FPC Meeting Date: September 09, 2020

You are invited to the Planning Commission Zoom webinar.

When: September 9, 2020, 05:00 PM Pacific Time (US and Canada)

Please click the link below to join the webinar:

https://us02web.zoom.us/j/82872352315?pwd=U29nMy9VWG1aazNBcUoxbTBGeStMdz09

Passcode: 704464, Or iPhone one-tap :

US: +16699009128,,82872352315#,,,,,0,,704464# or
+12532158782,,82872352315#,,,,,0,,704464#

Or Telephone: Dial (for higher quality, dial a number based on your current location):

US: +1 669 900 9128, or +1 253 215 8782, or +1 346 248 7799, or +1 646 558 8656, or +1 301 715 8592, or +1 312 626 6799

Webinar ID: 828 7235 2315, Passcode: 704464

International numbers available: https://us02web.zoom.us/u/keoQFihEld

Public Notice: Pursuant to Section 3 of the Declaration of Emergency Directive 006 the requirement contained in NRS 241.023(1)(b) that there be a physical location designated for meetings of public bodies where members of the public are permitted to attend and participate has been suspended until further notice.

The Chairman reserves the right to hear agenda items out of order, combine two or more agenda items for consideration, or 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.

Time Certain: Time certain designates a definite time for the start time of that item. The time certain item may NOT begin earlier than the designated time certain. It may begin later than the designated time, but not earlier.

5:00 p.m. OPEN MEETING – PLEDGE OF ALLEGIANCE

Chairman’s statement: “To avoid meeting disruptions, please place cell phones in the silent mode or turn them off during the meeting. Thank you for your understanding.”

1. ROLL CALL
2. PUBLIC FORUM

This is the first of two portions of the meeting devoted to the Public. The Public may comment on any matter that is not specifically included on the agenda as an action item. Items not specifically included on this agenda cannot be acted upon other than to place them on a future agenda. If you wish to comment you can use the Raise your Hand feature in Zoom or type your question into Q&A. In consideration of other citizens, we ask that you please limit your comments to three (3) minutes and that repetition be avoided.

Online Public Comments can be submitted by phone prior to 4:00 pm the day of the meeting. Public Comments can also be submitted prior to, and during the meeting at CITYCLERK@CITYOFFERNLEY.ORG. All comments received prior to adjournment will be considered and read into record unless City Council has already taken action on the item. All comments received are public record and will be included as part of the permanent record.

3. APPROVAL OF THE AGENDA

4. (Possible Action) Approval Of Minutes From August 12th.

Documents:

2020.08.12 FPC MINUTES .PDF

5. PUBLIC HEARINGS

a. Discussion with Planning Commission & Staff
b. Public Input
c. Additional Discussion with Planning Commission & Staff
d. Commission Action or Direction to Staff

5.1. Tentative Parcel Map, TPM20002 (FOR POSSIBLE ACTION)
Consideration and possible action on request for a Tentative Parcel Map from DCR Holdings LLC to subdivide a ± 6.0 acre parcel into 3 separate parcels in the I (Industrial) zoning district located at 215 Lyon Drive, Fernley, NV. (APN: 021-261-01)

Documents:

TPM20002 - PC STAFF REPORT.PDF
ATTACHMENT 1 - VICINITY MAP.PDF
ATTACHMENT 2 - TENTATIVE PARCEL MAP.PDF
ATTACHMENT 3 - CONDITIONS OF APPROVAL.PDF

6. 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.)

7. 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
8. ADDRESS REQUEST(S) FOR FUTURE AGENDA ITEMS.

9. PUBLIC FORUM

This is the portion of the meeting devoted to the Public. The Public may comment on any matter that is not specifically included on the agenda as an action item. Items not specifically included on this agenda cannot be acted upon other than to place them on a future agenda. If you wish to comment you can use the Raise your Hand feature in Zoom or type your question into Q&A. In consideration of other citizens, we ask that you please limit your comments to three (3) minutes and that repetition be avoided.

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Next meeting: October 14 @ 5:00pm

ADJOURNMENT.

This notice and agenda is being posted before 9:00 a.m., 09/03/2020 in accordance with NRS 241.023(1)(b) that there be a physical location designated for meetings of public bodies where members of the public are permitted to attend and not earlier.

To avoid meeting disruptions, please place cell phones in the silent mode or turn them off during the meeting. Thank you for your understanding.
Fernley Planning Commission

Meeting Minutes

August 12, 2020

Chairman Jan Hodges called the meeting to order at 5:28 p.m. at Fernley City Hall, 595 Silver Lace Blvd, Fernley, NV.

1. Roll Call.

Present: Chairman Jan Hodges, Commissioner Barry Williams Sr., Commissioner Felicity Zoberski, Commissioner Angela Lewis, Planning Director Tim Thompson, Assistant Planner Olivia John, Deputy City Attorney Brent Kolvet, Clerk Administrative Specialist April Homme, Deputy City Clerk Brenda Gosser.

Absent: Commissioner Paul Unterbrink, Commissioner Jenni McCullar, and Commissioner Cody Wagner.

Planning Director Tim Thompson stated that there are four members present, therefore there is quorum.

2. PUBLIC INPUT.

There were none.

3. APPROVAL OF THE AGENDA

Motion: MOVE TO APPROVE AGENDA, Action: Approve, Moved by Commissioner Felicity Zoberski, Seconded by Commissioner Barry Williams Sr. Vote: Motion carried by unanimous roll call vote (summary: Yes = 4). Yes: Commissioner Angela Lewis, Commissioner Barry Williams Sr., Commissioner Felicity Zoberski, Chairman Jan Hodges. Absent: Commissioner Paul Unterbrink, Commissioner Jenni McCullar, and Commissioner Cody Wagner.
4. (Possible Action) Approval of Minutes from July 8, 2020

**Motion:** MOVE TO APPROVE MINUTES, **Action:** Approve, **Moved by** Commissioner Felicity Zoberski, **Seconded by** Commissioner Barry Williams Sr. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 4). **Yes:** Commissioner Angela Lewis, Commissioner Barry Williams Sr., Commissioner Felicity Zoberski, Chairman Jan Hodges. **Absent:** Commissioner Paul Unterbrink, Commissioner Jenni McCullar, and Commissioner Cody Wagner.

5. PUBLIC HEARINGS
   a. Discussion with Planning Commission & Staff
   b. Public Input
   c. Additional Discussion with Planning Commission & Staff
   d. Commission Action or Direction to Staff

5.1 PUBLIC HEARING ZMA20003 (FOR POSSIBLE ACTION)
Consideration and possible action on a Zoning Map Amendment request from Vertex Fund 1 LLC, to change the zoning on a site comprised of nine parcels totaling approximately 33.23 acres generally located north of Fremont Street, south of U.S. Interstate 80, west of Granada Street & Wildwood Drive, and east of Vine Street, Fernley, NV.

1. To change the zoning on a ± 7.08-acre parcel from SF6 (Single Family 6000 sq. ft.) to MDR14 (Medium Density Residential 14 du/ac max). (APN: 020-516-06)

2. To change the zoning on seven parcels totaling ± 24.09 acres from SF12 (Single Family 12,000 Sq. ft.) to MDR14 (Medium Density Residential 14 du/ac max). (APNs: 021-092-23, 021-092-26, 021-092-27, 021-092-46, 021-092-47, 021-092-54, 021-092-55)

3. To change the zoning on a ± 2.06-acre parcel from RR1 (Rural Residential 1 acre) to MDR14 (Medium Density Residential 14 du/ac max). (APN: 021-092-05)

Assistant Planner Olivia John presented this item; she gave a description of the property location and stated that the existing zoning is not in conformance with the City’s Master Plan and although the zone change is not attached to a current project; this change will bring the property into conformance.

Cal Elrich Fernley resident commented via Zoom. (inaudible)

Lonny Phelps with Phelps Engineering stated he was available for any questions.
Commissioner Felicity Zoberski read into record email comments from Sandra McGarva. (see attached)

**Motion:** MOVE TO FORWARD A RECOMMENDATION OF APPROVAL TO CITY COUNCIL FOR THE ZONING MAP AMENDMENTS, ASSOCIATED WITH ZMA20003, BASED ON FINDING A THROUGH C AND THE FACTS SUPPORTING THOSE FINDINGS AS SET FORTH IN THE STAFF REPORT, **Action:** Approve, **Moved by** Commissioner Felicity Zoberski, **Seconded by** Commissioner Barry Williams Sr. **Vote:** Motion carried by unanimous roll call vote (summary: Yes = 4). **Yes:** Commissioner Angela Lewis, Commissioner Barry Williams Sr., Commissioner Felicity Zoberski, Chairman Jan Hodges. **Absent:** Commissioner Paul Unterbrink, Commissioner Jenni McCullar, and Commissioner Cody Wagner.

6. **CHAIR AND COMMISSION ITEMS:**
Planning Director Tim Thompson stated the City would be updating the City Council Chambers with the Cares Act Funding received. He apologized for the delay and technology issues. He stated during this construction all meetings will be virtual. He mentioned that the City Engineer will provide a presentation for the Transportation Master Plan for Planning Commission review.

7. **CHAIR AND COMMISSION ITEMS:**
There were none.

8. **ADDRESS REQUEST(S) FOR FUTURE AGENDA ITEMS:**
There were none.

9. **PUBLIC INPUT**
There were none.

There being no further business to come before it, the Fernley Planning Commission meeting adjourned at 5:54 pm.
Approved by the Fernley Planning Commission on September 9, 2020 by a vote of:

AYES: ____   NAYS: ____   ABSTENTIONS: ____   ABSENT: ____

________________________________________
Chairman Jan Hodges

______________________________
ATTEST:
From: Sandra Mc Garva  
Sent: Friday, August 07, 2020 1:10 PM  
To: City Clerk  

Subject: ZMA20003 - August 12 Planning Commission Meeting  

Dear Members of City of Fernley Planning Commission,

I am writing this letter because I am in receipt of the Notice of Public Hearing for ZMA20003, Vertex Fund 1 LLC Zoning Map Amendment request, and I understand that in-person attendance is not available.

I own the property located at Fremont Street and have lived there for 20 years. I am also an owner of the 3.630-acre vacant property (APN: 021-092-44) that lies directly behind and to the East of 780, whereas it appears a portion of the North and all of the East property lines will be bordered by the area of rezoning for future projects and the road to the current proposed project.

For years we have dealt with trespassers (regardless of the signs advising against it) using that property as a shortcut from the area of the existing subdivisions on Wildwood and Fernwood Drives: a neighbor boy of only 8th-grade age was caught driving his parent’s car all over the back of my field in the late hours of night. Others come through there with their bicycles, and over and over again people have driven right to the back gate of 780 before realizing it was not a public road that went anywhere. In anticipation of moving my horses to a portion of the West side of the property, as well as utilizing the balance of the acreage for other farm projects, I have been cleaning that acreage up and recently had a gate built across the easement, which will discourage access. I believe, however, that I will have more problems with a higher-density residential development bordering my property because having my horses back there creates a temptation for children and others to have a reason for unlawfully trespassing; in addition, a higher density residential development at the proposed site will increase the number of dogs (barking), foot and vehicle traffic through and past an area that is currently rural and quiet.
I am not opposed to progressive development in Fernley. However, *minimally*, the developer should be required to build a sound-barrier type wall along the length of the West side of the road in order to preserve the quiet and rural lifestyle of my property, and it should be substantial enough to discourage people and dogs from accessing the field. Concurrently, the developer should be required to build a similar barrier between any development/subdivision and my property that is situated contiguously to the rezone area.

I hope you will seriously consider imposing onto the developer what I feel to be necessary and in the best interest of maintaining harmony and quality of life in the area of my property and dwelling.

Thank you for the opportunity to share my concerns.

*Sandra McGarva*
AGENDA ITEM: Tentative Parcel Map, TPM20002 (FOR POSSIBLE ACTION)
Consideration and possible action on a Tentative Parcel Map request from DCR Holdings LLC to subdivide a ± 6.0 acre parcel into 3 separate parcels in the I (Industrial) zoning district located at 215 Lyon Drive, Fernley, NV. (APN: 021-261-01)

AGENDA ITEM BRIEF:
The applicant is requesting to subdivide a ± 6.0-acre parcel into 3 separate parcels: The first parcel being approximately ± 1.33 acres in size; the second parcel being approximately ± 2.09-acres in size; and, the third parcel being approximately ± 2.57 acres in size.

RECOMMENDED MOTION:
“I move to approve a Tentative Parcel Map request, associated with TPM20002, adopting Findings A through F and the facts supporting these Findings as set forth in the staff report and subject to the Conditions of Approval 1 through 12 as listed in the staff report.”

Business Impact (per NRS Chapter 237):
☐ A Business Impact Statement is Attached.

☒ 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.
### PROJECT SUMMARY

**CASE NUMBER(S):**  • TPM20002  

**REQUESTED ACTION(S):**  • Tentative Parcel Map  

**PROJECT DESCRIPTION:**  • A Tentative Parcel Map request from DCR Holdings LLC to subdivide a ± 6.0 acre parcel into 3 separate parcels in the I (Industrial) zoning district located at 215 Lyon Drive, Fernley, NV. (APN: 021-261-01)  

**PROPERTY OWNER(s):**  • DCR Holdings LLC  

**APPLICANT:**  • DCR Holdings LLC  

**LOCATION:**  • 215 Lyon Drive, Fernley, NV  

**SITE SIZE:**  • ± 6.0 acres  

**EXISTING ZONING:**  • I (Industrial)  

**EXISTING LAND USE:**  • Industrial (I)  

**WARD INFORMATION:**  • Ward 1 – Raymond Lacy

### POLICY REFERENCE

*Nevada Statutes:*  
*Fernley Municipal Code:*  
*Policies & Procedure Manual:*  
*Community Assessment:*  
*City of Fernley Development Code:*  

*NRS 278A*  
*Title 32*  
*N/A*  
*N/A*  
*Chapter 32.03*
BACKGROUND

The subject parcel is surrounded by existing industrial development. There are no previous applications on file for this property. The parcel is accessed from Lyon Drive, E. Newlands Drive, and U.S. Highway 95A and, according to the Lyon County Assessor’s Office, a 22,967 square foot industrial manufacturing warehouse was constructed on the subject parcel in 1980 and existing outdoor storage is associated with the industrial use.

ANALYSIS

According to the City’s Master Plan, the subject parcel has a land use designation of Industrial (I) and is currently zoned I (Industrial). These land uses are typically located near major transportation corridors and are isolated from residential land uses. The nearest properties, with a land use designation of Single-Family Residential, are located approximately 1 mile south adjacent to U.S. Highway 50A. The parcel can be accessed from U.S. Highway 95A and E. Newlands Drive which are high-capacity main transportation corridors for the industrial zoned area. In conclusion, the subject parcel conforms to the goals and policies as outlined in the City’s Master Plan.

A characteristic of the Industrial land use category, as outlined in the Master Plan, is to create an environment where industrial activities may occur with a minimum amount of impact on the natural environment and surrounding land uses. The surrounding land uses are as follows:

<table>
<thead>
<tr>
<th>Surrounding properties and uses:</th>
<th>Current Zoning District:</th>
<th>Comprehensive Plan Land Use Designation:</th>
</tr>
</thead>
<tbody>
<tr>
<td>North: Undeveloped commercial lot</td>
<td>C2</td>
<td>Mixed Employment</td>
</tr>
<tr>
<td>West: Undeveloped public land (BOR)</td>
<td>GR20</td>
<td>Open Space &amp; Parks</td>
</tr>
<tr>
<td>East: Industrial development</td>
<td>I</td>
<td>Industrial</td>
</tr>
<tr>
<td>South: Industrial development</td>
<td>I</td>
<td>Industrial</td>
</tr>
</tbody>
</table>

The tentative parcel map splits the existing parcel into three separate parcels which will isolate the existing industrial uses on separate lots. The proposal will not further impact the natural environment and the established land use is consistent with the surrounding land uses.

FINDINGS

Tentative Parcel Map

A. Availability and accessibility of utilities.

The subject parcel is located in a developed area served by existing public facilities, roads, and services. However, it is unclear whether adequate public facilities exist in the area to serve any proposed development. A future development project may be required to improve the infrastructure to serve the development providing benefits to the surrounding area.
B. **Availability and accessibility of public services such as schools, police and fire protection, recreation facilities, and parks.**

**Schools:**
The closest schools to the subject parcel are Fernley Elementary School, Fernley Intermediate School, and Fernley High School. Fernley Elementary School and Fernley Intermediate School are both located approximately 2 miles west of the site. Fernley High School is located approximately 2.6 miles southwest.

**Police & Fire:**
The subject site is located in an area already served by the Lyon County Sheriff’s Office and the North Lyon County Fire Protection District.

**Parks/Recreation:**
The subject property is located in an industrial zoned district where recreational facilities and parks are generally not available although public open space is adjacent to the property.

C. **Consistency with the zoning district regulations.**

The Tentative Parcel Map is consistent with the zoning district regulations as outlined in the Development Code.

D. **Recommendations and comments of review bodies.**

All recommendations and comments have been addressed.

E. **Compliance with this Code and all other applicable regulations.**

The Tentative Parcel Map is in compliance with the City’s Development Code and all other applicable regulations.

**ATTACHMENTS**

1. Attachment 1 - Vicinity Map
2. Attachment 2 - Tentative Parcel Map
3. Attachment 3 - Conditions of Approval
1. APPROVAL:
THE PROJECT IS APPROVED AS CONDITIONED. ANY SUBSTANTIVE CHANGE SHALL REQUIRE REVIEW AND APPROVAL BY THE PLANNING COMMISSION AS AN AMENDMENT TO THIS TENTATIVE PARCEL MAP.

2. EXPIRATION DATE:
THE TENTATIVE PARCEL MAP SHALL EXPIRE WITHIN TWO (2) YEARS OF THE DATE OF THE PLANNING COMMISSION APPROVAL, UNLESS THE FINAL PARCEL MAP HAS BEEN RECORDED IN ACCORDANCE WITH NEVADA REVISED STATUTES (N.R.S.) 278.360.

3. 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 THE ISSUANCE OF A BUILDING PERMIT FOR ANY FUTURE PROJECT.

4. WATER AND SEWER SERVICE:
The developer shall comply with all city of Fernley municipal codes regarding connection to the city's sanitary sewer and potable water systems, including but not limited to: associated fees, design standards, development code requirements, and state requirements. Prior to the issuance of a building permit for any future project, the developer shall provide the city with a utility plan for water and sanitary sewer that is in conformance with the city of Fernley municipal code and public works design manual to the approval of the city engineer, public works director, and administrator. Any necessary public facilities, shall be constructed in conformance with the city of Fernley design standards.

The new parcel line shall be adjusted to 10 feet north of the existing building to ensure the water meter for the existing building remains in front of the 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.

5. GRADING:
THE DEVELOPER SHALL SUBMIT A GRADING PLAN FOR ANY PHASE OF A FUTURE PROJECT TO THE APPROVAL OF THE CITY ENGINEER. ALL GRADING ACTIVITIES SHALL COMPLY WITH APPLICABLE STATE AND FEDERAL REGULATIONS REGARDING GRADING ACTIVITIES, INCLUDING BUT NOT LIMITED TO AIR QUALITY, STORM WATER POLLUTION, ETC.
6. **STORM DRAINAGE:**
   THE DEVELOPER SHALL PROVIDE A FINAL DRAINAGE REPORT FOR ANY FUTURE PROJECT IN CONFORMANCE WITH THE 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 A FUTURE PROJECT. EACH SUCCESSIVE PHASE OF THE PROJECT SHALL SUBMIT AN UPDATED DRAINAGE REPORT FOR REVIEW AND APPROVAL BY THE CITY ENGINEER SHOWING THE CUMULATIVE EFFECT OF THE DEVELOPED PORTION OF THE PROJECT ALONG WITH THE PROPOSED PHASE’S EFFECT ON THE TOTAL DISCHARGE INTO THE DRAINAGE SYSTEM. THE STORM WATER AND DRAINAGE PLAN(S) FOR THE DEVELOPMENT SHALL BE REVIEWED AND APPROVED BY THE CITY ENGINEER PRIOR TO THE ISSUANCE OF ANY PERMIT FOR ANY FUTURE PROJECT.

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

8. **DEVELOPMENT STANDARDS:**
   THE DEVELOPER SHALL COMPLY WITH ALL REQUIREMENTS OF THE CITY’S DEVELOPMENT CODE AND PUBLIC WORKS DESIGN STANDARDS MANUAL TO THE APPROVAL OF THE ADMINISTRATOR, CITY ENGINEER, AND PUBLIC WORKS DIRECTOR. IN THE EVENT OF A CONFLICT BETWEEN ANY LOCAL, STATE, OR FEDERAL REGULATIONS, THE MORE STRINGENT REGULATIONS WILL TAKE PRECEDENCE.

   NO CERTIFICATE OF OCCUPANCY WILL BE ISSUED FOR ANY FUTURE BUILDINGS UNTIL THE FINAL PARCEL MAP HAS BEEN RECORDED.

9. **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 OR PRIVATE INFRASTRUCTURE TO THE APPROVAL OF THE CITY ENGINEER AND PUBLIC WORKS DIRECTOR PRIOR TO THE ISSUANCE OF ANY GRADING/BUILDING PERMIT FOR ANY FUTURE PROJECT.

10. **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.
11. PUBLIC UTILITY EASEMENTS:
   PUBLIC UTILITY EASEMENTS SHALL BE 5 FEET WIDE ON EACH INTERIOR LOT LINE AND 10 FEET WIDE ALONG THE PUBLIC RIGHT OF WAYS TO THE APPROVAL OF THE ADMINISTRATOR, CITY ENGINEER, AND PUBLIC WORKS DIRECTOR PRIOR TO THE RECORDATION OF THE FINAL PARCEL MAP FOR THE PROJECT.

12. NORTH LYON COUNTY FIRE PROTECTION DISTRICT:
   THE DEVELOPER SHALL COMPLY WITH THE REQUIREMENTS OF THE NORTH LYON COUNTY FIRE PROTECTION DISTRICT TO THE APPROVAL OF THE FIRE CHIEF AND ADMINISTRATOR PRIOR TO THE RECORDATION OF A FINAL PARCEL MAP FOR THE PROJECT.