

**BOARD OF COUNTY COMMISSIONERS
WASHOE COUNTY, NEVADA**

TUESDAY

10:00 A.M.

MAY 10, 2016

PRESENT:

Kitty Jung, Chair
Bob Lucey, Vice Chair via telephone
Marsha Berkgigler, Commissioner
Vaughn Hartung, Commissioner
Jeanne Herman, Commissioner

Jan Galassini, Deputy County Clerk
John Slaughter, County Manager
Paul Lipparelli, Legal Counsel

The Washoe County Board of Commissioners convened at 10:00 a.m. in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Following the Pledge of Allegiance to the flag of our Country, the Clerk called the roll and the Board conducted the following business:

Chair Jung welcomed the students from Excel Christian School who were invited to sit on the dais with the Board to learn how the County operated. She encouraged them to consider running for office when they were older.

Chair Jung asked for a moment of silence to commemorate Anne Pershing, who passed away recently. Ms. Pershing was a tremendous advocate for seniors and was the journalist who wrote the Grandma with Attitude column in the *Reno Gazette-Journal*.

16-0362 AGENDA ITEM 3 Public Comment.

Sam Dehne spoke regarding the media, a new Federal Express Distribution Center and Tesla.

Cathy Brandhorst spoke about matters of concern to herself.

William T. Steward said he was happy to see representatives of the younger generation on the dais. He noted since it was an election year, the students of Excel Christian School would be seeing local and federal elections. He thanked the Board for their time and for allowing the students the opportunity to learn about the County.

16-0363 **AGENDA ITEM 4** Announcements/Reports.

Commissioner Herman thought it would be a good idea to discuss having “In God We Trust” placed above the County Seal behind the dais. She said she would like to see Rush Revere books in every library.

Commissioner Hartung said that he and Commissioner Berkgigler attended the James D. Hoff Peace Officer Memorial Ceremony. He noted that sadly another name was added to the memorial this year, which was Deputy Carl Howell. He said it was an honor to attend the memorial and to pay his respects as a representative of the Board. He welcomed the students from Excel Christian School and encouraged the students to participate in the meeting.

Commissioner Berkgigler recognized the Sheriff Department Officers and the Police Department Officers who put themselves on the line daily to ensure the community was safe. She welcomed the students from Excel Christian School. She asked for a status report regarding Our Community Store.

Zachary Guevin, Student President from Excel Christian School, thanked the Board for allowing the students to observe the meeting from the dais. He said it was very interesting to see how things worked.

Chair Jung asked staff to reach out to Steve Hill, Executive Director of the Governor’s Office of Economic Development, regarding the workers who were building the Tesla plant. She noted there was a promise that 50 percent of all workers would be locals. She wanted to know where the supporting data was for the project. She stated there was concern that there were still many well educated and experienced workers in the community who were without jobs. She said she attended the ground breaking for the new Federal Express Distribution Center in Lockwood. She stated Lockwood would accommodate businesses that did not require as much space as the businesses in the Tahoe-Reno Industrial Center. She was asked to submit the obituary of former Sierra Fire Protection District Chief Mike Green to be placed on file with the Clerk.

There was no action taken or public comment on this item.

CONSENT ITEMS (add items).

16-0364 **5A** Cancel the June 14, 2016 and November 8, 2016 Board of County Commissioner meetings.

16-0365 **5B** Approve funding [\$2,130.00, no match required] provided by the U.S. Department of Justice, United States Marshals Service (USMS) to reimburse the Washoe County Sheriff’s Office for overtime costs associated with the United States Marshals Service led Task Force and the Regional Sex Offender Notification Unit for the fifth Sex Offender Compliance Sweep (Operation SOS) for the retroactive grant period of

3/15/16-3/17/16; and authorize Comptroller's Office to make the necessary budget adjustments. Sheriff. (All Commission Districts.)

- 16-0366** **5C1** Certify charges, levy and direct the Treasurer to collect \$99,780.92 in special assessments for fiscal year 2016/17 as requested by the State Engineer of the State Department of Conservation and Natural Resources, for Honey Lake Valley Groundwater Basin (\$2,743.14), Hualapai Flat Water District (\$3,123.00), San Emidio Desert District (\$3,440.09), Warm Springs Valley Groundwater Basin (\$6,045.38), Washoe Valley Groundwater Basin (3,929.31), Warm Springs/Winnemucca Creek Basin (\$4,000.00); Cold Springs Valley Groundwater Basin (\$3,000), Lake Tahoe Groundwater Basin (\$1,500), Lemmon Valley Water District (\$15,000/no assessment required due to sufficient cash resources in Lemmon Valley Water District Fund), Pleasant Valley Groundwater Basin (\$5,000), Spanish Springs Valley Groundwater Basin (\$3,000), Tracy Segment Groundwater Basin (\$1,000), Truckee Canyon Segment Groundwater Basin (\$3,000), and Truckee Meadows/Sun Valley Basin (\$45,000.00). The Board of Commissioners authorizes the County Treasurer to remove uncollectible assessments and/or correct assessments on the tax roll as requested by the Division of Water Resources; and direct the Comptroller to pay to the Department of Conservation and Natural Resources the requested funds. (All Commission Districts.)
- 16-0367** **5C2** Approve of the Cooperative Agreement for the Creation of Nevadaworks. (All Commission Districts.)
- 16-0368** **5D1** Appoint Don Mahin as one of Washoe County's appointees to the Truckee River Fund Advisory Committee. (All Commission Districts.)
- 16-0369** **5D2** Approve the Water Rights Deed transferring 2.02 acre-feet of water rights from Washoe County to Kevin De Paoli and Maureen De Paoli. (Commission District 5.)
- 16-0370** **5D3** Approve the Water Rights Deed transferring 4.04 acre-feet of water rights from Washoe County to Raymond J. Poncia, Jr. (Commission District 5.)
- 16-0371** **5D4** Accept a Land & Water Conservation Fund grant, administered through Nevada State Parks for the South Valley's Playground Resurfacing Project [award amount of \$91,207.50 with a required match of \$91,207.50 in Residential Construction Tax funds] with a term to December 31, 2018; and authorize the Community Services Department Director to sign the grant agreement and all associated documents on behalf of the County; and direct the Comptroller's Office to make the appropriate budget adjustments. (Commission District 2.)

- 16-0372** **5E1** Approve amendments totaling an [increase of \$19,726] in both revenue and expense to the FY 16 CDC Public Health Preparedness – FY16 Carryover, IO 11294; and if approved direct the Comptroller’s office to make the appropriate budget adjustments. (All Commission Districts.)
- 16-0373** **5E2** Approve amendments in expense to the FY16 Advancing Conformance with the Voluntary National Retail Food Regulatory Grant Program (VNRFRPS), IO 11088; and if approved direct the Comptroller’s Office to make the appropriate budget adjustment. (All Commission Districts.)
- 16-0374** **5E3** Approve amendments totaling an [increase of \$3,000] in both revenue and expense to the FY16 Arctica Ice Donation budget, IO-20424; and if approved direct the Comptroller’s office to make the appropriate budget adjustments. (All Commission Districts.)
- 16-0375** **5F1** Award Bid #2953-16 for Institutional Soft goods and Supplies for various Departments/Divisions of Washoe County, to the lowest, responsive, responsible bidder, Victory Supply, 165A Trade Street, Lexington Kentucky 40511. This award recommendation is made on a requirements basis with an [estimated annual amount in excess of \$150,000 per fiscal year.] The term of the award shall be from the date of bid approval through December 31, 2017, with the County retaining the option for a one (1) year extension. (All Commission Districts.)
- 16-0376** **5F2** Acknowledge Receipt of the Interim Financial Report for Washoe County Governmental Funds for the nine months Ended March 31, 2016 – Unaudited. (All Commission Districts.)
- 16-0377** **5F3** Approve retroactive and continued purchases for needed supplies, material, consultants, construction work, MRO and equipment from various suppliers that [have or will exceed in the aggregate \$100,000.00 during the fiscal year], but will remain within available adopted budget funding during Fiscal Year 2015 – 2016; and approve purchases for Fiscal Year 2016 – 2017 that may again [exceed \$100,000.00 in the aggregate] but will remain within available adopted budget funding. All such purchases will continue to be subject to and in accordance with the local Government Purchasing Act. (All Commission Districts.)
- 16-0378** **5F4** Award Washoe County Bid No. 2975-16 for Backbone and UTP Horizontal Cabling Services and Supplies that [will aggregate to exceed \$100,000 per fiscal year] but will remain within the available Fiscal Year 2015-2016, 2016-2017, and 2017-2018 adopted budget for technology infrastructure, from local vendors: Advanced Communication Technology

Services (ACTS) and Nelson Electric Company as primary suppliers for these services and supplies. (All Commission Districts.)

16-0379 **5G1** Accept a supplemental grant award from the Nevada Aging and Disability Services Division for the following Older Americans Act Title III Programs: Nutrition Services Incentive Program [\$131,373 no match required] retroactive from October 1, 2015 through September 30, 2016; and direct Comptroller to make the appropriate budget adjustments. (All Commission Districts.)

16-0380 **5G2** Approve increasing the Office Assistant II PC# 70008125 from part-time (.45 FTE) non-benefitted to full-time (1.0 FTE) benefitted position effective May 10, 2016. The change in position will have no fiscal impact in FY15/16, the Department will budget an increase of [\$42,091] as part of the FY16/17 budget process. (All Commission Districts)

On the call for public comment, Cathy Brandhorst spoke about matters of concern to herself.

Sam Dehne explained to the Excel Christian School students that all the Consent Items were voted upon at the same time. He spoke in favor of Agenda Item 5G2.

On motion by Commissioner Berkbigler, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Consent Agenda Items 5A through 5G2 be approved. Any and all Resolutions or Interlocal Agreements pertinent to Consent Agenda Items 5A through 5G2 are attached hereto and made a part of the minutes thereof.

16-0381 **AGENDA ITEM 6** Appearance: Reno-Tahoe Airport Authority [10 minutes] Marily Mora, AAE, President/CEO

Marily Mora introduced Nat Carasali and Lisa Gianoli who were appointed to the Reno Tahoe Airport Authority (RTAA) Board.

Andy Wirth, Chairman of the RTAA Board, said he was proud of what the Reno Tahoe Airport had accomplished over the past few years and he was very proud of the airport staff. He stated in the past two years they had been able to increase the capacity of the Reno-Tahoe International Airport. He said they added eight new non-stop services into Reno within the past 14 months, which was a substantial turn around. He explained the mission was to serve the people and companies who flew into the area. He mentioned from 2006 to 2013 the capacity was down by 38 percent, but they had recovered from the downturn. He said not only did they have an exceptional airport from an operating perspective they also had world class staff. He noted current staff would perform well at a larger airport such as the San Francisco International Airport. He said the airport was fortunate to have such a great community and region to serve.

Ms. Mora conducted a PowerPoint presentation regarding the RTAA. She highlighted that the RTAA had a record setting year in regards to growth in 2015. She reviewed the new incoming and outgoing flights and she previewed the future flights and carriers. She talked about the Regional Air Service Corporation (RASC) and the businesses who partnered with the RTAA. She described the plan for the new Reno-Stead Airport Business Park noting that Dermody Properties and Hillwood Investment Properties were selected as the developers of the 1,700 acre project. She said the anticipated industries for the business park would include advanced manufacturing, logistics, aerospace and data. She stated a new terminal was added to the Reno-Stead Airport in 2013. This terminal allowed the airport to become engaged with drone activity and unmanned aircraft systems. She noted the National Aeronautics and Space Administration (NASA) and the University of Nevada, Reno (UNR) jointly added a Nuance Lab to the terminal, which was a Drone and Virtual Reality Lab. She stated the National Championship Air Races would be held September 14th through the 18th and the Blue Angels were scheduled to perform this year. She indicated in December of 2015 the RTAA filed a complaint with the United States Custom and Boarder Protection regarding the treatment of passengers. She stated the processing time for incoming international passengers was approximately 2 hours. She indicated the RTAA volunteered to pay for additional staffing to decrease the processing time but the Federal Government did not have a mechanism to accept payments. She reviewed the new master plan, which highlighted a new Transportation Security Administration (TSA) pre-check enrollment location at the airport. She announced the RTAA would be hosting the Boyd Aviation International Aviation Conference in September, which would bring 400 to 500 airline executives to the area. She thanked the Board for their support.

Chair Jung welcomed RTAA Board of Trustee members Mr. Carasali and Ms. Gianoli. She thanked Ms. Gianoli for being a great addition to the RTAA Board noting that she had heard nothing but wonderful things about her. She stated when Mr. Carasali was first on the RTAA Board he approached her with an idea to pay the airlines to come to Reno which had become the standard practice through the industry today. The airlines wanted to have a year of operating costs paid to them to reduce the risk of adding an additional destination. She encouraged citizens to take a flight somewhere once a month and noted New York was a great destination for a long weekend. She thanked Ms. Mora for her hard work and said the County would do whatever they could to help.

There was no action taken or public comment on this item.

16-0382 **AGENDA ITEM 7** Approve an Interlocal Agreement between Washoe County, the City of Reno, and the City of Sparks for reimbursement to the City of Reno [\$225,000.00] for construction of an effluent pipeline extension. Community Services. (Commission District 2.)

On the call for public comment, Cathy Brandhorst spoke about matters of concern to herself.

Commissioner Hartung stated the Agreement acknowledged the importance of effluent in the community and the ability to move it from north to south between two facilities. He thought effluent was beginning to be treated as an asset and a commodity as opposed to a liability. He commended staff for a great job.

On motion by Commissioner Hartung, seconded by Commissioner Berkgigler, which motion duly carried, it was ordered that Agenda Item 7 be approved. The Interlocal Agreement for same is attached hereto and made a part of the minutes thereof.

16-0383 **AGENDA ITEM 8** Discussion and possible adoption of a Resolution of Support from the Washoe County Commission in support of comprehensive federal public lands legislation in order to support economic development, conservation, and recreation in Washoe County. Community Services. (All Commission Districts.)

John Slaughter, County Manager, read the Resolution.

Commissioner Hartung asked whether this was what was referred to as the Washoe County Economic Development Conservation Act (WCEDCA). Bill Whitney, Director of Planning and Development, said this Resolution would encompass the mentioned act, although it was a much broader and larger type of legislation.

Commissioner Hartung wanted to know if the Reno-Sparks Indian Colony and the Pyramid Lake Paiute Tribe were partnering with the County to move the legislation forward. Mr. Whitney replied the Paiute Tribe had their own legislation in Washington. The Board had previously acknowledged what land the two tribes wanted to get in addition to their reservations. He thought they could both proceed ahead with their legislation and their efforts could be acknowledged in the lands bill.

10:59 a.m. The Board recessed.

11:06 a.m. The Board reconvened with all members present.

Commissioner Lucey thanked Mr. Slaughter, Washington DC lobbyist Marcus Faust, Mr. Whitney and his staff for working so diligently on this piece of legislation.

Commissioner Herman thanked everyone involved with this item as it had been many years in the making.

Mr. Slaughter said this was a large undertaking with a public lands bill of this size and scope. He mentioned the adoption of this Resolution would start the process of engaging stakeholders and gathering information about their desires, wishes and concerns. He said they would be working with Mr. Faust to take into consideration all of the concerns. He stated this would be a long process and the County was up for the task.

He wanted to ensure all the stakeholders knew that they would be working collaboratively to get the legislation drafted and to obtain approval from Congress.

On the call for public comment, Cathy Brandhorst spoke about matters of concern to herself.

On motion by Commissioner Hartung, seconded by Commissioner Berkbigler, which motion duly carried, it was ordered that Agenda Item 8 be adopted. The resolution for same is attached hereto and made a part of the minutes thereof.

PUBLIC HEARINGS

16-0384 **AGENDA ITEM 10** Regulatory Zone Amendment Case Number RZA15-009 (Black Rock Station) Public hearing and possible action on Black Rock City LLC's application:

- (1) To tentatively adopt, tentatively adopt with modifications, or deny an amendment to the High Desert Regulatory Zone Map changing the regulatory zone from General Rural to Specific Plan on APN 066-030-23 located at 88 Jackson Lane, east of the intersection with State Route 34, approximately 20 miles north of Gerlach. The regulatory zone amendment will establish a mix of Residential, and Industrial uses for the general purpose of creating a permanent base of operations for the annual Burning Man event held in neighboring Pershing County, and will divide the approximately 200 acre property into five separate use areas, including Civic, Residential, Industrial, Agricultural, and Future;
- (2) To tentatively adopt, tentatively adopt with modifications, or deny an accompanying Development Standards Handbook that provides detailed development standards for the rezoned parcel. The Development Standards Handbook establishes all necessary development standards and provides maps of the site design including the location of proposed uses;
- (3) If tentatively adopted, to direct the Director of the Planning and Development Division to sign and certify the amended High Desert Regulatory Zone Map upon final approval of the plan by the Director; and
- (4) If tentatively adopted, to authorize the Chair to sign a Resolution adopting the amendment to the High Desert Regulatory Zone Map after final approval of the plan by the Director of Planning and Development. The resolution shall provide up to 12 months for the owner to submit development plans for final approval.

The adoption of the proposed regulatory zone and the Development Standards Handbook will supersede and include all previous Special Use Permits granted to the parcel including SB03-24 (Auto Repair), SW03-25 (Light Industrial Wood/Metal Fabrication), SW04-004 (Storage/Distribution), SW04-007 (Inoperable Vehicle Storage), SW04-008 Communication Facility/Commercial Antenna, and SB04-009 (Operable Vehicle Storage). Community Services. (Commission District 5.)

Eric Young, Senior Planner, spoke regarding the proposed Black Rock Station. He stated this was a regulatory zone amendment also known as a zoning change. He said the applicant was Black Rock City, LLC who owned about 200 acres 20 miles north of Gerlach off State Route 34 and Jackson Lane. He indicated this plan was the first amendment presented since the new specific plan Ordinance was adopted. He noted there was a development standards handbook that was specific to this plan, which could be considered a miniature development code for the property. He said the handbook contained all the development standards for allowable uses, maps, pedestrians, vehicles, and utilities. He indicated anything that was not covered in the development standards handbook could be found in the County Development Code. He mentioned the area would be utilized for storage, fabrication, and as a staging area for the Burning Man event that was held in late summer. He said there was a three-month ramp-up and three-month ramp-down period with the Burning Man event taking place in the middle of the period. The intent of this property was to be the designated area where various activities would take place to prepare for the event. He indicated the challenges the County faced with the Burning Man event created a strained relationship between the County and the property owner, but this new proposal had them working cohesively again. He said this plan would allow civic, agricultural, industrial and residential uses on the property. He noted some of the residential uses were temporary, for example, the property could only be used for residential use for a 90 day period in any calendar year, and then it could not be used for that purpose again until the next calendar year. He stated an additional limitation on the residential use was no more than 500 people at any given time on the property. He said the original plan called for a significant amount of commercial use with the potential for restaurants, lodging and a large commercial campground. Through the process, it was determined these uses were not needed at this time but could possibly come back for approval in the future. He said at this time the plan was limited to what was needed to start transforming the property into what they required to support the Burning Man event.

Commissioner Hartung was concerned about the traffic, sewer and engineered septic system on Jackson Lane. He inquired whether the County owned Jackson Lane and Mr. Young replied no. He said it was a private road with other property owners residing there. Commissioner Hartung was concerned about who would maintain the road and possible legal issues with who had the right to use the road. He thought it was important to resolve those concerns before they became issues.

Mr. Young stated there were several issues with Jackson Lane. He indicated one of the homeowners on the road lived just beyond the property in question,

so any traffic that was on Jackson Lane relative to the property could be blocking or causing traffic concerns for the resident. He said there would be required annual road studies and the statistics would be reported to the County. He noted that there was a stipulation written in the plan that the County could prohibit Burning Man from using the road if severe issues arose.

Commissioner Hartung questioned the capacity for an engineered septic system and asked who the responsible party was for providing fire and Emergency Medical Services (EMS).

Mr. Young said Black Rock City, LLC would have to work with the Environmental Health Services Division regarding an engineered septic system for industrial use. He stated the Truckee Meadows Fire Protection District (TMFPD) Fire Marshal had been working with them and required the property owner to maintain a plan be in place with the Fire Marshal at all times. He said if the fire plan ever lapsed, all activity at the site must halt immediately. He noted the plan stated the developer was responsible for all costs associated with the property and activities.

Commissioner Hartung was concerned that the plan discussed activities that would and would not be allowed on the property. He stated it mentioned animal slaughtering, but that it was only allowed with animals raised on the site; importation of animals for slaughtering was prohibited. He wanted to know how that would be enforced.

Mr. Young replied there would not be staff to monitor them unless a citizen complained of inappropriate activities. He said staff had developed a better relationship with the owners and the property managers. He thought there would be occasions for staff to be out there from time to time to observe activities.

Commissioner Hartung was concerned with land use designations. He said future generations would inherit the plan, which could cause issues with the agreement in the future.

Commissioner Herman said she did not foresee any problems with the amendment and she thought it could boost the economy for Gerlach.

On the call for public comment, Derek Wilson thanked the Board for their support.

Cathy Brandhorst spoke about matters of concern to herself.

On motion by Commissioner Herman, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 10 be adopted, authorized and directed. The resolution for same is attached hereto and made a part of the minutes thereof.

16-0385 **AGENDA ITEM 11** Second reading and possible adoption of an ordinance amending the Washoe County Code Chapter 100 (Washoe County Building Code) to adopt the 2012 International Energy Conservation Code (the “IECC”) (replacing the 2009 IECC) together with the 2015 Northern Nevada Energy Conservation Code Amendments, effective July 1, 2016, and providing other matters necessarily connected therewith and pertaining thereto. Community Services. (All Commission Districts.)

The Chair opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance.

Commissioner Herman wanted to ensure that citizens knew this could increase the cost of permits.

Jan Galassini, Deputy County Clerk, read the title for Ordinance No. 1579, Bill No. 1763.

On the call for public comment, Cathy Brandhorst spoke about matters of concern to herself.

On motion by Commissioner Berkbigler, seconded by Commissioner Hartung, which motion duly carried, Chair Berkbigler ordered that Ordinance No. 1579, Bill No. 1763, be adopted, approved and published in accordance with NRS 244.100.

16-0386 **AGENDA ITEM 12** Public hearing to (1) consider all comments concerning a proposed amendment to the boundaries of District No. 24 (Groundwater Remediation/Central Truckee Meadows Remediation District) in Washoe County, Nevada. (2) If, after considering all comments, the Board approves the proposed amendment to the boundaries of District No. 24, direct that the amendment be made by ordinance. Community Services. (All Commission Districts.)

The Chair opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance.

On the call for public comment, Cathy Brandhorst spoke about matters of concern to herself.

On motion by Commissioner Berkbigler, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 12 be approved and directed.

16-0387 **AGENDA ITEM 9** Update on the Community Assistance Center for fiscal year FY16-17 and approval of funding of the Community Assistance Center in an amount up to \$2,020,856.00 to be included within the FY 16-

17 Interlocal Agreement for the Operation of the Community Assistance Center, and possible direction to staff on related matters. Manager. (All Commission Districts.)

Commissioner Hartung noted the fiscal impact section of the staff report indicated an amount of approximately \$252,964, but the request was for \$2,020,856.

Kevin Schiller, Assistant County Manager, stated the \$252,964 figure was an approximate value of the in-kind services. He said the allocated amount of more than \$2 million had been included in the budget.

Chair Jung commended the City of Reno for approving their enhanced budget for the next year. She understood the City of Sparks would be discussing this issue in two weeks. She asked staff to monitor the outcome and to report to the Board the amount Sparks would be providing for this regional issue.

On motion by Commissioner Hartung, seconded by Commissioner Berkbigler, which motion duly carried, it was ordered that Agenda Item 9 be approved and directed.

16-0388 **AGENDA ITEM 13** Possible Closed Session for the purpose of discussing labor negotiations with Washoe County, Truckee Meadows Fire Protection District and/or Sierra Fire Protection District per NRS 288.220.

There was no closed session.

16-0389 **AGENDA ITEM 14** Public Comment.

Allayne Everett introduced herself as a representative of the Airport Noise Abatement Panel. She stated the work on noise abatement was finalized in 2014. She noted there had been noise mitigation and improvements to existing homes that other residents could consider for their own homes. She wanted to present the information to the Citizen Advisory Boards to assist citizens in finding the information on the Airport Authority's website. She submitted a handout, which was placed on file with the Clerk.

16-0390 **AGENDA ITEM 15** Commissioners'/County Manager's announcements, reports and updates, requests for information or topics for future agendas. (No discussion among Commissioners will take place on this item.)

Commissioner Herman wanted to confirm the Nevada Lands Council Membership. She requested the Senior Advisory Board membership renewal to be on a future agenda. She had a conversation with a citizen who was unhappy that Verdi did not have a Community Advisory Board (CAB) yet. She said it would have been nice to have a CAB in place for the development issue in Gerlach. She thought all of the CABs should have the same number of meetings per year.

COMMUNICATIONS AND REPORTS

The following communications and reports were received, duly noted, and ordered placed on file with the Clerk:

- 16-0391** Letter from the Office of the County Treasurer addressed to the Board of County Commissioners, dated February 16, 2016, regarding the Truckee Meadows Fire Protection District (TMFPD) and the opening of a checking account for the purpose of making health benefits program payments by a third party administrator.
- 16-0392** Letter from the Office of the County Treasurer addressed to the Board of County Commissioners, dated April 4, 2016, regarding the Washoe County Department of Social Services and the closing of an account which was established to aid indigent persons.
- 16-0393** Letter from the Office of the County Treasurer addressed to the Board of County Commissioners, dated April 8, 2016, regarding the Washoe County Sheriff's Office and the closing of a checking account titled "Civil Special Trust Fund".

MONTHLY FINANCIAL STATEMENTS:

- 16-0394** Monthly Statement of Washoe County Treasurer for month ending February 29, 2016.

QUARTERLY FINANCIAL STATEMENTS:

- 16-0395** County Clerk's Quarterly Financial Statement, Quarter FY 2015-16, January 1st through March 31st.
- 16-0396** Clerk of the Court Quarterly Financial Statement, Quarter Ending March, 2016.

TENTATIVE BUDGETS / FINAL BUDGETS

- 16-0397** Palomino Valley General Improvement District Tentative Fiscal Year 2016-2017 Budget.
- 16-0398** City of Sparks 2016-2017 Tentative Budget.
- 16-0399** City of Sparks Redevelopment Agency of the City of Sparks Area 1 2016-2017 Tentative Budget.

- 16-0400** City of Sparks Redevelopment Agency of the City of Sparks Area 2 2016-2017 Tentative Budget.
- 16-0401** Washoe County School District's 2016-17 Tentative Budget.
- 16-0402** Verdi Television District Final Budget for the fiscal year ending June 30, 2017.
- 16-0403** Truckee Meadows Fire Protection District's Tentative Budget for the fiscal year ending June 30, 2017.
- 16-0404** Sierra Fire Protection District's Tentative Budget for the fiscal year ending June 30, 2017.

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12:04 p.m. There being no further business to discuss, the meeting was adjourned without objection.

KITTY K. JUNG, Chair
Washoe County Commission

ATTEST:

NANCY PARENT, County Clerk and
Clerk of the Board of County Commissioners

*Minutes Prepared by:
Doni Gassaway, Deputy County Clerk*

**COOPERATIVE AGREEMENT FOR THE
CREATION OF NEVADAWORKS**

THIS AGREEMENT is made and entered into this ___ day of _____, 2016, by and among the following counties, all of which are political subdivisions of the State of Nevada: Carson City, Churchill County, Douglas County, Elko County, Eureka County, Humboldt County, Lander County, Lyon County, Mineral County, Pershing County, Storey County, Washoe County, and White Pine County.

WITNESSETH:

To amend the Workforce Investment Act of 1998 to strengthen the United States workforce development system through innovation in, and alignment and improvement of, employment, training, and education programs in the United States, and to promote individual and national economic growth and for other purposes the Senate and House of Representatives of the United States of America enacted the Workforce Innovation and Opportunity Act which was subsequently signed into law by the President in 2014.

WHEREAS, it is the purpose of the Workforce Innovation and Opportunity Act (WIOA) to:

- Increase, for individuals in the United States, particularly those individuals with barriers to employment, access to and opportunities for the employment, educations, training, and support service they need to succeed in the labor market.
- Support the alignment of workforce development, education, and economic development systems in support of a comprehensive, accessible, and high-quality workforce development system in the United States.
- Improve the quality and labor market relevance of workforce development, education and economic development efforts to provide America's workers with the skills and credentials necessary to secure and advance in employment with family-sustaining wages and to provide America's employers with the skilled workers the employers need to succeed in a global economy.
- Promote improvement in the structure of and delivery of services through the United States workforce development system to better address the employment and skill needs of workers, jobseekers, and employers.
- Increase the prosperity of workers and employers in the United States, the economic growth of communities, regions, and states, and the global competitiveness of the United States.
- Provide workforce development activities, through statewide and local workforce development systems, that increase the employment, retention, and earnings of

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participants, and increase attainment of recognized postsecondary credentials by participants, and as a result, improve the quality of the workforce, reduce welfare dependency, increase economic self-sufficiency, meet the skill requirements of employers, and enhance the productivity and competitiveness of the Nation.

WHEREAS, pursuant to the WIOA, the chief elected officials in the local areas, and based upon criteria established by the governor of the state and the state board, are to appoint members to local workforce development boards and those chief elected officials are responsible for carrying out other responsibilities assigned under the WIOA; and

WHEREAS, the WIOA authorizes that in a local area which includes more than 1 unit of general local governments, the chief elected officials of such units may execute an agreement that specifies the respective roles of the individual chief elected officials; and

WHEREAS, the purpose of this agreement is to establish a separate, legal and administrative public entity to coordinate the performance of responsibilities of the chief elected officials as set forth in the WIOA, to be the recipient of federal funds under the WIOA, and which entity would also coordinate the activities of the local workforce development board; and

WHEREAS, under the Cooperative Agreement which created Nevadaworks and pursuant to the Workforce Investment Act (WIA) programs, including award of WIA grant funds to subcontractor agencies.

WHEREAS, the WIOA, requires an open competitive process in the selection of service providers and limits the entity administering the federal funds from being a service provider of programs; and

WHEREAS, the changes brought about by the WIOA necessitate changes in the entity formally known as Nevadaworks, and this Agreement is intended to and does supersede the Cooperative Agreement dated December 21, 1999 among the thirteen county participants; and

WHEREAS, NRS 277.110 and 277.120 provide that any power, privilege or authority exercised or capable of exercise by a public agency of the state may be exercised by two or more public agencies and that a separate legal or administrative entity may be established to conduct the joint or cooperative undertaking; and

WHEREAS, the establishment and furtherance of workforce development programs is determined to be a proper governmental function which may be exercised jointly by the thirteen county participants that are parties to this Agreement; and

WHEREAS, the parties hereto desire to develop the most effective programs to deal with the employment and unemployment problems of residents of Northern Nevada, and they have determined that such issues can best be resolved and such federal funds may be best administered by a separate legal and administrative entity;

WHEREAS, the execution of this Cooperative Agreement will provide operational framework for administration of and responsibility for these federal funds; and

WHEREAS, each party shall indicate its desire to enter into this cooperative Agreement by formal resolution of the governing body of each of the respective parties;

NOW, THEREFORE, for and in consideration of the mutual terms, covenants and conditions herein agreed, the parties agree as follows:

1. There is hereby created a separate legal and administrative public entity to be known as Nevadaworks, hereinafter referred to as "NW". The purpose of NW is to provide centralized administration of Northern Nevada's WIOA programs. NW shall exist for the purposes set forth herein until this Agreement is terminated as provided below.
2. The jurisdiction of NW shall consist of Carson City, Churchill County, Douglas County, Elko County, Eureka County, Humboldt County, Lander County, Lyon County, Mineral County, Pershing County, Storey County, Washoe County, and White Pine County, Nevada.
3. The Job Training Board (first established on May 19, 1983 by Cooperative Agreement which was superseded by the July 12, 1985 Cooperative Agreement, which was superseded by the December 21, 1999 Cooperative Agreement for the creation of Nevadaworks) consisting of the Chairman of each participating thirteen County Commissions/Board of Supervisors will be known hereafter as the Board of Local Elected Officials or LEO-Board and is hereby constituted to fulfill the responsibilities of and to function as the "chief elected officials" of the participating "units of local government" as those terms are used under the WIOA. Accordingly, the LEO-Board shall consist of the thirteen (13) counties (representing the Northern Nevada Service Delivery Area) which shall be represented by the Chairman of each County Commission or Board of Supervisors, or the Commissions'/Supervisors' designee, who, whenever possible shall be another County Commissioner or Supervisor.
4. The LEO-Board may create an Executive Council consisting of a minimum of 3 members of the LEO-Board as designated and agreed to by the LEO-Board. The LEO-Board may delegate to the Executive Council action on the LEO-Board's behalf with a report of action taken by the Executive Council to be made to the full LEO-Board on any issue which would ordinarily come before the LEO-Board. When throughout this Agreement the term LEO-Board is used, it may refer to the Executive Council of the LEO-Board if the Board has delegated to the Executive Council authority to act on such matter.
5. A. The Workforce Development Board (WDB) referred to in the Cooperative Agreement of December 21, 1999, shall be replaced by the new Workforce

Development Board (WDB) which may include members of the former Workforce Investment Board. The LEO-Board shall appoint members to the Workforce Development Board which must consist of the requisite number of members necessary to satisfy the requirements under the WIOA. Pursuant to the WIOA, criteria for membership is to be established by the state, but must include at a minimum:

- a. A majority of the members of each local board shall be representatives of business in the local area, who:
 - (i) are owners of businesses, chief executives or operating officers of businesses, or other business executives or employers with optimum policymaking or hiring authority;
 - (ii) represent businesses, including small businesses, or organizations representing businesses described in this clause, that provide employment opportunities that, at a minimum, include high-quality, work-relevant training and development in in-demand industry sectors or occupations in the local area; and
 - (iii) are appointed from among individuals nominated by local business organizations and business trade associations;

- b. Not less than 20 percent of the members of each local board shall be representatives of the workforce within the local area, who:
 - (i) shall include representatives of labor organizations (for a local area in which employees are represented by labor organizations), who have been nominated by local labor federations, or (for a local area in which no employees are represented by such organizations) other representatives of employees;
 - (ii) shall include a representative, who shall be a member of a labor organization or a training director, from a joint labor-management apprenticeship program, or if no such joint program exists in the area, such a representative of an apprenticeship program in the area, if such a program exists;
 - (iii) may include representatives of community based organizations that have demonstrated experience and expertise in addressing the employment needs of individuals with barriers to employment, including organizations that serve veterans or that provide or support competitive integrated employment for individuals with disabilities; and
 - (iv) may include representatives of organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of eligible youth, including representatives of organizations that serve out-of-school youth;

- c. Each local board shall include representatives of entities administering education and training activities in the local area, who:
 - (i) shall include a representative of eligible providers administering adult education and literacy activities under title II;
 - (ii) shall include a representative of institutions of higher education providing workforce development activities (including community colleges);
 - (iii) may include representatives of local educational agencies, and of community-based organizations with demonstrated experience and expertise in addressing the education or training needs of individuals with barriers to employment;

- d. Each local board shall include representatives of governmental and economic and community development entities serving the local area, who:
 - (i) shall include a representative of economic and community development entities;
 - (ii) shall include an appropriate representative from the State employment service office under the Wagner-Peyser Act (29 U.S.C. 49 et seq.) serving the local area;
 - (iii) shall include an appropriate representative of the programs carried out under title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.), other than section 112 or part C of that title (29 U.S.C. 732, 741), serving the local area;
 - (iv) may include representatives of agencies or entities administering programs serving the local area relating to transportation, housing, and public assistance; and
 - (v) may include representatives of philanthropic organizations serving the local area; and

- e. Each local board may include such other individuals or representatives of entities as the chief elected official in the local area may determine to be appropriate.

B. Membership of WDB: Members of the WDB that represent organizations, agencies, or other entities shall be individuals with optimum policymaking authority with the organizations, agencies, or entities. A majority of the members of the WDB shall be representatives described in paragraph (a) (i) through (iii) above. The WDB shall elect a chair from among the representatives described in (a) (i) through (iii) above.

C. Pursuant to a letter dated September 14, 2015 from Nevada State Governor Brian Sandoval, designates Nevadaworks to serve in the current

capacity as the administrative entity for the local WDB. (See copy of letter attached hereto as Exhibit "A").

6. The LEO-Board and the Workforce Development Board are designated as the policy-making bodies for NW to the extent that such policies recognize and do not conflict with State law and the terms of this Agreement which establish NW as a public entity. These two Boards are responsible for carrying out their respective and joint responsibilities under WIOA in accordance with guidelines that may be approved by the Governor of the State of Nevada and the terms of the WIOA.
7. The LEO-Board and the WDB shall have the responsibility to adopt and ensure implementation of NW policies, standards, and goals in order to meet the requirements of WIOA. In so doing, the LEO-Board and the WDB may adopt policies and procedures in compliance with guidelines provided by the Governor and/or the State and in compliance with this Agreement. All policies and procedures adopted by the LEO-Board and WDB affecting the WIOA shall be kept on file for public inspection in NW's Executive Office.
8. NevadaWorks is authorized to employ staff including, but not limited to, an Executive Director/Chief Executive Officer (CEO). The staff shall be considered to be employees of the separate legal, administrative, public entity known as Nevadaworks and are entitled to such benefits available to public employees in the State of Nevada. However, the staff shall also perform staff functions for the WDB in performance of its responsibilities under the WIOA.

Whenever a vacancy occurs in the position of Executive Director/CEO of NW, a new Executive Director/CEO shall be selected by the LEO-Board. The Executive Director/CEO shall be directed by and answerable solely to the LEO-Board; and shall serve at the pleasure of the LEO-Board.

9. The Executive Director/CEO shall provide all information and documentation regarding all NW administrative, operational, and fiscal matters relating to the WIOA to the LEO-Board and the WDB upon request. The nature, scope and frequency of the information relating to the WIOA that is to be provided pursuant to this paragraph by the Executive Director/CEO shall be specified by the LEO-Board and WDB.
10. NW shall have the power to contract with any qualified private or public agency or entity to secure the support staff and personnel needed by NW to carry out the objectives and requirements set forth in this Agreement and by the State Job Training Office. The staff and personnel of NW shall be under the direction and control of the Executive Director/CEO who reports, for purposes of meeting the requirements of the WIOA, to both the WDB and the LEO-Board. The Executive Director/CEO shall have prepared personnel policies which shall be approved by the LEO-Board. As the staff also provides staff support services to the WDB, the WDB may have input into such policies, but any final decision shall rest with the Executive Director/CEO, subject to appeal by the WDB to the LEO-Board.

11. The Executive Director/CEO has the power of final decision regarding any daily operation of the NW programs subject to a schedule of responsibilities which shall be presented to the LEO-Board and the WDB for their approval.
12. A majority of the WDB constitutes a quorum for the transaction of business. The Executive Committee of LEO-Board may transact business as provided herein. If the Executive Committee has only 3 members of the LEO-Board, all three must be present for the conduct of any business, but a majority of the three is sufficient to carry any action. For all actions to be taken by the WDB and LEO-Board pursuant to the WIOA, a majority vote of a quorum of both the WDB and the LEO-Board (or its Executive Council) is necessary, subject to the limitations set forth in paragraph 13 below.
13. Pursuant to paragraph 12, the LEO-Board may withhold approval of any training program, regardless of a majority vote, if:
 - a. There are insufficient funds available to support the program; or
 - b. Funding of the program is not authorized by WIOA. Reconsideration of any matter or action taken by the LEO-Board and the WDB will be done according to meeting rules acceptable to all parties.
14. The LEO-Board and the WDB shall establish all boards, councils, or committees, or other advisory groups as mandated by federal laws and regulations.
15. The LEO-Board and the WDB shall establish by-laws for meetings and other matters of internal governance. These by-laws shall be consistent with any applicable federal and state laws, any regulations promulgated by the Governor and/or the State, and any provisions of this Cooperative Agreement. All meetings of the WDB, LEO-Board or its Executive Council shall be conducted in accordance with Nevada's Open Meeting Law.
16. The LEO-Board and the WDB shall approve the annual plan and local plan to be submitted to the Governor. The Chairman of the LEO-Board and the Chairman of WDB shall be the signatories to the annual plan and local plan. All proposed modifications to the annual plan or local plan shall be approved by the WDB and the LEO-Board and the signatories to such request for modifications shall be the same as indicated in the previous paragraph.
17. Financing for the undertakings of the NW, the LEO-Board and the WDB is provided as part of the federal funds made available under the WIOA, in addition to other funding sources that may be periodically available. The staff of NW is responsible for preparing a budget for approval by the LEO-Board and WDB.
18. The LEO-Board and the WDB shall consider and approve proposed contracts necessary for the implementation of the WIOA activities. All contracts shall conform to any applicable federal, state and/or local laws and regulations.
19. This Cooperative Agreement may be amended upon written agreement signed by the governing bodies of the 13 county parties hereto.
20. This Cooperative Agreement may be terminated at the expiration of any WIOA Program Year by majority consent of the counties that are parties hereto upon the giving of ninety (90) days written notice of intent to terminate. In addition, any party may terminate its participation in this Agreement by giving 120 days notice

before expiration of the WIOA program year to the other parties to this Agreement. In the event that one or more counties cease to be a participant in this Agreement, the remaining parties shall determine whether the Agreement may continue without that county or counties. In the event the remaining parties deem that the Agreement cannot continue, the Agreement will terminate at the end of that WIOA program year.

- 21. Upon receipt of a notice of termination or expiration of this Agreement, the LEO-Board and the WDB shall, at their next regular meeting, prepare a plan for the dissolution of NW. This dissolution plan shall consider and provide for the discharge of all costs, expensed, charges and contractual obligations validly incurred pursuant to this Cooperative Agreement.

Additionally, the dissolution plan shall provide for the disposition of all property acquired by NW pursuant to this Agreement and state and federal law. The dissolution plan must provide for the disposition of all property acquired by NW to this Agreement. Furthermore, the dissolution plan shall provide for the distribution of any surplus funds, if any, once all costs, liabilities and obligations are discharged in accordance with state and federal law.

Any fiscal liability of NW not provided for in the dissolution plan, but determined to be outstanding and determined to be validly incurred by the 13 counties, shall be shared by the 13 counties on a pro rata basis as determined by the distribution formula in the WIOA plan.

- 22. Upon execution of this Cooperative Agreement by all 13 counties, the Cooperative Agreement dated December 21, 1999 which created Nevadaworks shall be terminated.

IN WITNESS WHEREOF, the parties hereto by their respective officers, duly authorized, have executed this Cooperative Agreement, to be effective as provided herein.

CARSON CITY

Date

By _____

ATTEST:

CLERK

CHURCHILL COUNTY

Date

By _____

ATTEST:

Date

Date

CLERK

DOUGLAS COUNTY

By _____

ATTEST:

CLERK

ELKO COUNTY

By _____

ATTEST:

CLERK

Date

EUREKA COUNTY

By _____

ATTEST:

CLERK

Date

HUMBOLDT COUNTY

By _____

ATTEST:

CLERK

Date

LANDER COUNTY

By _____

ATTEST:

CLERK

Date

LYON COUNTY

By _____

ATTEST:

CLERK

Date

MINERAL COUNTY

By _____

ATTEST:

CLERK

Date

PERSHING COUNTY

By _____

ATTEST:

CLERK

Date

STOREY COUNTY

By _____

ATTEST:

CLERK

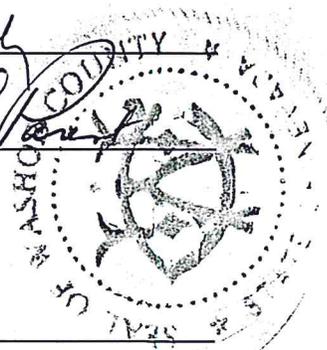
May 10, 2016
Date

WASHOE COUNTY

By _____

ATTEST:

CLERK



Date

WHITE PINE COUNTY

By _____

ATTEST:

CLERK

Approved by Nevada Attorney General
Pursuant to NRS 277.140

Date

Attorney General

INTERLOCAL AGREEMENT

1) PARTIES

This Interlocal Agreement ("Agreement") is entered into between the City of Reno ("Reno"), a municipal corporation, the City of Sparks ("Sparks"), a municipal corporation and Washoe County ("County"), a political subdivision of the State of Nevada, collectively the "Parties". In consideration of the mutual promises contained in this Agreement, the Parties agree as follows:

2) RECITALS

2.1 The Parties are public agencies as defined in NRS 277.100(1)(a).

2.2 NRS 277.180 provides that any one or more public agencies may contract with any one or more other public agencies to perform any governmental service, activity or undertaking which any public agency, entering into the contract, is authorized to perform.

2.3 Reno and the Regional Transportation Commission of Washoe County, a special purpose unit of Government of the State of Nevada ("RTC") are entering into an Interlocal Cooperative Agreement to reimburse RTC for inclusion of the construction of an effluent pipeline extension in their project in the amount of \$675,000.00 (the "Project"). The description of the work is set forth in Exhibit A.

2.4 County has agreed to reimburse Reno the sum of \$225,000.00 for the Project.

2.5 Sparks has agreement to reimburse Reno the sum of \$225,000.00 for the Project.

3) RIGHTS & DUTIES

3.1 Reno

3.1.1 Reno has contracted with RTC, who will construct the Project and submit invoices to Reno, on a monthly basis or at the completion of the Project, whichever is earlier, for the work described in Exhibit A. Reno will review and verify

16-0382

the invoices. Reno will then submit invoices for reimbursement to County and Sparks on a monthly basis or at the completion of the Project, whichever is earlier.

3.1.2 Reno will, through its designated representative, provide to County and Sparks any information requested relating to any invoice submitted for payment.

3.1.3 Reno will set up a separate account for the Project, if not already existing, so that check numbers along with copies of cancelled checks for all expenditures can be submitted, as well as an exact itemization of Project expenditures, and copies of itemized invoices.

3.2 County and Sparks

3.2.1 Upon the submission of an invoice for payment, pursuant to Paragraph 3.1.1 above, the County and Sparks' representative shall promptly review the invoice, request any further information or documentation required, and process the invoice for payment within thirty (30) days following his approval.

3.2.2 The total amount of invoices paid pursuant to this Agreement for County is the sum of \$225,000.00 and for Sparks is the sum of \$225,000.00.

4) INDEMNIFICATION

4.1 The Parties agree that each will be responsible for any liability or loss that may be incurred as a result of any claim, demand, cost, or judgment made against that Party arising from any negligent act or negligent failure to act by any of that Party's employees, agents in connection with the performance of obligations assumed pursuant to this Agreement.

4.2 The Parties further agree, to the extent allowed by law pursuant to Chapter 41 of the Nevada Revised Statutes ("NRS"), to hold harmless, indemnify and defend each other from all losses, liabilities or expenses of any nature to the person or property of another, to which each may be subjected as a result of any claim, demand, action or cause of action arising out of the negligent acts, errors or omissions on the part of employees.

5) MISCELLANEOUS PROVISIONS

5.1 This Agreement is binding upon and inures to the benefit of the Parties and their respective heirs, estates, personal representatives, successors and assigns.

5.2 This Agreement is made in, and shall be governed, enforced and construed under the laws of the State of Nevada.

5.3 This Agreement constitutes the entire understanding and agreement of the Parties with respect to the subject matter hereof, and supersedes and replaces all prior understandings and agreements, whether verbal or in writing, with respect to the subject matter hereof.

5.4 This Agreement may not be modified, terminated, or amended in any respect, except pursuant to an instrument in writing duly executed by the Parties.

5.5 In the event a party fails to appropriate or budget funds for the purposes as specified in this Agreement, Reno hereby consents to the termination of this Agreement. In such event, the party shall notify Reno in writing and the Agreement will terminate on the date specified in the notice. The Parties understand that this funding out provision is required under NRS 244.320 and NRS 354.626.

5.6 In the event either Party brings any legal action or other proceeding with respect to the breach, interpretation, or enforcement of this Agreement, or with respect to any dispute relating to any transaction covered by this Agreement, the losing Party or Parties in such action or proceeding shall reimburse the prevailing Party or Parties therein for all reasonable costs of litigation, including reasonable attorneys' fees.

5.7 No delay or omission by either Party in exercising any right or power hereunder shall impair any such right or power or be construed to be a waiver thereof, unless this Agreement specifies a time limit for the exercise of such right or power or unless such waiver is set forth in a written instrument duly executed by the person granting such waiver. A waiver of any person of any of the covenants, conditions, or agreements hereof to be performed by any other Party shall not be construed as a waiver

of any succeeding breach of the same or any other covenants, agreement, restrictions or conditions hereof.

5.8 All notices, demands or other communications required or permitted to be given in connection with this Agreement, shall be in writing, and shall be deemed delivered when personally delivered to a Party (by personal delivery to an officer or authorized representative of a corporate Party) or, if mailed, three (3) business days after deposit in the United States mail, postage prepaid, certified or registered mail, addressed to the Parties as follows:

To Reno: John Flansberg, P.E., Director of Public Works
 City of Reno
 1 East First Street, 7th Floor
 Reno, Nevada 89501

To County: David Solaro, Director of Community Services
 1001 E. 9th Street
 Reno, NV 89512

To Sparks: John A. Martini, P.E., Community Services Director
 431 Prater Way
 Sparks, NV 89431

-INTENTIONALLY LEFT BLANK-

5.9 This Agreement is effective upon the date the last signing Party signs this Agreement ("Effective Date").

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement.

WASHOE COUNTY

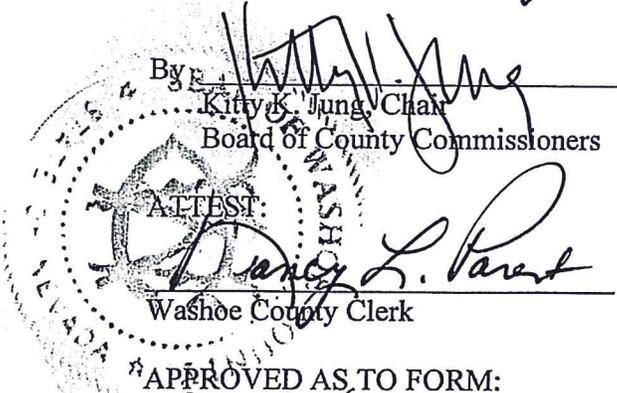
CITY OF RENO

Dated this 10th day of May, 2016

Dated this ___ day of _____, 2016

By [Signature]
Kitty S. Jung, Chair
Board of County Commissioners

By _____
Hillary L. Schieve, Mayor



ATTEST:
[Signature]
Washoe County Clerk

ATTEST:

Ashley Turney, Reno City Clerk

*APPROVED AS TO FORM:
[Signature]
District Attorney

APPROVED AS TO FORM:

Deputy City Attorney

CITY OF SPARKS

Dated this ___ day of _____, 2016

By _____
Geno Martini, Mayor

ATTEST:

Sparks City Clerk

APPROVED AS TO FORM:

Sparks City Attorney

EXHIBIT A

Description of IMPROVEMENTS:

1. Construct an effluent pipeline extension to accommodate a separate proposed effluent intertie project by others in the future. The location of the improvements are from the northeast corner of Mira Loma Drive and the proposed intersection of SouthEast Connector to a point south of Heron's Pond determined by an alignment alternative analysis prepared by the RTC design consultant. The effluent pipeline extension is in accordance with the project drawings and specifications prepared by CH2MHILL dated July 16, 2014.

Estimated costs of IMPROVEMENTS:

Construction:	\$650,000
Contingencies:	<u>\$25,000</u>
TOTAL ESTIMATED AMOUNT:	\$675,000

RESOLUTION OF SUPPORT

WHEREAS, the Washoe County Commission has included "Stewardship of our community" as a strategic objective; and

WHEREAS, the Washoe County Commission has included "Be responsive and proactive to pending economic impacts" as a strategic goal; and

WHEREAS, Washoe County is expected to add over 100,000 new residents by 2030, and these new residents will require housing and employment as well as recreational opportunities; and

WHEREAS, Washoe County contains millions of acres of public lands that provide important recreational opportunities including hiking, camping, horseback riding, off highway vehicle use, hunting, and fishing; and

WHEREAS, comprehensive public lands legislation would improve the Washoe County economy by making available appropriate Federal lands for economic development purposes; and

WHEREAS, comprehensive public lands legislation would expand recreational opportunities in Washoe County by providing land for parks and trails, land and funding for recreational facilities, and preserving opportunities for hiking, hunting, camping, and motorized recreation on public lands; and

WHEREAS, comprehensive public lands legislation would further conservation by designating appropriate wilderness areas and providing funding for habitat restoration and other conservation activities; now, therefore, be it

RESOLVED, that the Washoe County Board of Commissioners supports the development of comprehensive public lands legislation addressing economic development, conservation, and recreation; and be it further

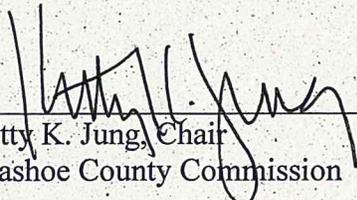
RESOLVED, that the Washoe County Board of Commissioners are committed to partnering with our Nevada Congressional Delegation and other diverse stakeholders to develop a well-balanced approach to comprehensive public land management legislation for Washoe County to facilitate job creation and achieve important conservation goals for Washoe County; and be it further

RESOLVED, that the Washoe County Board of Commissioners respectfully requests an expeditious process for the development and introduction of comprehensive public lands legislation for Washoe County in the Congress followed by its successful enactment.

ADOPTED this 10th day of May, 2016.

ATTEST:


Nancy Parent, County Clerk


Kitty K. Jung, Chair
Washoe County Commission

16-0383



WASHOE COUNTY COMMISSION

1001 E. 9th Street
P.O. Box 11130
Reno, Nevada 89520
(775) 328-2005

**RESOLUTION
ADOPTING AN AMENDMENT TO THE
HIGH DESERT REGULATORY ZONE MAP AND
THE ASSOCIATED DEVELOPMENT STANDARDS HANDBOOK
(RZA15-009 – Black Rock Station)**

WHEREAS,

- A. On December 15, 2015, Black Rock City LLC applied for a Regulatory Zone Amendment to change the regulatory zone designation on APN 066-030-23 from General Rural (GR) to Specific Plan (SP);
- B. On April 5, 2016, the Washoe County Planning Commission held a duly noticed public hearing, determined that it had given reasoned consideration to the information it had received from staff, the applicant and from public comment regarding the proposed Regulatory Zone Amendment, recommended adoption of the amendment by Resolution Number 16-05; and, in connection therewith, made the following findings as required by Washoe County Development Code Sections 110.821.15 and 110.442.55.10:
 1. Consistency with Master Plan. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan and the Regulatory Zone map;
 2. Compatible Land Uses. The proposed amendment will provide for land use compatible with (existing or planned) adjacent land uses, and will not adversely impact the public health, safety or welfare;
 3. Response to Change Conditions. The proposed amendment responds to changed conditions or further studies that have occurred since the plan was adopted by the Board of County Commissioners, and the requested amendment represents a more desirable utilization of land;
 4. Availability of Facilities. There are adequate transportation, recreation, utility and other facilities to accommodate the uses and densities permitted by the proposed Regulatory Zone Amendment;
 5. Master Plan Policies and Action Programs. The proposed amendment will not adversely affect the implementation of the policies and action programs of the Washoe County Master Plan;
 6. Desired Pattern of Growth. The proposed amendment will promote the desired pattern for the orderly physical growth of the County and guides development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services;

16-0384

7. Consistency with Specific Plan Standards. The proposed amendment is consistent with statements of objectives of a Specific Plan as set forth in Article 442;
 8. Departures from regulatory zone requirements are in the public interest. The proposed amendment's departures from regulatory zone requirements otherwise applicable to the subject property are in the public interest because the development standards handbook provides for a tailored list of uses and these uses contain additional development standards to promote compatibility;
 9. Residential/nonresidential ratio. The proposed amendment's residential/nonresidential ratio is in the public interest;
 10. Adequacy of common open space. The purpose, location and amount of the common open space in the proposed amendment are adequate to serve the developments as outlined in the Development Standards Handbook;
 11. Maintenance of Common Open Space. The proposed amendment's proposals for the maintenance of common open space are reliable;
 12. Adequacy of public services, traffic and amenities. The physical design of the plan as presented in the Development Standards Handbook and the timing of the development makes adequate provisions for public services; provides adequate control over vehicular traffic; and, furthers the amenities of light and air, recreation and visual enjoyment;
 13. Relationship to neighborhood. The proposed amendment provides for a beneficial relationship to the neighborhood;
 14. Schedule sufficiency. The proposed amendment's terms and conditions of development as presented in the Development Standards Handbook is sufficient and protects the public's, residents' and owners' interests in the integrity of the plan;
- C. The amendment to the High Desert Regulatory Zone Map was referred to this Board pursuant to Washoe County Code Section 110.821.30 and 110.442.55.13 to tentatively adopt, tentatively adopt with modification or deny the proposed regulatory zone amendment;
- D. This Board held a duly noticed public hearing on May 10, 2016 and desires to adopt the Regulatory Zone Amendment as specified in Exhibit A to this Resolution and Development Standards Handbook as specified in Exhibit B to this Resolution; and
- E. The owner of the subject parcel has 12 months from adoption of this resolution to submit development plans to the Director of Planning and Development and achieve final approval of the plan as specified in Washoe County Code Section 110.442.60.

NOW THEREFORE BE IT RESOLVED,

1. That this Board of County Commissioners affirms the findings of the Planning Commission and hereby TENTATIVELY ADOPTS the amendment to the High Desert

Regulatory Zone Map and the associated Development Standards handbook (Regulatory Zone Amendment Case Number RZA15-009), as provided in Exhibits A and B attached hereto.

ADOPTED on May 10, 2016.

WASHOE COUNTY BOARD OF COUNTY COMMISSIONERS

By: 
Kitty K. Jung, Chair

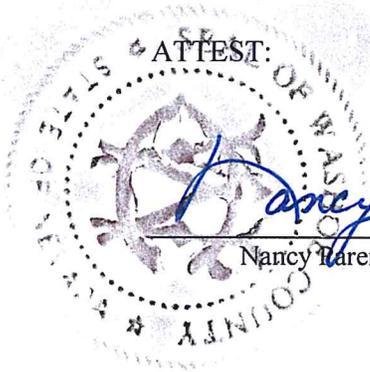
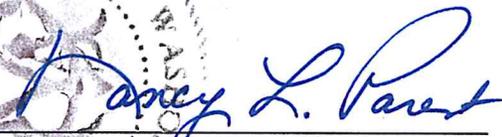
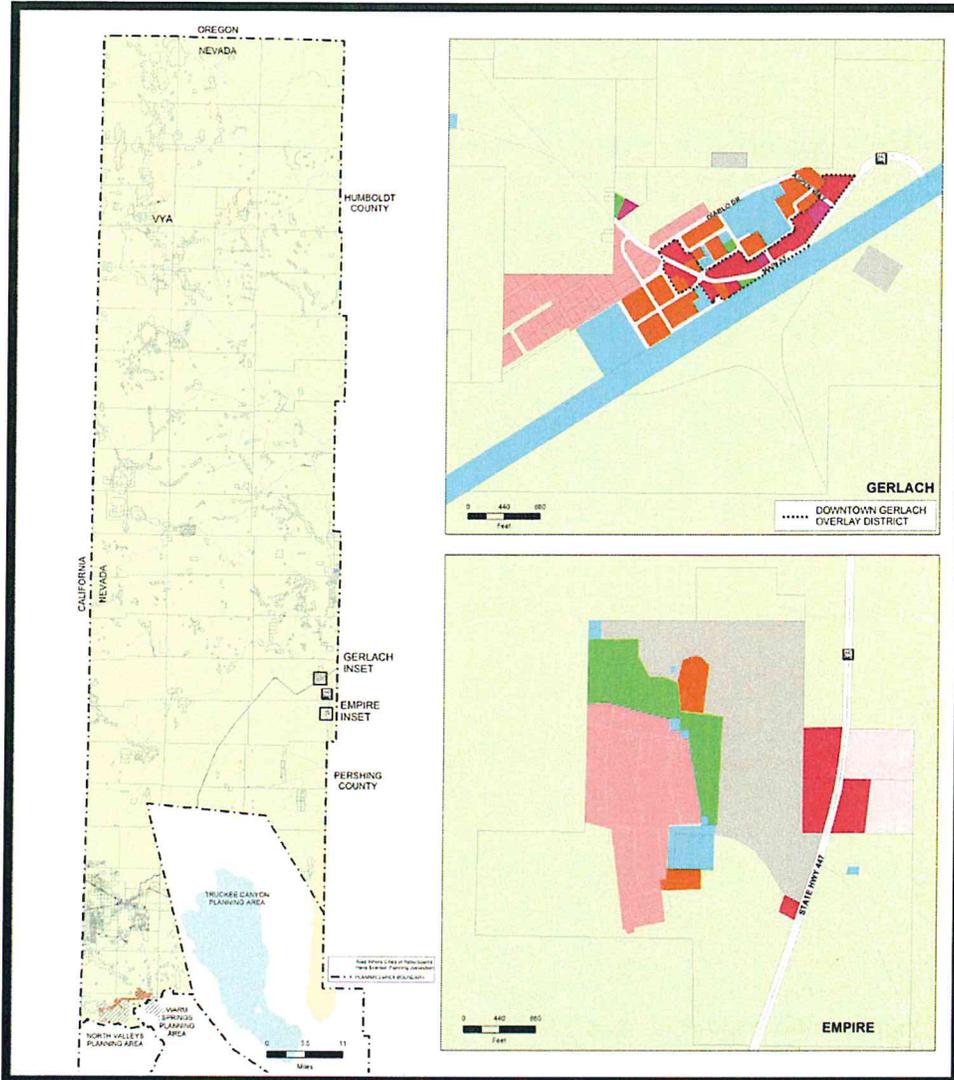
ATTEST:


Nancy Parent, County Clerk

EXHIBIT A RZA15-009 HIGH DESERT REGULATORY ZONE MAP



HIGH DESERT REGULATORY ZONE MAP		
	LOW DENSITY RURAL	
	MEDIUM DENSITY RURAL	
	HIGH DENSITY RURAL	
	LOW DENSITY SUBURBAN	
	LOW DENSITY SUBURBAN 2	
	MEDIUM DENSITY SUBURBAN	
	MEDIUM DENSITY SUBURBAN 4	
	HIGH DENSITY SUBURBAN	
	LOW DENSITY URBAN	
	MEDIUM DENSITY URBAN	
	HIGH DENSITY URBAN	
	GENERAL COMMERCIAL	
	NEIGHBORHOOD COMMERCIAL/OFFICE	
	TOURIST COMMERCIAL	
	INDUSTRIAL	
	PUBLIC AND SEMI-PUBLIC FACILITIES	
	PARKS AND RECREATION	
	OPEN SPACE	
	GENERAL RURAL	
	GENERAL RURAL AGRICULTURAL	
	DRY LAKE/WATER BODY	

PLANNING AND DEVELOPMENT DIVISION

PC Adoption Date: March 1, 2018
BCC Adoption Date:

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DATE: _____ DIRECTOR: _____

Community Services Department

WASHOE COUNTY NEVADA

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Black Rock Station Specific Plan

Development Standards
Handbook



BLACK ROCK STATION SPECIFIC PLAN DEVELOPMENT STANDARDS HANDBOOK

Section 1.0 Introduction

This document is the Development Standards Handbook for the Specific Plan known as Black Rock Station. Black Rock Station is a 200 acre parcel owned and operated by Black Rock City, LLC. The subject parcel is intended to support Black Rock City LLC's current and future regional activities, particularly the annual event commonly referred to as "Burning Man." This Development Standards Handbook is consistent with the standards and content contained in Washoe County Development Code Article 442 Specific Plan Policies and Procedures, and in generally applicable elements of the Washoe County Code. Adoption and implementation of this Specific Plan shall be consistent with NRS 278 and 278A. The development standards and procedures contained in this handbook will form the regulatory framework for the development of the Black Rock Station Specific Plan. For standards and procedures not addressed in this handbook, the standards and procedures of the Washoe County Development Code will be applied.

1.1 Project Location

Black Rock Station is located in the High Desert planning area on the south side of Jackson Lane, approximately 4,000 feet from the intersection of State Route 34 and Jackson Lane in Hualapai Valley. The subject parcel is addressed as 88 Jackson Lane and consists of 200 acres. APN: 066-030-23. Figure 1 depicts the property, while Figure 2 provides an overall context map depicting the Hualapai Valley.



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Figure 1 – Vicinity Map



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Figure 2 – Regional Context Map



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1.2 Purpose of a Specific Plan

A Specific Plan is a planning and regulatory mechanism that allows implementation of the master plan by requiring or permitting large scale planning in order to protect the natural environment, have compatible uses, conserve energy, achieve coherent and diverse development and ensure that roads and other infrastructure are adequate to serve the development. Additionally, this plan is designed to provide the flexibility that Black Rock City, LLC needs to support its evolving activities while also providing Washoe County and surrounding property owners with assurances on the overall magnitude and intensity of development. A stated purpose of a Specific Plan is to allow for flexibility of design. This is directly stated in in Section 110.442.00 of the Washoe County Development Code– “Flexibility of Development is a prime directive of the Specific Plan Regulatory Zone.” Once approved, this Plan and this Development Standards Handbook shall supersede all existing Special Use Permits and their conditions of approval.

1.3 Project Purpose

Over the years, Black Rock City LLC’s activities have increased from the single annual “Burning Man” festival around Labor Day weekend to a year-round presence in the Gerlach area. Various uses are needed on the subject parcel to support not only the annual Burning Man festival but other Burning Man-related activities as well. Some of the uses on the subject parcel will include employee housing, food service, and industrial yards. Many of the uses and activities on the subject parcel will be active year-round, such as industrial storage, agricultural projects and art fabrication. Some of the uses will occur only during a portion of the year.

1.4 Potential Land Uses

Potential uses for this parcel may include tourist facilities, campgrounds, alternative energy, and agriculture. With this in mind, the Specific Plan is intended to set limits, guidelines and assurances that these uses can be accomplished with minimal impact to the surrounding area.

The annual Burning Man festival (generally held during Labor Day week) has long been the focus of Black Rock Station. However, one factor influencing this Specific Plan is the recognition that Burning Man-related events have the ability to occur throughout the year. This Plan is designed to facilitate and manage any new events or activities that may be based on the Black Rock Station site. For example, many Burning Man participants have developed an appreciation for the High Desert area and are interested in year-round visits.

For clarification, “the annual festival” refers to the existing Burning Man gathering. Emergency services and infrastructure needs for this gathering have been in place for many years and are managed by agreements between Black Rock City, LLC and various service providers. While the uses and development described here are distinct from the annual festival; the primary purpose of Black Rock



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Station Specific Plan is to provide support to the festival in the form of industrial space, vehicle maintenance, and housing space.

1.5 Owner/Developer

Black Rock City, LLC is the owner of the property and the operator of the annual Burning Man event. This agreement shall apply to Black Rock City, LLC and any successors and assigns. The term “owner/developer” shall be used for the remainder of this document.

1.6 Compatibility with Surrounding Uses and Regulatory Zones

The Black Rock Station Specific Plan is a unique concept in a unique area. This uniqueness results in some compatibility challenges that this Development Standards Handbook seeks to address. The area itself is unique in two ways. First, it is more remote and rural than the vast majority of areas where development in the region typically occurs. The surrounding land uses are almost exclusively on very large lots and are associated with ranching or other forms of agriculture. The area is an expansive, mostly flat valley that provides for impressive vistas from any location within it. Second, the area is home to some important natural and scenic resources. These resources not only provide a small but steady stream of tourists with great outdoor experiences, they perhaps more importantly provide the day to day backdrop to the area’s residents and form a crucial part of the residents sense of place and their community character. These resources include the world famous Fly Geyser which can be seen from the subject property and adjacent properties, numerous scenic desert “flats,” and the mountains that form the valley itself. These resources should be protected from damaging impacts, including those to their scenic quality.

In general, this Specific Plan strives for compatibility with the surrounding area through the use of generous setbacks and the clustering of development within the property, by restricting the hours excessive light and noise may occur, and by requiring that facilities and resources be in place that are commensurate with development. The design intentionally locates the lowest intensity uses (small scale agriculture and open space) to the east where the property adjoins an existing residential site. Uses within the site are arranged so as to minimize road construction and site disturbance. Buffering is required where appropriate to shield the industrial type uses, but innovative buffering methods are required due to the likelihood that trees would be difficult to keep alive, and berms and fencing may negatively impact scenic vistas. Specific buffering, landscaping and screening requirements are discussed in more detail in section 3 of this document.



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Section 2.0 Allowed Uses and their Locations within the Plan

Black Rock Station is designed so that allowed uses are segregated and grouped according to broad use types. The plan identifies separate sections for Residential, Industrial, Commercial, Civic, and Agricultural uses, as well as an area identified for future expansion through the regulatory zone amendment process. Some allowed uses within the Black Rock Station Specific Plan do not occur in the Washoe County Development Code table of uses and therefore are defined herein. All other uses have the definition afforded them in the Washoe County Development Code. This section of the Development Standards Handbook lists all allowed uses for each use type, provides definitions of certain terms for those uses not found in the Washoe County Development Code, and provides a graphic representation of where those uses are allowed to occur on site. Definitions included herein shall be construed consistently with definitions set forth in the Washoe County Development Code. Uses not identified in this handbook are prohibited.

2.1 Definitions of Uses

2.1.1 General Definitions

Permanent structure: any structure that is built and remains within the Specific Plan area for 90 days or longer.

Temporary Structure: any structure that is built and remains within the Specific Plan area for less 90 days.

Staff: employees or representatives of owner/developer.

Short-term Use: a use in existence for not more than 90 days in a calendar year.

Temporary Housing: RVs, cargo container living units, modular units and mobile homes that shall not be inhabited for more than 90 days in any calendar year. (Note that storage of these units while not inhabited is allowed and is covered under Commercial Uses).

Volunteers: workers who may inhabit/utilize the site as part of official owner/developer functions but who are not formal employees.

2.1.2 Residential Use Definitions



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Residential Uses at Black Rock Station are intended to provide short-term housing for owner/developer staff and volunteers, permanent housing for owner/developer employees involved in the management of activities, and for guests attending events and vacationing. The overall intensity of residential uses is further limited in Section 2.6 Residential Area Uses.

Barracks (Short-term Housing): permanent structures designed to provide short-term residency for volunteers and employees of owner/developer.

Cargo Container Living Units: sleeping quarters made from converted cargo containers, designed to provide short-term housing for employees/volunteers of owner/developer. The placement and use of these units requires a Washoe County building permit. Therefore, these units will be allowed upon adoption by the Washoe County Building and Safety Division of applicable building codes.

Employee Campground: outdoor area designed to accommodate travel trailers and RVs, designed to provide short-term housing for employees/volunteers of owner/developer.

Modular Units: portable pre-fabricated housing units designed to provide short-term housing for employees/volunteers of owner/developer.

Recreational Vehicles: vehicles constructed specifically to serve as self-contained camp dwellings containing sleeping and cooking facilities. Units within this category shall possess a state-issued vehicle registration and may be driven/towed on public rights-of-way (i.e. motorhome or travel trailer).

Single Family Housing: any permanent single family dwelling. This Specific Plan area is limited to a maximum of 2 single family dwellings plus one accessory dwelling for each of the primary dwellings. Accessory dwellings shall be no larger than 1000 square feet.

Art Installations: individual installations of sculpture or art that is suitable for outdoor display and intended to accompany an allowed use. Such installations shall be located within the Specific Plan property in accordance commonly accepted best practice engineering safety standards. The owners will ensure potentially dangerous installations are constructed according to appropriate standards, similar to how the owners review the safety of installations constructed at the annual event off the property. An example of an art installation would be a sculpture placed within an existing landscape area. Art installations shall be subject to the same lighting restrictions as the rest of the property.

Art Park: a park area exclusively designated for the outdoor display of artwork as well as basic park amenities such as walking paths, benches, etc. All art within an Art Park shall be displayed and maintained as the art was in its original condition, and shall be used as an outdoor art display area only. All art within the Art Park shall be weatherproof, so as not to deteriorate from the original condition. All deteriorating art shall be promptly removed from the Art Park. The Art Park shall not be used as a storage area. Art Park lighting may include the use of neon. However, blinking, flashing and/or animated



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signs/lights shall be prohibited. Lighting shall be restricted to Fridays and Saturdays and shall not extend past 10:00 p.m.

Communication Facility: antennas and tower-mounted equipment used to provide communication services at Black Rock Station and the surrounding area.

Community Farm: an agricultural area at which invited participants may conduct activities related to vegetable production and animal rearing on a modest scale not requiring heavy equipment and not generating significant noise or waste products. Management of animal or vegetable waste products will comply with all local and state regulations. Retail and wholesale trade of products produced on the community farm is subject to all state and local regulations.

Landscape Art: individual installations of sculpture, murals or other types of art suitable for use as a screening or buffering tool and used in place of typical materials such as trees and fences.

Commercial Storage (indoor): the storage of materials related to on-site uses or off site activities of the owner/developer in either mini-storage type buildings or cargo containers. Such materials may be owned by owner/developer or by customers of owner/developer.

Commercial Storage (outdoor): the storage of materials related to owner/developer activities, in outdoor areas. Such materials may be owned by owner/developer or by customers of owner/developer.

Composting: facility designed to collect and store natural organic waste matter for the purpose of creating soil and soil amendments for agricultural purposes. Composting activities will comply with all local and state regulations regarding composting.

Inoperable Vehicle Storage: the orderly storage of inoperable vehicles used in the production of owner/developer activities. Inoperable vehicles are vehicles that are not state registered.

Operable Vehicle Storage: the orderly storage of operable vehicles used in the production of owner/developer activities. Operable vehicles are vehicles that are state registered.

Recreational Vehicle Storage: the orderly storage of recreational vehicles used in the production of owner/developer activities. 'Recreational vehicle' means a vehicular-type unit primarily designed as temporary living quarters for travel, recreational or camping use, which may be self-propelled, mounted upon, or drawn by, a motor vehicle. The term includes a recreational park trailer (per NRS 482.101).

Detached Accessory Structures: structures to support primary uses, primarily as defined in Washoe County Code Section 110.306.10. Detached accessory structures commonly include storage sheds, pump houses, etc.



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2.2 Standards Not Addressed

Any development standards not specifically addressed in this Specific Plan shall be subject to the requirements set forth in the Washoe County Development Code and/or High Desert Area Plan. For the purposes of Black Rock Station, the General Rural zoning standards shall be applied.

2.3 Land Use

The following sections provide a map of the location and configuration of each area, describe the specific use types allowed in the area and any development standards applied to those uses, and provides a general description of the area. Figures 3 through 11 show the property divided into sections based on land use types. Each Figure is accompanied by a description of the area, and development standards to be applied to uses within each area.

Ratio of residential to non-residential development: Of the 200 acres within the Plan, approximately 25+/- acres are designated for residential uses. The remaining 175 acres are non-residential, including industrial, commercial, agricultural and civic. The project is therefore 15% residential and 85% non-residential, by acreage.

2.4 Overall View of Site

Figure 3 shows the individual areas of this plan. Individual areas are labeled and bordered. Note that all areas of the property fall within one of these individual areas. More intense uses are grouped near the existing developed portion of the site while less intense uses are located at the property edges. In particular, attention has been placed on separating the adjacent residential use to the East from any intense use.

2.5 Industrial Area

The Industrial Area is located mostly internal to the site with one boundary on the external west boundary of the specific plan. The Industrial Area will receive the majority of the screening and buffering applied to the site. These requirements are shown on Figure 4 in Section Four of this document. The following are the allowed uses within the Industrial Area.

Uses with specific development standards:

Commercial Storage (indoor and outdoor) Indoor commercial storage includes the storage of materials used in the production of owner/developer events, in either mini-storage type buildings or cargo containers. Use of the storage space is to be limited to participants in owner/developer events. The



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intent of providing storage is to reduce the need to transport materials to and from the site each year. The facility is to be managed by owner/developer staff that will control access and provide security and maintenance. Commercial Storage must remain within the Industrial area. If Commercial Storage is desired in an area other than Industrial as identified on the site plan, an amendment to the Specific Plan shall be required.

Inoperable Vehicle Storage shall remain within the screened Industrial area. If storage of Inoperable Vehicles is desired in an area other than Industrial as identified on the site plan, an amendment to the Specific Plan shall be required. Maximum screening, as shown on Figure 4 and pursuant to Section 3 of this Specific Plan, shall be constructed surrounding this use type.

Operable Vehicle Storage must remain within the screened Industrial area. If storage of Operable Vehicles is desired in an area other than Industrial as identified on the site plan, an amendment to the Specific Plan shall be required. Maximum screening, as shown on Figure 4 and pursuant to Section 3 of this Specific Plan, shall be constructed surrounding this use type.

Recreational Vehicle Storage must remain within the screened Industrial area. If storage of Recreational Vehicles is desired in an area other than Industrial as identified on the site plan, an amendment to the Specific Plan shall be required. Maximum screening, as shown on Figure 4 and pursuant to Section 3 of this Specific Plan, shall be constructed surrounding this use type.

Art Installations Such installations shall be constructed in accordance commonly accepted best practice engineering safety standards. The owners will ensure potentially dangerous installations are constructed according to appropriate standards, similar to how the owners review the safety of installations constructed at the annual event off the property. An example of an art installation would be a sculpture placed within an existing landscape area. Art installations shall be subject to the same lighting restrictions as the primary property use.

Art Park is an allowed use in this area Plan and is envisioned within or adjacent to the existing landscaped site to the southeast of the main entrance from Jackson Lane. All art within the Art Park shall be displayed and maintained as the art was in its original condition, and shall be used as an outdoor art display area only. All art within the Art Park shall be weatherproof, so as not to deteriorate from the original condition. All deteriorating art shall be promptly removed from the Art Park. The Art Park shall not be used as a storage area. Art Park lighting may include the use of neon. However, blinking, flashing and/or animated signs/lights shall be prohibited. Lighting shall be restricted to Fridays and Saturdays and shall not extend past 10:00 p.m.

Communication Facility There shall be a maximum of two Communication Facilities within the Specific Plan area. The maximum height of all antennas and towers shall be 100 feet and all antennas, towers, and other equipment shall be neutral in color.

Administrative Office is allowed in all areas. If the use is established in an area and located in a stand-alone building it shall be within one of the conceptually located footprints found on Figure 4.



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Composting is allowed but is restricted to the composting of materials generated on site or at the annual event off site. The importation of materials for composting from any site other than the annual event is prohibited.

Temporary Housing is allowed but is limited to a maximum of 30 units at any given time.

Uses subject to the development standards of the Washoe County Development Code:

Community Farm

Custom manufacturing

Renewable Energy Production

Limited and Intermediate General Industrial

High Technology Industry

Salvage Yard

Heavy and Light Wholesale and Distribution

Safety Services

Automotive repair

Equipment repair

2.6 Residential Area

Figure 5 shows the residential use area. The residential area is located in the northwest portion of the site. It contains both permanent and short term housing. Minimal to moderate screening and buffering is required for this area, as depicted on Figure 5. Figure 5 also indicates the approximate footprints of the structures constructed for these uses. Applications for building permits must show substantial conformity to these building placement locations. The Specific Plan area is limited to a maximum of 2 single family dwellings, plus one accessory dwelling for each of the primary dwellings. Accessory dwellings shall be no larger 1100 square feet.

Maximum Residential Intensity

In addition to the restrictions on all short-term and temporary housing to no more than 90-days per calendar year (see definitions above); overall residential intensity is further limited to no more than 500



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individuals at any given time, including those permitted in the Industrial Area. This dual approach to regulating residential intensity will have many positive impacts. It will directly limit the impact on the local area during the busiest time of year, it will facilitate the management and administration of the site throughout the year and especially during the busiest times, and it will limit the total amount of overall activity on the site. It will also serve to limit the impact on required resources including road infrastructure, water and sewer.

The following are the allowed uses within the Residential Area.

Uses with specific development standards:

Single Family Dwelling Single family dwellings shall not exceed a total 5,000 square feet. Any architectural style maintaining a single family appearance is acceptable. A manufactured home shall be allowed provided it maintains a single family appearance. Landscaping, including landscape art, as generally depicted in Figure 5, is required to be shown on any building permit application and installed prior to a certificate of occupancy.

Employee Campground The employee campground is located in the residential area but adjacent to the Industrial Area. This use will serve volunteers/employees of the owner/developer. Any bathroom facilities associated with this use shall be connected to a septic system approved by Washoe County. This area may include improvements such as picnic tables and bathrooms or may be left undeveloped except for any required paving and landscaping. The Employee Campground shall be limited to a maximum of 50 spaces.

Art Installations are allowed in this area. Such installations shall be located within the Specific Plan property in accordance with Washoe County engineering and safety requirements. An example of an art installation would be a sculpture placed within an existing landscape area. Art installations shall be subject to the same lighting restrictions as the primary property use.

Art Park is an allowed use in this area. All art within the Art Park shall be displayed and maintained as the art was in its original condition, and shall be used as an outdoor art display area only. All art within the Art Park shall be weatherproof, so as not to deteriorate from the original condition. All deteriorating art shall be promptly removed from the Art Park. The Art Park shall not be used as a storage area. Art Park lighting may include the use of neon. However, flashing and/or animated signs/lights shall be prohibited. Lighting shall be restricted to Fridays and Saturdays and shall not extend past 10:00 p.m.

Communication Facility is allowed in this area. There shall be a maximum of two Communication Facilities within the entire Specific Plan area. The maximum height of all antennas and towers shall be 100 feet and all antennas, towers, and other equipment shall be neutral in color.

Barracks as depicted on Figure 5 are for the housing of employees and volunteers affiliated with the owner/developer. Residency in these facilities shall be on a short-term basis. These facilities shall not



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exceed one story in height and shall be limited to a maximum of five (5) buildings. Additional buildings may be considered with subsequent review and amendment to this Plan. Individual rooms within these buildings shall not include cooking facilities. Instead, each building may include one common kitchen, as well as communal bathroom facilities as approved by the Washoe County health District. Allowable placement of barracks is within the footprints conceptually described by Figure 6. Total room count for all barracks shall not exceed 85 rooms. Each room shall be limited to occupancy by 4 people. Landscaping, as generally depicted in Figure 5, is required to be shown on any building permit application and installed prior to a certificate of occupancy.

Cargo Container Living Units do not include a permanent foundation. Given this, they shall not be stacked on top of each other. Such units shall not include cooking or sanitary facilities. No advertising is allowed on cargo container living units. Units shall be rust free and include neutral earth tone colors. The total number of Cargo Container Living Units shall not exceed 50 units.

Modular Living Units do not require permanent formal foundations. Such units shall not include cooking or sanitary facilities. No advertising is allowed on modular units. Units shall be rust free and include neutral earth tone colors. The total number of Modular Living Units shall not exceed 50 units.

Administrative Office is allowed in all areas. If the use is established in this area and located in a stand-alone building it shall be within one of the conceptually located footprints found on Figure 5.

2.7 Civic Area

Figure 6 shows the Civic Use area. This area is located generally at the entrance to the property and contains a park, and parking facilities which may be used for uses throughout the site. The primary purpose of civic uses on the site is to enhance the area through the provision of additional recreational, cultural and infrastructure amenities.

The following uses are permitted within the Civic Area

Uses with specific development standards:

Art Installations are allowed in this area. Such installations shall be located within the Specific Plan property in accordance with Washoe County engineering and safety requirements. An example of an art installation would be a sculpture placed within an existing landscape area. Art installations shall be subject to the same lighting restrictions as the primary property use.

Art Park is an allowed use in this area. All art within the Art Park shall be displayed and maintained as the art was in its original condition, and shall be used as an outdoor art display area only. All art within the Art Park shall be weatherproof, so as not to deteriorate from the original condition. All deteriorating art shall be promptly removed from the Art Park. The Art Park shall not be used as a storage area. Art



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Park lighting may include the use of neon. However, flashing and/or animated signs/lights shall be prohibited. Lighting shall be restricted to Fridays and Saturdays and shall not extend past 10:00 p.m.

Communication Facility is allowed in this area. There shall be a maximum of two Communication Facilities within the entire Specific Plan area. The maximum height of all antennas and towers shall be 100 feet and all antennas, towers, and other equipment shall be neutral in color.

Administrative Office is allowed in all areas. If the use is established in this area and located in a stand-alone building it shall be within one of the conceptually located footprints found on Figure 6.

Uses subject to the development standards of the Washoe County Development Code:

Community Farm

Nature Center

Active and Passive Recreation

2.8 Agricultural Use Area

Figure 7 outlines the Agricultural Use. The area is located on the eastern portion of the site. The expected purpose of this area is to allow for the development of agricultural uses that support owner/developer activities. This may include the raising of crops and/or animals for consumption by employees and guests, composting, etc. This may also include the raising of crops and animals to supply restaurants at the Conference Center or at other owner/developer activities. Any such use of crops and animals raised on site is subject to all relative state and local regulations.

The allowed uses included here for this area are limited. The owner/developer may realize a need for expanded uses in this area in the future and may then pursue an amendment to this Plan. Agricultural operations may include the use of motorized equipment to transport materials, work the soil, etc., however all operations will adhere to Washoe County Code for noise generation or other impacts. In no case shall noisy or intense uses be located close to a neighboring residential site. It is not the intent of this Plan to permit intensive, agribusiness operations on this site. Any agricultural activities would serve as an accessory to other Burning Man activities.

Screening and buffering requirements for this site are minimal. However, any structures required to support the allowed uses shall be located in general proximity of the northern property line and outside the setbacks indicated in Figure 8.

The uses permitted in this area are as follows.



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Uses with specific development standards:

Administrative Office is allowed in all areas. If the use is established in this area and located in a stand-alone building it shall be within one of the conceptually located footprints found on Figure 8.

Art Installations are allowed in this area. Such installations shall be located within the Specific Plan property in accordance with Washoe County engineering and safety requirements. An example of an art installation would be a sculpture placed within an existing landscape area. Art installations shall be subject to the same lighting restrictions as the primary property use.

Art Park is an allowed use in this area. All art within the Art Park shall be displayed and maintained as the art was in its original condition, and shall be used as an outdoor art display area only. All art within the Art Park shall be weatherproof, so as not to deteriorate from the original condition. All deteriorating art shall be promptly removed from the Art Park. The Art Park shall not be used as a storage area. Art Park lighting may include the use of neon. However, flashing and/or animated signs/lights shall be prohibited. Lighting shall be restricted to Fridays and Saturdays and shall not extend past 10:00 p.m.

Communication Facility is allowed in this area. There shall be a maximum of two Communication Facilities within the entire Specific Plan area. The maximum height of all antennas and towers shall be 100 feet and all antennas, towers, and other equipment shall be neutral in color.

Composting is allowed but is restricted to the composting of materials generated on site or at the annual event off site. The importation of materials for composting from any site other than the annual event is prohibited.

Agricultural Processing is allowed but is restricted to the composting of materials generated on site. The importation of materials for agricultural processing from any site other than the annual event is prohibited.

Animal Slaughtering, Agricultural is allowed but is restricted to the animals raised on site. The importation of animals for slaughter is prohibited.

Produce Sales is allowed but is restricted to the goods produced on site. The importation of agricultural sale from any other site is prohibited.

Uses subject to the development standards of the Washoe County Development Code:

Community Farm

Animal Production

Crop Production



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2.9 Future Expansion Area

The future expansion area is located across the southern portion of the property from the west boundary to the east boundary as depicted in figure 8. The available uses in this area are very limited. The owner/developer may seek to add uses to this area in the future as the needs and directions of Burning Man operations evolve. Tourist-oriented facilities may be desirable in this area as a means of supporting and promoting High Desert conservation, education, and recreational uses. Some potential uses the owner may seek in the future include meeting and convention facilities, hotel/motel, eating and drinking establishments, and other similar commercial uses. The addition of any uses beyond those identified in this plan will require the processing of a Regulatory Zone Amendment as described in the Washoe County Development Code. This portion of the overall site may be utilized for storm water drainage facilities necessary to support development in other parts of the plan.

The uses permitted in the future expansion area are:

Uses with specific development standards:

Art Installations are allowed in this area. Such installations shall be located within the Specific Plan property in accordance with Washoe County engineering and safety requirements. An example of an art installation would be a sculpture placed within an existing landscape area. Art installations shall be subject to the same lighting restrictions as the primary property use. Art Park and art installations in this area shall not include any lighting. The location of any art installations must not obstruct the scenic vistas of neighboring properties.

Art Park is an allowed use in this area. All art within the Art Park shall be displayed and maintained as the art was in its original condition, and shall be used as an outdoor art display area only. All art within the Art Park shall be weatherproof, so as not to deteriorate from the original condition. All deteriorating art shall be promptly removed from the Art Park. The Art Park shall not be used as a storage area. Art Park and art installations in this area shall not include any lighting. The location of any art installations must not obstruct the scenic vistas of neighboring properties.

Passive Recreation Low impact, low intensity passive recreation is allowed in this area. Typical uses include walking trails.



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3.0 Development Standards

3.1 Setbacks

Setback standards are included to ensure proper relationships with adjoining properties and overall safe pedestrian and vehicle circulation.

Setbacks within Black Rock Station are designed to protect the rural character of the area and screen onsite operations from adjoining parcels and roadways. Therefore, perimeter setbacks are increased beyond normal base zoning distances in order to allow area for appropriate buffering, fencing, and landscaping as the property is developed in the future.

Table 1 provides the overall setback requirements for Black Rock Station.

Table 1 – Required Setbacks

Yard	Black Rock Station
North	50' setback (single family residential 20')
South	100' setback
East	100' setback
West	50' setback (single family residential 20')
Accessory Structures less than 12' in height	10'

3.2 Building Heights

A thirty-five (35) foot building height is allowed within the Specific Plan to accommodate shop-type buildings which typically require a higher indoor ceiling height in order to meet OSHA and other applicable safety regulations. This height standard is the same as for the existing base zoning and therefore conforms to Table 110.406.05.1 of the Washoe County Development Code.

Building height restrictions do not apply to communication or utility structures. These facilities are regulated by the Washoe County Development Code and/or the Federal Communications Commission.

3.3 Parking

Any dust free stabilized surface may be utilized for parking. Landscaping and lighting requirements for parking are as conceptually depicted on the maps of individual use areas. The number of required



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parking spaces for proposed uses is as required in Washoe County Development Code, Article 410, Parking and Loading. Request to alter specific parking standards shall be made at the time of the building or permit request by means of a Director's Modification of Standards.

3.4 Building Placement and Building Site Coverage

The site plans in Figures 4-9 depict conceptual footprints for structures. All new buildings must be in substantial conformance with the conceptual footprints depicted on those plans. The Specific Plan does not restrict overall building coverage. However, other standards such as setbacks, parking, landscaping, etc. are provided herein or in the Washoe County Development Code.

3.5 Landscaping and Screening

The High Desert Area Plan recognizes that the environment of Hualapai Valley is one in which water is a precious commodity. Therefore, the landscaping standards adopted by this Specific Plan implement drought tolerant landscaping and xeriscape concepts in order to promote water conservation. Based on repeated input from Gerlach residents, it is also recognized that non-native plant species appear out of place when used in a large landscape and that suburban-style landscape designs do not reflect local aesthetic preferences. The standards include provisions for the use of native plants which blend with the area. Scenic vistas are expansive in this area and attempts to screen uses may inadvertently also disrupt these vistas from neighboring properties. The placement of any landscaping or screening should attempt to avoid this scenario.

In circumstances where only a portion of the property is being developed (i.e. communication tower on an overall larger parcel), the landscape requirement area shall be defined based on the area disturbed by development, not the parcel as a whole. In effect, areas not designated for development will be left in a natural condition.

The following standards shall apply to Black Rock Station:

1. Non-native landscaping, with the exception of limited evergreen trees, shall be prohibited.
2. In areas where any industrial operations may be visible from adjoining properties or roadways, the screening standard described in Section 3.6 shall apply.
3. Climatic adaptive plants, as identified by the Washoe County Cooperative Extension or Washoe Storey Conservation District, shall be required for all plantings within newly developed landscape areas.
4. No turf shall be allowed unless directly associated with a residential use or other developed housing area. Commercial campgrounds may include turf areas, not to exceed 5% of the total



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campground area.

5. Other than perimeter landscaping, additional landscaping within the industrial and storage areas of Black Rock Station is not required. A minimum of 20% of the developed area shall be landscaped for the single family home area, campground areas, barracks areas, and destination resort areas. Perimeter landscaping is designed to buffer all external impacts (see # 2 above).
6. Areas disturbed by development shall be reseeded with native seed or treated with a Health Department approved dust palliative to prevent blowing dust. Reseeding shall use a seed mix approved by the Washoe Storey Conservation District or University of Nevada Cooperative Extension and shall include temporary irrigation. Irrigation may be halted upon determination from a Nevada certified landscape architect, the Washoe Storey Conservation District, or the University of Nevada Cooperative Extension that plants are established and no longer require irrigation (compliance to be determined by the Department of Planning and Development).
7. When the typical approach to landscaping calls for trees or shrubs, landscape art may be installed as an alternative. Landscape art should be utilized whenever it can achieve the same screening, buffering, and aesthetic results that the use of traditional landscaping would achieve. Landscape art is distinctive from other art installations. Any individual landscape art installation must use colors consistent with typical botanical landscaping and may not use reflective or shiny materials on its visible surface.
8. Standards not addressed shall be subject to the provisions of Article 412 of the Washoe County Development Code.

3.6 Specific Buffering Requirements

Most uses within the specific plan area do not require buffering or screening. However, the Industrial and agricultural use areas shall be screened and buffered as follows:

1. Industrial: As generally depicted in Figure 4, Industrial Use Area, screening and buffering shall achieve 95% screening of uses. Methods of screening may include any combination of berms, landscaping, fencing, and art installations (including murals utilizing color palette consistent with the High Desert environment) to achieve the standard. Fences must be consistent with the Fencing standards found below. It is the intent of the buffering standard to achieve screening of uses while blending in with the natural surrounding environment.
2. Agricultural: The agricultural area shall maintain a 100' wide open space buffer adjacent to the eastern boundary. No uses other than crop or animal production may occur with this buffer. No structures shall be permitted within this buffer.



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3.7 Fencing

Fencing shall be used, as necessary, to screen uses within Black Rock Station from surrounding properties or to provide separation between uses where desired. The following standards shall apply to Black Rock Station:

1. Solid fencing on the perimeter of the property is prohibited.
2. Perimeter Fencing shall not exceed eight (8) feet in height. Interior fencing shall not exceed 10' in height.
3. Solid screening consisting of fences, buildings or other structures greater than 50' in length must not create a monolithic appearance. The use of landscaping, art installations, murals, or other treatments must be applied to break up the monolithic nature of solid screening.
4. Split rail fencing is permitted. However, when used as part of a required landscaping or buffering solution, it must be augmented with additional landscape materials.

In areas that include a large number of storage containers at the perimeter of the developed area, fencing may be omitted as these containers provide effective screening of internal uses. However, landscaping, in accordance with the standards described herein must be provided. No stacking of cargo containers shall be allowed. Containers shall be primarily earth tone or muted colors with primary or other bright colors used sparingly, and shall match if used as a screening mechanism. Additionally, all container doors shall be oriented inward to the site.

3.8 Architecture

Given the mix of allowed uses, all architectural styles shall be allowed provided they meet the other applicable development standards found in this document or the Washoe County Development Code. All bare or galvanized metal buildings shall be coated to prevent a shiny appearance. Acceptable treatments include Natina™, factory powder coating, etc. Colors shall blend with the surrounding undisturbed terrain.

3.9 Lighting and Noise

Many of the uses currently allowed throughout the area have the potential to generate excessive noise or light. Agricultural processing and security lighting are two common sources of noise and light. The specific concern at Black Rock Station is that the allowed uses may generate noise and light beyond what is normally anticipated for allowed uses in the area, and during times of day that can increase the impact of the noise and light. Quiet nights and dark skies are a component of the desired community



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character and therefore negative impacts to these features are to be mitigated. Therefore the following standards will apply to any source of light and noise.

1. Activities generating outside noise such as amplified music and industrial activities will cease at 10:00p.m. Otherwise, the noise standards found in the Washoe County Development Code will apply to all noise generating activities.
2. Lighting can be used for any typical purpose including accentuating building architecture, art displays, and for security purposes.
3. Lighting which results in spill-over or glare on to any non- owner/developer property or roadway is prohibited. All lighting shall be down shielded such that lighting is emitted downward only and shall be the minimum amount of lighting required in order to meet basic safety and functionality standards.
4. Art parks/installations may incorporate the use of neon lighting as it relates to the art work being displayed. Flashing or animated illumination is prohibited. Neon lighting for art park/installation lighting shall be restricted to Fridays and Saturdays and shall not extend past 10:00 p.m. Other lighting of art parks or installations is permitted any day but shall not extend past 10:00p.m.
5. Other sources of light, including fires, headlights not needed for transportation safety, and art installations or holiday decoration must cease by 11:00 p.m. on Fridays and Saturdays and by 10:00p.m any other day.
6. The Specific Plan requires lighting for safety and security purposes. Security lighting shall be allowed at the primary access to the Black Rock Station facility. Additionally, security lighting shall be allowed on buildings, as well as on posts within the various yard areas. This lighting shall be at the discretion of owner/developer. Light posts shall not exceed twelve (12) feet in height. Lighting that exceeds 10' in height on a building shall be dimmed between the hours of 11:00 p.m. and sunrise. Lighting that is located on a post shall be turned off between the hours of 11:00 p.m. and sunrise.

3.10 Minimum Lot Area

Lot areas within Black Rock Station shall be a minimum of 40 acres per the Rural Master Plan designation. Any future subdivision of the property, through Division of Land into Large Parcels (DLP), for example, shall conform to the standards outlined for the General Rural Zoning Designation within the Washoe County Development Code. The intent of this is to ensure that no parcel less than 40 acres is created within the Black Rock Station Specific Plan. Any new parcels created must correspond to the boundaries of the individual use type areas depicted in figures 3-9.



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3.11 Natural Hazards

The Washoe County Fire Hazard Map identifies this parcel as having a high risk for wildfires. The owner/developer is prepared to take this risk seriously. As such, an Emergency Services Plan has been developed and is included as Appendix 1.

The generally level topography of the area aids in the control and avoidance of wildfire danger. In order to maintain a low level of wildfire risk, owner/developer will avoid landscaping practices that raise wildfire exposure and will maintain proper fire vehicle access to the site at all times.

3.12 Traffic

Due to the wide mix of uses and the anticipated phasing of the development, it is difficult to determine the nature and timing of any traffic mitigation measures that may be required. Therefore, a traffic study conducted by a licensed Nevada traffic engineer will be required in in years 3, 6, 9, and 12 following adoption of this plan. Any required mitigation, as determined by Washoe County following review of the study, will be constructed within 18 months of the submittal of the study. Washoe County shall review and identify the required mitigation within one month of receiving the study.

In addition, at the request of either party, Washoe County and the owner will participate in annual traffic monitoring meetings intended to identify any mitigation that should be implemented in the intervening time between traffic studies. Requests for these meetings must be made at least one month in advance of the requested meeting time unless both parties agree to waive this requirement. Failure to implement required mitigation will result in a cessation of building permit issuance and or renewal of business licenses on the site. Only impacts directly related to activities on the subject parcel shall require mitigation.

3.13 Paving Standards

All parking and interior roadways shall be constructed of not less than 6 inches of road base material, acceptable to the County engineer, and compacted to 95% Maximum Dry Density (MDD). An approved dust palliative such as magnesium chloride shall be applied to all parking, loading, and maneuvering areas not less than two times every calendar year.

Where a hard, all-weather surface is needed/required, any dust free alternatives to blacktop/petroleum based asphalt, including Health Department approved dust palliatives (i.e. magnesium chloride), interlocking paving stones, stamped concrete, cellular block, or other proven systems (trade names include Eco-Grid, Grasscrete, etc.) may be used. All required handicap parking spaces shall be constructed to the requirement of Washoe County Development Code, Article 410, *Parking and Loading*.



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3.14 Sewer

No sewer system is available within the Hualapai Valley. Therefore, the use of an engineered septic system(s) shall be allowed. However, it is unlikely that a proliferation of independent systems will receive approval from the Washoe County District Health Department. While the development of the property is likely to proceed in phases, it may still be necessary to design a comprehensive system to adequately serve the entire project. Systems that can be designed to expand coincident with development may be required. All septic systems shall be designed to the standards of and approved by the Washoe County District Health Department and the Nevada Division of Environmental Protection. Given the predominately non-residential nature of the site, a septic system designed to commercial standards may be required at the discretion of Washoe County. Such a requirement is to be based on the regulations of the relevant state and local authorities at time of development. Washoe County will withhold the issuance of any applicable development-related approvals until the sewer capacity required to support the new development is approved by the Washoe County District Health Department.

3.15 Water

This Specific Plan recognizes that water is a valuable resource in the area. Any new land uses or activities that increase water demand shall be required to show that sufficient water and water rights are available to support the project. To accomplish this, any new use shall provide to the Washoe County Community Services Department an estimate of water demand for the new use. This estimate shall be based on accepted water demand calculations commonly in use on comparable projects, or other methodologies at the discretion of Washoe County. Proof of water and water rights availability shall be provided.

Additionally, Black Rock City LLC is required to provide Washoe County with an annual log of monthly well meter readings to verify actual water demands and usage. If logs demonstrate actual water usage higher than the permitted usage, uses shall cease until additional water rights can be dedicated and verified by the State Engineer and Washoe County.

Projects may use permitted wells, subject to the approval of Washoe County and the Nevada State Engineer. It is possible that a community water system may eventually be required to support the planned development. The need for a community system or other approach to water delivery will be determined by all applicable regulations of the State of Nevada and Washoe County.

Any project requiring additional water rights shall have the rights dedicated before a building permit is issued.



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3.16 Standards Not Addressed

Any development standards not specifically addressed in this Specific Plan shall be subject to the requirements set forth in the Washoe County Development Code and/or High Desert Area Plan. For the purposes of Black Rock Station, the General Rural zoning standards shall be applied.

3.17 Operational Considerations

Workers, volunteers, and visitors to Black Rock Station arrive from far and wide. For many of these individuals, traveling to the remote high desert is a meaningful experience in their lives. It provides them with valuable respite from their normal routine, which is often urban in character. The vast majority of these individuals respect and value the same character that the permanent residents of the community value and have been discussed here: dark skies, quiet nights, scenic beauty, etc. However, it is also the case that from time to time an individual may not understand and respect the importance of these qualities to the community. Unfortunately, seemingly minor incidents of disrespect can result in major impacts to the positive relationship the owners and the community are seeking to develop. Therefore, the plan requires the owners to inform any overnight workers, volunteers, or visitors that the site, while remote from urban areas, does have year-round residents and neighbors. The same standards and applicable laws that apply in urban and suburban areas apply at the site, including any prohibitions on trespassing, use of illegal drugs, excessive alcohol consumption, noise and light pollution, reckless driving, and damage to fences marking property boundaries. The process of informing workers, volunteers, and visitors is to be achieved by posting written notices in each residence building and/or area and by providing each employee with a copy of this notice at time of hire. It is understood that a code of conduct cannot prevent all inappropriate behavior, but will represent a good faith effort on the part of the owners to recognize and mitigate the potential for unfortunate incidents that undermine the relationship between the owners and adjacent property owners.

3.18 Air Quality

The owner/developer is committed to environmental protection. Development activities will comply with all Washoe County regulations regarding air quality. The allowed uses proposed with this application include the potential to pursue alternative energy production, primarily wind and solar power facilities. These uses help provide for the maintenance of air quality.

Dust control measures, including revegetation of disturbed areas, will occur with new construction or grading.

3.19 Land Grading, Erosion, and Flood Control

The Black Rock Station site is essentially flat and is not located within a designated flood hazard zone. All



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grading disturbance shall be either revegetated or treated with a Washoe County District Health Department approved dust palliative within 30 days of being disturbed to ensure that erosion and/or blowing dust from disturbed areas does not occur. All grading activities within Black Rock Station shall be in accordance with Washoe County Development Code standards.

3.20 Recreational Amenities

There are no public recreational amenities within Black Rock Station. Any connections to the overall regional trail network shall include public access.

3.21 Trails and Open Space Provision and Maintenance

All open space, common areas (including trails), and landscaping within the Black Rock Station Specific Plan shall be maintained by the owner/developer. All areas shall be maintained in a neat and orderly fashion and in compliance with any applicable conditions and/or standards as outlined in this handbook or the Washoe County Development Code.

3.22 Wildlife Preservation

In general, Black Rock Station will not be developed to an intensity that would prohibit the movement of wildlife across most portions of the site. Any project that has the potential to inhibit wildlife movement will be reviewed by the proper wildlife agency prior to the issuance of a building permit. The owner/developer agrees to comply with State and Federal law regarding wildlife protection.

The site does not contain fisheries resources and is not adjacent to fisheries resources. No impacts will occur to fisheries due to the provisions of this Plan.

3.23 Historic, Cultural, and Archeological Resources

Investigations to this point have not identified any historic, cultural and archaeological resources on the site. The owner/developer agrees to protect any such resources. If development activities result in the identification of such resources development activities will stop and the State Office of Historic Preservation will be contacted.

3.24 Improvements and Concurrency

Infrastructure upgrades are intended to occur in conjunction with land development. Infrastructure



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improvements necessitated by development of owner/developer project(s) shall be at the expense of the developer. The owner/developer will address Washoe County's requirements for infrastructure upgrades as part of the application and building process. Due to the inherently complicated timelines, and frequently unpredictable nature of land planning and construction, it should be recognized that flexibility in establishing completion dates for infrastructure upgrades is warranted and should be addressed on a case-by-case basis as property is developed, unless a specific timeline is provided elsewhere in this plan.

As needed, over sizing of facilities will occur to accommodate future growth, as determined reasonable by the reviewing authority. Washoe County may, at its discretion, refrain from the issuance of building permits or business licenses as a tool to ensure that necessary improvements including roads, water, and sewer infrastructure are reasonably concurrent with development.

3.25 Phasing

Black Rock Station will be developed in multiple phases. Table 2 outlines a tentative phasing plan for Black Rock Station. The owner/developer and Washoe County recognize that some flexibility in the phasing plan is to be expected.

Table 2 – Phasing

Phasing Timeline	Projected Uses
0 to 2 Years - Short-Term	Employee Campgrounds
	Single Family Dwellings
	Industrial uses
2 to 5 Years - Mid-Term	Administrative Offices
	Barracks
	Communication Facilities
	Renewable Energy Services
	Crop Production
	Agricultural Production/Sales
5 + Years - Long-Term	Future expansion

3.26 Subsequent Actions

This Specific Plan shall not prevent Washoe County, in subsequent actions applicable to the property, from adopting new ordinances, resolutions, or regulations that conflict with those in effect at the time



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of adoption of this Specific Plan, except that any subsequent action by Washoe County shall not prevent the development of the property and uses as set forth in this Specific Plan. However, Washoe County may, at its discretion, initiate amendments to this plan in order to respond to unforeseen issues that result in a negative impact to the High Desert community, or to other changing circumstances. These amendments may institute further development standards or restrict or eliminate the availability of uses allowed by the plan.

3.27 State and Federal Restrictions

In the event that State or Federal laws or regulations enacted after the adoption of the Specific Plan prevent or preclude compliance with one or more of the provisions of the Plan, such provisions shall be modified or suspended as necessary to comply with State and Federal law.

3.28 Amendments

The owners/developers may seek to amend this Specific Plan from time to time. This includes the addition of new properties adjacent to Black Rock Station, clarification of specific standards or uses, adding new uses not identified in this document, and the incorporation of new environmentally sound technologies.

Amendment of this Plan shall be by means of an application for a Regulatory Zone Amendment, the procedures for which are described in the Washoe County Development Code.

3.29 Financing

Project financing shall be the responsibility of owner/developer. All necessary infrastructures to serve the site shall be constructed at the expense of owner/developer and dedicated to Washoe County as appropriate.

Any agreement between owner/developer or a future tenant/user and Washoe County for alternative financing of infrastructure shall be allowed if agreeable to all parties.

The owner/developer is required to pay all applicable development impact fees as mandated by Washoe County and Nevada Revised Statutes.

3.30 Police and Fire Protection

To account for police and fire impacts from new development, the developer will consult with police and fire service providers prior to obtaining a building permit or instituting a new land use, in order to assess



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the adequacy of existing services.

3.31 Emergency Plan

An emergency services agreement has been reviewed and accepted by Truckee Meadows Fire Protection District. This agreement covers the ongoing, roughly continuous activities described within this Specific Plan. Emergency services relating to the annual Burning Man festival are covered under separate agreements with area service providers. This agreement or a subsequent one that has the approval of the Truckee Meadows Fire Protection District or its successor must remain in place at all times. Should such an agreement not be in place for any reason, all activities/uses granted by the specific plan designation must cease until a new agreement is in place.

3.32 Vector Borne Diseases

The Owner/Developer shall develop and implement, in coordination with the Washoe County Vector Borne Diseases Division, a Vector Borne Disease Control Plan that addresses, at a minimum rodents and mosquitos. The plan will be consistent with best practices as identified by Washoe County. The plan may include implementation measures such as building plan and site design review, inspection, and periodic mandatory communication between the parties. This plan must be in place within 18 months of the adoption of this plan. If a vector control plan is not implemented within 18 months of the adoption of this plan, all activities/uses granted by the specific plan designation must cease until a plan is in place.

3.33 Easements, Covenants, Restrictions

Should it be required for the proper functioning of the site, utility easements will be defined and recorded as needed, as new development occurs. Likewise, any necessary roadway easements will be defined and recorded. However, as the property is under single ownership, it is not likely that easements will form a barrier to the orderly development of this plan.

3.34 Drainage Plan

In general, the site presents no physical obstacles to compliant and predictable storm water management. There is a moderate slope across the property, generally running from northwest to southeast. Given that the more intense development is clustered near the northwest corner, it is possible to direct drainage along the natural contours, to detention areas at the southeast. Additionally, this Specific Plan does not envision intense development on the site, so there will remain ample open space and undeveloped area that will serve as storm water detention area(s). All drainage and storm water facilities or grading for such purposes will conform to applicable Washoe County standards.



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3.35 Roadway Plan

In order to fully utilize the site, it will be necessary to develop a network of roads/drive aisles that serve each distinct area of the property, as well as recreational trails that allow for walking, bicycle riding, equestrian travel, and other recreational options. The beginning of this network is already in place with a main entrance near the northwest corner of the property and an obvious road serving the industrial area. This network will be extended to other areas of the property as facilities are developed. In general, all drive aisles will be the minimum necessary to provide safe and logical access to an area. Grading and paving are to be minimized in deference to the rural nature of the High Desert area.

Figure 3 shows this roadway network as well as multi-use trails. This diagram is intended as a schematic illustration only. The exact layout of roads will be determined with each new development. This network will be extended as needed in order to properly serve each area.

3.36 On-Site Utility Plan

Figure 9 depicts a utility schematic showing a logical layout for any required on-site utility installations. Given that the site is effectively flat and a single parcel, there are few complications to achieving any necessary utility upgrades. As new development occurs on the site, the roadway network will be upgraded to accommodate the new construction. At this same time, any utility improvements will also be designed and installed. It is therefore possible to design the utilities to adhere to the road network, resulting in a logical and effective utility layout. If it is determined that water or waste water facilities requiring their own buildings or other structures be developed, the locations of those facilities will be determined at the time of project submittal.



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Land Use Areas and On-Site Utility Plan

This section contains land use figures 3 through 9 and the on-site utility plan referred to in the previous sections.



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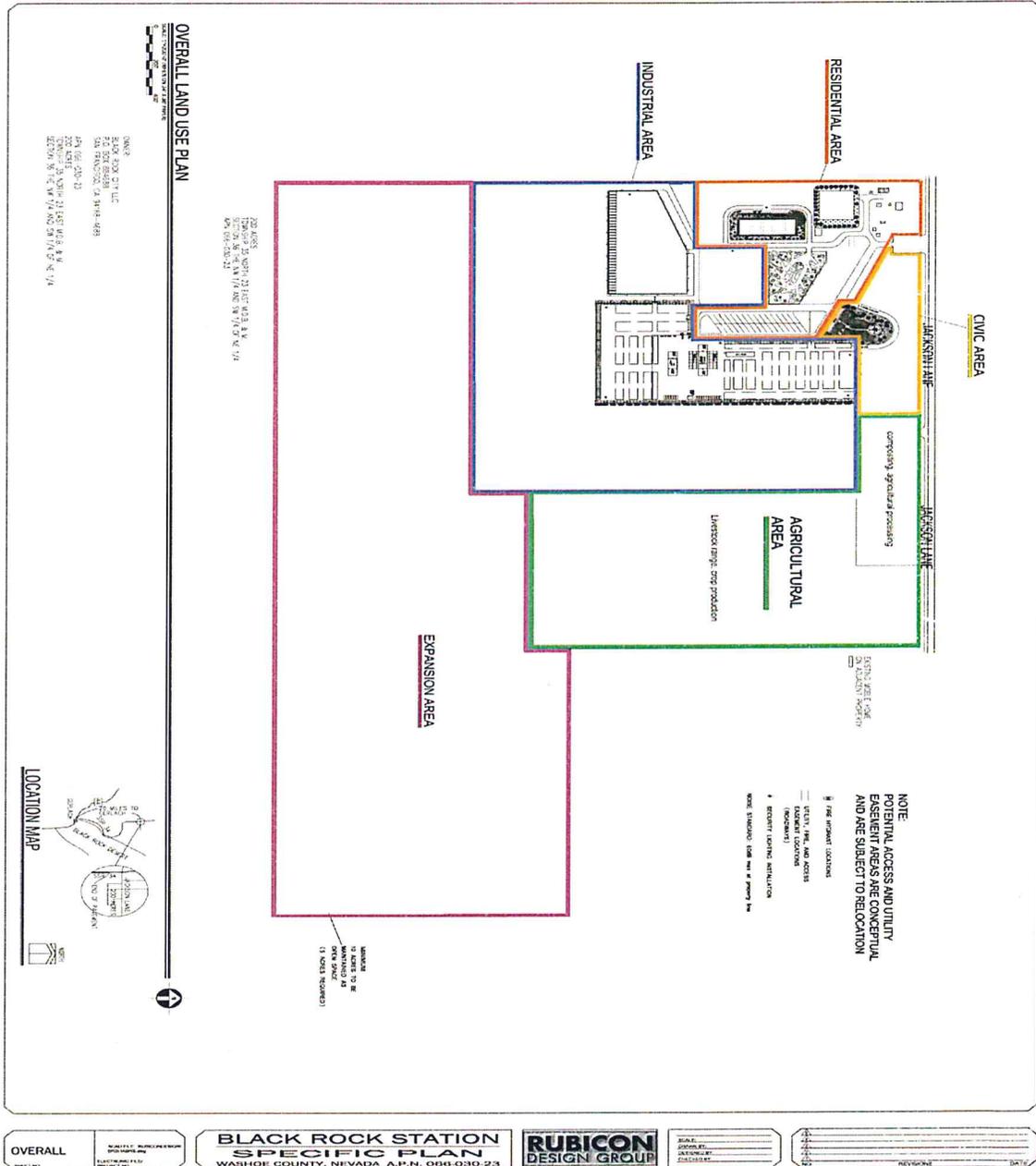
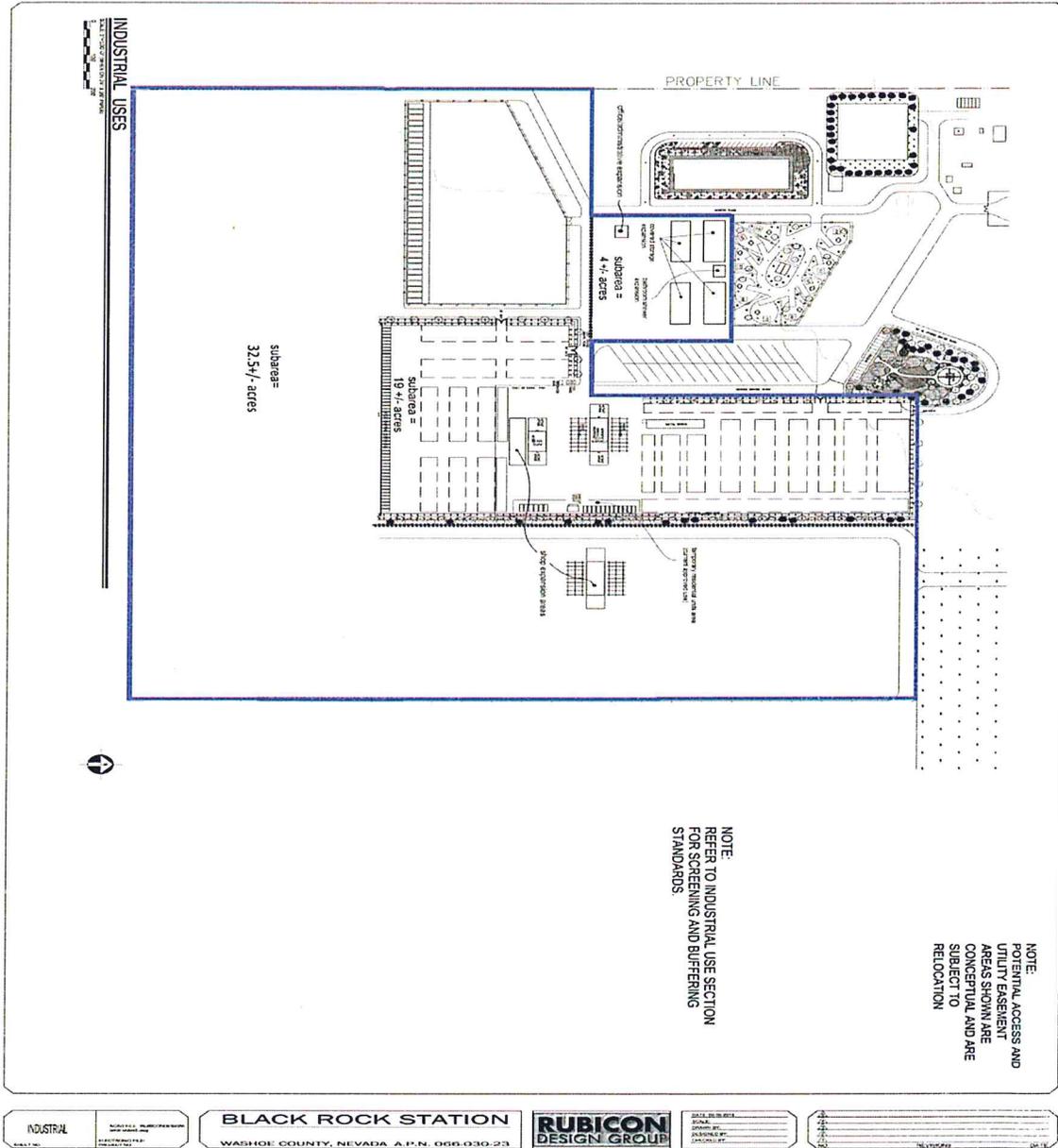


Figure 3
Overall Site Plan



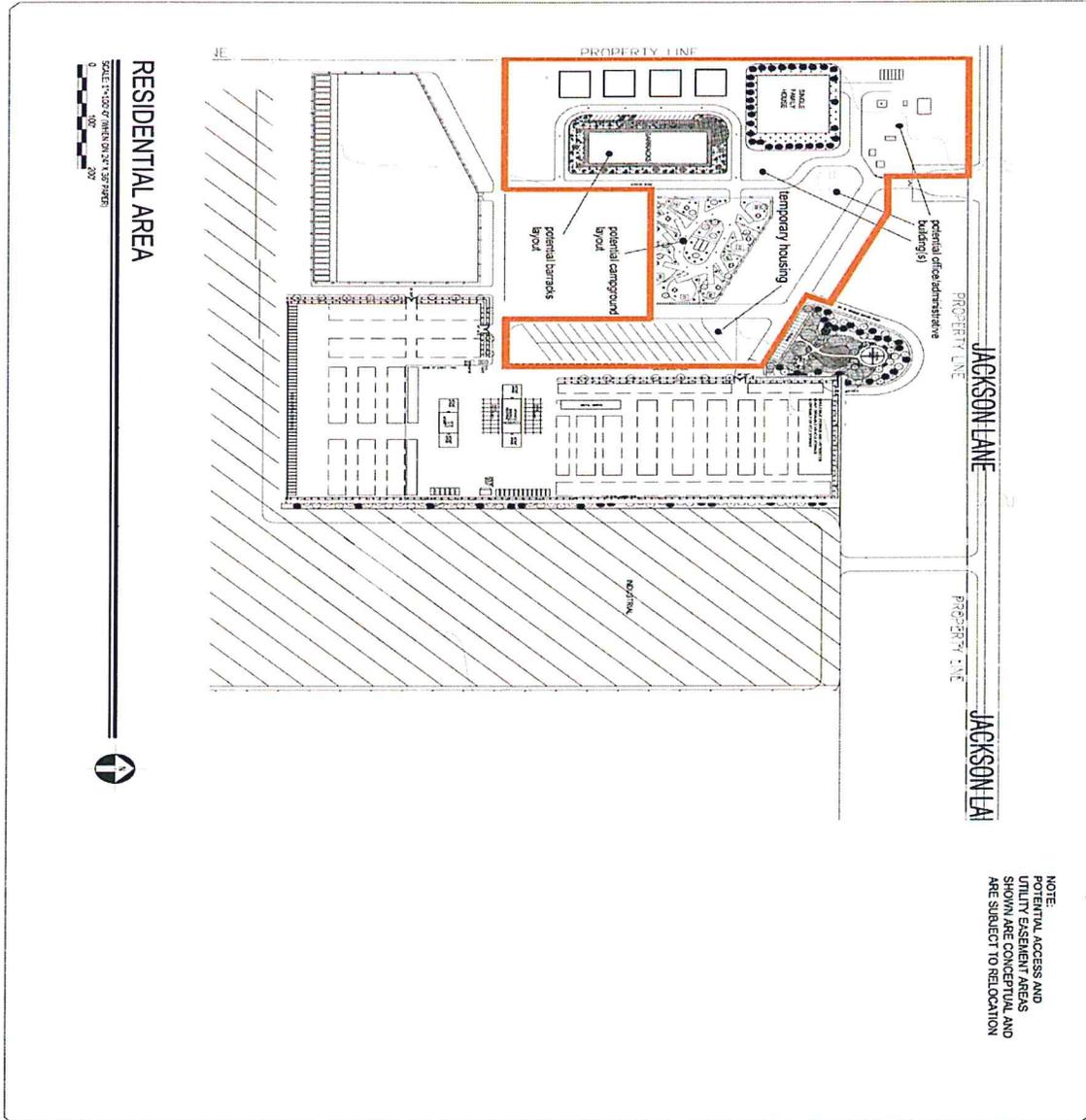
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**Figure 4
Industrial Use Area**



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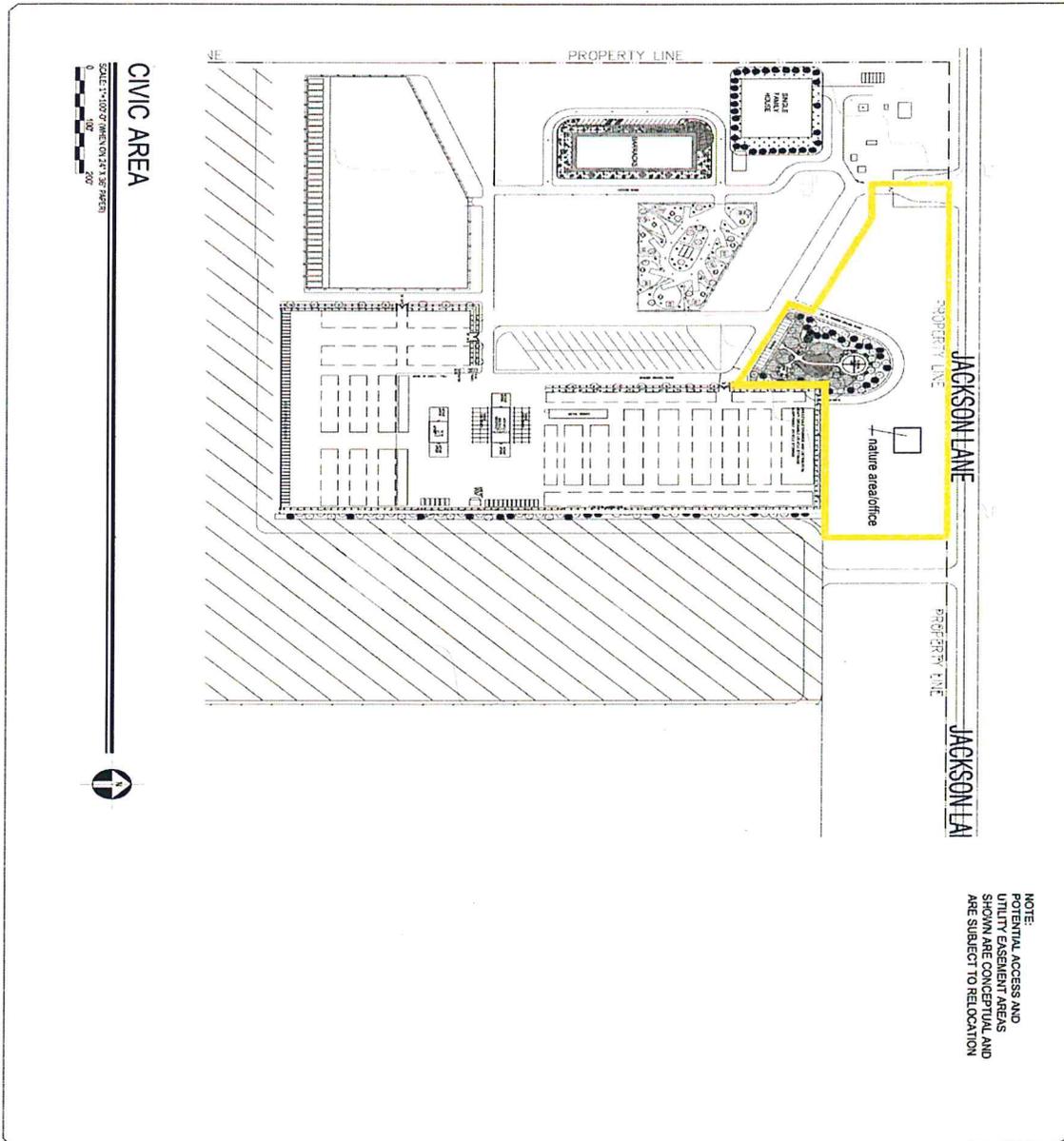


RESIDENTIAL AREA <small>SECTION 10.000</small>	BLACK ROCK STATION <small>WASHOE COUNTY, NEVADA A.P.N. 0661030-23</small>	RUBICON <small>DESIGN GROUP</small>	<small>SIGNATURE</small> <small>DATE</small>	<small>REVISION</small> <small>DATE</small>
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Figure 5
Residential Use Area



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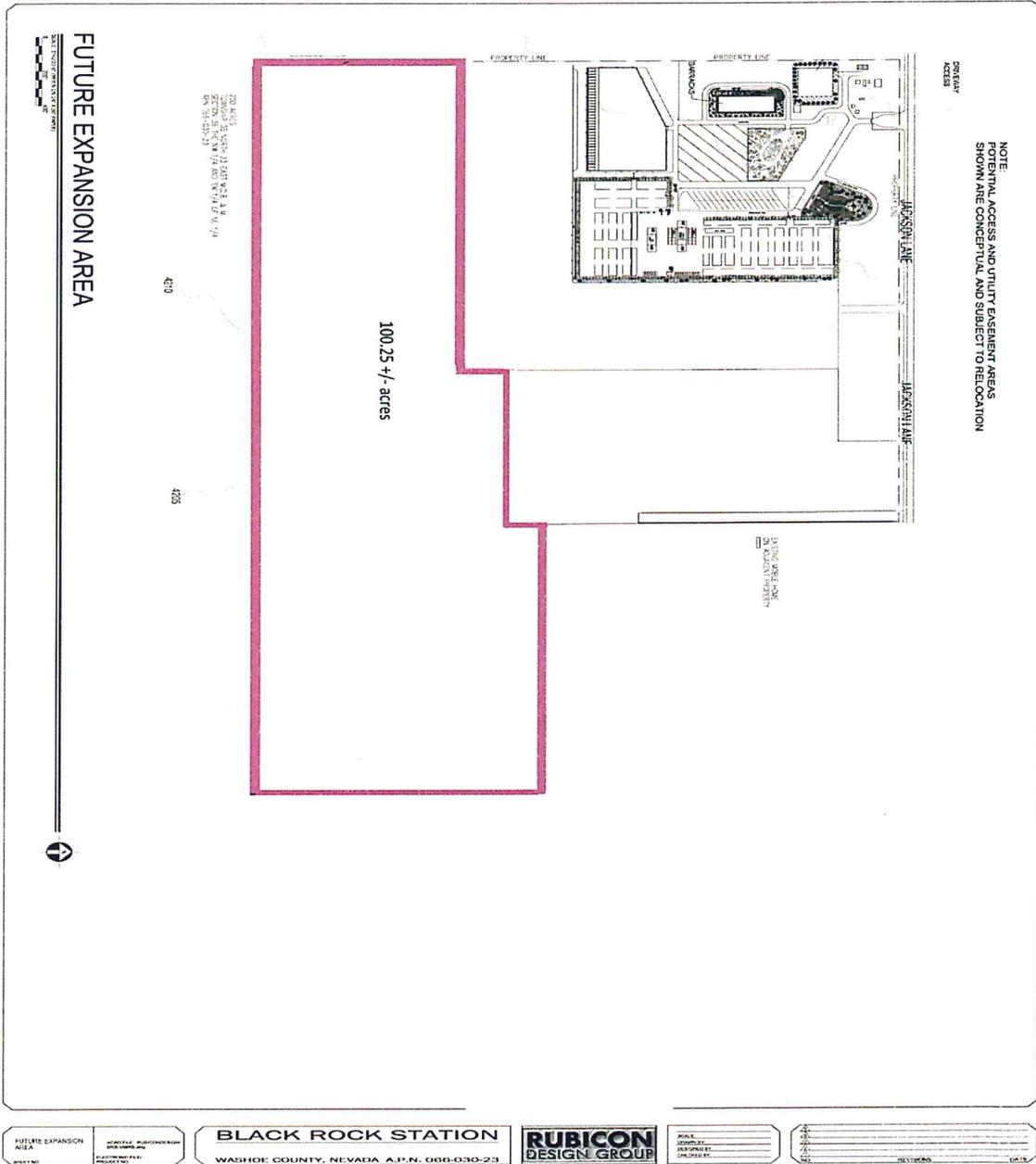


CIVIC PARK AREA	DATE: 10/15/2014	BLACK ROCK STATION WASHOE COUNTY, NEVADA A.P.N. 0561.030.23	RUBICON DESIGN GROUP	DATE: 10/15/2014	PROJECT: CIVIC PARK AREA	PG: 30/38
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Figure 6
Civic Use Area



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**Figure 8
Future Expansion Area**



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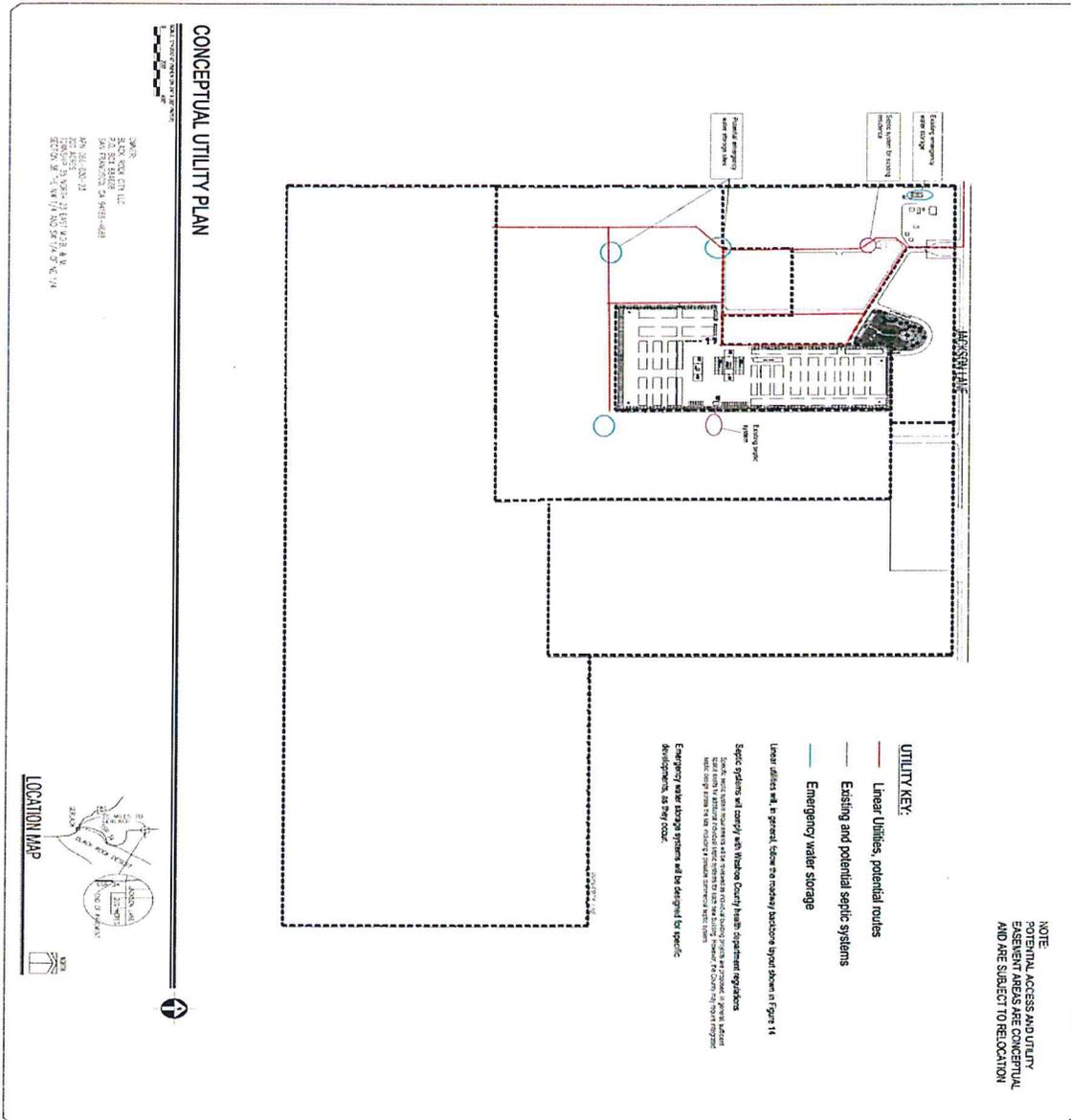


Figure 9
On-site Utility Plan