



N E V A D A

AGENDA
Regular Meeting
Planning Commission

Wednesday, March 12, 2025 • 5:00 PM

Members

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

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

Zoom information:

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

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

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

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

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

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

1. INTRODUCTORY ITEMS

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

2. STAFF REPORTS

- 2.1. (For Possible Action) Consideration and possible action on a Tentative Parcel Map application (TPM25001) submitted by Cari S. and Martin J. Bunyard to split an existing $\pm$ 5-acre parcel into two (2) $\pm$ 2.5-acre parcels located in the RR5 (Rural Residential; 5-acre minimum lot size) zoning district located at 1000 Jenny's Ln (APN: 020-351-03).**
- 2.2. (For Possible Action) Consideration and possible action regarding a Conditional Use Permit application (CUP25001) and a Waiver application (WVR25001) submitted by Shawn Mitchell on behalf of Polyglass on a site located at 150 Lyon Dr. (APN: 021-261-063) in an I (Industrial) zone. The Conditional User Permit is to allow for the expansion of an existing 67,300-square foot industrial facility for the storage and processing of hazardous materials to include an additional 100,000 square feet of indoor storage, an 8,500 square-foot office, and site reconfiguration/circulation to accommodate the building expansion. The Waiver application is to request the removal of the requirement for the construction of sidewalks along Lyon Dr. and Industrial Dr.**

3. CHAIR AND COMMISSION ITEMS

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

4. 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.)

- 4.1. Update on City Council actions from February 19, 2025 and March 5, 2025.**
- 4.2. General Planning Department updates and announcements.**

5. ADDRESS REQUEST(S) FOR FUTURE AGENDA ITEMS

6. PUBLIC FORUM

7. ADJOURNMENT

Next Meeting: April 9th @ 5pm

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

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

1. INTRODUCTORY ITEMS

1.1. Pledge of Allegiance

1.2. Roll Call

Present: Chairwoman Jenni McCullar, Commissioner Cody Wagner, Commissioner Jacob VanderHeiden, Commissioner Robert Flores, Commissioner Tessa Garvin, Commissioner Julianne Holt, City Attorney Aaron Mouritsen, Mayor Neal E. McIntyre, City Manager Ben Marchant, Deputy City Clerk Brenda Gosser, Administrative Specialist I Sandy Harris, Planning Director Michele Rambo, Assistant Planner Lisa Warner, Project Manager Alex Lopez Martinez.
Absent: Vice-Chair Angela Lewis, Commissioner Barry Williams Sr.

1.3. Public Forum

None

1.4. (For Possible Action) Approval of Agenda

Motion: I MOVE TO APPROVE THE AGENDA AS PRESENTED. **Action:** Approved. **Moved by:** Commissioner Cody Wagner, **Seconded by:** Commissioner Robert Flores. **Vote:** Passed, **Summary:** Yes 6. **Yes:** Chairwoman McCullar, Commissioner Wagner, Commissioner VanderHeiden, Commissioner Flores, Commissioner Garvin, Commissioner Holt.

1.5. (Possible Action) Approval of Minutes

Motion: I MOVE TO APPROVE THE MINUTES FROM THE LAST MEETING. **Action:** Approved. **Moved by:** Commissioner Robert Flores, **Seconded by:** Commissioner Jake VanderHeiden. **Vote:** Passed, **Summary:** Yes 6. **Yes:** Chairwoman McCullar, Commissioner Wagner, Commissioner VanderHeiden, Commissioner Flores, Commissioner Garvin, Commissioner Holt.

2. STAFF REPORTS

2.1. (For Possible Action) Consideration and possible action on a Tentative Parcel Map application (TPM24002) submitted by Jim Cutler on behalf of King Construction to split an existing ± 5-acre parcel into two (2) smaller parcels measuring approximately ± 4.28-acres and ± 31,199 square feet, generally located at 2040 Farm District Road (APN: 021-331-05) in the SF20 (Single-Family; 20,000 square feet lot minimum) zoning district.

Lisa Warner, Assistant Planner, presented. The parcel has been under the ownership of Edward and Jaynee King Trust since April 1981. There are currently two single-family residences on the property. The current parcel was created by a parcel map recorded in February 1981. The parcel is +/-5-acres in size and is located at 2040 Farm District Road (APN: 021-3310-05), in a Single-Family, 20,000 square feet lot minimum zoning district (SF20). The parcel is surrounded by Rural

Residential zone land to the North, South, East, and West. The applicant has submitted a Tentative Parcel Map request to subdivide a +/-5-acre parcel into two (2) smaller lots. The proposed new parcels will be: Parcel 2A at +/- 4.28-acres and Parcel 2B at +/- 31,199 square feet. The purpose of the subdivision is for estate planning purposes only, so the King's daughter may continue to live on Parcel 2B and have separate title to the parcel/property.

Jim Cutler, representative for the King Family Trust, stated that this is strictly a separation of the two single family housing there. The road is paved in front of the new parcel being created and would like to request that this motion be approved, excluding conditions numbers 8 through 11. This puts a tremendous hardship on the owners. Just the paving and the sidewalk alone would be roughly about \$400,000.

Chairwoman Jenni McCullar inquired about going smaller.

Lisa Warner, Assistant Planner, stated that if they did a zoning map amendment went to a RR1/2, they would only have to do the A/C pavement and the underground utilities.

Jim Cutler stated that it would amount to about \$380,000, because the only thing it eliminates is the sidewalk.

Commissioner Wagner asked if there would be a cost associated with requesting a zoning change to RR1/2?

Jim Cutler stated that there would be the permit fee and everything, and the conditions that were laid out, the paving and the utilities going further down, which would be about \$380,000.

Commissioner Wagner stated that, from his standpoint, it would be a little bit easier to consider waiving some of those if it was 1/2 rather than SF20, just because SF20 sets up a future where you could develop those into 20,000 square foot lots. Whereas RR1/2 kind of keeps that rural nature of the area.

Commissioner Julianne Holt asked for clarification of utilities.

Jim Cutler stated that both residents have their own septic. The larger residence is on a well. The residence that was built in 2020 is on city water, and they did pay for that improvement along with the additional fire hydrant. We're waiting to convert the current resident to real property, which cannot be done until the property is on its own parcel. We've got that application in the State, and they're waiting for the disposition of this matter.

Alex Lopez Martinez, Project Manager, stated that as far as improvements to utilities, the conditions are for half street improvements for curb, gutter and sidewalk and asphalt pavement and underground utilities if it's zoned under SF20. If the properties were rezoned to RR1/2, there would only be half-street improvements for AC pavement and underground utilities, and since both properties are supplied with water and sewer services, no underground utilities would be needed.

Commissioner Wagner stated that thinking about this from a commonsense perspective, what we're asking them to do is pave half a width. By code, the idea would be that the property across the street would eventually pave half and make it fully paved. That doesn't make a ton of sense for us to really enforce.

Commissioner Tessa Garvin expressed concerns about the ditch and the possibility of flooding the lower property.

Motion: I MOVE TO APPROVE THE TENTATIVE PARCEL MAP REQUEST ASSOCIATED WITH TPM 24002, SUBJECT TO CONDITIONS OF APPROVAL 1 THROUGH 14, AS

PRESENTED BY STAFF AND BASED ON FINDINGS TPM1 THROUGH TPM6, AND THE SUPPORTING DATA AS SET FORTH IN THE STAFF REPORT BASED ON THIS PROPERTY REMAINING SF20. I ADDITIONALLY MOVE TO APPROVE THE TENTATIVE PARCEL MAP REMOVING FINDINGS OR CONDITIONS 8 THROUGH 11 BASED ON THE PROPERTY BEING REZONED FROM SF20 TO RR1/2 AND FINDING TPM 6 WILL BE MET, BECAUSE THE ONLY REQUIREMENT STILL APPLICABLE IS THE REPAVING OF THE STREET AND THE OTHER HALF OF THE STREET AND THE SECTION OF BROWN NORTH OF THAT IS NOT PAVED. IT DOES NOT MAKE SENSE TO REQUIRE JUST THE PAVING OF HALF OF ONE STREET. **Action:** Approved. **Moved by:** Commissioner Cody Wagner, **Seconded by:** Commissioner Tessa Garvin. **Vote:** Passed, **Summary:** Yes 6. **Yes:** Chairwoman McCullar, Commissioner Wagner, Commissioner VanderHeiden, Commissioner Flores, Commissioner Garvin, Commissioner Holt.

3. GENERAL BUSINESS

3.1. Open discussion with Harman Bains, Lyon County School District Director of Operations, regarding the impact of residential development on current school facilities within the City of Fernley.

Michele Rambo, Planning Director, stated that as was requested at the last Planning Commission meeting, she had asked Mr. Bains to be here to answer questions that they may have about development and school capacity.

Harman Bains, Lyon County School District Director of Operations, stated that they are going through a Ten-Year Master Facilities Plan in the Lyon County School District and anticipates it to be completed in late spring. As progress is made, they will be updating the public through the board workshops and the Board of Trustees at their meetings.

Commissioner Robert Flores asked how they determine if a new school structure is needed.

Mr. Bains stated that through the Ten-Year Master Facilities Plan they are working with Zonda education. Zonda is a demographics and enrollment and capacity organization and all they do is check where new developments, new residential, and new mobile home parks are coming. They predict over the next several years how many of these are going to be developed, and how many of these are bringing in students. As we just hit certain capacities within our schools, then it's the school districts and our Board of Trustees' responsibility to decide whether we go the path of building an additional school, or we go the path of additional wings. As this study gets completed, we're going to have much better data to ultimately decide whether we will go down the path of additional classrooms being added on, or an entirely new campus, depending on the size of developments that come into Fernley.

Mr. Bains answered questions from the Commissioners.

4. CHAIR AND COMMISSION ITEMS

Commissioner Cody Wagner congratulated Chairwoman McCullar on her grandson winning the State wrestling championship. We have a zone playoff basketball tournament coming up Friday and Saturday. It's the first time he can ever remember Fernley hosting a zone regional tournament because of the new gym. Friday night, 6:20 pm is the girls' game, 8:00 pm is the boys' game.

5. PLANNING DIRECTOR ITEMS

5.1. Update on City Council actions from January 15, 2025, and February 5, 2025.

Michele Rambo, Planning Director, reported at the January 15th Council meeting the Woodchuck Lane Zone Change and Master Plan amendment were approved. The level of service exception for the roundabout was approved and the North Area Plan was approved. At the February 5th Council meeting we had the final parcel map for Sunrise trails approved and the Yori subdivision was continued. The council asked for another neighborhood meeting or a workshop which is happening tomorrow night, and then the decision on the subdivision and the other associated applications will be made on the 19th. The Creekwood Development was approved.

5.2. General Planning Department updates and announcements

Michele Rambo, Planning Director, reported that the Southwest Area Plan preliminary final draft is expected early tomorrow morning. We're hoping to get it out to everybody for review next week and then schedule it for the Planning Commission at the March meeting. The Senior Planner position has been filled, and he will start in March.

6. ADDRESS REQUEST(S) FOR FUTURE AGENDA ITEMS

Commissioner Cody Wagner would like to discuss the SF6 zoning requirements from a legal perspective. He would like to understand what requirements we may be able to put on developers, as far as requiring a few or a percentage of additional larger lot sizes or something along those lines.

7. PUBLIC FORUM

None

The next Planning Commission meeting will be March 12, 2025.

8. ADJOURNMENT

There being no further business to come before it, the Fernley Planning Commission meeting adjourned 6:17 pm.

Approved by the Fernley Planning Commission on March 12, 2025, by vote of:

AYES _____ NAYS: _____ ABSTENTIONS: _____ ABSENT: _____

Jennie McCullar, Chair

Attest



CITY OF FERNLEY

Planning Commission AGENDA REPORT

Meeting Date: March 12, 2025

REPORT TO: Fernley Planning Commission

REPORT FROM: Lisa Warner

FINANCIAL IMPACT:

Yes: No: X

CURRENTLY BUDGETED:

Yes: No: X

FUND/ACCOUNT:

N/A

ACTION REQUESTED: Motion

AGENDA ITEM:

(For Possible Action) Consideration and possible action on a Tentative Parcel Map application (TPM25001) submitted by Cari S. and Martin J. Bunyard to split an existing $\pm$ 5-acre parcel into two (2) $\pm$ 2.5-acre parcels located in the RR5 (Rural Residential; 5-acre minimum lot size) zoning district located at 1000 Jenny's Ln (APN: 020-351-03).

AGENDA ITEM BRIEF:

These parcels have a land-use designation of Single Family Residential and are zoned as RR5 (Rural Residential; 5-acre minimum lot size). The purpose of the map is to divide the $\pm$ 5-acre parcel into two (2) separate $\pm$ 2.5-acre parcels.

RECOMMENDED MOTION:

Approval

"I move to approve the Tentative Parcel Map request associated with TPM25001 subject to conditions of approval 1 through 12 presented by staff and based on Findings TPM1 through TPM12 and the supporting data as set forth in the staff report."

BUSINESS IMPACT (per NRS Chapter 237):

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

See attached report for background, analysis, alternatives.

ALTERNATIVES:

Denial

"Based on the information received in written materials and at the public hearings on this matter, I move to deny the Tentative Parcel Map request associated with TPM25001 because I have determined the proposed changes are detrimental to the public's health, safety, and general welfare and am unable to make the following required Finding(s): I am unable to make the finding _____ as it relates to _____. Therefore, I cannot recommend approval of the parcel map."

NOTE: Though further specific language has not been provided, all motions are possible under Planning Commission parliamentary procedure are appropriate.

BACKGROUND:

The parcel has been under the ownership of Cari S. and Martin J. Bunyard since July 2015. The current parcel was created by a subdivision map recorded in August 1978 (Document #39323). The parcel is $\pm$ 5-acres in size and is located at 1000 Jenny's Ln (APN: 020-351-03), in an RR5 (Rural Residential; 5-acre minimum lot size) zoning district.

A Major Deviation (MJD23002) application was submitted and approved by the City of Fernley Planning Commission on September 13, 2023, to allow for the creation of two (2) $\pm$ 2.5-acre parcels in the RR5 (Rural Residential; 5-acre minimum lot size) zoning district on a site $\pm$ 5-acres in size and approximately located at 1000 Jenny's Ln (APN: 020-351-03).

ANALYSIS:

The applicant has submitted a Tentative Parcel Map request to subdivide a $\pm$ 5-acre parcel into two (2) smaller lots. The proposed new parcels will be: Parcel 1 at $\pm$ 2.5-acres and Parcel 2 at $\pm$ 2.5-acres.

The City of Fernley's Master Plan Land Use Map states that the parcel site currently has a land use designation of SFR (Single Family Residential) and the City's Zoning Map identifies the parcel as being located within the RR5 (Rural Residential; 5-acre minimum lot size) zoning district.

Given that the properties surrounding the project site generally share residential zoning, lot transitioning and adjacency standards will not be a concern. As a result, no improvements are expected to be made regarding the adjacency between the new and existing lots and buffering between the project side and the surrounding area. The parcel is surrounded by SF20 (Single Family; 20,000 square foot minimum lot size) residences to the north, south, east and west.

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

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

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

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

FINDINGS:

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

The current parcel is serviced by city water and sewer. As there is no future development planned at the time of the subdivision, no additional use of city water and sewer will be necessary.

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

The current parcel is serviced by city water and sewer. As there is no future development planned at the time of the subdivision, no additional use of city water and sewer will be necessary.

TPM3: Availability and Accessibility of Utilities.

The current parcel is serviced by city water and sewer. As there is no future development planned at the time of the subdivision, no additional use of city water and sewer will be necessary.

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

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

Schools: The project was submitted to the Lyon County Office of Education for review and no response was received; therefore, the current infrastructure of the school district is deemed sufficient as any school-age children residing on the parcel are already enrolled in school.

Parks & Recreation Facilities: The parcel is located in close proximity to Ponderosa Park.

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

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

A Major Deviation (MJD23002) application was submitted and approved by the City of Fernley Planning Commission on September 13, 2023, to allow for the creation of two (2) ± 2.5-acre lots in the RR5 (Rural Residential; 5-acre minimum lot size) zone on a site ± 5-acres in size and approximately located at 1000 Jenny's Ln (APN: 020-351-03).

TPM6: General conformity with the governing body's Master Plan of streets and highways.

No additional streets or highways are required for this project.

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

No additional streets or highways are required for this project.

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

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

TPM9: The recommendations and comments of those entities and people reviewing the tentative map

pursuant to NRS 278.330 to 278.3485, inclusive.

All agency comments and recommendations have been addressed.

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

The parcel site is located in an area currently serviced by North Lyon Fire Protection District.

TPM11: The potential impacts to wildlife and wildlife habitat.

The project has no impact on wildlife or wildlife habitats.

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

All taxes are currently paid in full.

RELEVANT LAWS, STATUTES, AND REGULATIONS:

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

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

City of Fernley Master Plan, August 2018

Specific References:

NRS 278.461 -278.469 - Parcel Maps

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

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

FMC 32.06.060 - Development Code, Zoning Districts, General rural (GR20) and residential rural (RR5, RR1, RR1/2)

FMC Chapter 32.01- Development Code, Development Standards

Master Plan, Chapter 3, Page 63 - Land Use, Residential Uses

FINANCIAL IMPLICATIONS:

N/A

ATTACHMENTS:

1. CONDITIONS OF APPROVAL final
2. 3d - Parcel Map
3. Major Deviation - Approval Letter PC

Conditions of Approval for TPM25001

TENTATIVE PARCEL MAP

SCOPE AND DURATION OF APPROVAL

1. APPROVAL:

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

2. PROJECT DESCRIPTION:

THE PROJECT APPROVAL IS LIMITED TO THE SPLITTING OF AN EXISTING $\pm$ 5-ACRE PARCEL INTO TWO (2) $\pm$ 2.5-ACRE PARCELS LOCATED IN THE RR5 (RURAL RESIDENTIAL; 5-ACRE MINIMUM LOT SIZE) ZONING DISTRICT LOCATED AT 1000 JENNYS LN (APN: 020-351-03). NO FURTHER DEVELOPMENT IS PLANNED AT THIS TIME.

3. EXPIRATION DATE:

THE TENTATIVE PARCEL MAP SHALL EXPIRE WITHIN FOUR (4) YEARS OF THE DATE OF THE PLANNING COMMISSION APPROVAL, UNLESS THE FINAL MAP HAS BEEN RECORDED.

4. GOVERNING DOCUMENTS:

ALL CITY OF FERNLEY MUNICIPAL CODE (FMC) REFERENCES HEREIN PERTAIN TO THE VERSION OF THE CODE ESTABLISHED BY ORDINANCE NUMBER 2023-008, UNLESS OTHERWISE NOTED. THE DEVELOPER MAY SUBSTITUTE REQUIREMENTS ESTABLISHED IN FUTURE FMC UPDATES, IF APPROVED BY THE ADMINISTRATOR.

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

DESIGN STANDARDS

5. DESIGN STANDARDS:

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

6. ENGINEERING DEPARTMENT:

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

7. LEGAL ACCESS:

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

Conditions of Approval for TPM25001

TENTATIVE PARCEL MAP

GRADING AND CIVIL PERMIT CONDITIONS

8. UNDERGROUND UTILITIES:

UNDERGROUND UTILITIES ARE REQUIRED PER FERNLEY MUNICIPAL CODE 32.09.140 – STREETS. THIS CONDITION WILL BE DEFERRED UNTIL FUTURE DEVELOPMENT BEGINS.

9. PUBLIC UTILITY EASEMENTS:

THE DEVELOPER SHALL PROVIDE A NOTE ON SHEET 1 OF THE TENTATIVE PARCEL MAP WHICH READS “ALL PUBLIC UTILITY EASEMENTS SHALL INCLUDE CITY OF FERNLEY WATER, SEWER, AND STORM DRAINS.”

REGULATORY AGENCIES

10. NORTH LYON COUNTY FIRE PROTECTION DISTRICT:

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

11. FEDERAL, STATE, AND LOCAL AGENCIES:

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

12. NEVADA REVISED STATUTES 278 COMPLIANCE:

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

OWNER'S CERTIFICATE

THIS IS TO CERTIFY THAT THE UNDERSIGNED, CARI S. BUNYARD AND MARTIN J. BUNYARD, ARE THE OWNERS OF THE TRACT OF LAND REPRESENTED ON THIS PLAT AND HAS CONSENTED TO THE PREPARATION AND RECORDATION OF THIS PLAT AND THAT THE SAME IS EXECUTED IN COMPLIANCE WITH AND SUBJECT TO THE PROVISIONS OF N.R.S. CHAPTER 278, AND THAT THE EASEMENTS AS SHOWN FOR ACCESS, UTILITY AND DRAINAGE ARE HEREBY GRANTED, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOREVER.

CARI S. BUNYARD AND MARTIN J. BUNYARD, WIFE AND HUSBAND, AS JOINT TENANTS, WITH THE RIGHT OF SURVIVORSHIP

BY: CARI S. BUNYARD, OWNER DATE

BY: MARTIN J. BUNYARD, OWNER DATE

STATE OF COUNTY OF } S.S.

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON

BY CARI S. BUNYARD AND MARTIN J. BUNYARD, PERSONALLY APPEARED BEFORE ME, A NOTARY PUBLIC, WHO ACKNOWLEDGED THAT THEY EXECUTED THE ABOVE INSTRUMENT.

NOTARY PUBLIC (MY COMMISSION EXPIRES)

CITY SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE FINAL PARCEL MAP HAS BEEN REVIEWED AND APPROVED

CITY SURVEYOR DATE

PRINTED NAME:

LYON COUNTY FIRE DISTRICT

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

FIRE MARSHALL DATE

PRINTED NAME:

CITY OF FERNLEY CERTIFICATE

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

CITY OF FERNLEY ENGINEER DATE PRINTED NAME:

CITY OF FERNLEY DIRECTOR DATE

TITLE COMPANY CERTIFICATE

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

STEWART TITLE COMPANY

BY: TITLE:

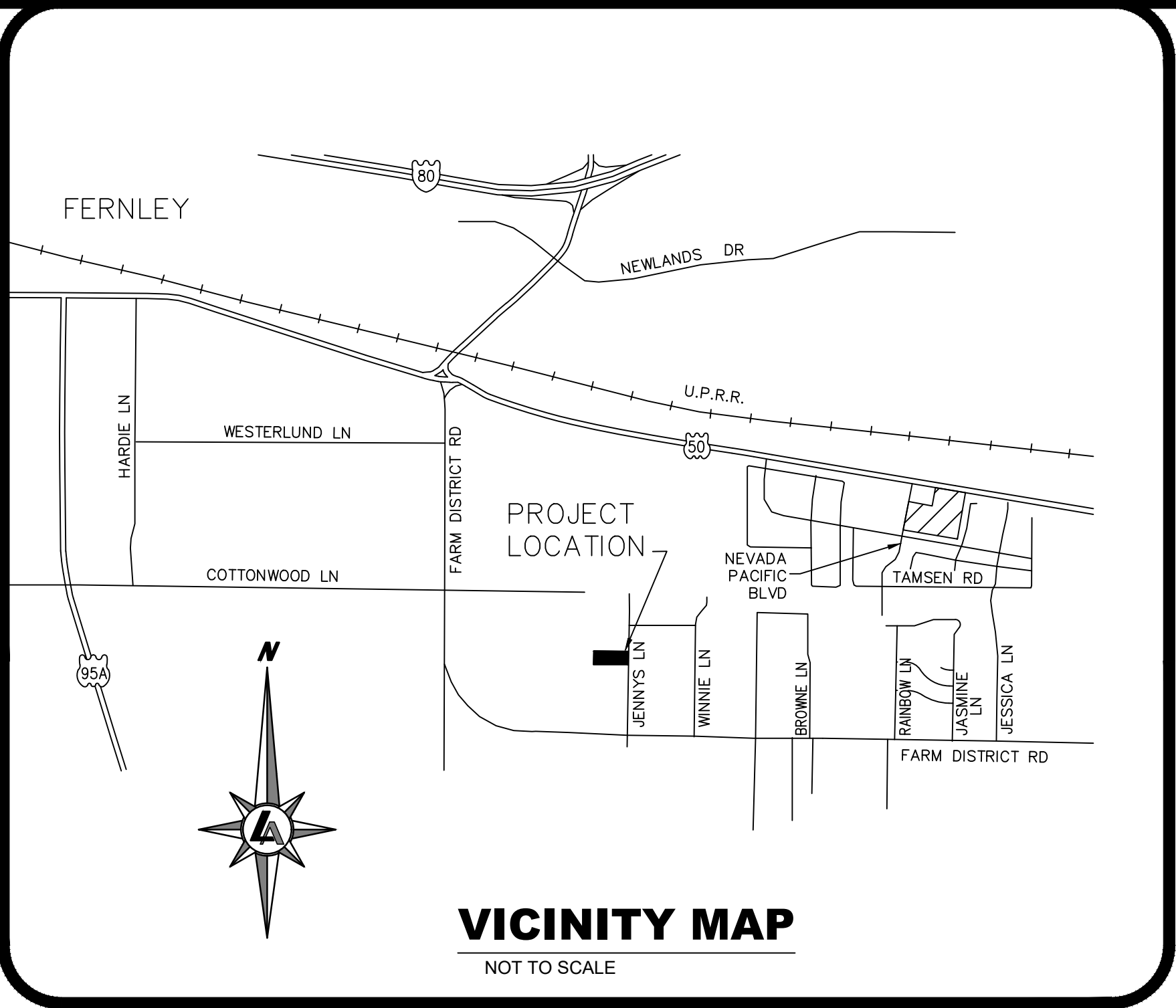
DIVISION OF ENVIRONMENTAL PROTECTION

THIS REVERSION TO ACREAGE MAP HAS BEEN REVIEWED AND APPROVED BY THE NEVADA DIVISION OF ENVIRONMENTAL PROTECTION WITH REGARD TO WATER POLLUTION AND SEWAGE DISPOSAL IN ACCORDANCE WITH NEVADA WATER POLLUTION CONTROL LAW.

BY: DATE

NAME

TITLE



NOTES

- LEGAL DESCRIPTION:
ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE COUNTY OF LYON, STATE OF NEVADA, DESCRIBED AS FOLLOWS:
LOT 6, BLOCK 3, AS SHOWN ON THE OFFICIAL MAP OF FLYING CIRCLE RANCH ESTATES, RECORDED IN THE OFFICIAL RECORDS OF LYON COUNTY, NEVADA, ON AUGUST 2, 1978, AS DOCUMENT NO. 39323.
- PROPOSED PARCEL SIZE
PARCEL 1: ±2.50 ACRES
PARCEL 2: ±2.50 ACRES
TOTAL AREA: ±5.00 ACRES
- CURRENT ZONING =RR5 (RESIDENTIAL - RURAL (5 ACRES MINIMUM)
CURRENT MASTER PLAN DESIGNATION = SINGLE-FAMILY RESIDENTIAL
- A PUBLIC UTILITY EASEMENT HEREBY GRANTED WITHIN EACH PARCEL FOR THE EXCLUSIVE PURPOSE OF INSTALLING AND MAINTAINING UTILITY SERVICE FACILITIES TO THAT PARCEL, WITH THE RIGHT TO EXIT THAT PARCEL WITH SAID UTILITY FACILITIES FOR THE PURPOSE OF SERVICING OTHER PARCELS, AT LOCATIONS MUTUALLY AGREED UPON BY OWNER OF RECORD AT THAT TIME OF INSTALLATION AND THE UTILITY COMPANY.
- PUBLIC UTILITY EASEMENTS ARE HEREBY GRANTED AS DEPICTED HEREON..
- ALL PUBLIC UTILITY EASEMENTS SHALL INCLUDE CABLE TELEVISION.
- A PUBLIC UTILITY EASEMENT IS HEREBY GRANTED TO SOUTHWEST GAS CORPORATION WITHIN EACH PARCEL AS SHOWN FOR THE EXCLUSIVE PURPOSE OF INSTALLING AND MAINTAINING UTILITY SERVICE FACILITIES TO THAT PARCEL, WITH THE RIGHT TO EXIT THAT PARCEL WITH SAID UTILITY FACILITIES FOR THE PURPOSE OF SERVING ADJACENT PARCELS.
- THE CITY, COUNTY, SCHOOL DISTRICT AND SPECIAL DISTRICTS ARE NOT OBLIGATED TO FURNISH AND SERVICE, SPECIFICALLY MENTIONING FIRE PROTECTION AND ROADS TO THE LAND SO DIVIDED AND THAT ANY PUBLIC UTILITIES MAY BE SIMILARLY FREE OF OBLIGATION.
- ACCEPTANCE OF THIS MAP BY THE CITY IS NOT A COMMITMENT THAT A BUILDING PERMIT WILL BE ISSUED ON ANY OR ALL LOTS.
- PROVISIONS, RESERVATIONS, EASEMENTS AND THE EFFECT THEREOF, CONTAINED IN THE PATENT FROM THE UNITED STATES OF AMERICA, RECORDED ON JULY 23, 1902, BOOK N, PAGE 381, DEED RECORDS OF LYON COUNTY, NEVADA. - NOT PLOTTABLE, BLANKET IN NATURE.
- RESERVATIONS AS CONTAINED IN A DEED, EXECUTED BY THE FEDERAL LAND BANK OF BERKELEY, A CORPORATION, RECORDED ON APRIL 9, 1941, IN BOOK 31, PAGE 180, AS FILE NO. 48333, DEED RECORDS OF LYON COUNTY, NEVADA. - NOT PLOTTABLE, BLANKET IN NATURE.
- EASEMENT FOR WATER LINE, TREES AND CONNECTORS, AND INCIDENTAL PURPOSES, BY AN INSTRUMENT, RECORDED ON JULY 28, 1981 AS DOCUMENT NO. 61921, OFFICIAL RECORDS OF LYON COUNTY, NEVADA. - DESCRIBES WATERLINES IN ROADWAYS.

G.I.S. CERTIFICATE

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

CITY OF FERNLEY G.I.S. DEPARTMENT DATE PRINTED NAME:

COUNTY OF LYON G.I.S. DEPARTMENT DATE PRINTED NAME:

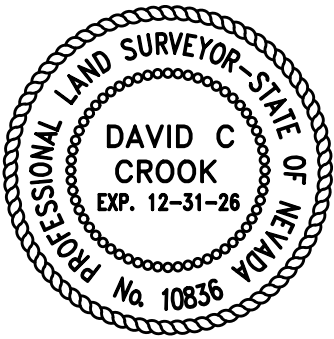
RIGHT TO FARM

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

SURVEYOR'S CERTIFICATE

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

- THIS PLAT REPRESENTS THE RESULTS OF A SURVEY CONDUCTED UNDER MY DIRECT SUPERVISION AT THE INSTANCE OF CARI S. BUNYARD AND MARTIN J. BUNYARD.
- THE LANDS SURVEYED LIE WITHIN THE NE1/4 OF SECTION 19, T.20 N., R.25 E., M.D.M., AND THE SURVEY WAS COMPLETED ON
- THIS PLAT COMPLIES WITH THE APPLICABLE STATE STATUTES AND ANY LOCAL ORDINANCES IN EFFECT ON THE DATE THAT THE GOVERNING BODY GAVE ITS FINAL APPROVAL.
- THE MONUMENTS DEPICTED ON THE PLAT ARE OF THE CHARTER SHOWN, OCCUPY THE POSITIONS INDICATED AND ARE OF SUFFICIENT NUMBER AND DURABILITY.



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

UTILITY COMPANY'S CERTIFICATE

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

SIERRA PACIFIC POWER CO. d/b/a NV ENERGY DATE BY: TITLE:

NEVADA BELL TELEPHONE CO. d/b/a AT&T NEVADA DATE BY: TITLE:

CHARTER COMMUNICATIONS DATE BY: TITLE:

SOUTHWEST GAS CORPORATION DATE BY: TITLE:

COUNTY CLERK'S CERTIFICATE

THE UNDERSIGNED HEREBY CERTIFIES THAT THERE ARE NO LIENS FOR UNPAID STATE, COUNTY, CITY OR LOCAL TAXES OR SPECIAL ASSESSMENTS AN THAT ALL TAXES FOR THE FISCAL YEAR HAVE BEEN PAID ON THE PROPERTY SHOWN HEREON. A.P.N. 020-351-03

BY: LYON COUNTY CLERK / TREASURER DATE:

PRINTED NAME:

RECORDER'S CERTIFICATE

FILE No.

FEE:

FILE FOR RECORD AT THE REQUEST OF LUMOS & ASSOCIATES, INC.

ON THIS DAY OF 2025, AT MINUTES

PAST O'CLOCK M., OFFICIAL RECORDS OF LYON COUNTY, NEVADA.

COUNTY RECORDER

BY: DEPUTY

PARCEL MAP

FOR

CARI S. BUNYARD AND MARTIN J. BUNYARD

A DIVISION OF LOT 6, BLOCK 3 AS SHOWN ON FLYING CIRCLE RANCH ESTATES, SUBDIVISION MAP NO. 39323 SITUATE WITHIN A PORTION OF THE NE 1/4 OF SECTION 19 TOWNSHIP 20 NORTH, RANGE 25 EAST, M.D.M.

FERNLEY LYON COUNTY STATE OF NEVADA



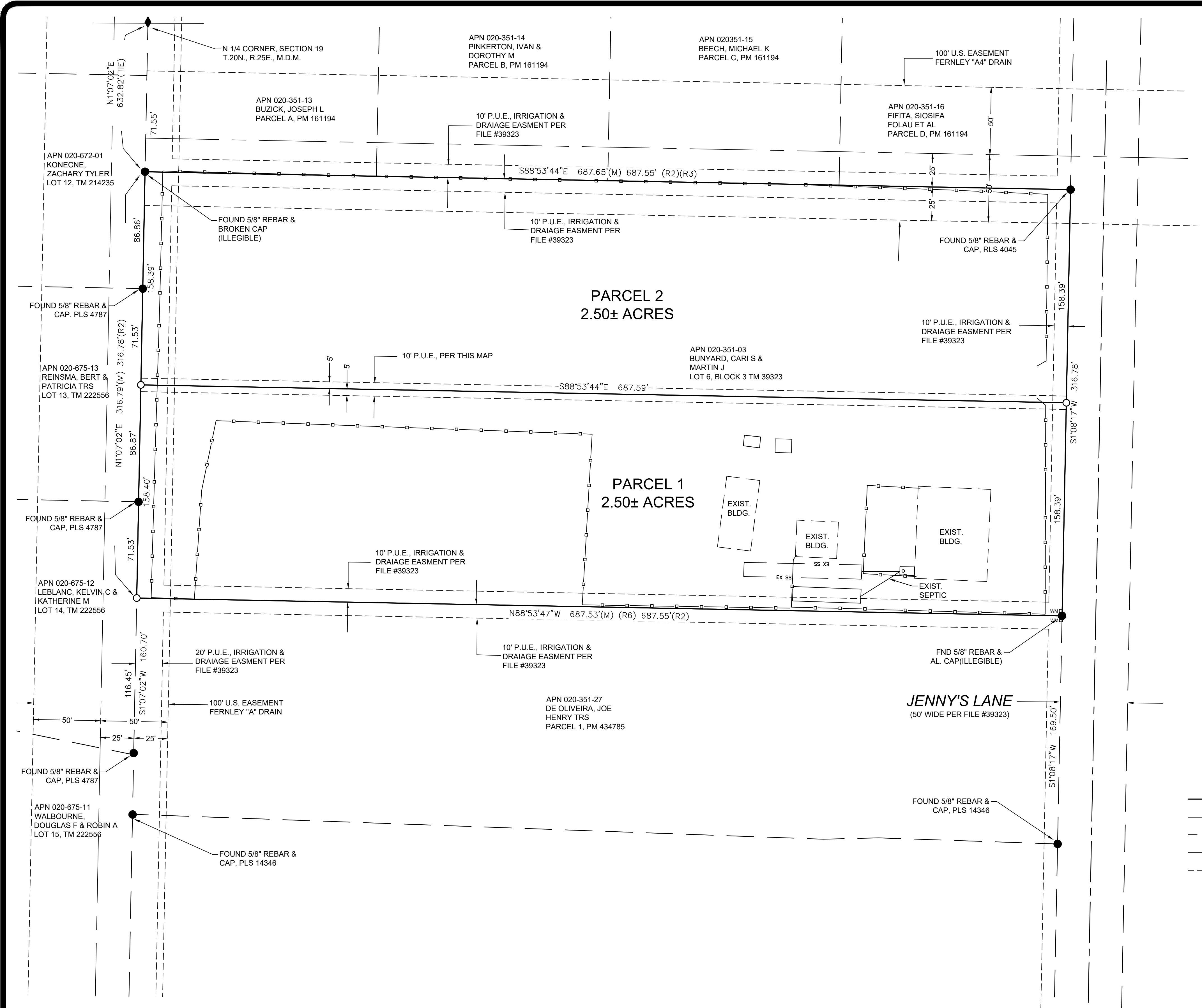
275 W. WILLIAMS AVENUE FALLON, NV 89406 TEL (775) 423-2188

Drawn By : DCC Sheet : 1 of 2

Job No. : 10807.000

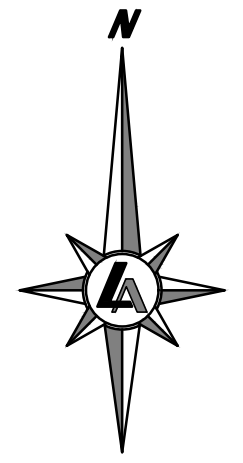
Drawing No.: 10807000SURVEY.DWG

LUMOSINC.COM



REFERENCES

- (R1) A PRELIMINARY TITLE REPORT PREPARED BY STEWART TITLE COMPANY, DATED AS OF FEBRUARY 24, 2023, ORDER No. 1960170.
- (R2) OFFICIAL MAP OF FLYING CIRCLE RANCH ESTATES, FILED AUGUST 2, 1978 AS FILE NO. 39323 IN THE OFFICIAL RECORDS OF LYON COUNTY, NEVADA.
- (R3) PARCEL MAP FOR DONALD & SANDRA TIBBALS, FILED MAY 12, 1993 AS FILE NO. 161194 IN THE OFFICIAL RECORDS OF LYON COUNTY, NEVADA.
- (R4) FINAL MAP OF FARM LANE ESTATES PHASE 1, FILED JANUARY 15, 1998 AS FILE NO. 214235 IN THE OFFICIAL RECORDS OF LYON COUNTY, NEVADA.
- (R5) FINAL MAP OF FARM LANE ESTATES PHASE 2, FILED AUGUST 20, 1998 AS FILE NO. 222556 IN THE OFFICIAL RECORDS OF LYON COUNTY, NEVADA.
- (R6) PARCEL MAP FOR JOE H. & MICHELE K. DEOLIVEIRA, FILED NOVEMBER 19, 2008 AS FILE NO. 434785 IN THE OFFICIAL RECORDS OF LYON COUNTY, NEVADA

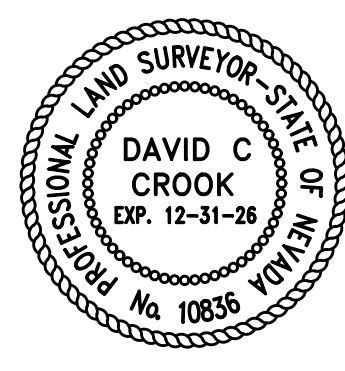


BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE NEVADA STATE PLANE COORDINATE SYSTEM, WEST ZONE NAD83(94), BEING N01°07'02"E BASED ON THE FOUND MONUMENTS ON THE WEST LINE OF THE NE 1/4 OF SECTION 19, T.20N., R.25E., M.D.M. AND DETERMINED FROM REAL TIME KINEMATIC GPS OBSERVATIONS, OBSERVED JANUARY 11, 2023 USING A SURVEY GRADE DUAL FREQUENCY GPS RECEIVER WITH TRIMBLE VRS CORRECTIONS FROM CONTINUOUSLY OPERATING REFERENCE STATION (CORS) FERNLEY MODIFIED BY A COMBINED FACTOR OF 1.000245, SCALED FROM 0.00N, 0.00E AND CONVERTED TO U.S. SURVEY FEET. ALL DIMENSIONS ON THIS MAP ARE GROUND DISTANCES.

LEGEND

- SUBJECT PARCEL LINE
- ADJOINING PARCEL LINE
- EXISTING BUILDING LINE
- FENCE LINE
- (P.U.E.) PUBLIC UTILITY EASEMENTS AS SHOWN
- FOUND 5/8" REBAR NO CAP/TAG UNLESS OTHERWISE NOTED
- SET 5/8" REBAR AND CAP, PLS ?????
- (M) MEASURED COURSE AND DISTANCE
- (R1) RECORD COURSE AND DISTANCE PER REFERENCED DOCUMENT



PARCEL MAP
FOR
CARI S. BUNYARD AND MARTIN J. BUNYARD
A DIVISION OF LOT 6, BLOCK 3 AS SHOWN ON FLYING CIRCLE RANCH ESTATES, SUBDIVISION MAP NO. 39323
SITUATE WITHIN A PORTION OF THE NE 1/4 OF SECTION 19 TOWNSHIP 20 NORTH, RANGE 25 EAST, M.D.M.

FERNLEY LYON COUNTY STATE OF NEVADA

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

Drawn By : DCC
Sheet : 2 of 2
Job No. : 10807.000
Drawing No.: 10807000SURVEY.DWG



Planning Department

Permits
Planning
Development Review
Sustainability

September 25, 2023

David Crook, PLS
Lumos & Associates
dcrook@lumosinc.com

RE: MJD23002 – Major Deviation – Flying Circle Ranch Estates

Dear Applicant:

The City of Fernley Planning Commission reviewed your Major Deviation (MJD23002) application request on September 13, 2023, to allow for the creation of two (2), 2.5-acre lots in the Rural Residential, 5-acre minimum lot size (RR5) zone on a site ±5.00-acres in size and approximately located at 1000 Jenny's Lane (APN: 020-351-03).

Based on the approval criteria set forth in Section 32.03.090 of the Fernley Municipal Code, and following careful consideration by the Planning Commission your application for this project was approved. If you wish to appeal this decision, you may appeal to the City Council within 10 days from the date of this letter. To do so, please contact the City Clerk's office.

If you have any questions concerning this application, please contact the Planning Department at (775) 784-9810.

Sincerely,

Lisa Warner

Lisa Warner
Assistant Planner



CITY OF FERNLEY

Planning Commission AGENDA REPORT

Meeting Date: March 12, 2025

REPORT TO: Fernley Planning Commission

REPORT FROM: Lisa Warner

FINANCIAL IMPACT:

Yes: No: X

CURRENTLY BUDGETED:

Yes: No: X

FUND/ACCOUNT:

N/A

ACTION REQUESTED: Motion

AGENDA ITEM:

(For Possible Action) Consideration and possible action regarding a Conditional Use Permit application (CUP25001) and a Waiver application (WVR25001) submitted by Shawn Mitchell on behalf of Polyglass on a site located at 150 Lyon Dr. (APN: 021-261-063) in an I (Industrial) zone. The Conditional User Permit is to allow for the expansion of an existing 67,300-square foot industrial facility for the storage and processing of hazardous materials to include an additional 100,000 square feet of indoor storage, an 8,500 square-foot office, and site reconfiguration/circulation to accommodate the building expansion. The Waiver application is to request the removal of the requirement for the construction of sidewalks along Lyon Dr. and Industrial Dr.

AGENDA ITEM BRIEF:

Polyglass is adding an additional 100,000 square feet for indoor storage, an 8,500 square foot office and reconfiguring the site to accommodate the building expansion. The applicant is also requesting a waiver of the requirement to construct sidewalks along Lyon Dr. and Industrial Dr.

RECOMMENDED MOTION:

Approval

"I move to approve the Conditional Use Permit associated with CUP25001 subject to conditions of approval 1 through 24 and the Waiver associated with WVR25001 as presented by staff. I further move to adopt findings A through F for the Conditional Use Permit and Findings WVR01 through WVR05 for the Waiver and the facts supporting these findings, as set forth in the staff report."

BUSINESS IMPACT (per NRS Chapter 237):

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

See attached report for background, analysis, alternatives.

ALTERNATIVES:

Denial

“Based on information received in written materials and at the public hearing on this matter, I move to deny the Conditional Use Permit associated with CUP25001 and the Waiver associated with WVR25001 because I am unable to make the following Findings:”

“I am unable to make finding _____ as it relates to _____.”

Note: Though no further language has been provided, all motions consistent with City of Fernley Planning Commission bylaws and rules of procedure are appropriate.

BACKGROUND:

This building was originally constructed in 1988 and has been used by Polyglass for the storage and processing of hazardous materials since the building was constructed. The site is substandard development, meaning it was originally constructed in accordance with the applicable regulations but no longer meets the standards of our current Development Code.

Since the use has not been abandoned, any expansion will not trigger an intensification of use; therefore, current development code standards will not apply with the exception of the construction of sidewalks along Lyon Dr. and Industrial Dr.

The City of Fernley does have capital improvement plans to add curb, gutter, repaving, and updated driveways along Lyon Dr and Industrial Dr; however, there are no plans for the City to construct sidewalks in this area at this time.

ANALYSIS:

FMC 32.08.060(a)(1)a-b, allows for the alternation, extension or expansion of a substandard development. A structural alteration, including an extension or expansion of a nonconforming structure is allowed if it: a) Does not increase the applicable nonconformity; and b) Does not involve or create a nonconforming use or substandard development.

FMC 32.08.060(d)(3) allows the Planning Commission to allow such changes or enlargements to a substandard development without full compliance with the current provision of this title when the proposed changes are not detrimental to the public health, safety, and welfare.

FMC 32.09.140 requires the applicant construct sidewalks along the frontage roads on Lyon Dr. and Industrial Dr. The applicant has submitted a Waiver application (WVR25001) request to waive the requirement for construction of sidewalks on Lyon Dr. and Industrial Dr.

There are no sidewalks along Lyon Dr. or Industrial Dr. and staff does not recommend the Planning Commission require sidewalk installation for this existing facility as it is located in an Industrial zoning area with no pedestrian facilities or sidewalks.

FMC 32.09.120-2 requires project have parking as follows: 1/800 square feet for the office space and 1/2,000 square feet for the warehouse for a total of 93. The project meets parking requirements.

FMC 32.09.090-1 requires the applicant to provide landscaping to meet specific standards. There is no minimum percentage of landscaping that is required in an I (Industrial) zone. Therefore, Condition # 13 requires

applicant to submit landscaping plans with the building permit for the expansion to determine if it meets the approval of the Administrator.

FINDINGS FOR CONDITIONAL USE PERMIT:

1. The proposed conditional use will be in compliance with the comprehensive plan.

The use of storage and processing hazardous materials is an allowed use in the Industrial zone with the approval of a Conditional Use Permit. This site is zoned Industrial in both the master plan and the zoning map.

Although the site is substandard, sidewalks are still required by the comprehensive plan; however, the applicant has submitted a Waiver application to waive the sidewalk requirement.

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

All adjacent properties are zoned Industrial and are currently occupied by companies that are conducting uses that fit within the Industrial allowable uses. Polyglass owns the parcel to the north, to the east there is a polymer innovation and floor care technology company, to the west there is a service repair garage, and to the south there is a scrap metal yard.

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

This conditional use is slated for the existing building and the expansion of the use currently on this site. This request is not expected to generate any additional demand on natural resources.

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

This project does not address the need for accessible affordable housing in the community; however, this site is inappropriate for residential use as it is surrounded by industrial zones and uses.

5. The conditional use permit's impacts have been conditioned to address identified impacts.

This site is not expected to attract more traffic than the current Polyglass use. Staff has determined there are no new hazardous materials in addition to what is currently being used on site. Condition #17 requires the applicant conduct water and sewer system modeling and construct any improvements required to serve the facility. Condition #16 requires the applicant to dedicate water rights for any expected usage greater than the current use.

6. Public notice has been given, and a public hearing held, per the requirements of the Development Code and the Nevada Revised Statutes.

Staff certified that public notice was given in accordance with the applicable regulations. A public notice appeared in the February 26, 2025, edition of the Reno Gazette Journal and 157 individual owners of parcels within a 2,000-foot radius were mailed noticing letters. The public hearing will be held during the March 12, 2025, Planning Commission meeting.

WAIVER APPLICATION FINDINGS:

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

The site is essentially a flat, square parcel with no unusual angles, encumbrances, drop offs or slopes; therefore, there are no unusual size, shape or topography issues with this site.

There are no circumstances associated with this application that make complying with the code impractical.

The site is a substandard development that meaning it was originally constructed in accordance with the applicable regulations but no longer meets the standards of our current development code.

Can this finding be met? YES

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

The site is zoned I (Industrial). According to FMC 32.06.110 of the Development Code, the I zone “provides areas appropriate for both low and high-density industrial work processes such as manufacturing, warehousing, construction, and small-scale commercial uses. These districts are intended to create an environment in which industrial operations may be conducted with minimal impact on the natural environment and surrounding land uses.”

Granting the waiver will have no impact on the intended purpose of the Industrial zoning district.

Can this finding be met? YES

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

The granting of this waiver does not impact any fire, building, or health codes.

Can this finding be met? YES

WVR04: The waiver is consistent with the Master Plan.

As this site is zoned I (Industrial) and all parcels around this site are also zoned I and have Industrial uses, is located at an existing facility and the project is in an industrial area with no pedestrian facilities or sidewalk, it could be found that the Waiver is consistent with the Master Plan.

Can this finding be met? YES

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

The granting of the waiver will provide a substantial property right that other surrounding properties have as none of the other properties in the immediate area have been required to construct sidewalks.

Can this finding be met? YES

RELEVANT LAWS, STATUTES, AND REGULATIONS:

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

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

NRS 278.315 – Granting of Conditional Use Permits

FMC 32.03.050(b) – Conditional Use Permits

FMC 32.08.060 – Substandard Development

FMC32.09.090-1 – Minimum Landscape Requirements

FMC 32.09.140 – Streets

FMC32.09.120-2 – Parking Ratios

FINANCIAL IMPLICATIONS:

N/A

ATTACHMENTS:

1. Screenshot 2025-02-24 113915
2. CONDITIONS OF APPROVAL_FINAL



Conditions of Approval
CONDITIONAL USE PERMIT (CUP25001)
WAIVER (WVR25001)

SCOPE AND DURATION OF APPROVAL

1. APPROVAL:

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

THE WAIVER REQUEST IS APPROVED WHICH WILL REMOVE THE REQUIREMENT FOR THE CONSTRUCTION OF SIDEWALKS ALONG LYON DR. AND INDUSTRIAL DR.

2. PROJECT DESCRIPTION:

THE APPROVAL OF THE CONDITIONAL USE PERMIT IS LIMITED TO THE EXPANSION OF AN EXISTING 67,300 SQUARE FOOT STORAGE/PROCESSING OF HAZARDOUS MATERIALS INDUSTRIAL FACILITY TO INCLUDE AN ADDITIONAL 100,000 SQUARE FEET OF INDOOR STORAGE, AN 8,500 SQUARE FOOT OFFICE, AND SITE RECONFIGURATION/CIRCULATION TO ACCOMMODATE THE BUILDING EXPANSION AND OPERATIONS ON A SITE LOCATED AT 150 LYON DRIVE (APN: 021-261-06).

THE APPROVAL OF THE WAIVER APPLICATION IS LIMITED TO THE REMOVAL OF THE REQUIREMENT FOR THE CONSTRUCTION OF SIDEWALKS ALONG LYON DR. AND INDUSTRIAL DR.

3. EXPIRATION DATE:

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

4. GOVERNING DOCUMENTS:

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

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

DESIGN STANDARDS

5. DESIGN STANDARDS:

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

6. WAIVER OF CERTAIN DEVELOPMENT STANDARDS:

THE CITY HAS PLANS TO REBUILD THE LYON DR. NEIGHBORHOOD BUT WILL NOT BE PROVIDING SIDEWALK. THIS WOULD BECOME THE RESPONSIBILITY OF THE INDIVIDUAL

Conditions of Approval
CONDITIONAL USE PERMIT (CUP25001)
WAIVER (WVR25001)

PROPERTY OWNERS. THE APPLICANT HAS SUBMITTED A WAIVER APPLICATION TO WAIVE THIS REQUIREMENT.

CITY OF FERNLEY PLANNING COMMISSION FINDS THAT CERTAIN DEVELOPMENT STANDARDS FOR STREET IMPROVEMENTS REQUIRED BY FMC 32.09 ARE HEREBY WAIVED IN ACCORDANCE WITH FMC 32.08.060 AS THIS PROJECT IS LOCATED AT AN EXISTING FACILITY IN AN I (INDUSTRIAL) ZONING DISTRICT WITH NO PEDESTRIAN FACILITIES OR SIDEWALKS.

7. SCREENING:

AS REQUIRED BY FMC 32.090.090(i), ALL TRASH ENCLOSURES MUST BE ARCHITECTURALLY COMPATIBLE WITH THE PROJECT, CONSTRUCTED OF SUBSTANTIAL BUILDING MATERIAL USED IN THE DESIGN OF THE BUILDING. THE GATE SHALL BE CONSTRUCTED OF DURABLE MATERIAL THAT SCREENS THE TRASH ENCLOSURE. WOOD AND CHAIN LINK GATES ARE NOT ALLOWED.

ALL MECHANICAL AND ELECTRICAL EQUIPMENT SHALL ALSO BE SCREENED BY AN OPAQUE ENCLOSURE, TO THE APPROVAL OF THE ADMINISTRATOR.

8. GENERAL DEVELOPMENT STANDARDS:

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

GRADING AND CIVIL PERMIT CONDITIONS

9. NEVADA DIVISION OF ENVIRONMENTAL PROTECTION:

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

10. GEOTECHNICAL REPORT:

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

11. GRADING PERMIT:

THE DEVELOPER SHALL COMPLY WITH ALL GRADING REQUIREMENTS SET FORTH IN THE CITY OF FERNLEY DEVELOPMENT CODE AS WELL AS ALL STATE AND FEDERAL REGULATIONS INCLUDING, BUT NOT LIMITED TO, STORM WATER POLLUTION PREVENTION AND AIR QUALITY RELATED TO SURFACE AREA DISTURBANCE.

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

Conditions of Approval
CONDITIONAL USE PERMIT (CUP25001)
WAIVER (WVR25001)

12. ENGINEERING/PUBLIC WORKS:

THE DEVELOPER SHALL COMPLY WITH ALL THE REQUIREMENTS OF THE CITY OF FERNLEY MUNICIPAL CODE AND PUBLIC WORKS DESIGN MANUAL FOR THE CONSTRUCTION OF ANY PUBLIC INFRASTRUCTURE TO THE APPROVAL OF THE CITY ENGINEER AND PUBLIC WORKS DIRECTOR.

CONSTRUCTION PHASE

13. CONSTRUCTION DEBRIS:

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

14. CONSTRUCTION HOURS:

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

15. PROJECT CONTACT:

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

BUILDING PERMIT REQUIREMENTS

16. LANDSCAPING AND PHOTOMETRIC PLANS:

THE DEVELOPER SHALL SUBMIT A LANDSCAPING PLAN IN ACCORDANCE WITH FMC 32.09.090 AND A PHOTMETRIC PLAN IN ACCORDANCE WITH FMC 32.09.100 WITH THE BUILDING PERMIT APPLICATION. THESE PLANS ARE SUBJECT TO REVIEW AND APPROVAL BY THE ADMINISTRATOR.

17. STORM DRAINAGE:

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

ALL INCREASES TO SITE RUNOFF MUST BE CAPTURED AND RETAINED ONSITE. ONSITE DRAINAGE INFRASTRUCTURE, EXISING AND PROPOSED, WILL REMAIN PRIVATELY OWNED AND MAINTAINED.

18. STRUCTURAL CONTROLS:

THE DEVELOPER SHALL UTILIZE STRUCTURAL CONTROLS FOR THE TREATMENT OF STORM WATER RUNOFF IN ACCORDANCE WITH BEST MANAGEMENT PRACTICES TO THE APPROVAL OF THE PUBLIC WORKS DIRECTOR AND CITY ENGINEER.

19. WATER AND SEWER SERVICE:

PRIOR TO THE ISSUANCE OF A BUILDING PERMIT FOR THE PROJECT, THE DEVELOPER

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SHALL PROVIDE THE CITY WITH A UTILITY PLAN FOR WATER AND SANITARY SEWER THAT IS IN CONFORMANCE WITH THE CITY OF FERNLEY MUNICIPAL CODE, DESIGN STANDARDS, AND THE NEVADA ADMINISTRATIVE CODE TO THE APPROVAL OF THE CITY ENGINEER, PUBLIC WORKS DIRECTOR, AND ADMINISTRATOR. THE DEVELOPER SHALL ALSO PROVIDE AN ERC CALCULATION SHEET IDENTIFYING ESTIMATED WATER DEMANDS AND SEWER FLOW.

20. WATER RIGHTS:

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

21. TRASH DISPOSAL:

PRIOR TO ISSUE OF ANY CERTIFICATE OF OCCUPANCY FOR THIS SITE, THE DEVELOPER SHALL CONTRACT WITH A TRASH DISPOSAL COMPANY, SUBJECT TO APPROVAL BY THE ADMINISTRATOR.

22. SANITARY SEWER REPORT:

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

REGULATORY AGENCIES

23. NORTH LYON COUNTY FIRE PROTECTION DISTRICT:

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

24. FEDERAL, STATE, AND LOCAL AGENCIES:

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