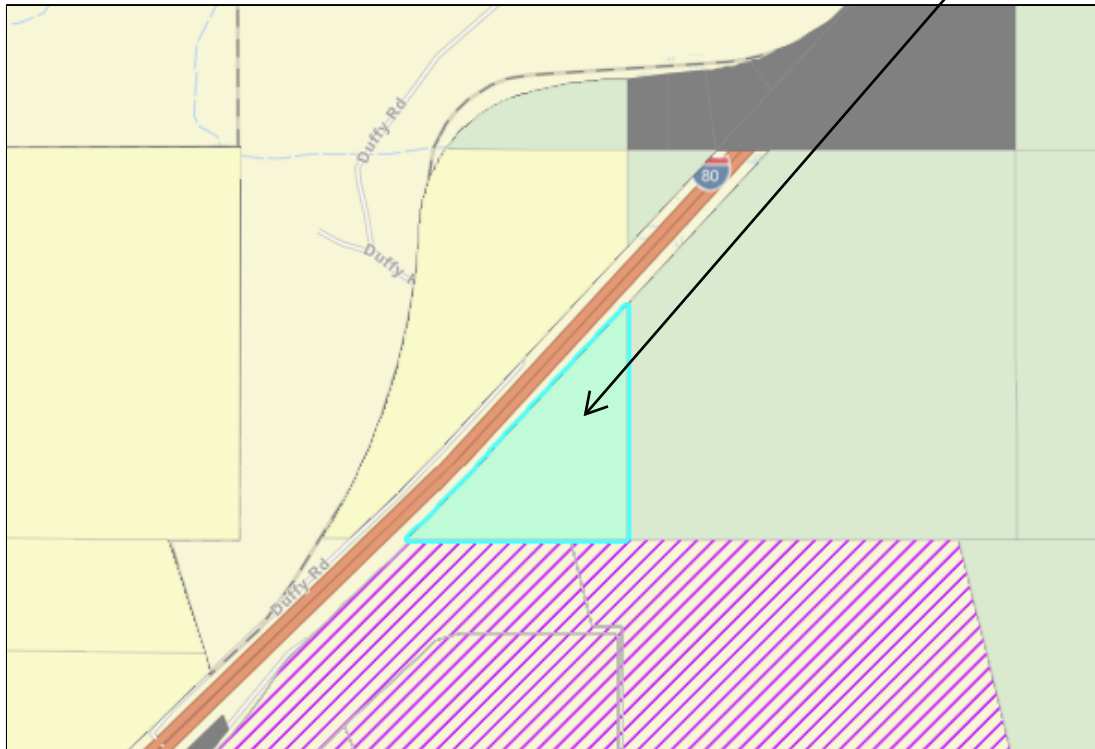
Exhibit "B"



**VICINITY MAP**  
NOT TO SCALE



Project Site  
MPA26001  
ZMA26001  
Master Plan Land Use after annexation: GR  
Zoning District after annexation: GR20



# **M4 Victory Power Parcel**

## **Master Plan Amendment & Zoning Map Amendment**

*Prepared for:*

***M4 Victory Power QOZB, LLC***

*1740 N. Nevada Pacific Parkway, Suite 100*

*Fernley, NV 89408*

*Prepared by:*

**Bowman**

January 13, 2026

Updated: February 17, 2026

Job Number: 420016-01-001

**MARK IV POWER PARCEL**  
**MASTER PLAN AMENDMENT & ZONING MAP AMENDMENT**  
**UPDATED PROJECT NARRATIVE**

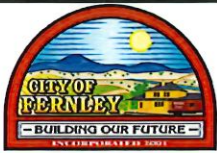
**Table of Contents**

**Master Application Form, Signed Letter of Authorization, MPA and ZMA Checklist**  
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**Attachments**

- Fiscal Impact Analysis
- Stamped Legal Description & Boundary Map
- Site Map/ALTA Survey
- Vicinity Map
- Proof of Property Tax Payment



**Planning Department**  
**595 Silver Lace Blvd, Fernley, NV 89408**  
**Development Application**

**APPLICATIONS, PLANS, AND/OR SUPPORTING DOCUMENTATION THAT ARE INCOMPLETE OR ILLEGIBLE WILL NOT BE ACCEPTED.**

Please complete all sections that apply to you and/or your project. Various applications are only accepted on the application deadline dates. Please call before you submit to verify that someone will be available to assist you at (775) 784-9810.

<input type="checkbox"/> ADMINISTRATIVE REVIEW .....(AR)	<input type="checkbox"/> APPEAL ..... (APP)
<input type="checkbox"/> ANNEXATION .....(ANX)	<input type="checkbox"/> PLANNED DEVELOPMENT ..... (PD)
<input type="checkbox"/> CONDITIONAL USE PERMIT .....(CUP)	<input type="checkbox"/> DEVELOPMENT AGREEMENT ..... (DA)
<input type="checkbox"/> MAJOR DEVIATION .....(MJD)	<input type="checkbox"/> TEMPORARY USE PERMIT ..... (TUP)
<input checked="" type="checkbox"/> MASTER PLAN AMENDMENT.....(MPA)	<input type="checkbox"/> VARIANCE .....(VAR)
<input type="checkbox"/> MINOR DEVIATION .....(MND)	<input type="checkbox"/> REASONABLE ACCOMMODATION .....(RAD)
<input checked="" type="checkbox"/> ZONING MAP AMENDMENT.....(ZMA)	<input type="checkbox"/> OTHER: _____

Applicant's Name M4 Victory QOZB, LLC, Attn: N.E. Rick Nelson	Signature <i>N E Rick Nelson</i>	Primary Contact? Y
--	-------------------------------------	-----------------------

Company Name: M4 VICTORY QOZB LLC C/O MARK IV CAPITAL- ROBERT CASEY, GENERAL COUNSEL			
Address: 4450 MACARTHUR BLVD 2ND FLR			
City: Newport Beach	State: CA	Zip Code: 92660	Email: renelson@markiv.com
Phone No.: 775-737-0532	Cell No.: 775-335-5821	Fax No.:	

Property Owners Name M4 VICTORY POWER QOZB, LLC	Primary Contact? Y		
Company Name: Mark IV Capital			
Address: 4450 Macarthur Blvd., 2nd Floor			
City: Newport Beach	State: CA	Zip Code 92660	Email: renelson@markiv.com
Phone No.: 775-737-0532	Cell No.: 775-335-5821	Fax No.:	

Engineer / Representative R. David Snelgrove, AICP	Primary Contact? Yes		
Company Name: Bowman Consulting Group, Ltd.			
Address: 1150 Corporate Blvd			
City: Reno	State: NV	Zip Code 89502	Email: dsnelgrove@bowman.com
Phone No.: (775)856-7073	Cell No.: (775)737-8910	Fax No.:	

Brief Project Type/Description (Attach Detailed Project Type / Description):  
 Proposed is a Master Plan Amendment and Zoning Map Amendment to 107.87+/- acre parcel, located at the NE corner of the Victory Logistics District Planned Development Areas. The requested Master Plan Designation is Industrial and the requested zoning designation is Industrial (I)

Subdivision/Project Name And/Or Phase: Victory Logistics  
 Project Location (Street Address): 0 US 80  
 Assessor's Parcel Number(s): 021-031-13

Current Zoning: GR20	Comprehensive Plan Land Use Designation		RR
Total Project Acreage: 107.87+/- AC	% Commercial:	CITY UTILITIES	
Number of Parcels Proposed: 1	% Open Space:	<b>Water:</b>	<b>Sewer</b>
		<input type="checkbox"/> Currently Served	<input type="checkbox"/> Currently Served
		<input checked="" type="checkbox"/> Proposed	<input checked="" type="checkbox"/> Proposed

Previous Applications For This Site?  Yes  No  
 List Previous Application No(s) And Names: ANX25001

2009 Flood Zone Designation:  A  AE  AH  AO ZONE X FEMA Map No.: 32019C0050E

Application Filing Date:	Office Use Only	Application Fee:
Application No.:	Development Review Meeting	Outsource Fee:
Application Intake By:	Date:	Noticing Fee:
Planner:	Time:	Total Due:


# LETTER OF AUTHORIZATION

This letter shall serve to notify and verify the I/we am/are the legal owner(s) of the property being considered under this application and do hereby authorize the above representative to file and represent my/our interest in this application.

I/we am/are the legal owner(s) of said property; have read the foregoing "Letter of Authorization" and know the contents thereof; and so hereby certify (or declare) under penalty of perjury under the laws of the State of Nevada that the information contained in this application is true and correct.

**OWNER(S) OF RECORD: (Include all signatures-provide extra sheets if necessary)**

M4 VICTORY POWER QOZB LLC, N.E. Rick Nelson  
\_\_\_\_\_  
(Print Name)

  
\_\_\_\_\_  
(Signature)

1-5-2026  
\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

I certify under penalty of perjury that I am the applicant and that the foregoing statements and answers contained herein and the information herein submitted, are in all respects true and correct. I grant permission to City staff and officials to enter the property to conduct inspections/site visits necessary for the review of the project. I also certify that all plans and submittal requirements are in accordance with the Nevada Revised Statutes and City Code, have been drawn to a standard engineering scale (e.g. 1"=20', 1"=50', 1"=100') or architectural scale (e.g. 1/4"=1', 1/8"=1') that is appropriate to the project size, and clearly define and identify all of the required information.

**APPLICANT:**

M4 VICTORY POWER QOZB LLC, N.E. Rick Nelson  
\_\_\_\_\_  
(Print Name)

  
\_\_\_\_\_  
(Signature)

1-5-2026  
\_\_\_\_\_  
(Date)

**APPLICANT'S ENGINEER/REPRESENTATIVE:**

R David Snelgrove, AICP c/o Bowman Consulting Group, Ltd.  
\_\_\_\_\_  
(Print Name)

  
\_\_\_\_\_  
(Signature)

1/13/2026  
\_\_\_\_\_  
(Date)

City of Fernley Development Code, Section 32.03.030, Common Review Procedures: The City will not process incomplete applications. Review for completeness of application forms is solely to determine whether preliminary information required for submission with the application is sufficient to allow further processing. A determination of completeness shall not constitute a decision as to whether an application complies with the City's Development Code.

Note: Development review meetings are preliminary nature and comments expressed by staff should not be construed as being Conditions of Approval for any project application.

# MASTER PLAN AMENDMENT

## APPLICATION CHECKLIST

### City of Fernley, Nevada

The following items shall be submitted as a part of the Master Plan Amendment application:

- X 1. **Pre-application meeting completed.**
- X 2. **Application Fee: The application fee is due at the time of the application submittal.** See **FEE SCHEDULE** for correct amount. Application fee may be made in the form of a check or money order payable to “City of Fernley”, by e-check (no fee) or by Visa/Mastercard/Discover (4% fee). **Pre-Paid by Applicant via ACH**
- X 3. **Proof of Ownership: Must be original signatures or the application may be rejected.** If the person signing the owner’s affidavit is not listed as the property owner in the most recent records of the Lyon County Assessor, proof of ownership acceptable to the administrator must be submitted with the application. If the signer is an agent of the owner, written documentation of that fact acceptable to the administrator must be submitted. If in Corporate ownership, a list of all Corporate Officers must be provided.
- X 4. **Review Packet: One (1) digital copy containing the following:**
  - X a. Completed DEVELOPMENT APPLICATION form.
  - X b. NRS Time Waiver Agreement.
  - X c. A written description of the proposed Master Plan Amendment request including a list of the goals and policies from the City of Fernley Master Plan which support the proposed Master Plan Amendment.
  - X d. Dimensioned site plan, showing existing site conditions, pictures of existing buildings, and any additional information that would be helpful to illustrate the existing use of the site. All plans shall be drawn to standard architectural or engineering scale and shall include a north arrow. Do not include a site plan for future development.
  - X e. Vicinity Map depicting the existing and proposed land use designation of the respective site including surrounding roadways and the land use designations of the surrounding properties.
  - X f. If the site is greater than 5 acres, the following application submittal information is required:
    - (1) Report addressing impacts on existing and planned facilities and infrastructure;
    - (2) Report addressing impacts on existing and planned public services;
    - (3) Written narrative on the proposed land use in relationship to existing land uses; and
    - (4) Provide a fiscal impact analysis for public service providers for the proposed land use change.
  - NA g. Miscellaneous, as requested, and all required items as outlined in Appendix A of the City of Fernley’s Development Code. **No Miscellaneous items requested by staff at pre-app meeting**
  - X h. Property Tax Receipt.
  - X i. Include Appendix A items (See FMC Title 32 – Development Code – Appendix A).

**NOTE: Applications filed under Chapter 32.03 of the City of Fernley’s Development Code must include the information required by Appendix A of the same code and is not complete until all required items are submitted. The development review team may request that additional application materials be submitted depending on the specific project request. The application materials required above shall serve as the minimum requirements necessary to make application submittal to the Planning Department.**

# ZONING MAP AMENDMENT

## APPLICATION CHECKLIST

### City of Fernley, Nevada

The following items shall be submitted as a part of the Zoning Map Amendment application:

- Pre-Paid by Applicant via ACH**
- X 1. **Application Fee: The application fee is due at the time of the application submittal.** See **FEE SCHEDULE** for correct amount. Application fee may be made in the form of a check or money order payable to “City of Fernley”, by e-check (no fee) or by Visa/Mastercard/Discover (4% fee).
  
  - X 2. **Proof of Ownership: Must be original signatures or the application may be rejected.** If the person signing the owner’s affidavit is not listed as the property owner in the most recent records of the Lyon County Assessor, proof of ownership acceptable to the administrator must be submitted with the application. If the signer is an agent of the owner, written documentation of that fact acceptable to the administrator must be submitted. If in Corporate ownership, a list of all Corporate Officers must be provided.
  
  - X 3. **Review Packet: One (1) digital copy containing the following:**
    - X a. Completed DEVELOPMENT APPLICATION form.
    - X b. NRS Time Waiver Agreement.
    - X c. A written description of the Zoning Map Amendment request including a list of the goals and policies from the City of Fernley Master Plan which support the proposed Zoning Map Amendment.
    - X d. Vicinity Map depicting the existing and proposed zoning designation of the respective site including surrounding roadways and the zoning designations of the surrounding properties the respective site and including surrounding roadways.
    - X e. A wet stamped legal description and boundary map of the subject property (8½” x 11” with 1” margins).
    - X f. Dimensioned site plan, showing existing site conditions, and any additional information that would be helpful to illustrate the existing use of the site. All plans shall be drawn to standard architectural or engineering scale and shall include a north arrow. Do not include a site plan showing future proposed uses or development.
    - X g. Property Tax Receipt.
    - NA h. Miscellaneous items as requested. **None identified by staff at pre-app meeting**
    - X i. Include Appendix A items (See FMC Title 32 – Development Code – Appendix A).

**NOTE: Applications filed under Chapter 32.03 of the City of Fernley’s Development Code must include the information required by Appendix A of the same code and is not complete until all required items are submitted. The Planning Department or other reviewing departments or agencies may request that additional application materials be submitted depending on the specific project request. The application materials required above shall serve as the minimum requirements necessary to make application submittal to the City of Fernley Planning Department.**



Planning Department

Permits  
Planning  
Development Review  
Sustainability

NRS 278 TIME WAIVER AGREEMENT

Please choose one of the options below.

**Option 1:**

I, the property owner or representative for the application(s) referenced below, **agree** to waive any mandatory timelines outlined in Chapter 278 of the NRS. In exchange, the City of Fernley agrees to process the application(s) as quickly as is possible with limited staff, outside consultant delays, and a large number of projects.

\_\_\_\_\_  
Owner/Representative Printed Name

\_\_\_\_\_  
Owner/Representative Signature

\_\_\_\_\_  
Date

**Option 2:**

I, the property owner or representative for the application(s) referenced below, **do not agree** to waive any mandatory timelines outlined in Chapter 278 of the NRS. I understand that this may result in a negative outcome due to the inability to fully review the project due to limited staff, outside consultant delays, and a large number of projects.

R. David Snelgrove

\_\_\_\_\_  
Owner/Representative Printed Name

\_\_\_\_\_  
Owner/Representative Signature

1/13/2026

\_\_\_\_\_  
Date

Application #(s) \_\_\_\_\_

Date of Submittal \_\_\_\_\_

# VIEW TRANSACTION

Receipt for fees paid for submittal of  
Master Plan Amendment and  
Zoning Map Amendment

Transaction Date	01/12/2026
Account	City Of Fernley - Operating - *****2988
Transaction Type	ACH Credit Received
Credit/Debit	Credit
Amount	\$ 8,280.00
Bank Reference	1101001925
Customer Reference	1930306
Description	MARKCAPITAL 4841960514VENDORPAY CTX49170766 0001CITY OF FERNLEYREF # 026012001930306 RMR*IV*011326**8280.00*8280.00*0.00\DTM*003*260106\

**Written Description of MPA & ZMA Request  
and Legal Findings Review**

**MARK IV POWER PARCEL**  
**MASTER PLAN AMENDMENT & ZONING MAP AMENDMENT**  
**UPDATED PROJECT NARRATIVE**

## Project Overview

Proposed is a request for a Master Plan Amendment and Zoning Map Amendment of a recently annexed 107.87+/- acre parcel, located at the NE corner of the Victory Logistics District (Victory) Planned Development Area. It is anticipated that the future use on the parcel will be future facilities necessary to meet the energy demands within Victory. However, the application request is made for Industrial master plan and zoning designation, like the designation that exists within the adjacent Victory Logistics District project area. As such multiple uses would be allowed, in addition to major and minor utilities.

This parcel was an "island" of Lyon County that could not realistically or economically obtain services or utilities from anywhere but the City of Fernley. The requests are the logical follow-up to the annexation (ANX25001) as the existing large lot residential zoning designation of GR-20 is not logical or practical in the site's location.

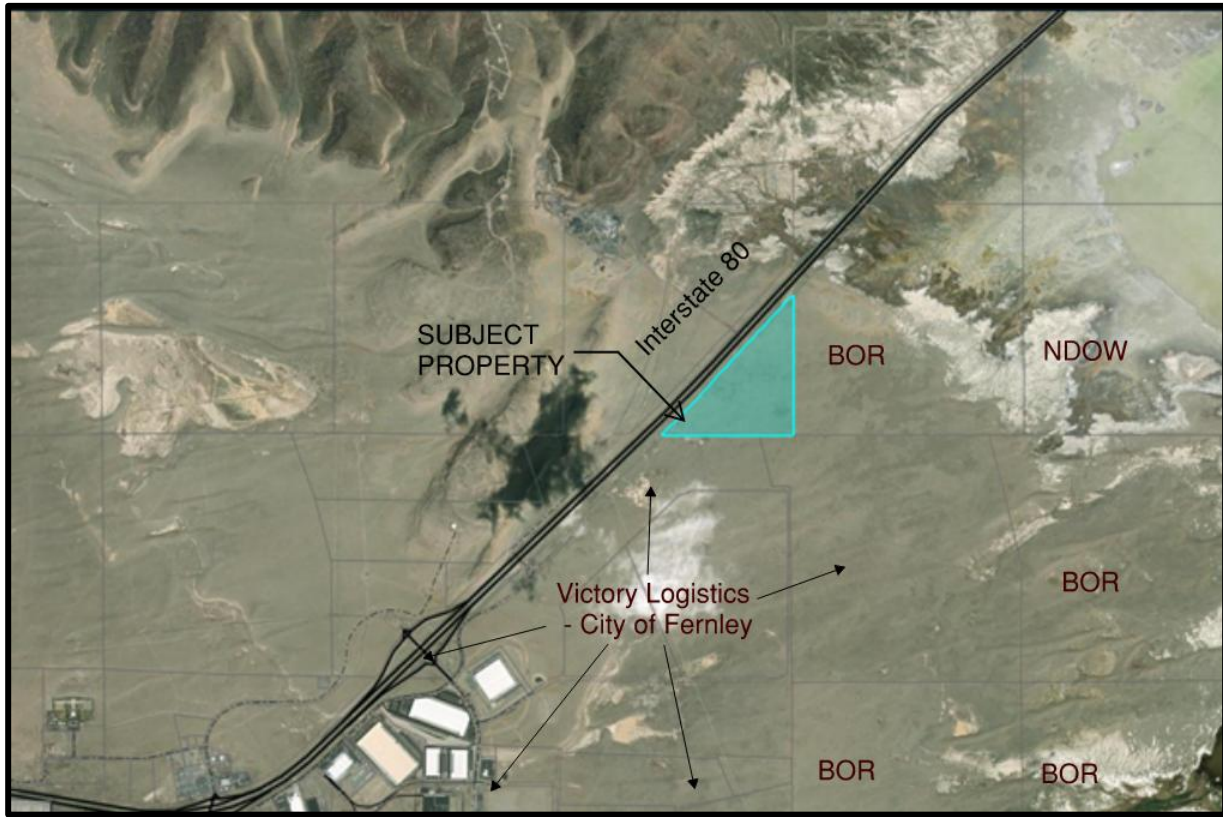
## Property Location & Surroundings

The subject parcel is located at the NE corner of the Victory Planned Development area (outside of the PD area). This triangular parcel is bound by the Victory to the south, Interstate 80 to the Northwest and federal lands to the east. Utility, access and infrastructure ties from the northwest and east are not realistic options for this parcel and the only reasonable means of future service to the property is along the southern property line, where connection to Victory and the City of Fernley exists. The parcel is identified by Lyon Count as APN 021-031-13 and comprises 107.87+/- acres.

The nearest zoning that is not part of a federal highway or federal & state open space is the industrial zoning within Victory. As such, the industrial designation request for the master plan and zoning designation is logical.

A Vicinity map is provided on the following page showing the subject parcel and its relative location to Victory (within the City of Fernley) and to BOR and NDOW lands to the east that are not anticipated to generate any additional growth or development.

**MARK IV POWER PARCEL**  
**MASTER PLAN AMENDMENT & ZONING MAP AMENDMENT**  
**UPDATED PROJECT NARRATIVE**



## Project Requests

It is requested that this subject parcel (APN 021-031-13), be allowed a Master Plan Land Use change from Rural Residential (RR) to Industrial (I) and for the zoning designation to reflect that master plan change, modifying the zoning from General Rural 20 (GR20) to Industrial (I).

## Rationale for Request(s)

The requested amendments to the Master Plan and zoning on the subject property are based on the previously noted and intended use on the parcel. It was recognized within the annexation application (ANX25001) that "the intended future use of the parcel is to supply the facilities that will be necessary for increased energy demands from growth within Victory." However, with the change in the master plan and zoning, the property could be developed under the variety of allowed uses under the Industrial designation as identified in FMC 32.06.150.

# MARK IV POWER PARCEL

## MASTER PLAN AMENDMENT & ZONING MAP AMENDMENT

### UPDATED PROJECT NARRATIVE

Discussion of Possible Use Type/Need – If an energy related project were to be proposed in the future on the site it would fall under the categorization of major or minor utility, and a conditional use permit would be required. As such there would be public review required for the ultimate project design. Further, if any plans change as to the optimal location for energy facilities, the industrial master plan and zoning designation would be the closest conforming designations to those contained within the Victory Logistics Planned Development area. As such, the request to move to industrial (I) zoning is consistent with the directly adjacent, developable and accessible master plan and zoning. Major and minor utilities are allowed use types within the Victory PD Handbook and would similarly be allowed on the subject property under the proposed designations.

Mark IV has been in regular discussion with NV Energy and more recent conversations have indicated that their timeframe for delivery of necessary power to within Victory has elongated to beyond 2034. This delayed service timeframe stagnates the economic development that Victory can bring.

### Master Plan and Zoning Conformance

The subject property was originally master planned Rural Residential (RR) and zoned Rural Residential 5 (RR5). After the approval of the annexation (ANX25001), the zoning converted to the City of Fernley's Zoning Classification of GR20 per table 32.03.040-1 – Zoning Conversion Upon Annexation table in the Fernley Municipal Code.

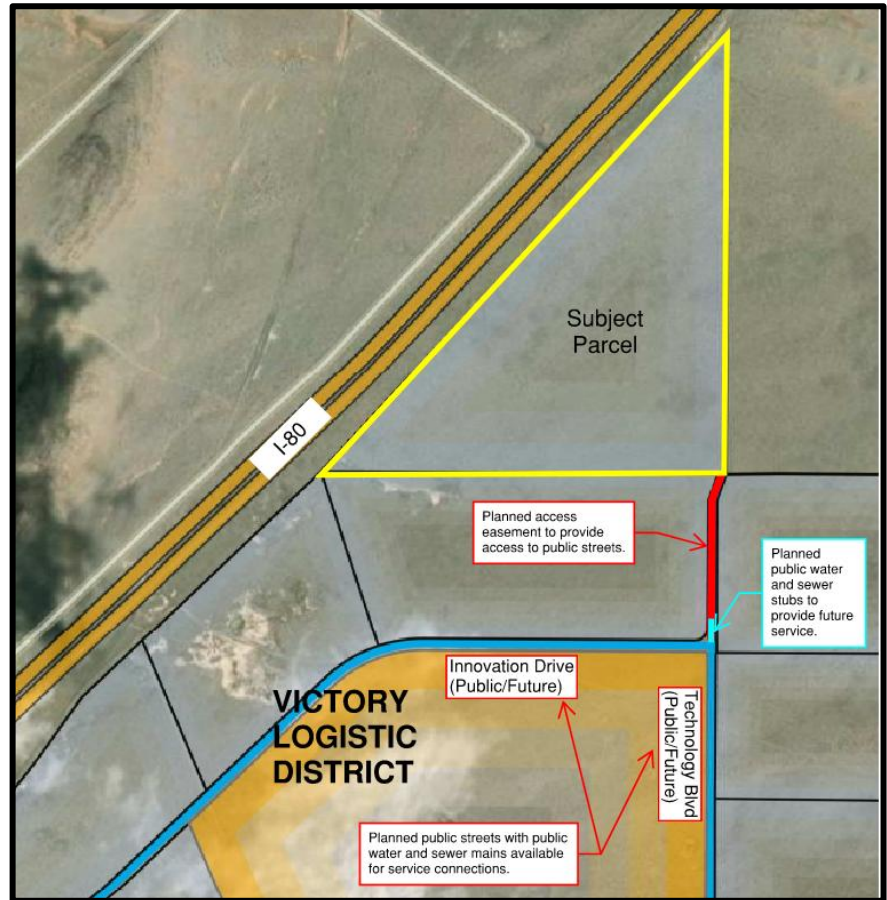
Images of the Existing Master Plan and Existing Zoning of the subject property and surrounding area are provided below

### Impacts on Planned Facilities and Infrastructure

Water and sewer services are currently planned and in review with the City of Fernley on the Victory Logistics District property to the south of the subject parcel. Below is an exhibit that shows the location of the water and sewer lines and a planned access easement to the subject parcel. The utility lines within Victory will provide sufficient capacity to serve the subject parcel and will be routed within the roadway network of the Victory Logistics District. Connection to those lines is the only viable means of connection to water and sewer services as the property is adjacent to a federal highway to the north and Bureau of Reclamation land to the east.

**MARK IV POWER PARCEL**  
**MASTER PLAN AMENDMENT & ZONING MAP AMENDMENT**  
**UPDATED PROJECT NARRATIVE**

It is envisioned that the connection of utilities and vehicular access will be provided through a driveway or roadway extension to the southern property line off the subject parcel, sufficient to meet day-to-day access and emergency access needs. The exhibit to the right shows a possible connection point to accommodate for sewer, water, access and other connectivity needed for the future development of the subject parcel.



**Sanitary Sewer**

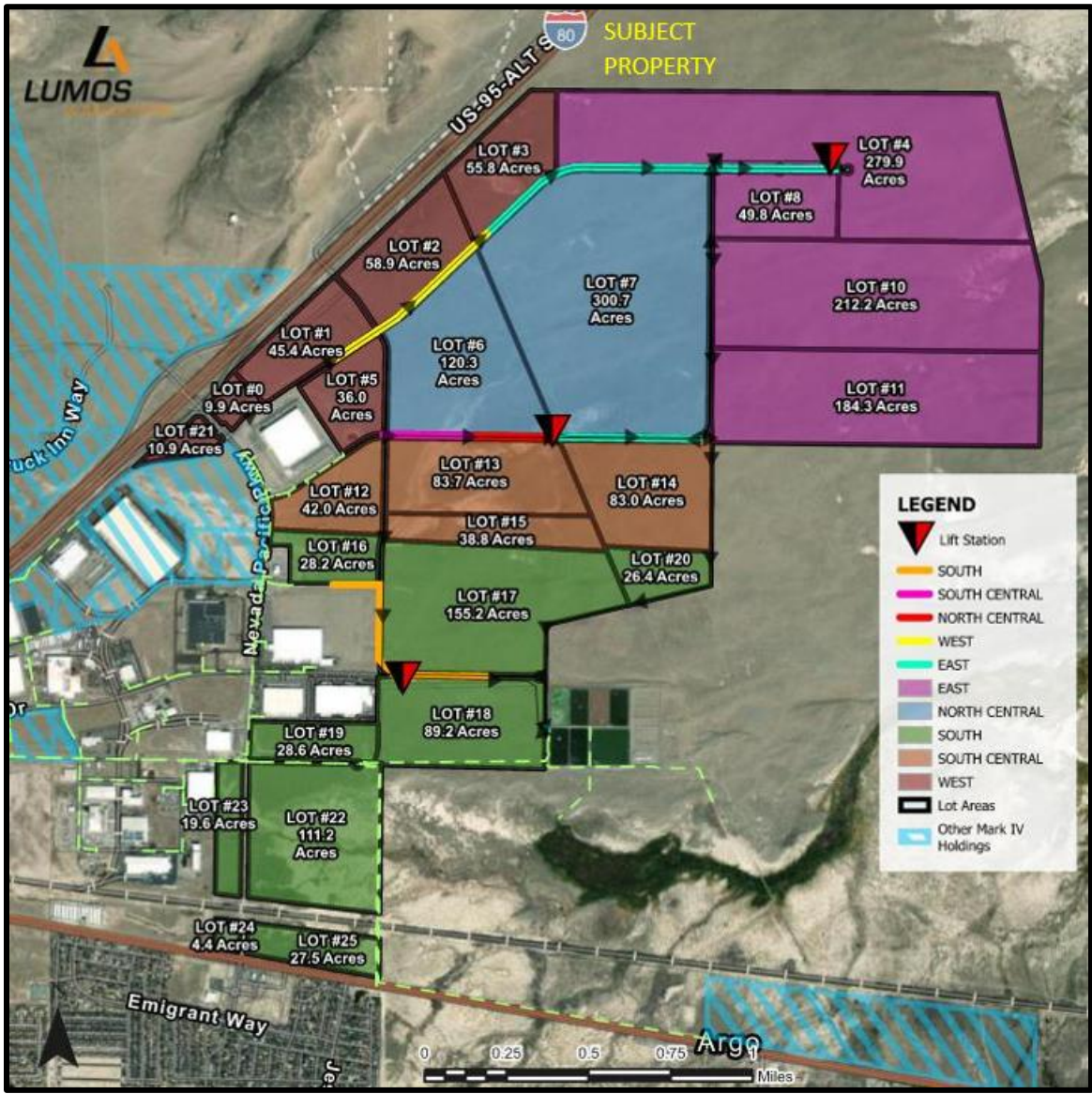
Sanitary sewer connection needs will be accommodated through the designed system within Victory. Following is an exhibit from the approved Victory PD Handbook showing the sewer main locations and identifying the subject property location.

# MARK IV POWER PARCEL

## MASTER PLAN AMENDMENT & ZONING MAP AMENDMENT

### UPDATED PROJECT NARRATIVE

Victory Sewer Main Locations Exhibit from Approved PD Handbook



Sewer mains within Victory have been designed to range from 8" to 18" for gravity mains and 4" to 8" for force mains. The anticipated use types envisioned for the subject property are expected to have limited sewer contribution and could be easily handled within the designed system.

### Water

Similar to sanitary sewer, water connection needs will be accommodated through the designed system within Victory. Following is an exhibit from the approved Victory PD

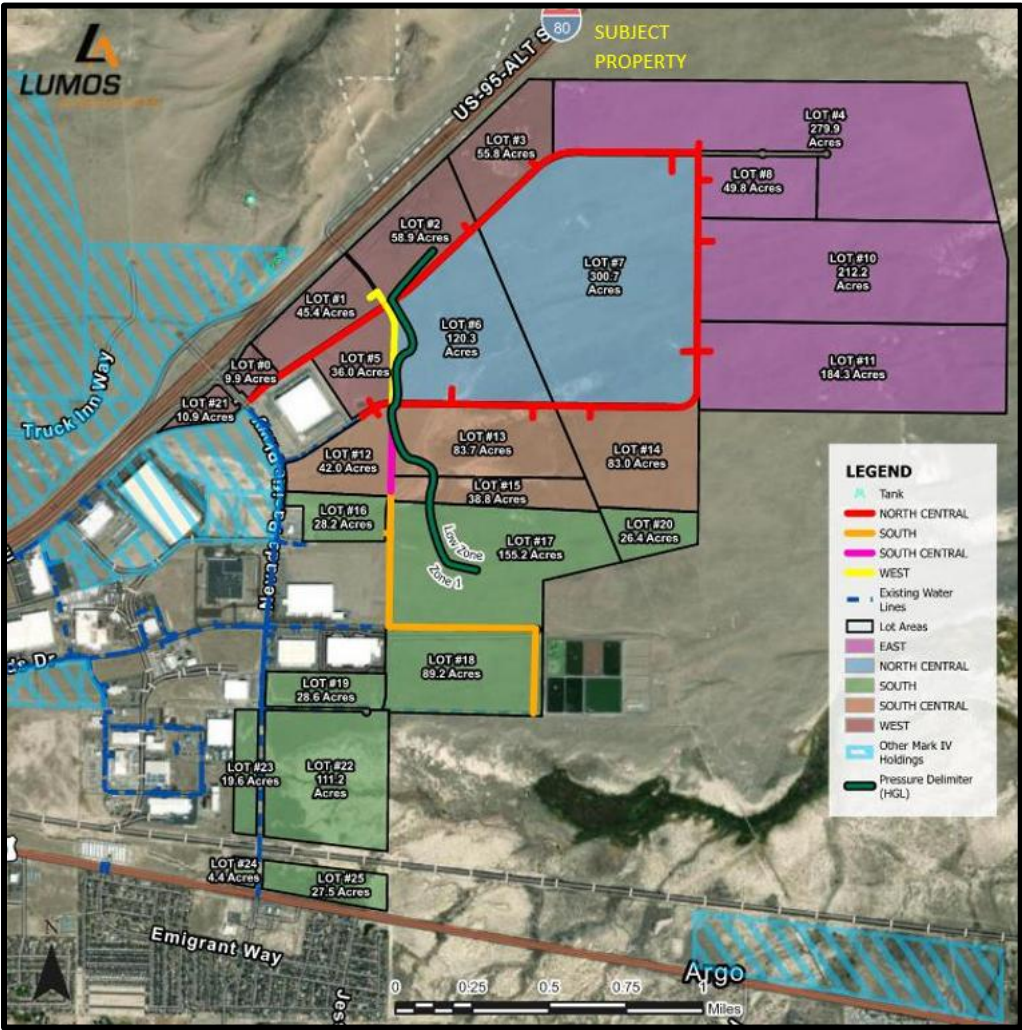
# MARK IV POWER PARCEL

## MASTER PLAN AMENDMENT & ZONING MAP AMENDMENT

### UPDATED PROJECT NARRATIVE

Handbook showing the water line locations and identifying the subject property location.

Victory Sewer Main Locations Exhibit from Approved PD Handbook



The Victory water system has been designed with pipe sizes ranging from 10" to 30", and the system is expected to handle any anticipated flows required by future uses on the subject property.

### Roads

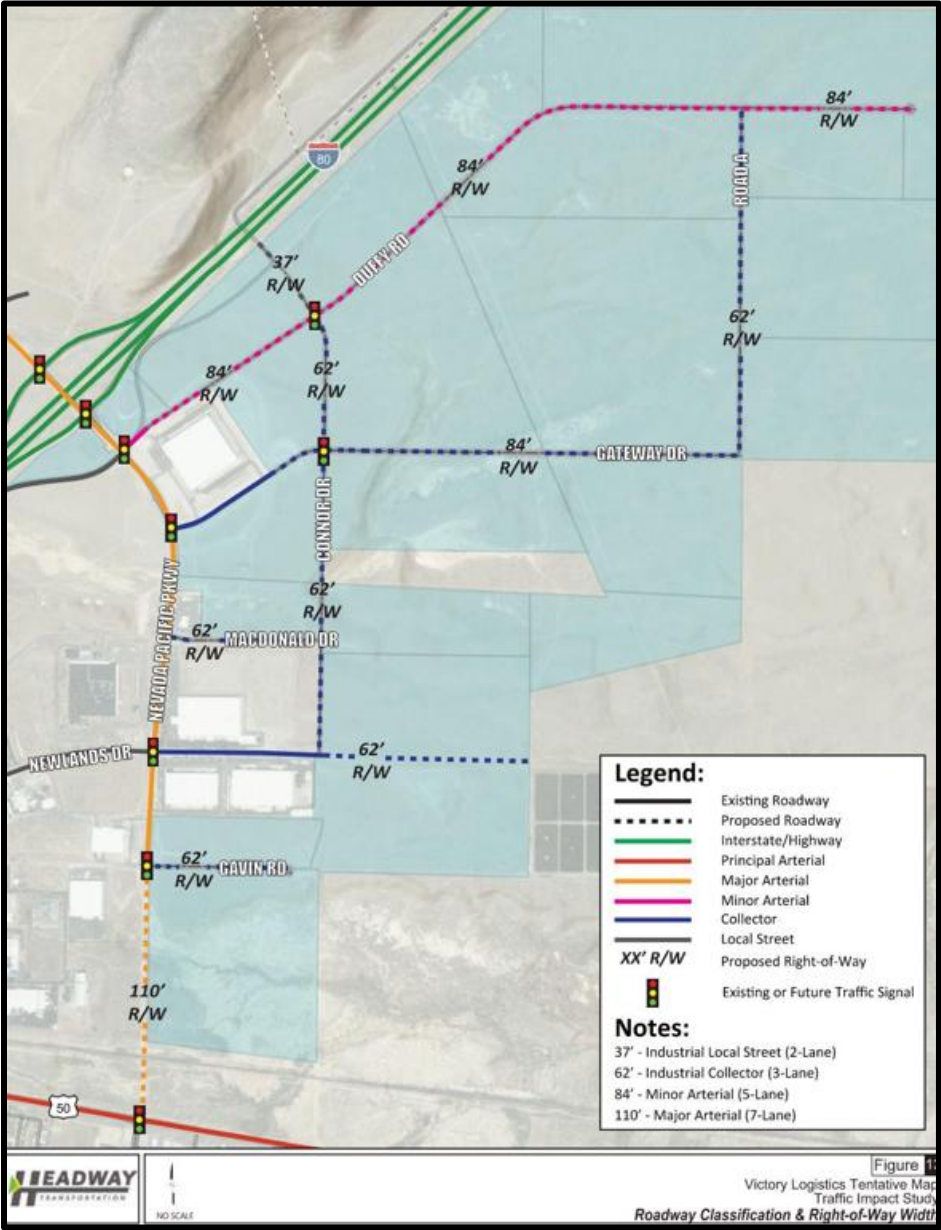
Roads that will be used to access the subject property will be provided through Victory. The roadways within Victory have been designed to handle significant industrial level traffic, trucks and private vehicles. The anticipated traffic volume from the types of used envisioned on the subject parcel are expected to be very low to low and are expected to

# MARK IV POWER PARCEL

## MASTER PLAN AMENDMENT & ZONING MAP AMENDMENT

### UPDATED PROJECT NARRATIVE

be easily absorbed into the overall available roadway capacity that will be constructed with Victory. Following is an exhibit from the approved Victory PD Handbook showing the backbone roadway network and rights-of-way for the street segments within Victory along with identifying the subject property location.



## Impacts on Existing and Planned Public Services

Because there is no means of connectivity of the site other than from the south through Victory, any consideration for impacts on existing and planned public services will be solely from that direction. With the industrial nature of the site, there is no need for consideration of parks, schools and libraries as there is no direct correlation between industrial uses and the demand for such facilities. Consideration for existing and planned public services is limited to police/sheriff, fire and trails. Each of these (typical) public services is anticipated to be impacted marginally with future development of the subject property.

**Police/Sheriff** – The Lyon County Sheriff’s Office provides police protection and services to the City of Fernley. While not yet constructed, the service/jurisdiction of the LCSO already covers the subject property and Victory. With development of these areas, it is expected that there will be more calls for service than are currently experienced with the properties existing as vacant land. The approved growth of Victory will bring more regular and necessary LCSO presence to the area just south of the subject parcel. Once developed, the subject parcel and future facilities on the site are expected to necessitate only limited visits to the site due to the anticipated nature of the development that is envisioned.

**Fire/North Lyon County Fire Protection District** – The NLCFPD currently serves Fernley with one main station located at 195 E. Main Street in Fernley. Additionally, a volunteer station (Station 62) is currently operating at 1300 Red Rock Road. A new station is under development and is to be located on Duffy Road, between Lowes and Sherwin-Williams. It is expected that the new station would provide primary service to the Victory area and the subject parcel, due to proximity, once staffed by NLCFPD.

The subject parcel is less than 2.5 (straight-line) miles from the targeted new fire station site and within the acceptable service area for response. An aerial exhibit is provided below showing the approximate location of the new fire station.

# MARK IV POWER PARCEL

## MASTER PLAN AMENDMENT & ZONING MAP AMENDMENT

### UPDATED PROJECT NARRATIVE



Any future development on the subject property will be required to meet all fire safety codes and requirements.

**Trails**— While parks, schools, and libraries are not demanded by industrial or commercial use types, trails and pedestrian paths for employees to walk during breaks or possibly use a bicycle or other pedestrian-level means of transportation to work would be expected to have some demand. Trails will be constructed concurrently with the backbone infrastructure within Victory, with the cost of construction borne by the developer of Victory.

### Proposed Land Use Relationship to Existing Land Uses

The entire Victory Logistics Planned Development area has been designed and approved for industrial and appropriately located commercial use types. The proposed master plan and zoning map amendments, requesting the industrial designation on the subject parcel, are consistent with the directly adjacent land uses within Victory. Because the other surrounding existing and foreseen uses (freeway to the north/west and federal lands to the east containing the Fernley Wildlife Management Area) are not anticipated

# MARK IV POWER PARCEL

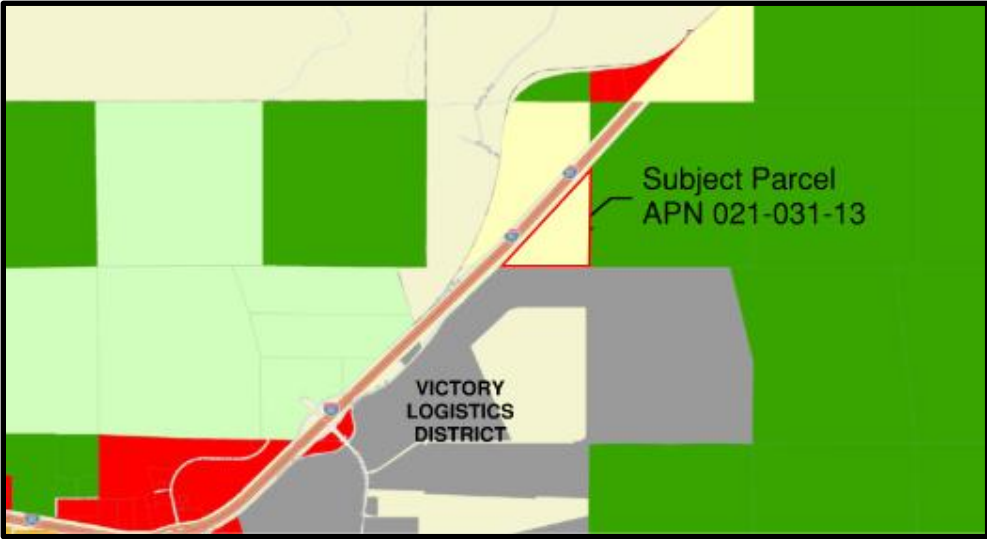
## MASTER PLAN AMENDMENT & ZONING MAP AMENDMENT

### UPDATED PROJECT NARRATIVE

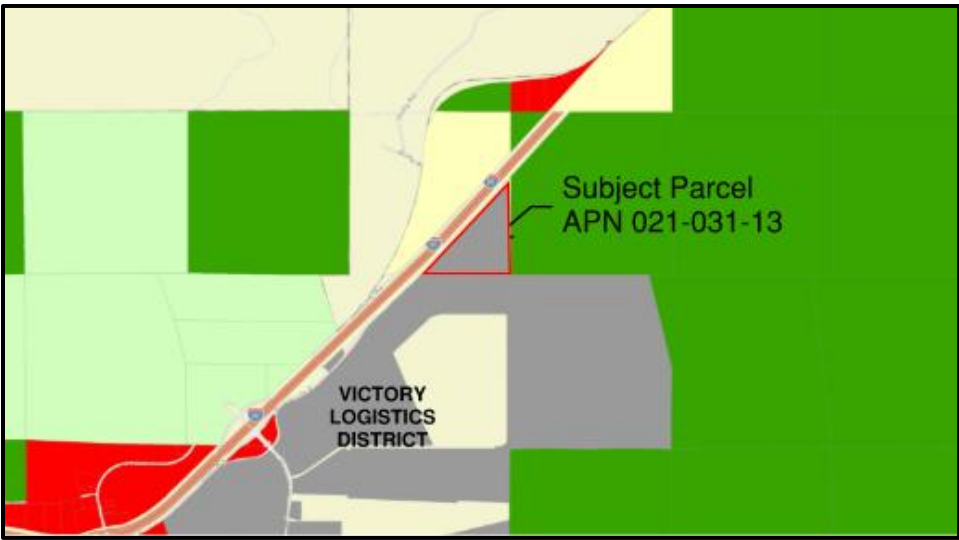
to change in the future, no specific conflict with these uses is foreseen with the future development of the subject parcel.

Given the above noted consistency in the proposed zoning designation on the subject property (Industrial) with the nearest, reasonable access and service tie and route, it is foreseen that the relationship between the subject parcel future development and Victory to be positive. Following are exhibits showing the existing and proposed master plan and zoning designations on the subject property.

### ***Existing Master Plan Exhibit***

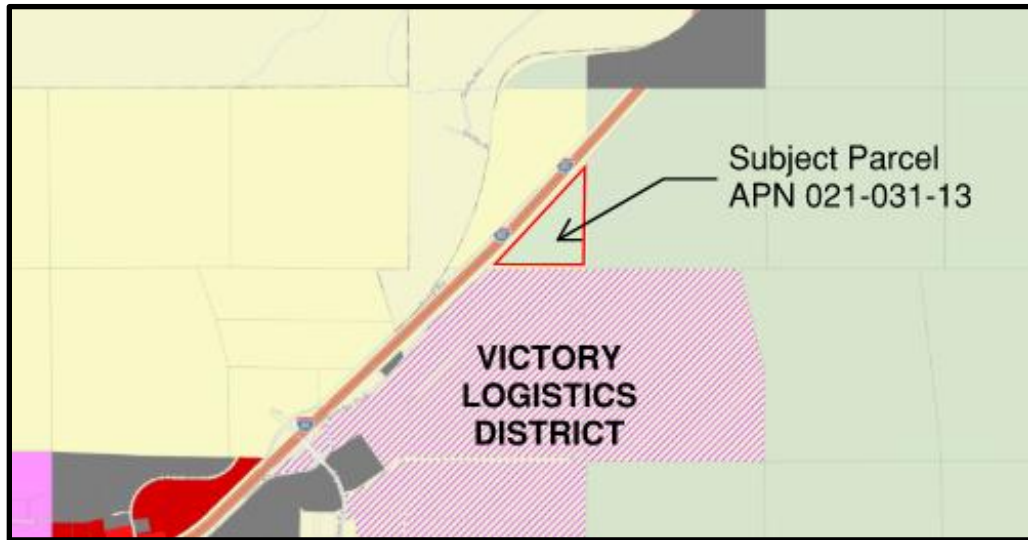


### ***Proposed Master Plan Exhibit***

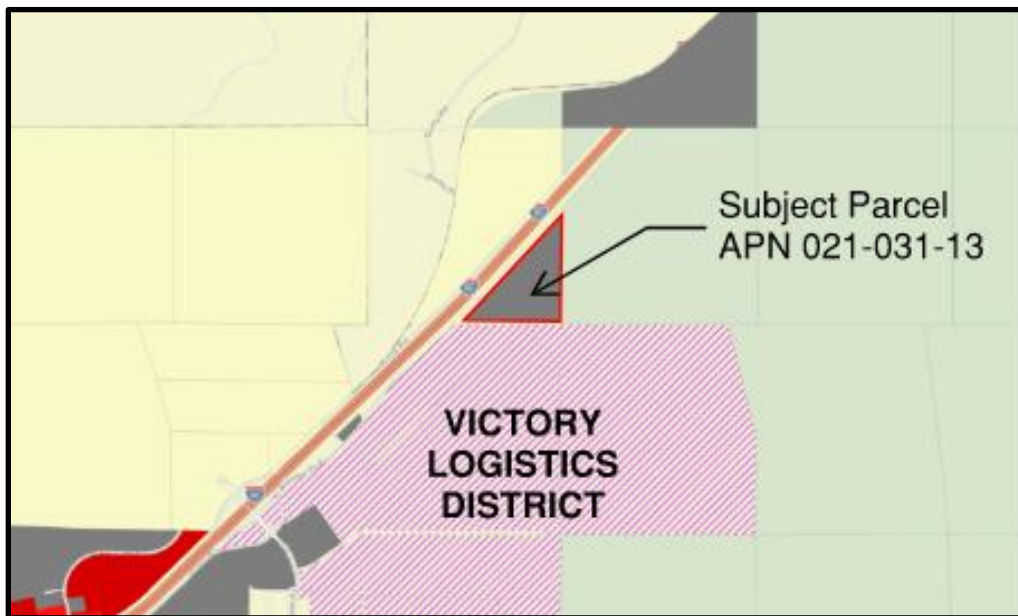


**MARK IV POWER PARCEL**  
**MASTER PLAN AMENDMENT & ZONING MAP AMENDMENT**  
**UPDATED PROJECT NARRATIVE**

***Existing Zoning Exhibit***



***Proposed Zoning Exhibit***



## Fiscal Impact Analysis Summary

A Fiscal Impact Analysis has been prepared in association with this Master Plan Amendment and Zoning Map Amendment request. For the purposes of the fiscal analysis 2.1 MSF of was assumed to be the potential buildout square footage on the 107+ acre parcel. The analysis assumes the parcel is developed for industrial uses consistent with its proposed zoning to include 2.1 million square feet of general industrial building space, like what is allowed within Victory. It should be noted that development of energy related use types would likely bring a much higher fiscal benefit to the City of Fernley but the general nature of the requested action(s) necessitates a conservative review.

A full copy of the Fiscal Impact Analysis document is provided in the appendix of this application package. The summary of findings from this report is as follows:

For the purposes of the Fiscal Impact Analysis, development of the subject parcel is assumed to be completed over a two-year period between 2028 and 2029. Following is a summary of the analysis. A copy of the full analysis is provided following this Project Narrative.

- Development of the project site in the assumed land use is estimated to generate significant revenues for the City of Fernley's General Fund over the 20-year analysis period, totaling \$12.01million.
- The City of Fernley's costs associated with the project are estimated at \$37,000 over the analysis period, including costs associated with building and planning services and a General Fund contingency amount.
- Development of the project site is also expected to have a positive fiscal impact on the North Lyon County Fire Protection District with a 20-year revenue estimate of \$6.2million. It is expected that NLCFPD will experience some costs in association with service. Such costs are difficult to estimate but are not expected to exceed the revenue flow of an average of \$308,000 per year.

## Legal Findings

Sec 32.03.040(b)(6) Findings for approval. To adopt an amendment to the master plan, the planning commission shall find that a change is justified based on the following:

## MARK IV POWER PARCEL

### MASTER PLAN AMENDMENT & ZONING MAP AMENDMENT

#### UPDATED PROJECT NARRATIVE

- a. The master plan amendment would implement the goals listed within the City of Fernley Master Plan, as listed in the staff report.

**Response: The proposed amendment is consistent with the goals and policies related to industrial development in the City of Fernley Comprehensive Master Plan. The proposed amendment will provide for new development in areas where adequate public services and facilities can be provided efficiently. The goals and policies that are met by the requests are as follows:**

**HP.1.9 Ensure that applications to amend the Comprehensive Master Plan include an analysis of the impact the proposed amendment will have on the projected population and any corresponding impact on demand for public services and facilities.**

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

**LU.1.2 Encourage new development to be in accordance with the Comprehensive Master Plan land use category, and other land use controls to accomplish community principles.**

**LU.1.5 Promote infill development.**

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

**PSF.3.2 Ensure major utility lines, such as electric transmission or high pressure gas, are compatible with existing and future development.**

**PSF.3.11 Require large-scale developments to be within adequate fire service areas.**

- b. The master plan amendment would be compatible with surrounding land uses.

**Response: The requested master plan amendment is requested to bring the recently annexed property to better conformity with the adjacent, developable properties, primarily Victory.**

# MARK IV POWER PARCEL

## MASTER PLAN AMENDMENT & ZONING MAP AMENDMENT

### UPDATED PROJECT NARRATIVE

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

**Response: Public Notice for the public hearing for this MPA and ZMA request will be provided.**

Per FMC 32.03.040(e)(6), A zoning map request must meet the following findings for approval:

- a. Consistent with the city's master plan and otherwise consistent with state and federal law.

**Response – The requested zoning amendment is consistent with the surrounding area’s base zoning, and is in conformance with the comprehensive plan designation and state law.**

**The following land use policies from the Fernley Comprehensive Plan are met with the proposed zoning map amendment:**

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

**LU.1.2 Encourage new development to be in accordance with the Comprehensive Master Plan land use category, and other land use controls to accomplish community principles.**

**LU.1.5 Promote infill development.**

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

**PSF.3.2 Ensure major utility lines, such as electric transmission or high pressure gas, are compatible with existing and future development.**

**PSF.3.11 Require large-scale developments to be within adequate fire service areas.**

LU.1.4.6 Review all projects in relation to their geographic location, impacts to adjacent communities, fiscal impact and mitigation measures to protect natural and

# MARK IV POWER PARCEL

## MASTER PLAN AMENDMENT & ZONING MAP AMENDMENT

### UPDATED PROJECT NARRATIVE

cultural resources. Apply specific conditions of approval tailored for each development proposal.

**A fiscal impact analysis for the request has been provided with this application. The subject parcel is directly adjacent to Victory Logistics District, and as such, it is anticipated to provide uses that will be complementary to the nearest neighboring use. As future development plans come into focus to meet the needs of Victory Logistics District any specific reports or analysis relative to natural and cultural resources can be provided.**

LU.1.5.3 Development on the perimeter of Fernley is appropriate only where orderly extension of existing public services and facilities can occur.

**Due to the cut off nature of the subject parcel and the adjacent land use and zoning of Industrial within the Victory Logistics District, the proposed amendments to the Master Plan and Zoning designations do represent an orderly extension of the city relative to public services and facilities through a reasonable extension of the city.**

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

**The rationale for the proposed amendments to the Master Plan and zoning designations on the property are in direct need for utility services to meet energy demands of the approved Victory Logistics District.**

LU.1.12.2 Any land use entitlement applications for subdivision or intensification of land shall also be required to submit a fiscal impact analysis to the approval of the City Manager or their designee.

**A Fiscal Impact Analysis has been submitted with this application.**

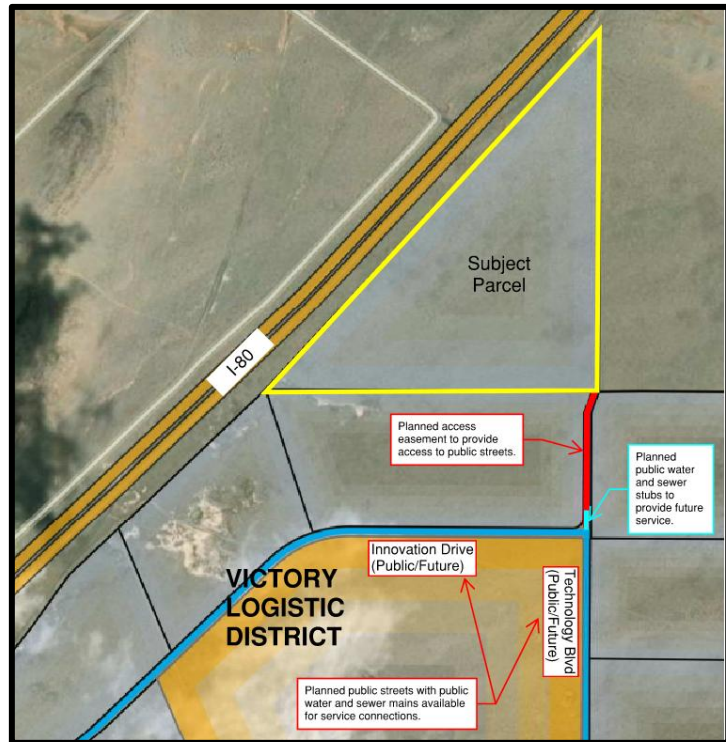
T.1.1.6 Require all new development to be consistent with the access right-of-way dedication and improvement standards as specified in the Public Works Design Manual and pursuant to the functional classification as defined in this chapter.

# MARK IV POWER PARCEL

## MASTER PLAN AMENDMENT & ZONING MAP AMENDMENT

### UPDATED PROJECT NARRATIVE

It is anticipated that either an access road through an easement or a future public road connection to the parcel from the intersection of Technology Blvd. and Innovation Drive will be provided. A preliminary access easement location is shown on the exhibit to the right.



PSF.3.3.1 Coordinate the provision of public services with growth and development in Fernley.

**The intended future use of the subject property is responsive to the utility needs for the Victory Logistics District, which will be a significant economic driver for the City of Fernley.**

PSF.3.10.2 As areas are annexed into the City, evaluate the level of fire protection and take action, as funds are available, to insure new areas receive the same level of fire protection provided to the rest of the City.

**A new fire station location is part of the requirements and improvements associated with Mark IV's Victory Logistic District and the subject parcel is within the coverage area to provide appropriate response times with a 2.5 mile lineal distance from the future fire station location on Duffy Road.**

PSF.3.10.4 Require streets to be of high structural quality, sufficient width, and keep maintained to insure access of emergency and service equipment.

**The streets that will provide access to the subject parcel are part of the Victory Logistics District project and will meet this standard, after being reviewed by the City of Fernley. Access to the subject parcel will be provided through an**

## MARK IV POWER PARCEL

### MASTER PLAN AMENDMENT & ZONING MAP AMENDMENT

#### UPDATED PROJECT NARRATIVE

**access easement sufficient in size and design to meet the criteria set forth and required by the North Lyon County Fire Protection District.**

b. Consistent with the surrounding land uses.

**Response –Victory provides the only logical link and development area needing consistency. It can be argued that the current zoning designation of GR20 is inconsistent with the industrial designation contained within Victory. Thus, the proposed master plan and zoning designation of “Industrial” would be considered consistent with Victory and the vacant federal land and freeway would equally be considered to be consistent with the proposed designation.**

**Any future uses north of the freeway are not current envisioned to change use in the near term and are expected to remain in a rural land use and zoning designation, With future planned growth in the North Fernley area, as evidenced by the recent adoption of the North Fernley Area Plan, higher intensity land uses than exist by the current designations would be expected. The separation presented by the freeway between the subject property and any future uses north of the freeway are significantly buffered by distance and ambient noise associated with vehicle travel.**

c. Public notice was given, and a public hearing held per the requirements of the development code and Nevada Revised Statutes.

**Response: Public Notice for the public hearing for this MPA & ZMA request will be provided.**

## **Fiscal Impact Analysis**

**MARK IV-VICTORY MASTER PLAN  
AMENDMENT / ZONE CHANGE  
APN 021-031-13  
City of Fernley  
Fiscal Impact Analysis**

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**FEBRUARY 9, 2026**

**Prepared by:**



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Mark IV-Victory Master Plan Amendment/Zone Change: APN 021-031-13

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### EXECUTIVE SUMMARY

Ekey Economic Consultants, Inc. (EEC) of Reno, Nevada was retained to conduct a fiscal impact analysis of the development of parcel 021-031-13 for the City of Fernley, Nevada based on the Developer's application for a master plan amendment and zone change for the parcel. Findings of the analysis are summarized below.

- The parcel includes 107.87 acres of vacant land.
- The analysis assumes the parcel is developed for industrial uses consistent with its proposed zoning to include 2.1 million square feet of building space.
- The development is expected to be completed over a two-year period between 2028 and 2029.
- The project will have a **positive** fiscal impact on the City of Fernley, with a General Fund surplus of \$12.0 million over the 20-year analysis period.
  - The project is estimated to generate significant revenues for the City of Fernley's General Fund over the 20-year analysis period, totaling \$12.01 million.
  - City of Fernley's costs associated with the project are estimated at \$37,000 over the analysis period, including costs associated with building and planning services and a General Fund contingency amount.
- The project will also have a positive fiscal impact on the North Lyon County Fire Protection District with a 20-year revenue estimate of \$6.2 million.
  - The Fire District will experience some costs associated with the project, these costs are difficult to estimate, but are not expected to exceed the revenue flow of an average of \$308,000 per year.

### **METHODOLOGY**

Buildout assumptions for the proposed project provide the foundation on which the fiscal impact analysis is based. These assumptions are shown in Appendix 1 and represent information provided by the Developer based on past experience and existing market data.

Appendix 1 shows annually the number of acres developed, building square feet constructed, and land and improvement values. It should be noted that information in Appendix 1 is based on the best information available to the Developer and EEC as of the date of the report and may change as the project moves through the approval and planning process and begins development. This fiscal impact analysis may be revised if such changes occur.

Buildout assumptions shown in Appendix 1 are used to estimate revenue and costs generated by the development for the City of Fernley. The revenue impact of the project on the North Lyon County Fire Protection District, which will provide fire and medical services to the development, is also included.

Appendices at the end of this report present revenue and cost projections on an annual basis over the analysis period. Assumptions used in developing these estimates are presented at the end of each appendix. These appendices are:

Appendix 1: Buildout Assumptions

Appendix 2: City of Fernley Comparison of Estimated Revenue to Estimated Costs

Appendix 3: Estimated Real Property Tax Revenue

Appendix 4: Estimated Sales Tax Revenue

Appendix 5: North Lyon County Fire Protection District Estimated Revenue and Costs

The following assumptions were made in this analysis:

1. Analysis estimates project land and improvement values based on data for nearby industrial uses within the City of Fernley. This is shown in Appendices 1 and 3 of the report.

## Methodology

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Mark IV-Victory Master Plan Amendment/Zone Change: APN 021-031-13

2. Taxable sales associated with the project include purchases of construction materials for project development only (Appendix 4).

3. The project is not expected to add any new residents to the City. As a result, no costs for resident-based services, such as animal control, parks, cemetery, etc., are expected. The project will generate some costs, especially during the project approval process, such as those for building and planning and general government, but these costs are expected to be minimal.

A study by Verdunity in 2021, found that commercial development within the City generated costs only for Public Works and Building and Planning services estimated at \$162 per acre.<sup>1</sup> These values are used to estimate the cost of the project for the building and planning services over the buildout period of the project.

The above amount includes costs for public works, including engineering, streets, and storm drains. The project is not expected to add any public streets, generating no additional street maintenance cost for the City. As a result, these costs may be overstated. A 3% contingency fee is also added. This is shown in Appendix 2.

4. The analysis does not include the impact of the project on Special Revenue and Capital Projects funds, including Administrative Assessment Fund, Court Facility Fee Fund, Grants Fund, Transient Lodging Tax Fund, and Capital Projects Fund as the impact of the project on these funds is difficult to estimate or is expected to be minimal.

The analysis does not include any Enterprise Funds, including Water and Sewer utility funds as these funds are designed to break even or generate a surplus. The analysis expects fees associated with the project will generate sufficient revenues for these funds to cover any costs associated with the project.

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<sup>1</sup> Fiscal Impact Analysis Tool Fernley Nevada, Verdunity, 2021.

## Methodology

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Mark IV-Victory Master Plan Amendment/Zone Change: APN 021-031-13

5. Revenue impacts of the project on the North Lyon County Fire Protection District are also included, as shown in Appendix 5. The analysis estimates revenues associated with two major sources only: property tax and sales tax.

The analysis does not include an estimate of the impact of the project on the Fire District expenditures. The project is expected to not have a significant negative impact on the Fire District as it will not generate any new residents for the District, include internal fire controls within the buildings, and the larger Victory Logistics District, within which the project will be located, is already served by an existing fire station.

While the calls for service for the project may be minimal, the project may generate some need for additional equipment or personnel time. As shown in the tables below, the project will generate an average of \$308,000 in annual revenue for the Fire District to cover any new costs or assist with funding of existing obligations.

Additional information for revenue and cost estimate methodology, sources of data, calculations, and findings is provided in the appendices attached to this report.

## FINDINGS

Findings of the fiscal impact analysis are presented below with summaries for estimated revenue and costs for the City of Fernley and North Lyon County Fire Protection District.

Table 1 summarizes the estimated impact of the project on the City of Fernley General Fund over the 20-year analysis period. Detailed information for General Fund revenues and costs by line item, by year, as well as methodology for estimating these costs and revenues is found in Appendix 2. Table 2 shows this information by year of analysis.

The tables show the project is estimated to result in a revenue surplus for the City of Fernley General Fund in the amount of \$12.0 million over the analysis period, an average of \$600,000 per year. The project will have a **positive** fiscal impact on the City of Fernley, generating a revenue surplus for the City's General Fund in each year of the 20-year analysis period.

## Findings

Mark IV-Victory Master Plan Amendment/Zone Change: APN 021-031-13

**Table 1. Summary of Estimated City of Fernley General Fund Impacts, 20-Year Total**

Estimated Revenue	
Taxes	\$ 11,992,753
Licenses and Permits	-
Intergovernmental	22,122
Fines and Forfeitures	-
Miscellaneous	-
<b>TOTAL</b>	<b>\$ 12,014,876</b>
Estimated Costs	
General Government	\$ -
Judicial	-
Public Works	-
Health	-
Culture and Recreation	-
Community Development	35,474
<b>Subtotal</b>	<b>\$ 35,474</b>
Contingency	1,064
<b>TOTAL</b>	<b>\$ 36,538</b>
Revenue Surplus/(Deficit)	
Estimated Surplus/(Deficit)	\$ 11,978,337

**Table 2. Summary of Estimated City of Fernley General Fund Impacts, by Year**

Year	Estimated Project Revenue	Estimated Project Costs	Annual Revenue	Cumulative Surplus/
2028	\$ 289,140	\$ 17,999	\$ 271,141	\$ 271,141
2029	548,512	18,539	529,973	801,114
2030	545,513	-	545,513	1,346,627
2031	553,696	-	553,696	1,900,323
2032	562,001	-	562,001	2,462,324
2033	570,431	-	570,431	3,032,756
2034	578,988	-	578,988	3,611,743
2035	587,673	-	587,673	4,199,416
2036	596,488	-	596,488	4,795,904
2037	605,435	-	605,435	5,401,338
2038	614,516	-	614,516	6,015,855
2039	623,734	-	623,734	6,639,589
2040	633,090	-	633,090	7,272,679
2041	642,587	-	642,587	7,915,266
2042	652,225	-	652,225	8,567,491
2043	662,009	-	662,009	9,229,500
2044	671,939	-	671,939	9,901,439
2045	682,018	-	682,018	10,583,457
2046	692,248	-	692,248	11,275,705
2047	702,632	-	702,632	11,978,337
<b>TOTAL</b>	<b>\$ 12,014,876</b>	<b>\$ 36,538</b>	<b>\$ 11,978,337</b>	

## Findings

Mark IV-Victory Master Plan Amendment/Zone Change: APN 021-031-13

Table 3 provides a summary of the annual revenue impact of the parcel on the North Lyon County Fire Protection District. As mentioned above, the analysis does not estimate costs associated with the project, but these costs are expected to be below revenue projections. Appendix 5 shows detailed calculations of revenues for the District. The table shows the project will generate revenue for the North Lyon County Fire Protection District of \$6.2 million over the 20-year analysis period, an average of \$308,000 per year.

**Table 3. Summary of Estimated North Lyon County Fire Protection District Fire and Ambulance Fund Revenue Impacts, by Year**

Year	Property Tax Revenue	Sales Tax Revenue	Total
2028	\$ 142,349	\$ 11,414	\$ 153,764
2029	275,123	11,414	286,537
2030	279,250	-	279,250
2031	283,439	-	283,439
2032	287,690	-	287,690
2033	292,005	-	292,005
2034	296,386	-	296,386
2035	300,831	-	300,831
2036	305,344	-	305,344
2037	309,924	-	309,924
2038	314,573	-	314,573
2039	319,291	-	319,291
2040	324,081	-	324,081
2041	328,942	-	328,942
2042	333,876	-	333,876
2043	338,884	-	338,884
2044	343,968	-	343,968
2045	349,127	-	349,127
2046	354,364	-	354,364
2047	359,679	-	359,679
<b>TOTAL</b>	<b>\$ 6,139,126</b>	<b>\$ 22,829</b>	<b>\$ 6,161,955</b>

### **LIMITING CONDITIONS & DISCLOSURES**

In the preparation of this report, EEC asserts:

- The report is to be used in its entirety, and no part is to be used without the whole.
- In preparing this report, EEC relied on information provided by other individuals or found in previously existing records and/or documents. This information is assumed to be reliable. However, no warranty, either expressed or implied, is given by EEC for the accuracy of such information and EEC assumes no responsibility for information relied upon later found to have been inaccurate.
- EEC may amend this report in the event additional documents and/or other material discovered subsequent to the submission of this report and pertinent to the report and/or the conclusions contained herein are made available.
- EEC assumes no responsibility for economic, physical, or demographic factors, which may affect or alter the opinions of this report if said economic, physical, or demographic factors were not present or known as of the date of this report.
- Possession of this report, or a copy of this report, does not carry with it the right of publication. Without the consent of EEC, this report may not be used for any purpose by any person other than the party for whom this report was prepared.

# APPENDICES

**APPENDIX 1  
BUILDOUT ASSUMPTIONS**

<u>YEAR</u>	<u>USE TYPE</u>	<u>ACRES DEVELOPED</u>	<u>SQ. FT. BUILT</u>	<u>LAND VALUE</u>	<u>IMPROV. VALUE</u>
2028	Industrial	107.87	1,057,000	\$ 9,665,152	\$ 107,814,000
2029	Industrial	-	1,057,000	-	107,814,000
<b>TOTAL</b>		<b>107.87</b>	<b>2,114,000</b>	<b>\$ 9,665,152</b>	<b>\$ 215,628,000</b>

**APPENDIX 1, ASSUMPTIONS:**

1. Project information is summarized as follows:

	<u># of Acres</u>	<u>Sq.Ft. Built</u>	<u>Land Value/Acre</u>	<u>Improvement Value/SqFt</u>
Industrial	107.87	2,114,000	\$ 89,600	\$ 102

Project acreage from Lyon Count Assessor's Office. Land and improvement value from actual values for nearby industrial uses in the City of Fernley from Lyon County Assessor's Office website.

**APPENDIX 2  
CITY OF FERNLEY  
COMPARISON OF ESTIMATED REVENUE TO ESTIMATED COSTS**

Estimated FY 2024-25	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	SUBTOTAL
<b>GENERAL FUND</b>											
<b>REVENUE</b>											
<u>Taxes</u>											
Ad Valorem <sup>1</sup>	\$ 278,079	\$ 537,451	\$ 545,513	\$ 553,696	\$ 562,001	\$ 570,431	\$ 578,988	\$ 587,673	\$ 596,488	\$ 605,435	\$ 5,415,755
Residential Construction Tax <sup>2</sup>	-	-	-	-	-	-	-	-	-	-	-
<b>Subtotal</b>	<b>\$ 278,079</b>	<b>\$ 537,451</b>	<b>\$ 545,513</b>	<b>\$ 553,696</b>	<b>\$ 562,001</b>	<b>\$ 570,431</b>	<b>\$ 578,988</b>	<b>\$ 587,673</b>	<b>\$ 596,488</b>	<b>\$ 605,435</b>	<b>\$ 5,415,755</b>
<u>Licenses and Permits</u>											
Business License Fees <sup>2</sup>	\$ 887,076	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Franchise Fees <sup>2</sup>	1,865,954	-	-	-	-	-	-	-	-	-	-
Liquor License Fees <sup>2</sup>	44,125	-	-	-	-	-	-	-	-	-	-
Gaming License Fees <sup>2</sup>	154,429	-	-	-	-	-	-	-	-	-	-
Animal Licenses <sup>2</sup>	5,100	-	-	-	-	-	-	-	-	-	-
Passport Fees <sup>2</sup>	29,345	-	-	-	-	-	-	-	-	-	-
Building and Civil Permit Fees <sup>3</sup>	1,393,320	-	-	-	-	-	-	-	-	-	-
Planning and Zoning Fees <sup>3</sup>	344,504	-	-	-	-	-	-	-	-	-	-
Public Works/Civil Fees <sup>2</sup>	166,493	-	-	-	-	-	-	-	-	-	-
Public Works/Civil Inspect. Fees <sup>2</sup>	56,506	-	-	-	-	-	-	-	-	-	-
Other Fees <sup>3</sup>	-	-	-	-	-	-	-	-	-	-	-
<b>Subtotal</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<u>Intergovernmental Revenue</u>											
C-Tax CCRT (Sales Tax @ 2.25%) <sup>4</sup>	\$ 11,061	\$ 11,061	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 22,122
Remainder C-Tax Sources <sup>2</sup>	227,627	-	-	-	-	-	-	-	-	-	-
Motor Vehicle Fuel Tax <sup>2</sup>	390,638	-	-	-	-	-	-	-	-	-	-
RTC Shared Revenue <sup>2</sup>	5,378,517	-	-	-	-	-	-	-	-	-	-
County Parks Agreement <sup>2</sup>	60,000	-	-	-	-	-	-	-	-	-	-
County Roads Contribution <sup>2</sup>	180,000	-	-	-	-	-	-	-	-	-	-
Other <sup>3</sup>	27,178	-	-	-	-	-	-	-	-	-	-
<b>Subtotal</b>	<b>\$ 11,061</b>	<b>\$ 11,061</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 22,122</b>
<u>Fines and Forfeits</u>											
Municipal Court Revenue <sup>2</sup>	\$ 146,661	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Miscellaneous Fees <sup>2</sup>	77	-	-	-	-	-	-	-	-	-	-
<b>Subtotal</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<u>Miscellaneous</u>											
Interest Income <sup>3</sup>	\$ 859,545	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Cemetery Plot Fees <sup>2</sup>	960	-	-	-	-	-	-	-	-	-	-
Facility Rental Fees <sup>2</sup>	3,917	-	-	-	-	-	-	-	-	-	-
Donations <sup>3</sup>	107,559	-	-	-	-	-	-	-	-	-	-
Miscellaneous <sup>3</sup>	831,022	-	-	-	-	-	-	-	-	-	-
<b>Subtotal</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>REVENUE TOTAL</b>	<b>\$ 289,140</b>	<b>\$ 548,512</b>	<b>\$ 545,513</b>	<b>\$ 553,696</b>	<b>\$ 562,001</b>	<b>\$ 570,431</b>	<b>\$ 578,988</b>	<b>\$ 587,673</b>	<b>\$ 596,488</b>	<b>\$ 605,435</b>	<b>\$ 5,437,877</b>

**APPENDIX 2  
CITY OF FERNLEY  
COMPARISON OF ESTIMATED REVENUE TO ESTIMATED COSTS**

Estimated FY 2024-25	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	SUBTOTAL
<b>EXPENDITURES</b>											
<b>General Government</b>											
Mayor/Council <sup>5</sup>	\$ 184,248	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Office of City Manager <sup>5</sup>	914,221	-	-	-	-	-	-	-	-	-	-
Office of City Attorney <sup>5</sup>	670,470	-	-	-	-	-	-	-	-	-	-
Treasurer <sup>5</sup>	322,232	-	-	-	-	-	-	-	-	-	-
City Clerk <sup>5</sup>	386,986	-	-	-	-	-	-	-	-	-	-
Facilities <sup>5</sup>	2,104,895	-	-	-	-	-	-	-	-	-	-
Human Resources <sup>5</sup>	163,090	-	-	-	-	-	-	-	-	-	-
Information Technology <sup>5</sup>	510,976	-	-	-	-	-	-	-	-	-	-
<b>General Government Total</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Judicial</b>											
Municipal Court <sup>5</sup>	\$ 598,983	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Judicial Total</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Public Works</b>											
City Engineer <sup>5</sup>	\$ 870,022	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Fleet <sup>5</sup>	205,542	-	-	-	-	-	-	-	-	-	-
Streets and Stormdrains <sup>6</sup>	7,250,004	-	-	-	-	-	-	-	-	-	-
<b>Streets Total</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Health</b>											
Animal Control <sup>5</sup>	\$ 210,167	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Vector Control <sup>5</sup>	136,568	-	-	-	-	-	-	-	-	-	-
Cemetery <sup>5</sup>	43,946	-	-	-	-	-	-	-	-	-	-
<b>Health Total</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Culture and Recreation</b>											
Parks <sup>5</sup>	\$ 1,263,871	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Culture &amp; Rec Total</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Community Development</b>											
Building and Planning <sup>7</sup>	\$ 1,309,972	\$ 17,475	\$ 17,999	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 35,474
Code Enforcement <sup>5</sup>	476,606	-	-	-	-	-	-	-	-	-	-
<b>Community Dev. Total</b>	<b>\$ 17,475</b>	<b>\$ 17,999</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 35,474</b>
<b>EXPENDITURES SUBTOTAL</b>	<b>\$ 17,475</b>	<b>\$ 17,999</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 35,474</b>
<b>CONTINGENCY @</b>											
	3%	\$ 524	\$ 540	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,064
<b>EXPENDITURES TOTAL</b>	<b>\$ 17,999</b>	<b>\$ 18,539</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 36,538</b>
<b>GENERAL FUND SURPLUS/DEFICIT</b>	<b>\$ 271,141</b>	<b>\$ 529,973</b>	<b>\$ 545,513</b>	<b>\$ 553,696</b>	<b>\$ 562,001</b>	<b>\$ 570,431</b>	<b>\$ 578,988</b>	<b>\$ 587,673</b>	<b>\$ 596,488</b>	<b>\$ 605,435</b>	<b>\$ 5,401,338</b>

**APPENDIX 2  
CITY OF FERNLEY  
COMPARISON OF ESTIMATED REVENUE TO ESTIMATED COSTS**

GENERAL FUND	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	SUBTOTAL	TOTAL
<b>REVENUE</b>												
<u>Taxes</u>												
Ad Valorem <sup>1</sup>	\$ 614,516	\$ 623,734	\$ 633,090	\$ 642,587	\$ 652,225	\$ 662,009	\$ 671,939	\$ 682,018	\$ 692,248	\$ 702,632	\$ 6,576,999	\$ 11,992,753
Residential Construction Tax <sup>2</sup>	-	-	-	-	-	-	-	-	-	-	-	-
<b>Subtotal</b>	<b>\$ 614,516</b>	<b>\$ 623,734</b>	<b>\$ 633,090</b>	<b>\$ 642,587</b>	<b>\$ 652,225</b>	<b>\$ 662,009</b>	<b>\$ 671,939</b>	<b>\$ 682,018</b>	<b>\$ 692,248</b>	<b>\$ 702,632</b>	<b>\$ 6,576,999</b>	<b>\$ 11,992,753</b>
<u>Licenses and Permits</u>												
Business License Fees <sup>2</sup>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Franchise Fees <sup>2</sup>	-	-	-	-	-	-	-	-	-	-	-	-
Liquor License Fees <sup>2</sup>	-	-	-	-	-	-	-	-	-	-	-	-
Gaming License Fees <sup>2</sup>	-	-	-	-	-	-	-	-	-	-	-	-
Animal Licenses <sup>2</sup>	-	-	-	-	-	-	-	-	-	-	-	-
Passport Fees <sup>2</sup>	-	-	-	-	-	-	-	-	-	-	-	-
Building and Civil Permit Fees <sup>3</sup>	-	-	-	-	-	-	-	-	-	-	-	-
Planning and Zoning Fees <sup>3</sup>	-	-	-	-	-	-	-	-	-	-	-	-
Public Works/Civil Fees <sup>2</sup>	-	-	-	-	-	-	-	-	-	-	-	-
Public Works/Civil Inspect. Fees <sup>2</sup>	-	-	-	-	-	-	-	-	-	-	-	-
Other Fees <sup>3</sup>	-	-	-	-	-	-	-	-	-	-	-	-
<b>Subtotal</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<u>Intergovernmental Revenue</u>												
C-Tax CCT (Sales Tax @ 2.25%) <sup>4</sup>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 22,122
Remainder C-Tax Sources <sup>2</sup>	-	-	-	-	-	-	-	-	-	-	-	-
Motor Vehicle Fuel Tax <sup>2</sup>	-	-	-	-	-	-	-	-	-	-	-	-
RTC Shared Revenue <sup>2</sup>	-	-	-	-	-	-	-	-	-	-	-	-
County Parks Agreement <sup>2</sup>	-	-	-	-	-	-	-	-	-	-	-	-
County Roads Contribution <sup>2</sup>	-	-	-	-	-	-	-	-	-	-	-	-
Other <sup>3</sup>	-	-	-	-	-	-	-	-	-	-	-	-
<b>Subtotal</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 22,122</b>
<u>Fines and Forfeits</u>												
Municipal Court Revenue <sup>2</sup>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Miscellaneous Fees <sup>2</sup>	-	-	-	-	-	-	-	-	-	-	-	-
<b>Subtotal</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<u>Miscellaneous</u>												
Interest Income <sup>3</sup>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Cemetery Plot Fees <sup>2</sup>	-	-	-	-	-	-	-	-	-	-	-	-
Facility Rental Fees <sup>2</sup>	-	-	-	-	-	-	-	-	-	-	-	-
Donations <sup>3</sup>	-	-	-	-	-	-	-	-	-	-	-	-
Miscellaneous <sup>3</sup>	-	-	-	-	-	-	-	-	-	-	-	-
<b>Subtotal</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>REVENUE TOTAL</b>	<b>\$ 614,516</b>	<b>\$ 623,734</b>	<b>\$ 633,090</b>	<b>\$ 642,587</b>	<b>\$ 652,225</b>	<b>\$ 662,009</b>	<b>\$ 671,939</b>	<b>\$ 682,018</b>	<b>\$ 692,248</b>	<b>\$ 702,632</b>	<b>\$ 6,576,999</b>	<b>\$ 12,014,876</b>

**APPENDIX 2  
CITY OF FERNLEY  
COMPARISON OF ESTIMATED REVENUE TO ESTIMATED COSTS**

	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	SUBTOTAL	TOTAL
<b>EXPENDITURES</b>												
<b>General Government</b>												
Mayor/Council <sup>5</sup>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Office of City Manager <sup>5</sup>	-	-	-	-	-	-	-	-	-	-	-	-
Office of City Attorney <sup>5</sup>	-	-	-	-	-	-	-	-	-	-	-	-
Treasurer <sup>5</sup>	-	-	-	-	-	-	-	-	-	-	-	-
City Clerk <sup>5</sup>	-	-	-	-	-	-	-	-	-	-	-	-
Facilities <sup>5</sup>	-	-	-	-	-	-	-	-	-	-	-	-
Human Resources <sup>5</sup>	-	-	-	-	-	-	-	-	-	-	-	-
Information Technology <sup>5</sup>	-	-	-	-	-	-	-	-	-	-	-	-
<b>General Government Total</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Judicial</b>												
Municipal Court <sup>5</sup>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Judicial Total</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Public Works</b>												
City Engineer <sup>5</sup>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Fleet <sup>5</sup>	-	-	-	-	-	-	-	-	-	-	-	-
Streets and Stormdrains <sup>6</sup>	-	-	-	-	-	-	-	-	-	-	-	-
<b>Streets Total</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Health</b>												
Animal Control <sup>5</sup>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Vector Control <sup>5</sup>	-	-	-	-	-	-	-	-	-	-	-	-
Cemetery <sup>5</sup>	-	-	-	-	-	-	-	-	-	-	-	-
<b>Health Total</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Culture and Recreation</b>												
Parks <sup>5</sup>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Culture &amp; Rec Total</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Community Development</b>												
Building and Planning <sup>7</sup>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 35,474
Code Enforcement <sup>8</sup>	-	-	-	-	-	-	-	-	-	-	-	-
<b>Community Dev. Total</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 35,474</b>
<b>EXPENDITURES SUBTOTAL</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 35,474</b>
CONTINGENCY @	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,064
<b>EXPENDITURES TOTAL</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 36,538</b>
<b>GENERAL FUND SURPLUS/DEFICIT</b>	<b>\$ 614,516</b>	<b>\$ 623,734</b>	<b>\$ 633,090</b>	<b>\$ 642,587</b>	<b>\$ 652,225</b>	<b>\$ 662,009</b>	<b>\$ 671,939</b>	<b>\$ 682,018</b>	<b>\$ 692,248</b>	<b>\$ 702,632</b>	<b>\$ 6,576,999</b>	<b>\$ 11,978,337</b>

**APPENDIX 2  
CITY OF FERNLEY  
COMPARISON OF ESTIMATED REVENUE TO ESTIMATED COSTS**

**APPENDIX 2. ASSUMPTIONS:**

**REVENUES**

- 1 See Appendix 3 for real property tax revenue estimates. The analysis conservatively does not include personal property revenue associated with the project.
- 2 The project is not expected to have a significant impact on this revenue source.
- 3 The project may have an impact on this revenue source, but the impact is difficult to estimate and is conservatively excluded from the analysis.
- 4 See Appendix 4 for sales tax revenue calculations and assumptions.

**EXPENDITURES**

- 5 The project may have an impact on this expenditure source, but the impact is difficult to estimate or is expected to be minimal.
- 6 The project is not expected to add any streets to the City's inventory for maintenance, as a result, no costs are estimated.
- 7 Building and planning department costs are estimated at **\$162** per acre, applied to the project acreage shown in Appendix 1, inflated by 3% per year over the project development period. Source: Fiscal Impact Analysis Tool Fernley Nevada, Verdunity, 2021.

**APPENDIX 3  
ESTIMATED REAL PROPERTY TAX REVENUE**

<u>YEAR</u>	<u>LAND USE</u>	<u>ANNUAL TAXABLE VALUE OF</u>		<u>CUMULATIVE TAXABLE VALUE</u>	<u>CITY OF FERNLEY</u>	<u>NORTH LYON CO. FIRE PROTECTION</u>
		<u>LAND</u>	<u>IMPROVS.</u>			
2028	Industrial	\$ 9,665,152	\$ 107,814,000	\$ 117,479,152	\$ 278,079	\$ 142,349
2029	Industrial	-	107,814,000	227,055,339	537,451	275,123
2030	Industrial	-	-	230,461,169	545,513	279,250
2031	Industrial	-	-	233,918,087	553,696	283,439
2032	Industrial	-	-	237,426,858	562,001	287,690
2033	Industrial	-	-	240,988,261	570,431	292,005
2034	Industrial	-	-	244,603,085	578,988	296,386
2035	Industrial	-	-	248,272,131	587,673	300,831
2036	Industrial	-	-	251,996,213	596,488	305,344
2037	Industrial	-	-	255,776,156	605,435	309,924
2038	Industrial	-	-	259,612,799	614,516	314,573
2039	Industrial	-	-	263,506,991	623,734	319,291
2040	Industrial	-	-	267,459,596	633,090	324,081
2041	Industrial	-	-	271,471,490	642,587	328,942
2042	Industrial	-	-	275,543,562	652,225	333,876
2043	Industrial	-	-	279,676,715	662,009	338,884
2044	Industrial	-	-	283,871,866	671,939	343,968
2045	Industrial	-	-	288,129,944	682,018	349,127
2046	Industrial	-	-	292,451,893	692,248	354,364
2047	Industrial	-	-	296,838,672	702,632	359,679
<b>TOTAL</b>		<b>\$ 9,665,152</b>	<b>\$ 215,628,000</b>		<b>\$ 11,992,753</b>	<b>\$ 6,139,126</b>

**APPENDIX 3, ASSUMPTIONS:**

- Project land and improvement values are estimated in Appendix 1.
- FY 2025-26 property tax rates are assumed to remain unchanged over the analysis period:
 

<b>City of Fernley General Fund</b>	<b>\$</b>	<b>0.6763</b>
<b>North Lyon Co. Fire District</b>	<b>\$</b>	<b>0.3462</b>
- Project parcel's current value is **\$ 657,834** according to the Lyon County Assessor's Office. However, as the parcel was located outside of the City of Fernley prior to annexation of this project, all revenue generated by the parcel will be new to the City.
- Property tax calculation: Taxable X 35% = Assessed Value; Assessed Value/100 X Tax Rate = Property Tax Revenue.
- The analysis assumes a 1.5% annual land and improvement growth rate, net of depreciation.

**APPENDIX 4  
ESTIMATED SALES TAX REVENUE**

<u>YEAR</u>	<u>LAND USE</u>	<u>CONSTRUCTION MATERIALS</u>	<u>TAXABLE SALES</u>	<u>CITY OF FERNLEY REVENUE</u>	<u>NORTH LYON CO. FIRE REVENUE</u>
2028	Industrial	\$ 53,907,000	\$ 53,907,000	\$ 11,061	\$ 11,414
2029	Industrial	53,907,000	53,907,000	11,061	11,414
<b>TOTAL</b>		<b>\$ 107,814,000</b>	<b>\$ 107,814,000</b>	<b>\$ 22,122</b>	<b>\$ 22,829</b>

**APPENDIX 4, ASSUMPTIONS:**

1. Sales tax rates are assumed to remain at FY 2025-26 amounts:

- 0.50% Basic City County Relief Tax (BCCRT)
- 1.75% Supplemental City County Relief Tax (SCCRT)

Distribution of BCCRT AND SCCRT sales tax revenue to City of Fernley and North Lyon County Fire Protection District is calculated at

- City of Fernley **0.93%**
- North Lyon Co. Fire District **0.96%**

Source: State of Nevada Department of Taxation. "Consolidated Tax Distribution," FY 2024-25.

State of Nevada administrative fee of **1.75%** is subtracted from estimated sales tax revenue each year for State uses.

2. Construction materials value is estimated at 50% of improvement costs shown in Appendix 1.

**APPENDIX 5  
NORTH LYON COUNTY FIRE PROTECTION DISTRICT  
ESTIMATED REVENUE AND COSTS**

<u>YEAR</u>	<u>LAND USE</u>	<u>REVENUE</u>			<u>FIRE/ AMBULANCE COSTS</u>	<u>NET SURPLUS</u>
		<u>PROPERTY TAX</u>	<u>SALES TAX</u>	<u>TOTAL</u>		
2028	Industrial	\$ 142,349	\$ 11,414	\$ 153,764	\$ -	\$ 153,764
2029	Industrial	275,123	11,414	286,537	-	286,537
2030	Industrial	279,250	-	279,250	-	279,250
2031	Industrial	283,439	-	283,439	-	283,439
2032	Industrial	287,690	-	287,690	-	287,690
2033	Industrial	292,005	-	292,005	-	292,005
2034	Industrial	296,386	-	296,386	-	296,386
2035	Industrial	300,831	-	300,831	-	300,831
2036	Industrial	305,344	-	305,344	-	305,344
2037	Industrial	309,924	-	309,924	-	309,924
2038	Industrial	314,573	-	314,573	-	314,573
2039	Industrial	319,291	-	319,291	-	319,291
2040	Industrial	324,081	-	324,081	-	324,081
2041	Industrial	328,942	-	328,942	-	328,942
2042	Industrial	333,876	-	333,876	-	333,876
2043	Industrial	338,884	-	338,884	-	338,884
2044	Industrial	343,968	-	343,968	-	343,968
2045	Industrial	349,127	-	349,127	-	349,127
2046	Industrial	354,364	-	354,364	-	354,364
2047	Industrial	359,679	-	359,679	-	359,679
<b>TOTAL</b>		<b>\$ 6,139,126</b>	<b>\$ 22,829</b>	<b>\$ 6,161,955</b>	<b>\$ -</b>	<b>\$ 6,161,955</b>

**APPENDIX 5, ASSUMPTIONS:**

1. See Appendices 3 and 4 for property and sales tax revenue calculations.
2. Fire and ambulance costs associated with the project are difficult to estimate but are not expected to be significant as the project will not add any residential uses and any calls for service will be associated with the project operation only.

## **Legal Description and Boundary Map**

**LEGAL DESCRIPTION  
FOR  
PARCEL INCLUDED IN  
MASTER PLAN AND ZONING MAP AMENDMENTS**

The Land referred to herein below is situated in the County of Lyon, State of Nevada, and is described as follows:

Parcel I:

Township 21 North, Range 25 East, M.D.B.&M., County of Lyon, State of Nevada.

Section 33:

ALL THAT PORTION LYING SOUTHEASTERLY OF THE INTERSTATE ROUTE 80 RIGHT-OF-WAY.

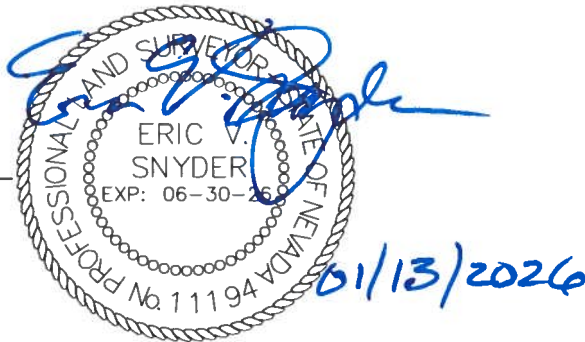
EXCEPTING THEREFROM THAT PORTION LYING WITHIN INTERSTATE ROUTE 80 RIGHT-OF-WAY AS THE SAME NOW EXISTS.

This legal description was provided in the Commitment for Title Insurance prepared by First American Title Insurance Company National Commercial Services, Commitment Number NCS-1213942-HHLV, Second Amended, dated August 01, 2025.

Said Land contains approximately 109.06 acres.








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Eric V. Snyder, PLS 11194  
Bowman Consulting Group Ltd.  
1150 Corporate Blvd.  
Reno, NV 89502



V:\20016 - VICTORY LOGISTICS\420016-02-001 (PLN) -- POWER PARCEL ANNEXATION\PLANNING\DWG\V-ZMA-MPA-MARKIV-CERESOLA.DWG

# LEGEND

- 

FOUND QUARTER SECTION CORNER AS NOTED
- 
FOUND CLOSING SECTION CORNER AS NOTED
- 
FOUND STANDARD SECTION CORNER AS NOTED
- 
PROPERTY LINE
- 
SECTION LINE
- 
ADJOINER PROPERTY LINE

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	N46°34'20"E	414.63'
L2	S00°18'51"W	563.53'

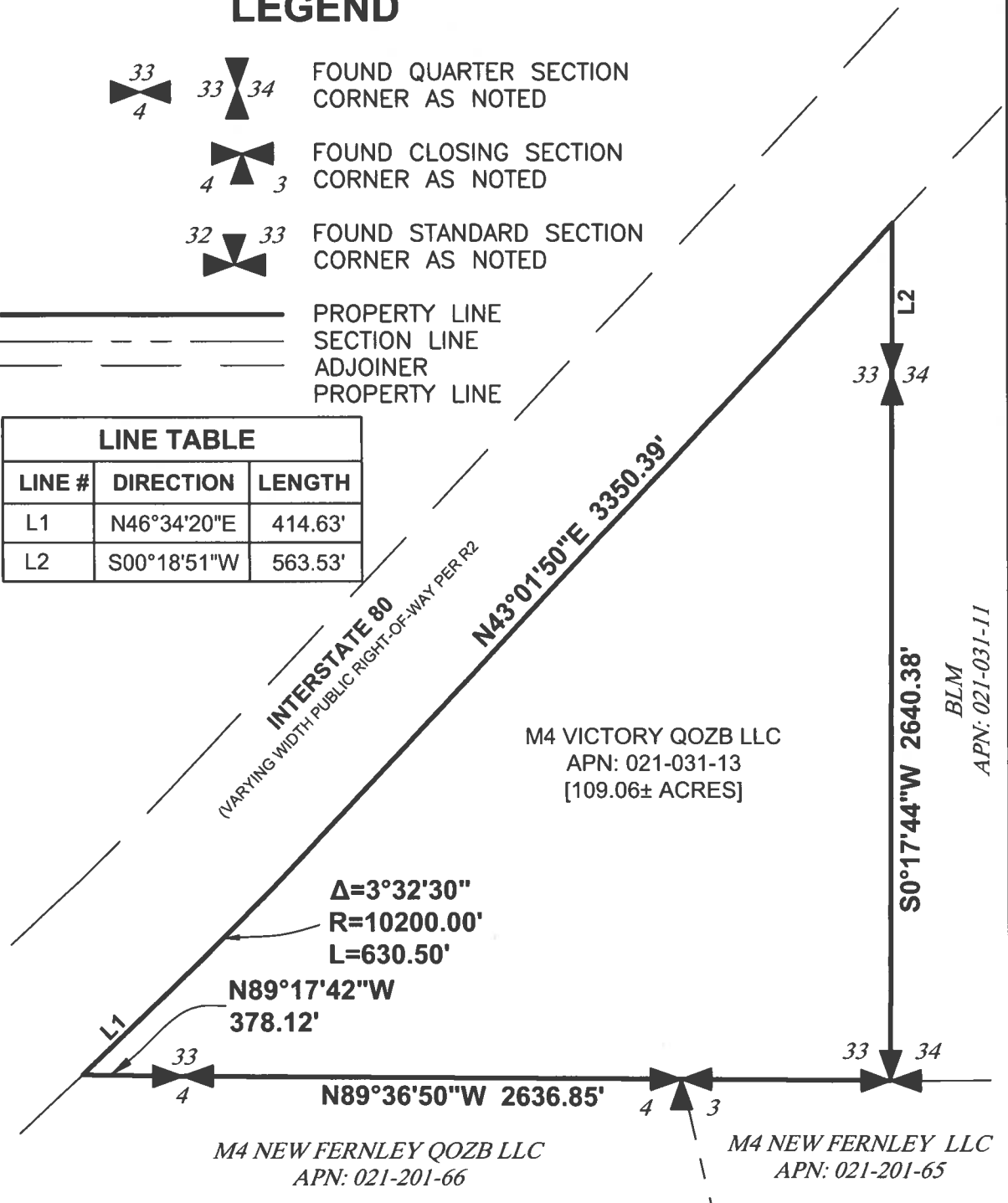


EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION FOR  
 MASTER PLAN AND ZONE MAP AMENDMENTS  
 LYING WITHIN PORTIONS OF NE 1/4, SE 1/4 & SW 1/4 OF  
 SECTION 33, TOWNSHIP 21 NORTH, RANGE 25 EAST, M.D.M.  
 FERNLEY, LYON COUNTY, NEVADA

**Bowman**  
 1150 CORPORATE BLVD.  
 RENO, NV 89502

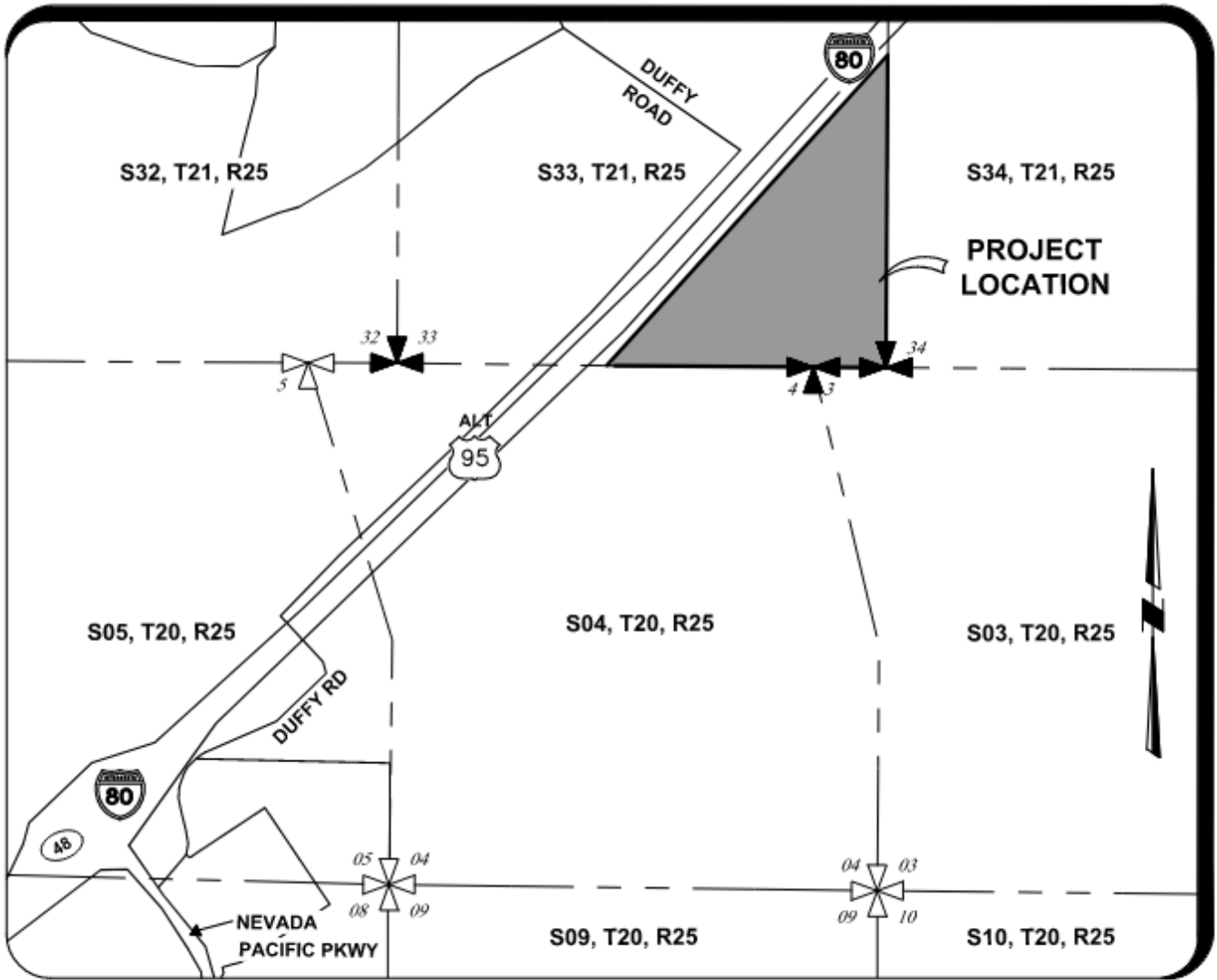
SHEET **1** / OF **1**

## **Site Map/ALTA Survey**





## **Vicinity Map**



**VICINITY MAP**  
NOT TO SCALE

## **Proof of Property Tax Payment**



## Tax Account 021-031-13

### Owners

M4 VICTORY POWER QOZB LLC  
4450 MACARTHUR BLVD 2ND FLR  
FERNLEY, NV 89408-0000

### Account Summary

Account ID	021-031-13
Account Type	Real Estate
Location	0 FERNLEY
Balance	\$0.00
Currently Due	\$0.00

No payment currently due.

This account has a balance of \$0.00. No payment can be made.

### Current Year

Description	2025/2026 REAL ESTATE TAXES
Original	\$150.22
Total	\$150.22
Paid	\$150.22
Balance	\$0.00
Due	\$0.00
Ad Valorem Tax Rate	2.9816
Tax District	6.1 (North Lyon Fire - Non City)
Tax Cap	100% High 8.0%
Tax Cap Type	Other

### Installments

#	Due Date	Penalty Date	Status	Original Total	Penalty	Interest	Total	Paid	Total Due
1	08/18/2025	08/29/2025	Paid	\$39.22	\$0.00	\$0.00	\$39.22	\$39.22	\$0.00
2	10/06/2025	10/17/2025	Paid	\$37.00	\$0.00	\$0.00	\$37.00	\$37.00	\$0.00
3	01/05/2026	01/16/2026	Paid	\$37.00	\$0.00	\$0.00	\$37.00	\$37.00	\$0.00
4	03/02/2026	03/13/2026	Paid	\$37.00	\$0.00	\$0.00	\$37.00	\$37.00	\$0.00

#	Due Date	Penalty Date	Status	Original Total	Penalty	Interest	Total	Paid	Total Due
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## Past Years

Description	Original	Penalty	Interest	Paid	Balance	Due	Tax Rate	Tax District
2024/2025 REAL ESTATE TAXES	\$139.19	\$0.00	\$0.00	\$139.19	\$0.00	\$0.00	2.9810	6.1

## Special Assessments and Other Fees

Year	Code	Description	Amount	Paid	Balance	Due
2025-2026	S33	Fernley Groundwater	1.03	1.03	.00	.00
2024-2025	S33	Fernley Groundwater	1.05	1.05	.00	.00

## Tax Bill and Payment History

Date	Type	Billed to / Payer Name / Note	Amount	Balance
09/03/2025	PAYMENT	M4 NEW FERNLEY QOZB LLC PNP WF - 181885207	\$-111.00	\$0.00
08/15/2025	PAYMENT	M4 NEW FERNLEY QOZB LLC PNP WF - 180970372	\$-39.22	\$111.00
07/11/2025	BILL	M4 VICTORY QOZB LLC	\$150.22	\$150.22
08/22/2024	PAYMENT	CERESOLA BROTHERS LLC CHECK 1114	\$-139.19	\$0.00
07/16/2024	BILL	CERESOLA BROTHERS LLC	\$139.19	\$139.19

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