

MEMORANDUM

TO: Lyon County Planning Commissioners
FROM: Rob Pyzel, Senior Planner
SUBJECT: For Possible Action: Review and Discussion revisions to Lyon County Code Title 15, Chapters 15.341.07; 15.342.06; 15.343.03; 15.346.03; 15.347.03; 15.1200.04 – Single Family Residential Standards; to require two-car garages for single family residential dwelling units.
DATE: November 9, 2021

Background:

On November 1, 2018 the Board of County Commissioners adopted Title 15, a comprehensive land use and development code that had been in development for four and one-half years with four different editors.

On September 19, 2019 the Board of Commissioners adopted numerous minor amendments to Title 15 in order to correct and clarify several items and issues that had become apparent to staff in the time since adoption of Title 15 in November 2018.

In continuing to work with the adopted land use and development code and the public, staff anticipates that minor amendments would need to be brought forward in order to correct and clarify items and issues that had become apparent as staff continued to work with the adopted land use and development regulations.

In addition, on January 4, 2021 County Commissioner Keller requested a reoccurring agenda item be placed on the Board of Commissioners' agendas to give direction to the County Manager regarding potential changes to Title 15 and other matters related thereto on their regularly scheduled meetings.

Overview:

On January 4, 2021, the Board of Commissioners requested that staff prepare a code amendment that restricted the minimum lot size standards for detached single family residential developments to not less than nine thousand square feet (9,000 sq. ft.).

On February 8, 2021, the Board of Commissioners held a workshop to discuss and take public comments on Title 15, the 2010 Comprehensive Master Plan, the 2020 Comprehensive Master Plan update and the operations of the Community Development Department to provide the County Manager with direction to amend or sustain the current language or practices.

On March 4, 2021, Commissioner Keller requested staff prepare a code amendment to require new manufactured homes to be used as a single family residential dwelling unit under Chapter 15.351.03 (A) and (B) to be placed on a traditional full poured-in-place foundation versus an 8-point foundation and include a minimum 2-car garage.

Staff noticed in developing language for the manufactured home code amendment requiring full poured-in-place engineered foundations and 2-car garages for new manufactured homes that there were no such requirements in any of the detached single family residential dwelling unit development types in Title 15. In order to avoid any semblance of requiring higher development standards for manufactured homes than stick-built constructed detached single family residential dwelling unit types allowed under Title 15, staff is bringing forward this proposed

amendment to codify this requirement for all types of new detached single family residential dwelling units within Lyon County.

In essence, the proposed code amendment would require a minimum 2-car garage for all new detached single family residential dwelling unit types under s:

- Chapter 15.341 (Single Family Detached Residential Development in Suburban Character Districts)
- Chapter 15.343 (Duplex Residential Developments)
- Chapter 15.343 (Cluster Development)
- Chapter 15.346 (Zero Lot Line Developments)
- Chapter 15.347 (Alley Loaded Residential Developments), and
- Chapter 15.1200.04.1 (Residential Uses).

The proposed code amendments seek to include a minimum 2-car garage to protect vehicles from the elements and provide additional storage space for all detached single family residential dwelling units. Staff's rationale is that if the County specifically requires 2-car garages for new manufactured homes to be used as detached single family residential dwelling units, then we had better require the same for all other types of detached single family residential dwelling units called out in Title 15.

If you have any questions, please contact me either by telephone at (775) 463-6592; X-2473 or by e-mail at rpyzel@lyon-county.org.

Thank you.

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SUMMARY: AN ORDINANCE AMENDING LYON COUNTY CODE TITLE 15 – LAND USE AND DEVELOPMENT CODE; CHAPTERS 15.341 SECTION 7; CHAPTER 15.342 SECTION 6; CHAPTER 15.343 SECTION 3; CHAPTER 15.346 SECTION 3; CHAPTER 15.347 SECTION 3; AND CHAPTER 15.1200 SECTION 4; TO AMEND THE STANDARDS TO REQUIRE TWO-CAR GARAGES FOR SINGLE FAMILY RESIDENTIAL DWELLING UNITS; AND OTHER MATTERS PERTAINING THERETO.

TITLE: AN ORDINANCE AMENDING LYON COUNTY CODE TITLE 15, THE LYON COUNTY LAND USE AND DEVELOPMENT CODE; CHAPTERS 15.341 SECTION 7; CHAPTER 15.342 SECTION 6; CHAPTER 15.343 SECTION 3; CHAPTER 15.346 SECTION 3; CHAPTER 15.347 SECTION 3; AND CHAPTER 15.1200 SECTION 4; TO AMEND THE STANDARDS TO REQUIRE TWO-CAR GARAGES FOR SINGLE FAMILY RESIDENTIAL DWELLING UNITS; AND OTHER MATTERS PERTAINING THERETO.

Explanation: Matters underlined and in blue are new or added language; matters ~~struck-out and in red~~ are deletions or removed language.

THE BOARD OF COUNTY COMMISSIONERS OF LYON COUNTY, NEVADA DOES HEREBY ORDAIN:

Section 1. The Lyon County Land Use and Development Code, Title 15, Chapter 15.341 – Single Family Detached Residential Development In Suburban Character Districts Section 7 is hereby amended as follows:

15.341.07: PERFORMANCE STANDARDS:

The following special requirements and performance standards shall apply to properties located in Residential Zoning Districts, except as otherwise authorized through approval of a planned unit development:

A. Required Landscaping: Required front and street side yards shall be landscaped in conformance with chapter 402 of this title.

B. Building Height Exceptions: Chimneys, vents and church steeples may exceed the maximum height requirement of the zoning district.

C. Sight Distance Requirements: At all street, alley and driveway intersections there shall be triangular yard area within which no tree, sight-obscuring fence, shrub, wall or other visual obstruction shall be permitted higher than thirty inches (30") above the adjacent street, alley or driveway grade. This triangular area shall measure as follows:

- 1. At any intersection of two (2) street rights-of-way, two (2) sides of the triangular area shall extend twenty feet (20') along both right-of-way lines, measured from their point of intersection. For the purpose of this subsection, an alley shall be considered as a street.

1 2. At any intersection of a driveway with a street or alley, the sides of the triangle
2 shall extend ten feet (10') along the street or alley right-of-way and fifteen feet (15') along
3 the edge of the driveway, measured from their point of intersection.

4 3. The provisions of this subsection shall be in addition to any other site distance
5 protection requirements of the County, and in the event of conflict between requirements,
6 the more restrictive shall apply.

7 D. Mechanical Equipment: Air conditioners, heating, cooling, ventilating equipment,
8 swimming pool pumps and heaters, and other similar mechanical equipment shall be
9 screened from surrounding properties and streets.

10 E. Garage and Driveway Setback: A garage (2-car minimum) is required to shelter
11 vehicles from the elements and provide additional storage space. The driveway located
12 in front of a garage accessed through the front yard shall not be less than twenty feet
13 (20') in length as measured from the garage to the right-of- way line.

14 F. Wireless Communication Facilities: Wireless communication facilities located in the
15 Residential Zones when allowed by this chapter shall be subject to the provisions of
16 chapter 236 of this title and all other applicable requirements.

17 G. Shipping Containers: No shipping container may be placed on any residentially
18 zoned property in a suburban character area.

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20 **Section 2.** The Lyon County Land Use and Development Code, Title 15, Chapter 15.342 –
21 Duplex Residential Development Section 6 is hereby amended as follows:

22
23 **15.342.06: PARKING AND ACCESS:**

24 A. Spaces Required: A minimum of two (2) off-street parking spaces shall be provided
25 for the residents of each duplex unit.

26 B. Garage and Location: A garage (2-car minimum) is required to shelter vehicles
27 from the elements and provide additional storage space for each dwelling unit. The
28 driveway located in front of a garage accessed through the front yard shall not be less
29 than twenty feet (20') in length as measured from the garage to the right-of-way line.
30 Additional parking shall be located a minimum of five feet (5') behind the front line of the
31 duplex structure.

32 C. Construction: All permanent off-street parking spaces, access drives, and facilities
33 shall be designed and constructed according to the Lyon County Development Standards
34 and Specifications contained in appendix B on file in the County.

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36 **Section 3.** The Lyon County Land Use and Development Code, Title 15, Chapter
37 15.343 – Cluster Development Section 3 is hereby amended as follows:

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39 **15.343.03: CONTENTS OF SITE PLAN:**

40 A. The preliminary and final site plan for a residential cluster development shall
41 include, but shall not be limited to, the following information:

42 1. The maximum number and type of dwelling units proposed.

43 2. The location of all structures to be located on the project site, including an
44 accurate footprint and envelope of each structure.

45 3. The calculations for the permitted number of dwelling units, derived pursuant to
46 section 15.343.04 of this chapter.

1 4. The areas of the site on which other proposed principal and accessory uses may
2 be located and their size/intensity/footprint.

3 5. The areas of the site designated for common open space/conservation
4 easement/agricultural-ranching use restrictive covenant and their size.

5 6. The areas of the site designated for [detached minimum 2-car garages](#), parking
6 and loading and the size of individual spaces.

7 7. The location of walkways, trails, and bike paths.

8 8. The number of acres that are proposed to be conveyed as common open
9 space/placed in a conservation easement/remain in agricultural use.

10 9. Emergency access to open space/conservation area/agricultural areas.

11
12 **Section 4.** The Lyon County Land Use and Development Code, Title 15, Chapter
13 15.346 – Zero Lot Line Developments Section 3 is hereby amended as follows:

14
15 **Chapter 15.346.03: REQUIREMENTS:**

16 A. Tentative maps using zero lot line provisions must identify building envelopes for all
17 dwelling units, [2-car garages \(required to shelter vehicles from the elements and provide](#)
18 [additional storage space\) and driveways with a minimum length of 20 feet](#) placed in
19 accordance with the provisions of this chapter. The tentative and final maps shall be
20 consistent with the standards of this section and all other applicable requirements.

21 B. Conditions may be imposed to ensure that development on the resultant lots is
22 consistent with the approved tentative map and site plan.

23 C. Building permits for structures may only be approved when consistent with the
24 approved site plan and final map.

25 D. A single side yard shall be provided per parcel. This reduction shall not be allowed
26 for the front yard on a corner lot or for the side yard adjacent to lots developed with other
27 housing types.

28 E. Zero setbacks may be applied to a side or rear property line; provided, that the
29 setback on the lot abutting a zero setback lot line shall be at least ten feet (10').

30 F. Structures less than three feet (3') to a property line must meet fire resistive
31 provisions of the Residential Building Code.

32 G. If the sidewall of the house is on the property line, or within three feet (3') of the
33 property line, windows or other openings that allow for visibility into the side yard of the
34 adjacent lot shall not be allowed. Windows that do not allow visibility into the side yard of
35 the adjacent lot, such as clerestory windows, translucent windows, or glass block, are
36 permitted.

37 H. A note shall be placed on the final plat, and covenants running with the land shall
38 be approved by the District Attorney and recorded with the County Recorder to
39 guarantee that the required setbacks are kept perpetually free of structures.

40 I. Easements for such purposes as maintenance, or for building projection
41 encroachments beyond a zero setback line, shall be shown on the final map.

42
43 **Section 5.** The Lyon County Land Use and Development Code, Title 15, Chapter 15.347
44 – Alley Loaded Residential Developments Section 3 is hereby amended as follows:

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46 **15.347.03: REQUIREMENTS:**

1 A. Development projects using alley loaded residential development provisions must
2 comply with the following provisions in addition to all other applicable provisions of this
3 title:

4 1. An alley shall be provided to the rear of all alley-loaded houses. All vehicular
5 access shall take place from the alley. No off-street parking shall be permitted in the
6 required front yard.

7 2. Front porches may encroach a maximum of eight feet (8') into the front yard and
8 shall be at the same first floor elevation as the home.

9 3. Attached ~~and~~ or detached 2-car garages to shelter vehicles from the elements
10 and provide additional storage space shall be set back a minimum of twenty feet (20')
11 from the rear property line.

12
13 **Section 6.** The Lyon County Land Use and Development Code, Title 15, Chapter 15.1200 –
14 Appendix A – Glossary And Definitions Section 4.1 is hereby amended as follows:
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16 **15.1200.04.1: RESIDENTIAL USES:**

17 A. Household Living: This use category is characterized by residential occupancy of a
18 dwelling unit by a household. Tenancy is arranged on a month-to-month or longer basis
19 (lodging where tenancy may be arranged for a period of less than 30 days is classified
20 under the "lodging facilities" category). Common accessory uses include recreational
21 activities, keeping of pets, gardens, personal storage buildings, hobbies, and ~~parking of~~
22 ~~the occupants' vehicles~~ within attached or detached garages (2-car minimum) is required
23 to shelter vehicles from the elements and provide additional storage space except where
24 noted below. Specific use types include, but are not limited to:

25 1. Dwelling, Duplex: A detached house on a single lot designed for and occupied
26 exclusively as the residence of not more than two (2) families, each living as an
27 independent housekeeping unit.

28 2. Dwelling, Live/Work: A structure or portion of a structure: a) that combines a
29 commercial or manufacturing activity that is allowed in the zone with a residential living
30 space for the owner of the commercial or manufacturing business, or the owner's
31 employee, and that person's household; b) where the resident owner or employee of the
32 business is responsible for the commercial or manufacturing activity performed; and c)
33 where the commercial or manufacturing activity conducted takes place subject to a valid
34 business license associated with the premises.

35 3. Dwelling, Single-Family Detached: A detached dwelling unit designed to be
36 occupied by not more than one family. This use type includes stick-built homes, modular
37 homes, manufactured homes (HUD) and mobile factory built homes.

38 4. Dwelling, Factory Built: Factory built homes shall include the following:

39 a. Manufactured (HUD): These are homes built entirely in the factory under a
40 Federal Building Code administered by the U.S. Department of Housing and Urban
41 Development (HUD). The Federal Manufactured Home Construction and Safety
42 Standards (commonly known as the HUD Code) went into effect June 15, 1976.
43 Manufactured homes may be single or multi section and are transported on their own
44 chassis (but not under their own power) to the site and installed on permanent or
45 temporary foundations. The chassis remains permanently attached to the home. The
46 Federal standards regulate manufactured housing design and construction, strength,
47 durability, transportability, fire resistance, energy efficiency and quality. The HUD Code

1 also sets performance standards for the heating, plumbing, air conditioning, thermal and
2 electrical systems. On-site additions, such as garages, decks and porches must be built
3 to local Building Codes. A building permit must be obtained for all work performed on site
4 to install this type of home.

5 b. Mobile Homes: This term references manufactured homes produced prior to
6 June 15, 1976, when the HUD Code went into effect. Mobile homes may be single or
7 multi section and are transported on their own chassis (but not under their own power) to
8 the site and installed on permanent or temporary foundations. The chassis remains
9 permanently attached to the home. On-site additions, such as garages, decks and
10 porches must be built to local Building Codes. A building permit must be obtained for all
11 work performed on site to install this type of home.

12 c. Modular Homes: These factory built homes are constructed to the State of
13 Nevada and locally adopted Building Codes. Modules are transported to the site and
14 installed on a permanent foundation. On-site additions, such as garages, decks and
15 porches must be built to local Building Codes. A building permit must be obtained for all
16 work performed on site to install this type of dwelling.

17 5. Dwelling, Multi-Family: A dwelling or group of dwellings on one lot containing
18 separate living units for three (3) or more families, but which may have joint services or
19 facilities. Each dwelling unit is designed for occupancy by one family within each unit and
20 is attached by a common wall. The use includes condominiums and
21 apartments. [Garages are optional for multi-family dwelling unit developments.](#)

22 6. Dwelling, Townhouse: A building that has two (2) or more single-family dwelling
23 units erected on top of each other or in a row as a single building, each unit being
24 separated from the adjoining unit(s) by a fire wall (to be constructed in accordance with
25 code) along the dividing lot line, and each such building being separated from any other
26 building by space on all sides. Each individual townhouse unit has individual front and
27 rear access to the outside. Townhouse units are typically surrounded by common areas
28 owned and maintained by a property owners' association. Each unit is identified by
29 specific title and ownership that includes the structure as well as the ground immediately
30 below the unit. [Garages are optional for townhouse dwelling unit developments.](#) The use
31 includes patio homes and row homes.

32 7. Mobile Home Park: A residential development that consists of mobile homes that
33 are transported to the park site for use as permanent dwelling units. [Garages are not
34 required for mobile home park developments.](#)

35 8. Courtyard Cottage: The courtyard cottage building type consists of a series of
36 small detached or attached houses on a single lot, arranged to define a shared court that
37 is perpendicular to the street. All units address and are accessed from this shared court.
38 This building type provides an option for living in a smaller, high-quality house in a more
39 community- driven environment due to the shared outdoor space. [Garages are optional
40 for courtyard cottage dwelling unit developments.](#)

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42 **Section 7.** If any section of this ordinance or portion thereof is for any reason held
43 invalid or unconstitutional by any court of competent jurisdiction, such holding shall not
44 invalidate the remaining parts of this ordinance.
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1 **Section 8.** All ordinances, parts of ordinances, chapters, sections, subsections,
2 clauses, phrases or sentences contained in the Lyon County Code in conflict herewith are
3 hereby repealed.
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5 **Section 9.** This ordinance shall be in full force and effect from and after its passage,
6 approval and publication as required by law.
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8 THIS ORDINANCE was proposed on the ___ day of _____, 2021 by the following
9 County Commissioner(s): _____.

10 THIS ORDINANCE has been PASSED, ADOPTED and APPROVED this ___ day of
11 _____, 2021 by the following vote of the Board of County Commissioners, Lyon County:
12

AYES: _____
NAYS: _____
ABSENT: _____
ABSTENTIONS: _____

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15 Board of County Commissioners
16 Lyon County
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21 By: Chair
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23 Attest:
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26 _____
27 Clerk of the Board