

Board of Adjustment Staff Report

Meeting Date: May 5, 2022

Agenda Item: 8E

SPECIAL USE PERMIT CASE NUMBER: WSUP22-0003 (Highway 34 Storage)

 BRIEF SUMMARY OF REQUEST:
 To allow for the storage of operable vehicles, storage of inoperable vehicles, and wholesaling, storage, and distribution (light)

 STAFF PLANNER:
 Courtney Weiche, Senior Planner

 Phone Number: 775.328.3608
 Email: cweiche@washoecounty.gov

CASE DESCRIPTION

For hearing, discussion, and possible action to approve a special use permit for storage of operable vehicles, inoperable vehicle storage, and personal storage use types. The personal storage use type is allowed without a special use permit within the High Desert Area Plan Modifiers. The applicant is also requesting to vary landscaping, screening, and paved parking standards.

Consultant:	Christy Corporation, Ltd
Owner/Applicant:	Bright-Holland Co.
Location:	0 State Route 34, Washoe County, NV 89412
APN:	071-372-02
Parcel Size:	51.03 acres
Master Plan:	Rural
Regulatory Zone:	General Rural
Area Plan:	High Desert
Development Code:	Authorized in Article 810, Special Use Permits
Commission District:	5 – Commissioner Herman



STAFF RECOMMENDATION

APPROVE

APPROVE WITH CONDITIONS

DENY

POSSIBLE MOTION

I move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Board of Adjustment approve with conditions Special Use Permit Case Number WSUP22-0003 for Highway 34 Storage, with the conditions included as Exhibit A to this matter, having made all five findings in accordance with Washoe County Code Section 110.810.30

(Motion with Findings on Page 9)

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Special Use Permit

The purpose of a special use permit is to allow a method of review to identify any potential harmful impacts on adjacent properties or surrounding areas for uses that may be appropriate within a regulatory zone; and to provide for a procedure whereby such uses might be permitted by further restricting or conditioning them so as to mitigate or eliminate possible adverse impacts. If the Board of Adjustment grants an approval of the special use permit, that approval is subject to conditions of approval. Conditions of approval are requirements that need to be completed during different stages of the proposed project. Those stages are typically:

- Prior to permit issuance (i.e. a grading permit, a building permit, etc.)
- Prior to obtaining a final inspection and/or a certificate of occupancy on a structure
- Prior to the issuance of a business license or other permits/licenses
- Some conditions of approval are referred to as "operational conditions." These conditions must be continually complied with for the life of the business or project.

The conditions of approval for Special Use Permit Case Number WSUP22-0003 are attached to this staff report and will be included with the action order, if approved.

The subject property is designated as general rural (GR). The proposed use of operable/inoperable vehicle storage, light warehousing which are classified as operable vehicle storage, inoperable vehicle storage, light warehousing uses are permitted in GR zoning in the High Desert Area Plan with a special use permit per WCC 110.206.10(b). Therefore, the applicant is seeking approval of this SUP from the Board of Adjustment.

Additionally, Article 810, Special Use Permits, allows the Board of Adjustment to vary development code standards in conjunction with the approval process per WCC 110.810.20(e). The Board of Adjustment will be ruling on the request(s) to vary standards below:

Variance(s) Requested	Relevant Code
Formal Landscaping requirements	110.412.40/45/55
Paving requirements	110.410.25



Site Plan

Project Evaluation

The subject parcel consists of 51.03 acres located along the west side of County Route 34, approximately 16 miles north of Gerlach. The project site is currently vacant and includes various unimproved paths, cleared space, access gate and perimeter fencing. Access to the site is currently taken from County Route 34 located at long the central portion of the property frontage.

Parcels that adjoin the site to the north, east and west are vacant and include similar terrain to that of the project site. Property to the south is the working Granite Ranch which includes a residential structure, located approximately 3,000 feet south of the southern property boundary. All adjoining parcels and those in the vicinity have a regulatory zone of General Rural (GR). The largest parcel to the west is public lands owned by the Bureau of Land Management (BLM), while properties directly south and east are privately owned.

The request for a special use permit is to establish outdoor storage including the storage of operable and inoperable vehicles, along with personal storage which is allowed without a special use permit within the High Desert Area Plan Modifiers. The proposed disturbed area would be 11.04 acres with 39.99 acres remaining undisturbed. The storage area will be located in the central portion of the site. Storage would include both operable and inoperable vehicles, boats, RVs, and containers. The containers would vary in size ranging from approximately 20' to 52' and would be arranged in a single layer, not stacked.

Natural screening, such as berms / landscaping, and fencing is proposed to be erected at the perimeter of the storage area to screen all the outdoor storage areas from outside of the property boundaries. The project application includes an intent to construct a single-family dwelling to accommodate an onsite manager. Since there are no other residences on the parcel, the use is permitted by right within the general rural (GR) regulatory zone with the issuance of a building permit. Upon project buildout, a second access road, 24-feet in width, is proposed to be developed along the eastern end of the south side of the property.

Article 206 High Desert Area Plan Modifiers

The proposed uses of operable vehicle storage and inoperable vehicle storage are permissible in General Rural zones within the High Desert Area plan with the approval of a special use permit per WCC 110.206.10(b)2v,3iv/vii. In addition, the personal storage use type is allowed within the High Desert Area Plan Modifiers.

Article 302/304 Use Classification System

The applicant is requesting to establish operable vehicle storage, inoperable vehicle storage, and light warehousing use types. These uses best fit the following definitions under Article 304 of the development code:

<u>Storage of Operable Vehicles</u>. Storage of operable vehicles refers to storage of operable vehicles, recreational vehicles and boat trailers. Typical uses include storage areas within personal storage facilities and storage yards for commercial vehicles.

<u>Inoperable Vehicle Storage</u>. Inoperable vehicle storage use type refers to premises devoted to the parking and/or storage of inoperable vehicles. Typical uses include buildings, storage yards, and auto wrecking facilities devoted to the parking and/or storage of inoperable vehicles.

These uses are normally not allowed in the General Rural regulatory zone, however the High Desert Area Plan Modifiers discussed in Article 206 take precedence. It is also noted that semi-trailers are considered inoperable vehicle storage.

Article 340 Industrial Performance Standards

The proposed facility meets all of the required planning standards outlined in division 400 as required per WCC 110.340.20 as discussed in detail below. The proposed facility does not exceed 80 peak hour trips as required per WCC 110.340.50. Staff forwarded the application to Truckee Meadows Fire Protection District, Washoe County Sheriff, and Washoe County District Health in regards to the public services and facilities requirements required under WCC 110.340.60 and received no comments in opposition.

Article 406 Building Placement Standards

The development area is well within the General Rural regulatory zone setbacks of 30 feet in the front and rear, and 50 feet on the sides.

Article 410 Parking

The project would establish three uses with the approval of the special use permit. The parking requirements per WCC table 110.410.10.3&4 are outlined in the table below:

	Per 1000sf building	Per Employee	Other
Operable Vehicle Storage		1	
Inoperable Vehicle Storage		1	2 per acre of storage area
Wholesaling, Storage and Distribution		1	.5 per 1000sf of area open to the public.
Height			35ft

Based upon the requirements, the project requires at least 1 space for employees during peak employment, 20 spaces and 1 handicapped parking space based on the 10-acre initial development.

The applicant is also requesting to vary the paving standards for parking and maneuvering as required in WCC 110.410.25 as it does not fit the character of the High Desert by replacing asphalt concrete with an all-weather aggregate base surface. Upon consultation with applicable County departments, staff agrees that paved parking does not match the character and has provided conditions of approval waiving the paved parking requirement in Exhibit A.

Article 412 Landscaping

The applicant is requesting to vary all formal landscaping requirements within Article 412 as they do not maintain the High Desert Character.

Under 110.412.40 & 45, the proposed commercial/industrial development would be required to provide up to 20% landscaping coverage, including 1 tree every 50ft of road frontage. The standards applying to residential buffering and screening do not apply as the parcel does not abut any residential uses.

Staff agrees that requiring 20% landscaping and one tree every 50ft does not meet the character of the High Desert Area plan. Therefore, staff has provided conditions waiving the formal landscaping standards required in 110.412.40(a-d) and 110.41245(a-f). This does not preclude the applicant from the revegetation requirements under 110.412.67 and 110.438.70.

As an alternative, a condition of approval requires screening consisting of a 4-foot tall 3:1 sloped revegetated berm along the road frontage. Fully grown native vegetation will ensure a minimum

of 8-foot of screening. Fencing to consist of an 8-foot slatted chain link or solid wood fence, or a 4-foot berm and vegetation would be installed along the sides and rear of the site.

Area Plan Evaluation

The subject parcel is located within the High Desert Area Plan. The following is/are the pertinent policy(ies) from the Area Plan:

Policy	Brief Policy Description	Complies	Condition of Approval
HD 2.2	Noxious weed plan required	No	Requires a noxious weed plan be submitted.
HD 2.5	Compliance with Dark Sky Standards	Yes	
HD 2.6	Street, security, and outdoor lighting should be powered by renewables	NA	
HD 2.8	Landscape designs shall emphasize the use of native and low water requirement vegetation	Yes	Applicant is requesting to vary landscaping standards.
HD 2.10	Impact of development on adjacent land uses will be mitigated	Yes	Appropriate screening is required as a condition of approval.
HD 2.13	Finding that community character must be preserved	Yes	
HD 6.2	Slopes shall not exceed 3:1 slopes	Yes	
HD 6.4	Funds shall be set aside for revegetation with 80% reestablishment required prior to release of bonds	Yes	A revegetation bond is required as a condition of approval.
HD 8.5	Washoe County Parks review required for new residential and commercial properties	Yes	The application was routed to Washoe County Parks and provided no conditions of approval.
HD 10.3	Finding that no significant degradation of air quality will occur for a SUP	Yes	The application was routed to Air Quality Management who provided conditions of approval.
HD 12.1	NDOW to be contacted on projects exceeding 10 acres	Yes	

Relevant Area Plan Policies Reviewed

Reviewing Agencies

The following agencies/individuals received a copy of the project application for review and evaluation.

Agency	Sent to Review	Responded	Provided Conditions	Contact
BLM – Winnemucca District Office	\boxtimes	\boxtimes	\boxtimes	Julie McKinnon jmckinnon@blm.gov
NDF- Endangered Species	\boxtimes			
Nevada Div. of Wildlife	\boxtimes			
Washoe County Building & Safety	\boxtimes			
Washoe County Parks & Open Spaces	\boxtimes	\boxtimes		
Washoe County Water Rights	\boxtimes	\boxtimes		

Washoe County Engineering	\boxtimes	\boxtimes		Jennifer Heeran jheeran@washoecounty.gov
Washoe County Sherriff	\boxtimes			
WCHD – Air Quality	\boxtimes	\boxtimes	\boxtimes	Genine Rosa grosa@washoecounty.us
WCHD – Environment Health	\boxtimes			
WCHD- EMS	\boxtimes			
Truckee Meadows Fire Protection District	\boxtimes			
RTC Washoe	\boxtimes			
Washoe Storey Conservation District	\boxtimes	\boxtimes		
Gerlach GID	\boxtimes			

All conditions required by the contacted agencies can be found in Exhibit A, Conditions of Approval.

Staff Comment on Required Findings

WCC Section 110.810.30, Article 810, *Special Use Permits*, requires that all of the following findings be made to the satisfaction of the Washoe County Board of Adjustment before granting approval of the request. Staff has completed an analysis of the special use permit application and has determined that the proposal is in compliance with the required findings as follows.

(a) <u>Consistency.</u> That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the High Desert Area Plan.

<u>Staff Comment:</u> There are adequate public facilities and drainage as conditioned by Washoe County Health District and Washoe County engineering.

(b) <u>Improvements.</u> That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven.

<u>Staff Comment:</u> The proposed site is physically suitable for the proposed use types. The facility is located in areas considered most suitable for development in the High Desert Area plan.

(c) <u>Site Suitability.</u> That the site is physically suitable for an operable vehicle storage, inoperable vehicle storage, and light warehousing and storage use and for the intensity of such a development.

<u>Staff Comment:</u> The proposed site is physically suitable for the proposed use types. The facility is located in areas considered most suitable for development in the High Desert Area plan.

(d) <u>Issuance Not Detrimental.</u> That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area.

<u>Staff Comment</u>: Staff has provided detailed conditions to mitigate the visual impacts to include waiving formal landscaping standards, varying screening standards, paint colors of proposed containers, and the massing of containers on the site.

(e) <u>Effect on a Military Installation.</u> Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

Staff Comment: There are no military installations affected by the proposed use.

Recommendation

After a thorough analysis and review, Special Use Permit Case Number WSUP22-0003 is being recommended for approval with conditions. Staff offers the following motion for the Board's consideration.

<u>Motion</u>

I move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Board of Adjustment approve with conditions Special Use Permit Case Number WSUP22-0003 for Applicant Name, with the conditions included as Exhibit A to this matter, having made all five findings in accordance with Washoe County Code Section 110.810.30:

- (a) <u>Consistency.</u> That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the High Desert Area Plan;
- (b) <u>Improvements.</u> That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven;
- (c) <u>Site Suitability.</u> That the site is physically suitable for an operable vehicle storage, inoperable vehicle storage, and light warehousing and storage use and for the intensity of such a development;
- (d) <u>Issuance Not Detrimental.</u> That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area;
- (e) <u>Effect on a Military Installation.</u> Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

Appeal Process

Board of Adjustment action will be effective 10 calendar days after the written decision is filed with the Secretary to the Board of Adjustment and mailed to the applicant, unless the action is appealed to the Washoe County Board of County Commissioners, in which case the outcome of the appeal shall be determined by the Washoe County Board of County Commissioners. Any appeal must be filed in writing with the Planning and Building Division within 10 calendar days from the date the written decision is filed with the Secretary to the Board of Adjustment.

Applicant:	Christy Corporation, Ltd lisa@christynv.com
Property Owner:	Bright-Holland Co. jtclaytone@gmail.com



Conditions of Approval

Special Use Permit Case Number WSUP22-0003

The project approved under Special Use Permit Case Number WSUP22-0003 shall be carried out in accordance with the conditions of approval granted by the Board of Adjustment on April 7, 2022. Conditions of approval are requirements placed on a permit or development by each reviewing agency. These conditions of approval may require submittal of documents, applications, fees, inspections, amendments to plans, and more. These conditions do not relieve the applicant of the obligation to obtain any other approvals and licenses from relevant authorities required under any other act.

<u>Unless otherwise specified</u>, all conditions related to the approval of this special use permit shall be met or financial assurance must be provided to satisfy the conditions of approval prior to issuance of a grading or building permit. The agency responsible for determining compliance with a specific condition shall determine whether the condition must be fully completed or whether the applicant shall be offered the option of providing financial assurance. All agreements, easements, or other documentation required by these conditions shall have a copy filed with the County Engineer and the Planning and Building Division.

Compliance with the conditions of approval related to this special use permit is the responsibility of the applicant, his/her successor in interest, and all owners, assignees, and occupants of the property and their successors in interest. Failure to comply with any of the conditions imposed in the approval of the special use permit may result in the institution of revocation procedures.

Washoe County reserves the right to review and revise the conditions of approval related to this Special Use Permit should it be determined that a subsequent license or permit issued by Washoe County violates the intent of this approval.

For the purpose of conditions imposed by Washoe County, "may" is permissive and "shall" or "must" is mandatory.

Conditions of approval are usually complied with at different stages of the proposed project. Those stages are typically:

- Prior to permit issuance (i.e., grading permits, building permits, etc.).
- Prior to obtaining a final inspection and/or a certificate of occupancy.
- Prior to the issuance of a business license or other permits/licenses.
- Some "conditions of approval" are referred to as "operational conditions." These conditions must be continually complied with for the life of the project or business.

The Washoe County Commission oversees many of the reviewing agencies/departments with the exception of the following agencies.

- The DISTRICT BOARD OF HEALTH, through the Washoe County Health District, has jurisdiction over all public health matters in the Health District. Any conditions set by the Health District must be appealed to the District Board of Health.
- The RENO-TAHOE AIRPORT AUTHORITY is directed and governed by its own Board. Therefore, any conditions set by the Reno-Tahoe Airport Authority must be appealed to their Board of Trustees.

• The REGIONAL TRANSPORTATION COMMISSION (RTC) is directed and governed by its own board. Therefore, any conditions set by the Regional Transportation Commission must be appealed to that Board.

FOLLOWING ARE CONDITIONS OF APPROVAL REQUIRED BY THE REVIEWING AGENCIES. EACH CONDITION MUST BE MET TO THE SATISFACTION OF THE ISSUING AGENCY.

Washoe County Planning and Building Division

1. The following conditions are requirements of Planning and Building, which shall be responsible for determining compliance with these conditions.

Contact Name – Courtney Weiche, Senior Planner, 775.328.3608, <u>cweiche@washoecounty.gov</u>

- a. The applicant shall attach a copy of the action order approving this project to all permits and applications (including building permits) applied for as part of this special use permit.
- b. The applicant shall demonstrate substantial conformance to the plans approved as part of this special use permit. The Planning and Building Division shall determine compliance with this condition.
- c. The applicant shall submit construction plans, with all information necessary for comprehensive review by Washoe County, and initial building permits shall be issued within two years from the date of approval by Washoe County. The applicant shall complete construction within the time specified by the building permits. Compliance with this condition shall be determined by the Planning and Building Division.
- d. The proposed SUP allows for up to storage of operable & inoperable vehicle storage, and light warehousing and storage use types.
- e. The formal landscaping standards found in WCC 110.412.40a-d and WCC 110.412.45 a-f shall be waived.
- f. Applicant shall provide a noxious weed plan in accordance with HD 2.2.
- g. The screening standards outlined in WCC 110.412.55 shall be varied to require the applicant to provide the following screening requirements around the entire storage area:
 - i. A 4-foot tall 3:1 sloped revegetated berm shall be required along the road frontage.
 - ii. On the side and rear edges of the project area, either fencing, consisting of an 8-foot slatted chain link or solid wood fence, or a 4-foot tall, revegetated berm shall be constructed.
- h. A note shall be placed on all construction drawings and grading plans stating:

NOTE

Should any cairn or grave of a Native American be discovered during site development, work shall temporarily be halted at the specific site and the Sheriff's Office as well as the State Historic Preservation Office of the Department of Conservation and Natural Resources shall be immediately notified per NRS 383.170.

d. The business license will be obtained to for the new use.

- e. Cargo containers shall be placed on pads or risers to avoid deterioration and soil contamination.
- f. No person shall be allowed to live within a cargo container.
- g. All vehicles stored on the site, operable or not, shall have ground protectors provided to mitigate any leakage.
- h. Applicant shall not use semi-trailers for long term storage of other materials wherein long term storage is more than 1 month.
- i. Parking standards shall be varied to require no paved parking or maneuvering areas in order to better fit the High Desert character. Applicant shall use aggregate base.
- j. In conformance with High Desert Policy 6.4, prior to the issuance of grading permits, the applicant shall post a revegetation/reclamation bond for eighty percent (80%) of the total revegetation/reclamation costs.
- k. The following **Operational Conditions** shall be required for the life of the business:
 - i. This special use permit shall remain in effect until or unless it is revoked or is inactive for one year.
 - ii. Failure to comply with any of the conditions of approval shall render this approval out of conformance and subject to revocation.
 - iii. The applicant and any successors shall direct any potential purchaser/operator of the site and/or the administrative permit to meet with Planning and Building to review conditions of approval prior to the final sale of the site and/or the administrative permit. Any subsequent purchaser/operator of the site and/or the administrative permit shall notify Planning and Building of the name, address, telephone number, and contact person of the new purchaser/operator within 30 days of the final sale.
 - iv. This special use permit shall remain in effect as long as the business is in operation and maintains a valid business license.

Washoe County Engineering and Capital Projects

2. The following conditions are requirements of the Engineering Division, which shall be responsible for determining compliance with these conditions.

Contact Name – Jennifer Heeran, Senior Engineer, 775.328.3603, jheeran@washoecounty.gov

GENERAL CONDITIONS

Contact Information: Robert Wimer, P.E. (775) 328-2059, rwimer@washoecounty.gov

- a. A complete set of construction improvement drawings, including an on-site grading plan, shall be submitted when applying for a building/grading permit. Grading shall comply with best management practices (BMP's) and shall include detailed plans for grading, site drainage, erosion control (including BMP locations and installation details), slope stabilization, and mosquito abatement. Placement or removal of any excavated materials shall be indicated on the grading plan. Silts shall be controlled on-site and not allowed onto adjacent property.
- b. For construction areas larger than 1 acre, the developer shall obtain from the Nevada Division of Environmental Protection a Stormwater Discharge Permit or Waiver for

construction and submit a copy to the Engineering Division prior to issuance of a grading permit.

- c. The developer shall complete and submit the Construction Permit Submittal Checklist and pay the Construction Stormwater Inspection Fee prior to obtaining a grading permit. The County Engineer shall determine compliance with this condition.
- d. A grading bond of \$2,000/acre of disturbed area shall be provided to the Engineering Division prior to any grading.
- e. All disturbed areas left undeveloped for more than 30 days shall be treated with a dust palliative. Disturbed areas left undeveloped for more than 45 days shall be revegetated. Methods and seed mix must be approved by the County Engineer with technical assistance from the Washoe-Storey Conservation District. The applicant shall submit a revegetation plan to the Washoe-Storey Conservation District for review.

DRAINAGE (COUNTY CODE 110.416, 110.420, and 110.421)

Contact Information: Robert Wimer, P.E. (775) 328-2059, rwimer@washoecounty.gov

- f. The FEMA 100-year floodplain, floodway and/or shaded X boundaries with associated flood elevations shall appear on the site plan to the satisfaction of the County Engineer. Building permits for structures and fill in these areas shall be in conformance with the Washoe County Code Article 416.
- g. The developer shall provide pretreatment for petrochemicals and silt for all storm drainage from the site to the satisfaction of the County Engineer.
- h. The following note shall be added to the construction drawings; "All properties, regardless if they are located within or outside of a FEMA designated flood zone, may be subject to flooding. The property owner is required to maintain all drainage easements and natural drainages and not perform or allow unpermitted and unapproved modifications to the property that may have detrimental impacts to surrounding properties."

i. TRAFFIC AND ROADWAY (COUNTY CODE 110.436)

Contact Information: Mitch Fink, P.E. (775) 328-2050, mfink@washoecounty.gov

j. An Occupancy Permit shall be obtained from the Nevada Department of Transportation (NDOT), for access to, from or under roads and highways maintained by NDOT, and a copy of said permit shall be submitted to the County Engineer prior to finalization of the affected final map.

Truckee Meadows Fire Protection District

3. The following condition is a requirement of the Truckee Meadows Fire Protection District, which shall be responsible for determining compliance with this condition.

Contact Name – Brittany Lemmon, Fire Captain, 775.326.6079, <u>blemon@tmfpd.us</u>

a. This project shall meet and comply with all requirements of currently adopted TMFPD fire codes, ordinances, and standards at the time of construction to include infrastructure for fire apparatus access roads and water supply. https://tmfpd.us/fire-code/

Washoe County Air Quality Management

- The following conditions are requirements of Washoe County Air Quality Management, which shall be responsible for determining compliance with these conditions.
 Contact Name – Genine Rosa, grosa@washoecounty.gov
 - a. If planned disturbance for site development then a Dust Control Permit will be required prior to breaking ground, failure to do so may result in enforcement action resulting in a Notice of Violation with associated fines. For Dust Control Permit questions call AQMD at 775-784-7200 or visit www.OurCleanAir.com.

Bureau of Land Management – Winnemucca Distrct

5. The following condition is a requirement of the Truckee Meadows Fire Protection District, which shall be responsible for determining compliance with this condition.

Contact Name – Julie Mckinnon, Realty Specialist, 775.623.1734, jmckinno@blm.gov

- a. The property fencing shall remain on private land and use material would not impact visual resources to adjacent public lands or other users in the area.
- b. The BLM has retained an interest in ditches and canals on this subject property.

*** End of Conditions ***

Weiche, Courtney

From: Sent: To: Subject: Kirschenman, Sophia Monday, February 28, 2022 8:39 AM Weiche, Courtney Parks Comments Re: WSUP22-0003

Hi Courtney,

I've reviewed WSUP22-0003 (Highway 34 Storage) on behalf of Washoe County Regional Parks and Open Space and have no comments or conditions.

Thank you,



Sophia Kirschenman Park Planner | Community Services Department 775.328.3623 | 1001 E. 9th Street, Reno, NV 89512

Please consider the environment before printing this e-mail.



WASHOE COUNTY COMMUNITY SERVICES

INTEGRITY COMMUNICATION SERVICE

P.O. Box 11130 Reno, Nevada 89520-0027 Phone: (775) 328-3600 Fax: (775) 328-3699

February 22, 2022

TO: Courtney Weiche, Senior Planner, CSD, Planning & Development Division

FROM: Timber Weiss, Licensed Engineer, CSD

SUBJECT: Special Use Permit Case Number WSUP22-0003 (Highway 34 Storage)

Project description:

The applicant is proposing to approve storage of Operable/Inoperable Vehicles and Wholesale Storage and Light distribution

The Community Services Department (CSD) recommends approval of this project with the following Water Rights conditions:

Recommend approval of this permit.

This property is served by State Engineer Permit 86225 for commercial and domestic use. Permit 86225 specifies the proposed manner of use is for a commercial storage facility. There are no conditions of approval.





Washoe-Storey Conservation District

Bret Tyler Chairmen Jim Shaffer Treasurer Cathy Canfield Storey app Jean Herman Washce app

1365 Corpotate Blvd. RenoNV 89502 775 857-8500 ext. 131 nevadaconservation.com

February 25, 2022

Washoe County Community Services Department

C/O Courtney Weiche, Senior Planner

1001 E Ninth Street, Bldg A

Reno, NV 89512

R: WSUP22-0003 Highway 34 storage

Dear Courtney,

In reviewing the special use permit to allow storage of operable/inoperable vehicles, the Conservation District has the following comments.

The District recommends as a condition either wood fencing or brown coated galvanized fencing for the perimeter of the storage facility.

We support the aggregate base for all roadways, no lighting, but recommend low growing native plants for the site frontage.

The proposed V ditch flow line lined with 3–4-inch rock to eliminate down stream sediment flow into the roadside ditch.

Thank you for providing us the opportunity to review the project that may have impacts on our natural resources.

Sincerely,

Jim Shaffer



WASHOE COUNTY COMMUNITY SERVICES DEPARTMENT Engineering and Capital Projects 1001 EAST 9TH STREET RENO, NEVADA 89512 PHONE (775) 328-3600 FAX (775) 328.3699

- Date: February 28, 2022
- To: Courtney Weiche, Planner
- From: Robert Wimer, P.E., Licensed Engineer
- Re: Special Use Permit for *Highway 34 Storage, WSUP22-0003* APN 071-372-02

GENERAL PROJECT DISCUSSION

Washoe County Engineering staff has reviewed the above referenced application. The Special Use Permit is for the development of an uncovered storage facility for operable and inoperable vehicles and wholesaling, storage, and distribution, and is located on approximately 51.03 acres west of County Road 34, approximately 16 miles north of Gerlach. The Engineering and Capital Projects Division recommends approval with the following comments and conditions of approval which supplement applicable County Code and are based upon our review of the site and the application prepared by Christy Corporation. The County Engineer shall determine compliance with the following conditions of approval.

For questions related to sections below, please see the contact name provided.

GENERAL CONDITIONS

Contact Information: Robert Wimer, P.E. (775) 328-2059

- A complete set of construction improvement drawings, including an on-site grading plan, shall be submitted when applying for a building/grading permit. Grading shall comply with best management practices (BMP's) and shall include detailed plans for grading, site drainage, erosion control (including BMP locations and installation details), slope stabilization, and mosquito abatement. Placement or removal of any excavated materials shall be indicated on the grading plan. Silts shall be controlled on-site and not allowed onto adjacent property.
- 2. For construction areas larger than 1 acre, the developer shall obtain from the Nevada Division of Environmental Protection a Stormwater Discharge Permit or Waiver for construction and submit a copy to the Engineering Division prior to issuance of a grading permit.
- 3. The developer shall complete and submit the Construction Permit Submittal Checklist and pay the Construction Stormwater Inspection Fee prior to obtaining a grading permit. The County Engineer shall determine compliance with this condition.
- 4. A grading bond of \$2,000/acre of disturbed area shall be provided to the Engineering Division prior to any grading.
- 5. All disturbed areas left undeveloped for more than 30 days shall be treated with a dust palliative. Disturbed areas left undeveloped for more than 45 days shall be revegetated. Methods and seed







WWW.WASHOECOUNTY.US

Subject:Highway 34 Storage, WSUP22-0003Date:February 28, 2022Page:2

mix must be approved by the County Engineer with technical assistance from the Washoe-Storey Conservation District. The applicant shall submit a revegetation plan to the Washoe-Storey Conservation District for review.

DRAINAGE (COUNTY CODE 110.416, 110.420, and 110.421)

Contact Information: Robert Wimer, P.E. (775) 328-2059

- 1. The FEMA 100-year floodplain, floodway and/or shaded X boundaries with associated flood elevations shall appear on the site plan to the satisfaction of the County Engineer. Building permits for structures and fill in these areas shall be in conformance with the Washoe County Code Article 416.
- 2. The developer shall provide pretreatment for petrochemicals and silt for all storm drainage from the site to the satisfaction of the County Engineer.
- 3. The following note shall be added to the construction drawings; "All properties, regardless if they are located within or outside of a FEMA designated flood zone, may be subject to flooding. The property owner is required to maintain all drainage easements and natural drainages and not perform or allow unpermitted and unapproved modifications to the property that may have detrimental impacts to surrounding properties."

TRAFFIC AND ROADWAY (COUNTY CODE 110.436)

Contact Information: Mitch Fink, P.E. (775) 328-2050

1. An Occupancy Permit shall be obtained from the Nevada Department of Transportation (NDOT), for access to, from or under roads and highways maintained by NDOT, and a copy of said permit shall be submitted to the County Engineer prior to finalization of the affected final map.

UTILITIES (County Code 422 & Sewer Ordinance)

Contact Information: Tim Simpson, P.E. (775) 954-4648

No utility related comments.

Project Highway 34 Storage WSUP22-0003

Bureau of Land Management (BLM), Winnemucca District, Black Rock Field Office

BLM Comment:

The Highway 34 Storage Project SUP proposal depicts a portion of the private land parcel would encompass an outside storage area for operational/non-operational vehicles, boats, RVs, and containers, . It would also include utilities to include, a septic system, well house (to acquire water rights from the State of Nevada Division of Water Rights), fencing for screening, a second access road off Highway 34, and potential caretaker's quarters.

The BLM recommends the applicant to make sure that all property fencing remains on private land and would recommend using a material that would not impact visual resources to the public lands or other users in the area.

The BLM has retained an interest in ditches and canals on this subject property.

Weiche, Courtney

From:	Rosa, Genine
Sent:	Tuesday, February 15, 2022 9:50 AM
То:	Weiche, Courtney
Subject:	Review of Applications Submitted February 2022 – Memo II
Categories:	WSUP22-0003

Special Use Permit Case Number WSUP22-0003 (Highway 34 Storage)

If planned disturbance for site development then a Dust Control Permit will be required prior to breaking ground, failure to do so may result in enforcement action resulting in a Notice of Violation with associated fines. For Dust Control Permit questions call AQMD at 775-784-7200 or visit <u>www.OurCleanAir.com</u>. Link to application: <u>Dust Control Permit Application</u>

Ongoing dust control will be subject to the WC AQMD Dust Regulations found here.

P.S. – Please be sure to click the link below and sign up to receive air quality news, updates, public notices and more via e-mail.

Genine Rosa

Environmental Engineer II | Air Quality Management Division | Washoe County Health District grosa@washoecounty.gov | O: (775) 784-7204 | 1001 E. Ninth St., Bldg. B, Reno, NV 89512

*My schedule is 4 x 10's M-Th 7-5:30 off on Fridays.

www.OurCleanAir.com | Subscribe to get Air Quality Updates!



Please take our customer satisfaction survey by clicking here



86 Properties within 20,000 feet

Highway 34 Storage Special Use Permit

Prepared by:



February 8, 2022

WSUP22-0003 EXHIBIT D

Highway 34 Storage

Special Use Permit Application

Prepared for:

Bright-Holland Co.

9190 Double Diamon Parkway, Suite 138

Reno, Nevada 89521

Prepared by:

Christy Corporation, Ltd.

1000 Kiley Parkway

Sparks, Nevada 89436

(775) 502-8552

February 8, 2022

HIGHWAY 34 STORAGE

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Washoe County Development Application Owner Affidavit Special Use Permit Application Property Tax Verification

Attachments:

Preliminary Site/Utility/Grading Plan Preliminary Cross Sections

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Introduction

This application includes the following request:

- A **Special Use Permit** to allow for the establishment of the following uses within the General Rural zone per section 110.206.10b of the Washoe County Development Code (High Desert Area Plan):
 - Storage of Operable Vehicles
 - Storage of Inoperable Vehicles
 - Wholesaling, Storage, and Distribution (Light)

Project Location

Highway 34 Storage consists of 51.03± acres located along the west side of County Route 34 north of Gerlach within the High Desert Area Plan. Specifically, the project site (APN # 071-372-02) lies approximately 16 miles, 16 miles north of Gerlach via County Route 34. Figure 1 (below) depicts the project location.



Figure 1 – Vicinity Map

Existing Conditions

The project site is currently vacant and includes various unimproved paths, cleared space, gate and perimeter fencing. Access to the site is direct from County Route 34 and is currently located at the central portion of the property frontage.

Parcels that adjoin the site to the north, east and west are vacant and include terrain similar to that of the project site. Property to the south is the working Granite Ranch which includes a residential structure located approximately 3,000 feet south of the southern property boundary. All adjoining properties (and those within the immediate vicinity) are zoned General Rural (GR). The large parcel to the west is public lands managed by the Bureau of Land Management (BLM) while properties directly south and east of the site are privately owned.

The site generally slopes gradually from the southwest to the northeast, towards the highway. The area subject to the Special Use Permit request included with this application is flat and includes native vegetation (sagebrush, rabbitbrush, etc.).

Figure 2 (below) and Figure 3 (following page) depicts the property included with this Special Use Permit request.



Figure 2 – Existing Conditions

HIGHWAY 34 STORAGE



Figure 3 – Existing Conditions

Project Description/Request

This application includes a Special Use Permit (SUP) request to establish outdoor storage at the project site. As defined by the Washoe County Development Code, the SUP will allow for storage of operable and inoperable vehicles along with wholesaling, storage, and distribution (light) use types. These uses are specifically allowed in the General Rural (GR) zone with the approval of a SUP per section 110.206.10(b) of the Development Code (High Desert Area Plan General Rural Zone Modifier).

The proposed disturbed area is 11.04± acres with 39.99± acres remaining undisturbed. The storage area will be located in the central portion of the site and will consist of outdoor storage which could include operable and inoperable vehicles, boats, RVs, and containers. Any containers stored onsite may vary in size but typically consist of shipping containers or trailers ranging from 20 to 52± feet in length and will be arranged in a single layer (no stacking).

In addition to the containers, outdoor storage will be provided to accommodate RVs, boats, operable and inoperable vehicles. Screening/fencing will be placed at the perimeter of the storage area to screen all outdoor storage areas from outside of the property boundaries.

With development of the storage use types, a second access road will be developed from Route 34 into the eastern end of the south side of the property. The road will be 24-feet in width.

The project development includes provisions for a caretaker's quarters that could be occupied by an onsite manager as a single-family residence is permitted by right within the GR zone. Timing of this is dependent upon overall demand and activity associated with uses occurring onsite and is subject to improvements such as a well and septic system as shown on the site plan. Should the applicant proceed with construction of a residence, it will be subject to applicable building permits and requirements established by the State of Nevada and Washoe County Health District related to well and septic systems.

As typical within the High Desert Area Plan, it is requested that the suburban development standards included in the Development Code be modified to reflect the rural site location and natural landscape. Specifically, it is requested that the paving and landscaping requirements be waived. This is consistent with other projects in the area and will ensure that the overall character and feel of the high desert is retained. For example, new landscaping such as trees and shrubs are in sharp contrast to the natural landscape and result in greater visual impacts that draw attention to site improvements rather than screen them.

In lieu of paving, it is proposed to utilize an all-weather surface (aggregate base) for roadways and storage areas within the project boundary. The proposed storage use is of very low intensity and will generate minimal vehicle trips. Thus, an all-weather surface will be more than adequate and will still accommodate larger vehicles and equipment while keeping with the rural character of the area.

Figure 4 (following page) depicts the preliminary site plan including utilities and grading, as previously described.

HIGHWAY 34 STORAGE



Figure 4 – Preliminary Site Plan

The storage uses planned are of a very low intensity and are not anticipated to generate negative impacts to the surrounding area. The primary potential impact is visual. Providing proper screening to include some combination of fencing, berms and landscaping to blend in with the natural surroundings ensures that all visual impacts are properly mitigated. The screening will also ensure that all outside storage areas are fully screened.

Lighting of the facility is not planned at this time. The High Desert Area Plan strongly discourages lighting that results in spill-over and glare, reducing views of the nighttime skies. No light pollution will occur as a result of this proposal.

Traffic generated by the project will be minimal. The Institute of Transportation Engineers (ITE) Trip Generation Manual provides trip generation rates for mini-warehouse/storage units (land use code 151). Based on the most conservative estimate of the full 11± acres developed, 390 average daily trips (ADT) with 28 am and 39 pm peak trips are expected. However, it is very important to note that the ITE estimates relate to a commercial self-store operation. Traffic impacts generated by the project account for no more than 50% of the volumes that would require a traffic impact analysis per Washoe County standards. The project will not impact the level of service on Route 34 or any roadways within the area.

Special Use Permit Findings

In order to approve a Special Use Permit, the following findings must be made. Responses are provided in **bold face** type.

1. Consistency. The granting of the special use permit is consistent with the policies and maps of the Comprehensive Plan Elements and the Area Plan in which the property is located.

Section 110.206.10b of the Washoe County Development Code specifically provides for a modifier to the General Rural development standards and allowed use table within the High Desert Area Plan permitting the requested uses with the approval of a SUP. Additionally, the Board of Adjustment has the ability to modify development standards as part of the public SUP review process (section 110.810.20e) allowing for the proposed deviations to paving standards.

2. Adequate Public Facilities. Adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities must exist or will be provided.

The proposed storage uses are of a very low intensity and do not require utility connections or the need for potable water. A well is present on-site and a septic system will be provided for future caretaker quarters. The attached grading plan and drainage report address how drainage will be addressed, including onsite detention to ensure that predevelopment flows from the site are not increased as a result of this project.

3. Site Suitability. The site must be physically suitable for the proposed use and for the intensity of development.

The portion of the site proposed for storage use is well suited for development and generally includes slopes less than 2%. As the proposed uses have a low intensity, the site is suitable for storage.

HIGHWAY 34 STORAGE

4. Issuance Not Detrimental. Issuance of the permit may not be significantly detrimental to the public health, safety or welfare; have a detrimental impact on adjacent properties; or be detrimental to the character of the surrounding area.

No negative impacts are anticipated with the granting of this SUP request. The storage use is very low intensity and will not generate large amounts of onsite activity. The project location and the use of suitable fencing/landscaping to screen outdoor storage areas further ensure that negative impacts will not occur. Outdoor storage occurs throughout rural areas of the High Desert Area Plan and is not out of character with other properties in the project vicinity.

APPENDICES

Washoe County Development Application

Your entire application is a public record. If you have a concern about releasing personal information, please contact Planning and Building staff at 775.328.6100.

Project Information S		Staff Assigned Case No.:	
Project Name: Highway 34 Storage			
Project A SUP to allow for storage of operat Description: storage and distribution within the G Area Plan.		ole and inoperable vehicles an	d wholesaling, der the High Desert
Project Address: West side of County Route 34,		, 16 miles north of Gerlach	
Project Area (acres or square feet): 51.03± acres			
Project Location (with point of re	ference to major cross	streets AND area locator):	
The property is located west of County Route 34, approximately 16 miles north of Gerlach. See attached vicinity map for more details.			cinity map for more details.
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:
071-372-02	51.03		
Indicate any previous Washo	e County approval	s associated with this applica	tion:
Case No.(s).			
Applicant Information (attach additional sheets if necessary)			
Property Owner:		Professional Consultant:	
Name:Bright-Holland Co.		Name: Christy Corporation,	Ltd.
Address:9190 Double Diamond Pkwy, Ste 138		Address: 1000 Kiley Parkwa	ау
Reno, NV	Zip: 89521	Sparks, NV	Zip: 89436
Phone: (775) 771-2122 Fax:		Phone: (775) 502-8552	Fax:
Email:jtclaytone@gmail.com		Email:Lisa@christynv.com	
Cell:	Other:	Cell: (908) 763-6576	Other:
Contact Person: Jessica Clay	rton	Contact Person:Lisa Nash	and the second se
Applicant/Developer:		Other Persons to be Contacted:	
Name:Same as Above		Name: TEC Civil Engineering Consultants	
Address:		Address:9429 Double Diamond Pkwy, Ste A	
	Zip:	Reno, NV	Zip: 89521
Phone:	Fax:	Phone: (775) 352-7800	Fax:
Email:		Email:jgilles@tecreno.com	
Cell:	Other:	Cell: (775) 846-0164	Other:
Contact Person:		Contact Person: Jason Gilles	
	For Office	Use Only	
Date Received:	Initial:	Planning Area:	
County Commission District:		Master Plan Designation(s):	
CAB(s):		Regulatory Zoning(s):	

Property Owner Affidavit

Applicant Name: Bright-Holland Co

The receipt of this application at the time of submittal does not guarantee the application complies with all requirements of the Washoe County Development Code, the Washoe County Master Plan or the applicable area plan, the applicable regulatory zoning, or that the application is deemed complete and will be processed.

	(please print name)	
1,	Todd Jaksick	
COUNTY OF WASHOE)	
STATE OF NEVADA		

being duly sworn, depose and say that I am the owner* of the property or properties involved in this application as listed below and that the foregoing statements and answers herein contained and the information herewith submitted are in all respects complete, true, and correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of Planning and Building.

(A separate Affidavit must be provided by each property owner named in the title report.)

Assessor Parcel Number(s): 071-372-02

	Printed Name Todd Jaksick Signed Cold J
	Address 9190 Double Diemand PKny Suite Rena, NV 89521 138
Subscribed and sworn to before me this day of FEBRUARY, 2022.	(Notary Stamp)
Notary Public in and for said county and state My commission expires: JULY 15, 2025	FREDERICK HAMPTON Notary Public, State of Nevada Appointment No. 17-2688-3 My Appt. Expires Jul 15, 2025
*Owner refers to the following: (Please mark app Structure of the following: (Please mark app Structure)	ropriate box.)

Corporate Officer/Partner (Provide copy of record document indicating authority to sign.)

- Dever of Attorney (Provide copy of Power of Attorney.)
- Owner Agent (Provide notarized letter from property owner giving legal authority to agent.)
- Property Agent (Provide copy of record document indicating authority to sign.)
- Letter from Government Agency with Stewardship

Special Use Permit Application Supplemental Information

(All required information may be separately attached)

1. What is the project being requested?

A Special Use Permit to allow for the establishment of the following uses within the General Rural zone per section 110.206.10b of the Washoe County Development Code (High Desert Area Plan): Storage of Operable Vehicles, Storage of Inoperable Vehicles and Wholesaling, Storage, and Distribution (Light)

2. Provide a site plan with all existing and proposed structures (e.g. new structures, roadway improvements, utilities, sanitation, water supply, drainage, parking, signs, etc.)

Refer to the attached site plan and engineering drawings.

3. What is the intended phasing schedule for the construction and completion of the project?

Phasing for the project will be dependent upon market conditions and is expected to be complete within 1 to 4 years.

4. What physical characteristics of your location and/or premises are especially suited to deal with the impacts and the intensity of your proposed use?

The project area is flat and unconstrained. Refer to the attached report for a detailed analysis.

5. What are the anticipated beneficial aspects or affects your project will have on adjacent properties and the community?

The project will provide for needed storage within the outlying Gerlach area without adversely impacting neighboring properties and Gerlach residents. Refer to the attached report for additional analysis.

6. What are the anticipated negative impacts or affect your project will have on adjacent properties? How will you mitigate these impacts?

The use of appropriate screening materials for all outdoor storage areas will occur to ensure visual impacts are properly mitigated. The is detailed in the attached report.

7. Provide specific information on landscaping, parking, type of signs and lighting, and all other code requirements pertinent to the type of use being purposed. Show and indicate these requirements on submitted drawings with the application.

Refer to the attached report and preliminary site plan for this information.

Washoe County Planning and Building SPECIAL USE PERMITS APPLICATION SUPPLEMENTAL INFORMATION December 2018

8. Are there any restrictive covenants, recorded conditions, or deed restrictions (CC&Rs) that apply to the area subject to the special use permit request? (If so, please attach a copy.)

9. Utilities:

a. Sewer Service	Septic
b. Electrical Service	Solar or Generators
c. Telephone Service	Cellular Service
d. LPG or Natural Gas Service	Granite Propane
e. Solid Waste Disposal Service	Gerlach GID
f. Cable Television Service	Various Providers
g. Water Service	Onsite Well

For most uses, Washoe County Code, Chapter 110, Article 422, Water and Sewer Resource Requirements, requires the dedication of water rights to Washoe County. Please indicate the type and quantity of water rights you have available should dedication be required.

h. Permit #	acre-feet per year	
i. Certificate #	acre-feet per year	
j. Surface Claim #	acre-feet per year	
k. Other #	acre-feet per year	

Title of those rights (as filed with the State Engineer in the Division of Water Resources of the Department of Conservation and Natural Resources).

Water rights for the project will be coordinated through the State of Nevada.

10. Community Services (provided and nearest facility):

a. Fire Station	Gerlach Fire
b. Health Care Facility	Renown Regional Medical Center
c. Elementary School	Gerlach
d. Middle School	Gerlach
e. High School	Gerlach
f. Parks	Water Tower Park in Gerlach
g. Library	Washoe County Spanish Springs Branch
h. Citifare Bus Stop	Not applicable

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COUNTY ROUTE 34 STORAGE

PRELIMINARY SITE/UTILITY/GRADING PLAN

ENGINEER

RENO, NV 89521

TEC CIVIL ENGINEERING CONSULTANTS 9429 DOUBLE DIAMOND PARKWAY, SUITE A RENO, NEVADA 89521

SHEET INDEX

1 PRELIMINARY SITE/UTILITY/GRADING PLAN 2 PRELIMINARY CROSS SECTIONS

LEGEND

 PROJECT BOUNDARY
 EXISTING LOT LINE
 EASEMENT
 CENTERLINE (₡)
AGGREGATE BASE
 EXTENT OF GRADING



BASIS OF BEARINGS

NEVADA STATE PLANE COORDINATE SYSTEM, WEST ZONE, NORTH AMERICAN DATUM, 1983/94 AS ESTABLISHED BY TIES TO GPS POINTS S CHALK BLUFF AND R5104. DIVIDE THE GROUND COORDINATES BY 1.000197939 TO OBTAIN GRID.









COUNTY ROUTE 34 STORAGE

SECTION CROSS SECTION A-A

SECTION CROSS SECTION B-B

PRELIMINARY CROSS SECTIONS



