



# Board of Adjustment Staff Report

**Meeting Date: April 6, 2017**

**Subject:** Amendment of Conditions Case Number WAC17-0002 (Evans Greenhouses) for Administrative Permit Case Number AP12-003 as previously amended by Amendment of Conditions Case Number AC15-002

**Applicant:** Brian Bishop Parise

**Agenda Item Number:** 9F

**Summary:** Amendment of conditions for an approved Administrative Permit to remove all conditions of approval that apply to the previously approved commercial use of the greenhouses; to prohibit commercial use of the one 4000 square-foot greenhouse that has been constructed on the property; and to allow that existing greenhouse to remain as an accessory structure to the existing dwelling unit.

**Recommendation:** **Approval with Conditions**

**Prepared by:** Roger Pelham, MPA, Senior Planner  
Washoe County Community Services Department  
Planning and Development Division

**Phone:** 775.328.3622

**E-Mail:** rpelham@washoecounty.us

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## **Description**

**Amendment of Conditions Case Number WAC17-0002 (Evans Greenhouses)** – For possible action, hearing and discussion to approve an amendment to the conditions of approval for Administrative Permit Case Number AP12-003 (as previously amended by Amendment of Conditions Case Number AC15-002) which approved the construction of two large greenhouses for commercial purposes on the subject site. Only one of the greenhouses was actually constructed. The second greenhouse will not be constructed and a proposed condition of this approval is that the applicant remediates the site of the second greenhouse. Additionally, the current amendment of conditions requests: 1) to remove all conditions of approval that apply to the previously approved commercial use of the project because the greenhouse will be used only as an accessory use to the residential dwelling; 2) to prohibit commercial use of the greenhouse that has already been constructed on the subject site; and 3) to allow the greenhouse that has already been constructed to remain as a detached accessory structure that is larger than the existing residential dwelling unit.

- **Applicant:** Brian Bishop Parise  
1991 Morning Grove Court  
Reno, NV 89523
- **Property Owner:** Don Evans  
5555 Tancho Drive  
Madison, WI 53718
- **Location:** 31850 Cantlon Drive, approximately one mile west of its intersection with State Route 427
- **Assessor's Parcel Number:** 084-282-16

- Parcel Size: ±5.94 acres
- Master Plan Category: Rural Residential (RR)
- Regulatory Zone: Medium Density Rural (MDR)
- Area Plan: Truckee Canyon
- Citizen Advisory Board: East Truckee Canyon
- Development Code: Authorized in Article 808, Administrative Permits
- Commission District: 4 – Commissioner Hartung
- Section/Township/Range: Section 18, T20N, R24E, MDM,  
Washoe County, NV

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**Amendment of Conditions**

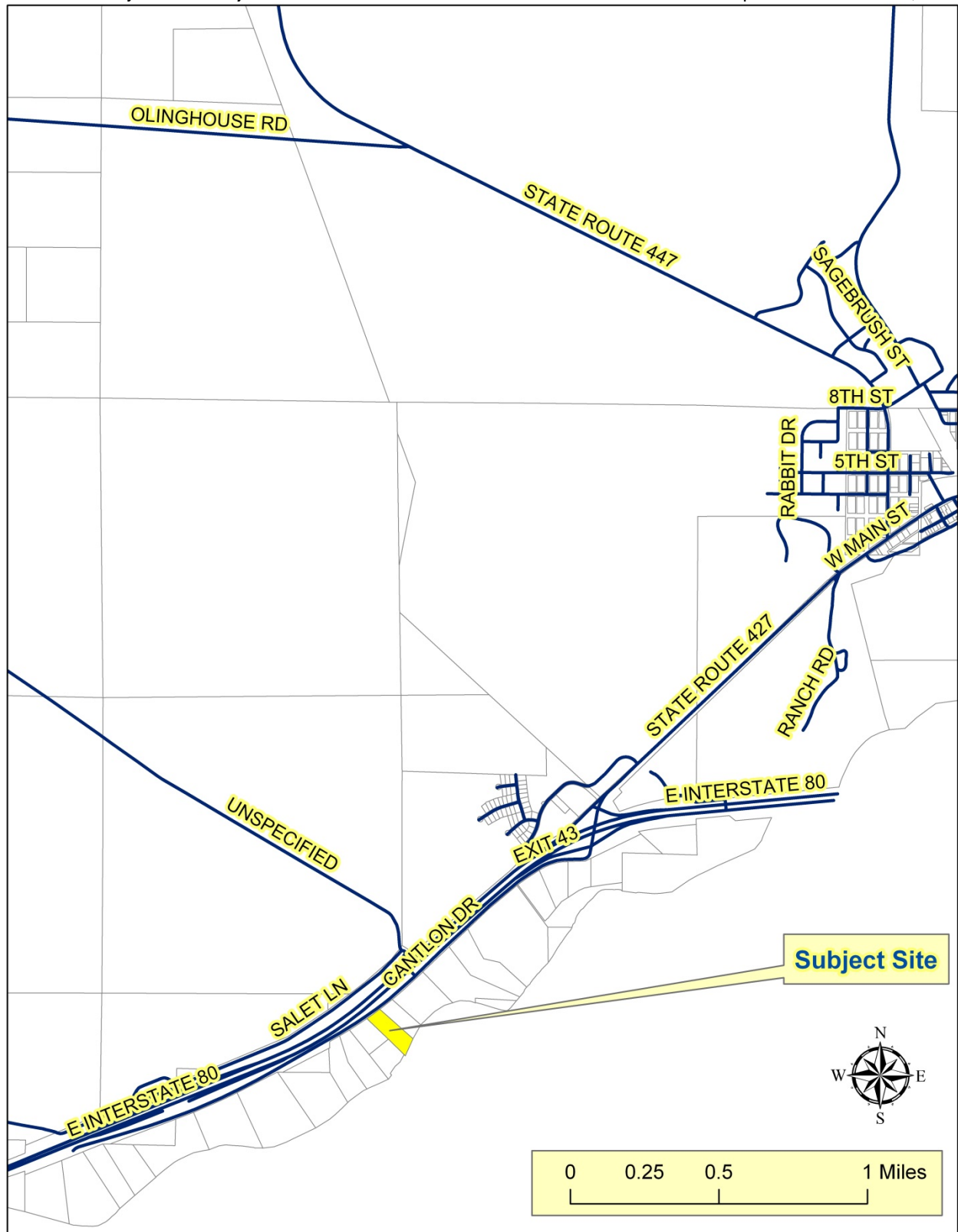
An Amendment of Conditions application is necessary in order to change a condition(s) of an approved discretionary permit, such as a special use permit, a variance, an abandonment of an easement or a tentative subdivision map. Some examples of why an Amendment of Conditions application is submitted are listed below:

- Change in operating hours
- Physical expansion
- Extend the expiration date of the discretionary permit
- Extend the time to complete phases of the approved project

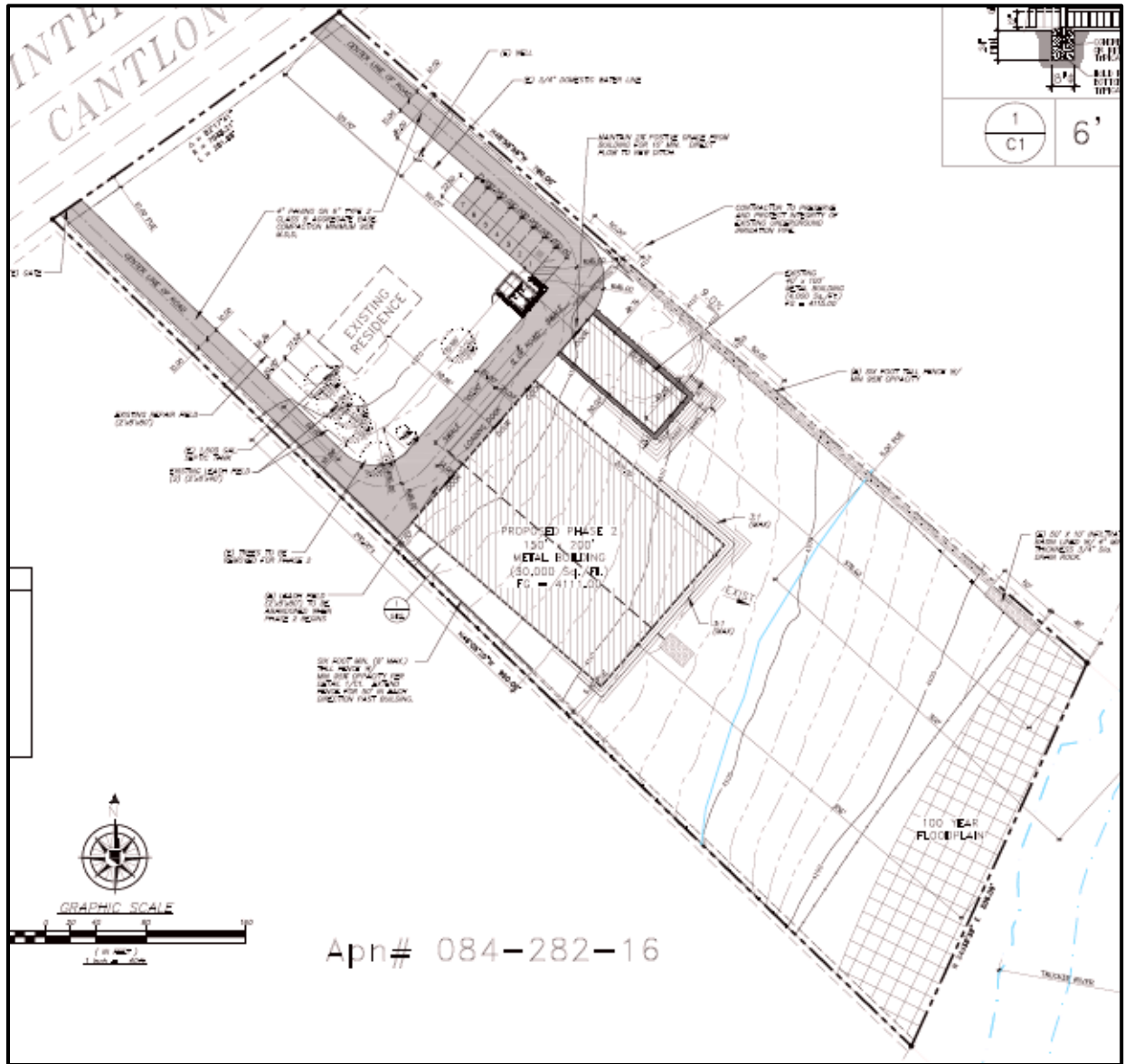
The Amendment of Conditions request is required to be heard by the same board that approved the original application and only the specific amendment may be discussed and considered for approval. The Amendment of Conditions application is processed in the same manner as the original discretionary permit application, including a public hearing, noticing, possible involvement of a citizen advisory board, agency review and analysis, and satisfying the required findings. If the Board of Adjustment/Planning Commission grants an approval of the Amendment of Conditions request, an amended Action Order is created along with amended conditions of approval.

The Conditions of Approval for Amendment of Conditions Case Number WAC17-0002 is attached to this staff report and will be included with the amended Action Order, if the request is approved by the Board of Adjustment.

The subject property is zoned Medium Density Rural (MDR). Detached accessory structures, larger than the dwelling on the parcel, are allowed in the MDR zone only with a Board of Adjustment administrative permit per WCC 110.306 (d). An administrative permit had been previously approved. The applicant is now seeking to amend that approval in accordance with WCC 110.808.565 (c) which allows modification of the terms of the approved administrative permit by following the same procedure required for approval of the original permit.



**Vicinity Map**



Previously Approved Site Plan



The following photos show current conditions on the subject site.





### **Background and Evaluation of Amendment Request**

Administrative Permit Case Number AP12-003 was approved by the Board of Adjustment on June 7, 2012 for the construction of two detached accessory structures (greenhouses), each of which is greater in size than the existing dwelling unit, in accordance with Washoe County Code (WCC) Section 110.306.10.

A building permit for one greenhouse of 4,000 square feet was issued and the structure was constructed, however, the structure never received a final inspection by the County's Building and Safety Division and the building permit expired in 2016. The structure has been utilized as a greenhouse without having received a final inspection from Washoe County. Should the Board of Adjustment approve this amendment, a proposed condition of approval has been included; to require that the applicant obtain a new permit and that the final inspection must be obtained prior to any use within the greenhouse.

Amendment of Conditions Case Number AC15-002 approved by the Board of Adjustment on April 2, 2015 allowed additional time for submission of building permits for the second greenhouse. The second greenhouse was not constructed, however site work, including significant grading was done.

The current applicant is seeking to maintain the existing greenhouse as a detached accessory structure to the existing residential dwelling, on the site. Many of the conditions of approval placed on the approval of the original Administrative Permit were imposed to mitigate the impacts associated with the proposed commercial use of the greenhouses for crop production and the traffic associated with the sale of those crops on the subject site.

The existing structure is metal frame with clear, non-reflective, walls and roof. The structure was intended for the purpose of production of crops. Due to this use, the building was proposed to include internal "grow" lighting. Because the walls and roof of the structure is clear, light will be emitted in all directions when lights are turned on. This has the potential to have a significant

impact upon the surrounding area which is primarily composed of traditional agricultural uses and low density residential use. Article 414 of the Development Code provides standards for "Noise and Lighting." Among the lighting provisions of the Article which are applicable to this request are the following:

- (a) Light. All light sources shall be located and installed in such a way as to prevent spillover lighting onto adjoining properties. The following provisions shall apply to all existing and proposed development:
  - (1) Any lighting facilities shall be so installed as to reflect away from adjoining properties. Covers must be installed on all lighting fixtures and lamps must not extend below the bottom of the cover.
  - (2) Light standard in or within one hundred (100) feet of residential zones shall not exceed twelve (12) feet in height. Additional standard height may be permitted by the Director of Community Development provided such lights are a sharp cutoff lighting system.
- (b) Lighting Design. The style and intensity of lighting shall consider not only function and appearance, but shall reflect the existing character of surrounding areas and shall replicate natural light as much as possible.
- (c) Glare. Reflected glare on nearby buildings, streets or pedestrian areas shall be avoided by incorporating overhangs and awnings, using non-reflective building materials for exterior walls and roof surfaces, controlling angles of reflection, and placing landscaping and screening in appropriate locations.
- (d) Interior Lighting. Where residential uses abut non-residential uses, interior lighting of the non-residential uses shall be controlled at night through the use of timers, window blinds, or other acceptable means. This provision shall apply to all existing and proposed development.

The current applicant is seeking amendment to the conditions of approval to eliminate all commercial use of the existing greenhouse and has verbally agreed to a proposed condition of approval to prohibit lights being turned on at night in the existing structure. This is consistent with the proposed change in the nature of the use of the existing greenhouse from commercial to noncommercial. Staff has included that condition in the proposed conditions of approval attached to this staff report at Exhibit A.

During the construction of the existing greenhouse and in preparation for the construction of the additional (larger) greenhouse (not completed), substantial disturbance and grading of the subject site has taken place. The current applicant has verbally committed to staff that clean-up and restoration of the site is their top priority. Proposed conditions of approval have been included to require the applicant to work with the County Engineer to obtain a grading "remediation order" pursuant to WCC 110.438.40 (b)(2) to restore and stabilize the site.

Based upon the substantial reduction in the intensity of use of the existing greenhouse and upon the commitment of the applicant to restore and stabilize the site, staff recommends approval of the amendment request, subject to the proposed conditions of approval attached to this staff report at Exhibit A.

### **East Truckee Canyon Citizen Advisory Board (ETCCAB)**

The amendment of conditions request will be considered at the regularly scheduled Citizen Advisory Board meeting on Wednesday April 5, 2017. As the public hearing before the Board of Adjustment is scheduled for Thursday April 6, staff will attend the CAB meeting and bring any



notes or comments from that meeting and present them to the Board of Adjustment at the public hearing.

### **Reviewing Agencies**

The following agencies received a copy of the Amendment of Conditions application for review and evaluation:

- Washoe County Community Services Department
  - Planning and Development Division
  - Engineering and Capital Projects
  - Roads
- Washoe County Health District
  - Air Quality Management Division
  - Environmental Health Services Division
- Truckee Meadows Fire Protection District
- Regional Transportation Commission
- Washoe – Storey Conservation District

Of the above-listed agencies/departments only the Planning and Development Division provided comments and/or recommended conditions in response to their evaluation of the Amendment of Conditions application, as noted previously in this staff report.

### **Recommendation**

Those agencies which reviewed the application either recommended conditions in support of approval of the Amendment of Conditions request, or made no comment. Therefore, after a thorough review and analysis, Amendment of Conditions Case Number WAC17-0002 is being recommended for approval with conditions. Analysis of the reduction in intensity of the proposed use leads staff to the conclusion that all applicable findings of fact can be made. Staff offers the following motion for the Board's consideration.

### **Motion**

I move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Board of Adjustment approve Amendment of Conditions Case Number WAC17-0002 for Administrative Permit Case Number AP12-003 with amended conditions of approval as included at Exhibit A, having made all four findings in accordance with Washoe County Code Section 110.808.25:

1. **Consistency.** That, as conditioned, the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the East Truckee Canyon Area Plan;
2. **Improvements.** That, upon compliance with the conditions of approval imposed by the Board of Adjustment, 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;
3. **Site Suitability.** That the site is physically suitable for two greenhouse structures for the commercial production of crops, and for the intensity of such a development;
4. **Issuance Not Detrimental.** That, as conditioned, 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; and

**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, 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 Development Division within 10 calendar days after the written decision is filed with the Secretary to the Board of Adjustment.

xc: Applicant: Brian Bishop Parise  
1991 Morning Grove Court  
Reno, NV 89523

Property Owner: Don Evans  
5555 Tancho Drive  
Madison, WI 53718

Action Order xc:



# Conditions of Approval

Amendment of Conditions Case Number WAC17-0002 (Evans Greenhouses) for Administrative Permit Case Number AP12-003

The project approved under Amendment of Conditions Case Number WAC17-0002 (Evans Greenhouses) for Administrative Permit Case No. AP12-003 shall be carried out in accordance with the Conditions of Approval imposed by the Board of Adjustment on April 6, 2017. These conditions of approval amend and supersede all previous conditions of approval. 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.

**Unless otherwise specified,** all conditions related to the approval of this Administrative 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 Development Division.

Compliance with the conditions of approval related to this Administrative 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 Administrative Permit may result in the initiation of revocation procedures.

Operational Conditions are subject to review by the Planning and Development Division prior to the renewal of a business license each year. Failure to adhere to the Operational Conditions may result in the Planning and Development Division recommending that the business license not be renewed until conditions are complied with to the satisfaction of Washoe County.

Washoe County reserves the right to review and revise the conditions of approval related to this Administrative 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.

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 Development Division**

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

**Contact Name: Roger Pelham, 775.328.3622, rpelham@washoecounty.us**

- a. The applicant shall demonstrate substantial conformance to the plans and documents submitted and approved as part of this amended administrative permit. Approval is granted to allow one (existing) greenhouse of approximately 4000 square feet to remain on the subject site. The Planning and Development Division shall determine compliance with this condition.
- b. The applicant shall apply for a building permit for the existing structure (greenhouse) not later than July 6, 2017. The applicant shall complete any required improvements to the existing structure and shall obtain a final approval in accordance with the time limits on the new building permit. A final approval shall be obtained prior to any use within the structure (greenhouse) or transfer of ownership of the property from the current owner to any other owner. If the current owner does not comply with this condition of approval the structure (greenhouse) shall be removed and the building site shall be returned to its pre-construction condition.
- c. The existing greenhouse shall not be used for any commercial activities, to include growing and sales. The existing greenhouse shall be used only as an accessory structure to the existing residential dwelling. Compliance with this condition shall be determined by the Planning and Development Division.
- d. The applicant shall attach a copy of the action order approving this amendment of conditions to all administrative permit applications (including building permits) on the subject parcel.
- e. The existing greenhouse shall not be lit at night.
- f. No structure shall be located within the 100-year floodplain, or within three hundred (300) feet of the center of the Truckee River, whichever is greater. The applicant shall indicate the 100-year floodplain, and the three hundred (300) foot setback from the center of the Truckee River on all plans submitted for building permits.
- g. The applicant shall obtain approval of a remediation plan (from the County Engineer) for the subject site including detailed grading plans for restoration and stabilization of all disturbed areas on the subject parcel, not later than July 6, 2017. All cut and fill slopes shall be set back at least ten feet from all property lines. No final slopes shall be steeper than 3 horizontal to 1 vertical (3H:1V). The grading plans shall show the area and volume of all grading on the entire parcel for all purposes.
- h. A note shall be placed on all construction drawings and grading plans stating:

**NOTE**

Should any prehistoric or historic remains/artifacts be discovered during site development, work shall temporarily be halted at the specific site and the State Historic Preservation Office of the Department of Museums, Library and Arts shall be notified to record and photograph the site. The period of temporary delay shall be

limited to a maximum of two (2) working days from the date of notification.

- i. Prior to effectuation of this Administrative permit, the applicant shall remove all construction materials, debris, and inoperable vehicles from the subject site. The subject site shall be left in a clean and orderly condition.
- j. The following **Operational Conditions** shall be required for the life of the project/business/development:
  1. This administrative permit shall remain in effect until or unless it is revoked or is inactive for one year.
  2. Failure to comply with the conditions of approval shall render this approval null and void. Compliance with this condition shall be determined by the Planning and Development Division.
  3. The applicant and any successors shall direct any potential purchaser/operator of the site and/or the administrative permit to meet with the Planning and Development Division 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 the Planning and Development Division of the name, address, telephone number, and contact person of the new purchaser/operator within 30 days of the final sale.
  4. Light shall not be emitted from the greenhouse structure at night.

\*\*\* End of Conditions \*\*\*



From: Julie Young <jyounghad@aol.com>

Sent: Sunday, March 05, 2017 5:36 PM

To: Pelham, Roger

Subject: Cantlon dr April 5

When this is changed from res to comm all sos bus lic should be dissolved and the greenhouse removed. This property was assessed commercial because of its benefits to the community and "buy Nevada" for the benefit of local agriculture. Any and all regulations of this 4K greenhouse should be commercial. This owner is from out of state and all changes should be only after this property is sold. who is reghetti? He has no equitable interest in this property. Spencer Scott is the only qualified person to ask for any changes as first hand knowledge he has been the one to tel me he wants my property to increase commercial productivuty The property should should remain commercial because of its past and ongoing retail produce sales. 6 months ago I was approached by Mr. Evans to purchase a portion of my parcel. This is not an indication that NV-AG (sos) is planning to retire any commercial enterprise. Let's see past this manipulation of county ordinances for the few who know how to use them. I have spoken to Spencer Scott and Don Evans on numerous occasions regarding the growth of the commercial enterprise and never has Parissi? Or reghetti ever come up do not allow this unless they remove the greenhouse.

Julie Young 32600 cantlon

jyounghad@aol.com

Sent from my iPad



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Amy Ray  
*Fire Marshal*

Tim Leighton  
*Division Chief*

Charles A. Moore  
*Fire Chief*

March 6, 2017

Washoe County Community Services Department  
1001 East Ninth Street  
Reno, NV 89512

Re: Amendment of Conditions WAC17-0002 (Evans Greenhouses)

The Truckee Meadows Fire Protection District (TMFPD) will not approve the above permit. The following conditions shall be met:

- Plans and/or permits for the project shall be renewed and approved: permit 12-2333. This building was never given a Certificate of Occupancy. Until the building has received all inspections and received a Certificate of Occupancy from Washoe County Building Department, it cannot be used for any purpose.

Please contact me with any questions at (775) 326-6005.

Thank you,

Amy Ray  
Fire Marshal

From: Fagan, Donna  
Sent: Wednesday, February 22, 2017 4:02 PM  
To: Pelham, Roger; Mullin, Kelly  
Subject: Fw: February Agency Review Memo II

Roger and Kelly,

Please see Air Quality comments for your cases.

Item 1 - WAC17-0002  
Item 3 - WSUP17-0001  
Item 7 - WSUP17-0005

~ Donna ~

From: Wolf, Mike  
Sent: Wednesday, February 22, 2017 3:49 PM  
To: Fagan, Donna  
Subject: RE: February Agency Review Memo II

AQMD has no comments for Items 1 and 3.

Item 7 will require a dust control permit from AQMD prior to start of site improvements (see District Board of Health Regulations Governing Air Quality Management 040.030 C 3) .  
Also even though AQMD will not require facility permitting the following regulations still apply:

District Board of Health Regulations Governing Air Quality Management 040.030  
District Board of Health Regulations Governing Air Quality Management 040.055

Is this what you need from me?

Michael wolf, CEM  
Permitting and Enforcement Branch Chief | Air Quality Management Division | washoe County Health District  
mwolf@washoecounty.us | O: (775) 784-7206 | 1001 E. Ninth St., Bldg. B, Reno, NV 89512



## WASHOE COUNTY COMMUNITY SERVICES DEPARTMENT

Engineering and Capital Projects Division

*"Dedicated to Excellence in Public Service"*

1001 East 9<sup>th</sup> Street PO Box 11130 Reno, Nevada 89520 Telephone: (775) 328-2040 Fax: (775) 328-3699

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### INTEROFFICE MEMORANDUM

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DATE: March 03, 2017  
TO: Roger Pelham, Planning and Development Division  
FROM: Leo R. Vesely, P.E., Engineering and Capitol Projects Division  
SUBJECT: **WAC17-0002**  
**APN 084-282-16**  
**EVANS GREENHOUSES**

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I have reviewed the referenced amendment of conditions case and have no conditions or comments.

LRV/lrv

**WAC17-0002**  
**EXHIBIT C**



**REGIONAL TRANSPORTATION COMMISSION**

*Metropolitan Planning - Public Transportation & Operations - Engineering & Construction*

Metropolitan Planning Organization of Washoe County, Nevada

March 3, 2017

FR: Chrono/PL 183-17

Mr. Roger Pelham, Senior Planner  
Community Services Department  
Washoe County  
P.O. Box 11130  
Reno, NV 89520

**RE: WAC17-0002 (Evans Greenhouses)**  
**WADMIN17-0002 (Incline Fine Art Festival)**  
**WSUP17-0001 (Verdi Reclaimed Lumber – Custom Manufacturing)**  
**WSUP17-0002 (Ceja Second Home)**  
**WSUP17-0003 (UDS Barn, LLC – Commercial Stables)**  
**WSUP17-0005 (Old Ophir Ranch)**  
**WSUP17-0006 (Verizon Rolling Thunder)**  
**WPVAR17-0001 (Meyer-McSherry)**

Dear Mr. Pelham,

We have reviewed the above applications and have no comments at this time.

Thank you for the opportunity to comment on these application. Please feel free to contact me at 775-332-0174 or email me at [rkapuler@rtcwashoe.com](mailto:rkapuler@rtcwashoe.com) if you have any questions or comments.

Sincerely,

Rebecca Kapuler  
Planner

RK/jm

**Copies:** Mojra Hauenstein, Washoe County Community Services  
Chad Giesinger, Washoe County Community Services  
Kelly Mullin, Washoe County Community Services  
Joe Prutch, Washoe County Community Services  
Jae Pullen, Nevada Department of Transportation, District II  
Daniel Doenges, Regional Transportation Commission  
Tina Wu, Regional Transportation Commission  
Julie Masterpool, Regional Transportation Commission  
David Jickling, Regional Transportation Commission

/Washoe County no comment 03072017

**RTC Board:** Ron Smith (Chair) · Bob Lucey (Vice Chair) · Paul McKenzie · Marsha Berkbigler · Neoma Jardon  
PO Box 30002, Reno, NV 89520 · 1105 Terminal Way, Reno, NV 89502 · 775-348-0400 · [rtcwashoe.com](http://rtcwashoe.com)

**WASHOE COUNTY  
HEALTH DISTRICT**  
ENHANCING QUALITY OF LIFE

March 8, 2017

Roger Pelham, MPA, Senior Planner  
Washoe County Community Services  
Planning and Development Division  
PO Box 11130  
Reno, NV 89520-0027

RE: Evans Greenhouses; APN 084-282-16  
Amendment of Conditions; WAC17-0002

Dear Mr. Pelham:

The Washoe County Health District, Environmental Health Services Division (WCHD) has reviewed the above referenced project. Approval by the WCHD is subject to the following conditions:

1. The WCHD has no objections to the Amendment of Conditions as proposed. The existing parcel is currently served by an onsite sewage disposal system and domestic well. Prior to any future permit issuance all existing structures, sewage disposal system, and domestic well must be identified and submitted to the WCHD for review and approval.

If you have any questions or would like clarification regarding the foregoing, please contact Wes Rubio, Senior Environmental Health Specialist at [wrubio@washoecounty.us](mailto:wrubio@washoecounty.us) regarding all Health District comments.

Sincerely,

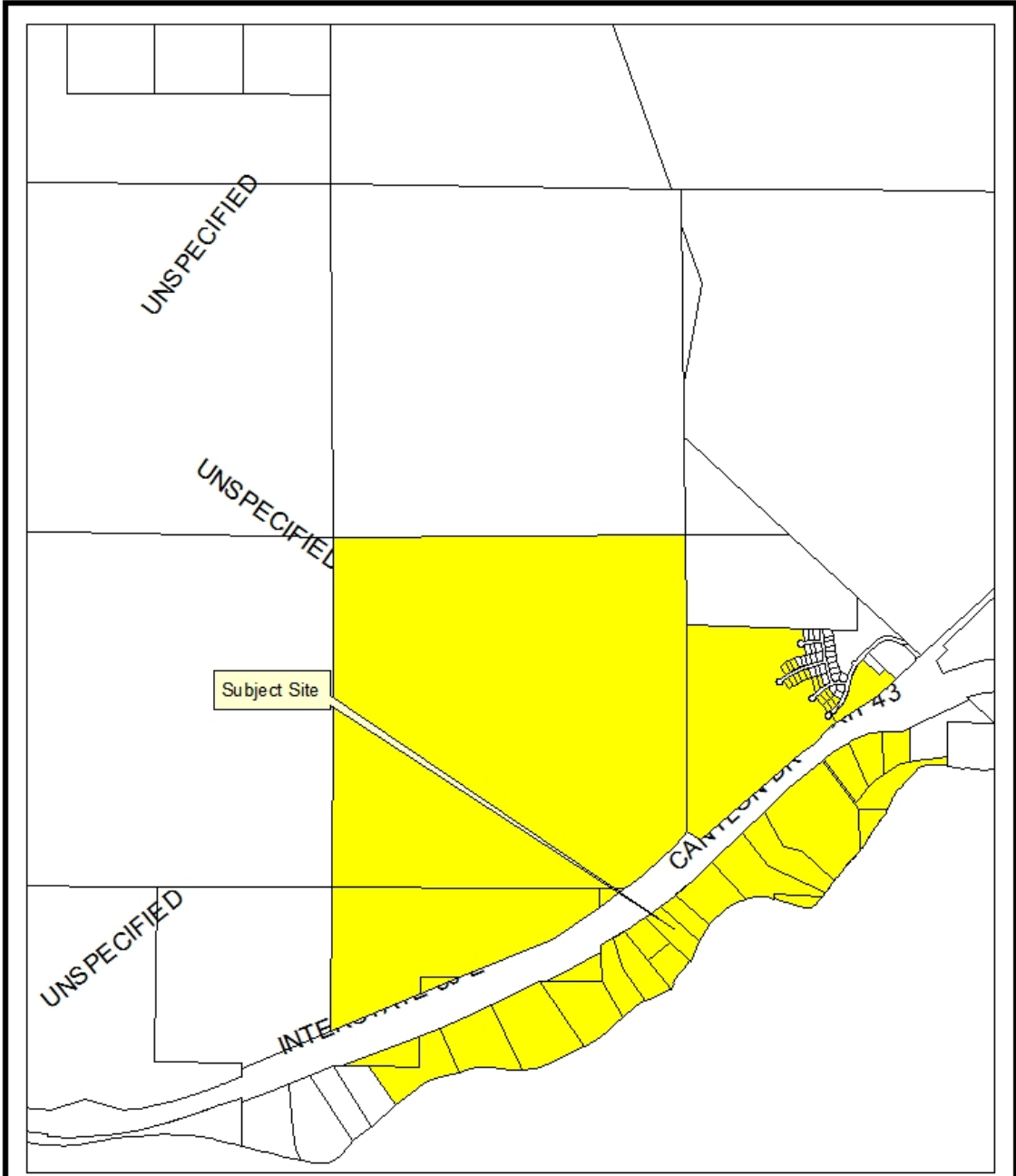


Bob Sack, Division Director  
Environmental Health Services Division  
Washoe County Health District

BS:wr

Cc: File - Washoe County Health District





Mailing Label Map  
 Amendment of Conditions Case Number WAC17-0002  
 (Evans Greenhouses)  
 44 Parcels selected at 4100 feet.



Community Services  
 Department  
 Planning and  
 Development Division  
 WASHOE COUNTY  
 NEVADA  
 Post Office Box 11120  
 Reno, Nevada 89520  
 (775) 228-2600

Source: Planning and Development Division

Date: February 2017

Community Services Department  
Planning and Development  
AMENDMENT OF CONDITIONS  
APPLICATION



Community Services Department  
Planning and Development  
1001 E. Ninth St., Bldg. A  
Reno, NV 89520

Telephone: 775.328.3600

## Washoe County Development Application

Your entire application is a public record. If you have a concern about releasing personal information, please contact Planning and Development staff at 775.328.3600.

<b>Project Information</b>		Staff Assigned Case No.: _____	
Project Name: <b>EVANS GREENHOUSES</b>			
Project Description: <b>40' x 100' 4000 SQ' GREEN HOUSE</b>			
Project Address: <b>31850 CANTLON DRIVE, WADSWORTH</b>			
Project Area (acres or square feet): <b>5.94 ACRES</b>			
Project Location (with point of reference to major cross streets AND area locator): <b>SECTION 18, T20N, R24E, MDM, WASHOE COUNTY, NV</b>			
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:
<b>084-282-16</b>	<b>5.942 ACRE</b>		
Section(s)/Township/Range:			
Indicate any previous Washoe County approvals associated with this application: Case No.(s). <b>AC15-002</b>			
<b>Applicant Information (attach additional sheets if necessary)</b>			
<b>Property Owner:</b>		<b>Professional Consultant:</b>	
Name: <b>DON EVANS</b>		Name:	
Address: <b>5555 TANCHO DR. 201</b>		Address:	
<b>MADISON, WI</b> Zip: <b>53718</b>		Zip:	
Phone: <b>608.230.3778</b> Fax:		Phone: Fax:	
Email: <b>donevans@evoplastics.com</b>		Email:	
Cell: <b>608.846.6116</b> Other:		Cell: Other:	
Contact Person: <b>Brian Bishop-Parise</b>		Contact Person:	
<b>Applicant/Developer:</b>		<b>Other Persons to be Contacted:</b>	
Name: <b>Brian Bishop-Parise</b>		Name:	
Address: <b>1991 MORNING GROVE CT.</b>		Address:	
<b>RENO</b> Zip: <b>89523</b>		Zip:	
Phone: <b>775.250.4002</b> Fax:		Phone: Fax:	
Email: <b>brian@igwtco.com</b>		Email:	
Cell: <b>250.4002</b> Other:		Cell: Other:	
Contact Person: <b>Brian Bishop-Parise</b>		Contact Person:	
<b>For Office Use Only</b>			
Date Received:	Initial:	Planning Area:	
County Commission District:		Master Plan Designation(s):	
CAB(s):		Regulatory Zoning(s):	

Property Owner Affidavit

Applicant Name: DON EVANS

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.

STATE OF NEVADA )  
COUNTY OF WASHOE )

I, DON EVANS  
(please print name)

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 Development.

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

Assessor Parcel Number(s): 084-282-16

Printed Name DON EVANS

Signed Don Evans

Address 5555 TANCHO DR. APT. 201  
MADISON, WI 53718

Subscribed and sworn to before me this 13 day of FEB, 2017.

(Notary Stamp)

Amanda Hair Dane, WI  
Notary Public in and for said county and state

My commission expires: 03/27/2020

\*Owner refers to the following: (Please mark appropriate box.)

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

## Amendment of Conditions Application Supplemental Information

(All required Information may be separately attached)

### Required Information

1. The following information is required for an Amendment of Conditions:
  - a. Provide a written explanation of the proposed amendment, why you are asking for the amendment, and how the amendment will modify the approval.
  - b. Identify the specific Condition or Conditions that you are requesting to amend.
  - c. Provide the requested amendment language to each Condition or Conditions, and provide both the **existing** and **proposed condition(s)**.

RE: AC15-002 & AP12-003 (EVANS GREENHOUSE)  
GREENHOUSE WAS PROPOSED TO BE OPERATED  
TO GROW PRODUCE FOR COMMERCIAL ~~USE~~ SALE.  
THIS PURPOSE WAS NEVER REALIZED. THE  
EXISTING GREENHOUSE WILL BE THE ONLY  
ONE ON THE PROPERTY, NO OTHER GREENHOUSE  
WILL BE BUILT. REMOVE ANY APPROVAL FOR ADDITIONAL  
GREENHOUSE BUILDING. STRIKE FOLLOWING CONDITIONS  
1, A, B, E, F, H, I, K, M, N1, N4, N5. PROPOSE A CONDITION  
TO ALLOW USE OF EXISTING GREENHOUSE FOR PERSONAL  
NON-COMMERCIAL USE AND ACTIVITY. PROPOSE CONDITION  
OF NO LIGHTS AT NIGHT.

2. Describe any potential impacts to public health, safety, or welfare that could result from granting the amendment. Describe how the amendment affects the required findings as approved.

NO POTENTIAL IMPACT TO PUBLIC HEALTH, SAFETY  
OR WELFARE. NON-COMMERCIAL USE diminishes  
any potential adverse impact. Ammending  
to a personal non-commercial use  
by homeowner removes all the restrictive  
commercial requirements.



# Property Tax Reminder Notice

WASHOE COUNTY  
 PO BOX 30039  
 RENO, NV 89520-3039  
 775-328-2510

PIN: 08428216  
 AIN:

Balance Good Through:	02/15/2017
Current Year Balance:	\$0.00
Prior Year(s) Balance: (see below for details)	\$0.00
Total Due:	\$0.00

AUTO  
 :537186:  
 DON EVANS  
 5555 TANCHO DR APT 201  
 MADISON WI 53718

Description:

Situs: 31850 CANTLON DR  
 WCTY

This is a courtesy notice. If you have an impound account through your lender or are not sure if you have an impound account and need more information, please contact your lender directly. Please submit payment for the remaining amount(s) according to the due dates shown. Always include your PIN number with your payment. Please visit our website: [www.washoecounty.us/treas](http://www.washoecounty.us/treas)

Current Charges									
PIN	Year	Bill Number	Inst	Due Date	Charges	Interest	Pen/Fees	Paid	Balance
08428216	2016	2016087346	1	08/15/2016	965.00	0.00	0.00	965.00	0.00
08428216	2016		2	10/03/2016	964.99	0.00	0.00	964.99	0.00
08428216	2016		3	01/02/2017	964.99	0.00	0.00	964.99	0.00
08428216	2016		4	03/06/2017	964.99	0.00	0.00	964.99	0.00
Current Year Totals					3,859.97	0.00	0.00	3,859.97	0.00

Prior Years									
PIN	Year	Bill Number	Charges	Interest	Pen/Fees	Paid	Balance		
Prior Years Total									



# Board of Adjustment Action Order

## Amendment of Conditions Case Number AC15-002

Decision: Approval with Conditions

Decision Date: April 2, 2015

Mailing/Filing Date: April 6, 2015

Applicant : Spencer Scott  
31850 Cantlon Drive  
Wadsworth, NV 89442

Assigned Planner: Roger Pelham, MPA, Senior Planner  
Planning and Development Division  
Washoe County Community Services Department

Phone: 775.328.3622  
E-Mail: rpelham@washoecounty.us

**Amendment of Conditions Case Number AC15-002 (Evans Greenhouses)** – To re-approve the expired Administrative Permit Case Number AP12-003 that allowed the construction of two greenhouse buildings, both of which are larger than the existing dwelling unit and to extend the time for submission of complete construction permits for the one remaining greenhouse until October 2017.

- Applicant: Spencer Scott  
31850 Cantlon Drive  
Wadsworth, NV 89442
- Property Owner: Don Evans  
5555 Tancho Drive  
Madison, WI 53718
- Location: 31850 Cantlon Drive, approximately one mile west of  
its intersection with State Route 427
- Assessor's Parcel Number: 084-282-16
- Parcel Size: ±5.94 acres
- Master Plan Category: Rural Residential (RR)
- Regulatory Zone: Medium Density Rural (MDR)
- Area Plan: Truckee Canyon
- Citizen Advisory Board: East Truckee Canyon
- Development Code: Authorized in Article 808, Administrative Permits
- Commission District: 4 – Commissioner Hartung
- Section/Township/Range: Section 18, T20N, R24E, MDM,  
Washoe County, NV

Notice is hereby given that the Washoe County Board of Adjustment granted approval with amended conditions of the above referenced case number based on the findings, below, in accordance with Washoe County Development Code Section 110.808.25. If no appeals have been filed within 15 days after the date of decision, the approval by the Washoe County Board of Adjustment is final. If filed, an appeal stays any further action on the permit until final resolution of the appeal. If the end of the appeal period falls on a non-business day, the appeal period shall be extended to include the next business day. An appeal shall be filed in accordance with the provisions found in Article 808 of the Washoe County Development Code.

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Post Office Box 11130, Reno, NV 89520-0147 – 1001 E. Ninth St., Reno, NV 89512  
Telephone: 775.328.3600 – Fax: 775.328.6133  
[www.washoecounty.us/comdev/](http://www.washoecounty.us/comdev/)

To: Evans Greenhouse  
Subject: Amendment of Conditions Case Number AC15-002  
Date: April 6, 2015  
Page: 2

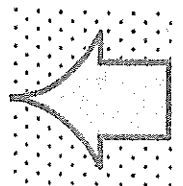
1. Consistency. That, as conditioned, the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the East Truckee Canyon Area Plan;
2. Improvements. That, upon compliance with the conditions of approval imposed by the Board of Adjustment, adequate utilities, 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;
3. Site Suitability. That the site is physically suitable for two greenhouse structures for the commercial production of crops, and for the intensity of such a development;
4. Issuance Not Detrimental. That, as conditioned, 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; and
5. Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of any military installation.

This Action Order of approval is granted subject to the attached conditions and Washoe County development standards. Please contact the planner assigned to your project at the above-referenced phone number within 7 days of receipt of this Order to review the steps necessary to satisfy the Amended Conditions of Approval. A business license, certificate of occupancy or final approval shall not be issued until all of the Amended Conditions of Approval (attached) are satisfied. Additionally, compliance shall be required with all federal, state and local statutes, ordinances and regulations applicable to the approved project.

**This Action Order does not authorize grading or building without issuance of the necessary permits from the Washoe County Building and Safety Department**

Washoe County  
Planning and Development

  
William Whitney  
Secretary to the Board of Adjustment



WW/RP/df

Attachments: Amended Conditions of Approval

Applicant: Spencer Scott  
31850 Cantlon Drive  
Wadsworth, NV 89442

Property Owner: Don Evans  
5555 Tancho Drive #201  
Madison, WI 53718

To: Evans Greenhouse  
Subject: Amendment of Conditions Case Number AC15-002  
Date: April 6, 2015  
Page: 3

Action Order xc: Nate Edwards, Esq., District Attorney's Office; Carol Buonanoma, Assessor's Office (CAAS); Josh Wilson, Assessor's Office; Tim Simpson; CSD – Utilities Division, Kimble Corbridge/Leo Vesely, Engineering Division; Amy Ray, Truckee Meadows Fire Protection District; East Truckee Canyon Citizen Advisory Board, Chair.



## AMENDED Conditions of Approval

Amendment of Conditions Case Number AC15-002 for  
Administrative Permit Case Number AP12-003

The project approved under Amendment of Conditions Case Number AC15-002 for Administrative Permit Case No. AP12-003 shall be carried out in accordance with the Conditions of Approval imposed by the Board of Adjustment on April 2, 2015. New and amended conditions are shown in *italic* text. 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.

**Unless otherwise specified**, all conditions related to the approval of this Administrative 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 Development Division.

Compliance with the conditions of approval related to this Administrative 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 Administrative Permit may result in the initiation of revocation procedures.

Operational Conditions are subject to review by the Planning and Development Division prior to the renewal of a business license each year. Failure to adhere to the Operational Conditions may result in the Planning and Development Division recommending that the business license not be renewed until conditions are complied with to the satisfaction of Washoe County.

Washoe County reserves the right to review and revise the conditions of approval related to this Administrative 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 District Health Department must be appealed to the District Board of Health.

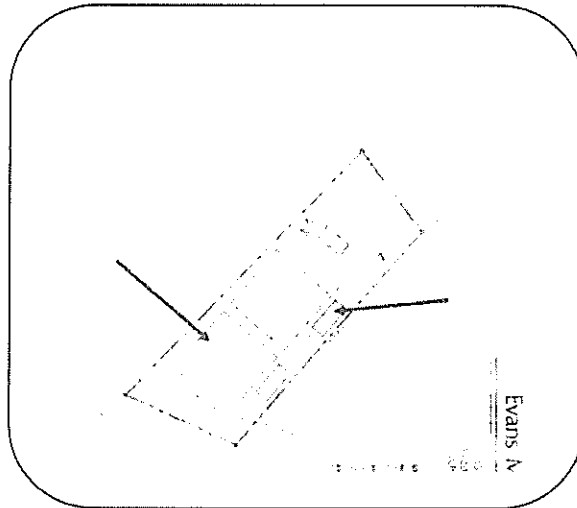
FOLLOWING ARE CONDITIONS OF APPROVAL REQUIRED BY THE REVIEWING AGENCIES. EACH CONDITION MUST BE MET TO THE SATISFACTION OF THE ISSUING AGENCY.

**Washoe County Planning and Development**

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

Contact Name: Roger Pelham, 775.328.3622

- a. The applicant shall demonstrate substantial conformance to the plans approved as part of this administrative permit. Approval is granted for two greenhouse structures. The size of the structures, but not the final locations, is indicated with arrows on the site plan below. The Planning and Development Division shall determine compliance with this condition.



- b. The applicant shall submit complete construction plans and building permits shall be issued prior to April 1, 2017. Failure to obtain approval of a building permit for "phase 2" of the project prior to April 1, 2017, shall result in this approval being null and void. The applicant shall complete construction within the time specified by the building permits. Compliance with this condition shall be determined by the Planning and Development Division.
- c. The applicant shall attach a copy of the action order approving this project to all administrative permit applications (including building permits) applied for as part of this administrative permit.
- d. No structure shall be located within the 100-year floodplain, or within three hundred (300) feet of the center of the Truckee River, whichever is greater. The applicant shall indicate the 100-year floodplain, and the three hundred (300) foot setback from the center of the Truckee River on all plans submitted for building permits.
- e. All parking, loading and maneuvering areas utilized by vehicles associated with the commercial crop production shall be paved with asphalt or concrete.
- f. The applicant shall supply documentation acceptable to the Director of Washoe County Planning and Development indicating that the applicant possesses sufficient water rights for the proposed use, prior to approval of a building permit.
- g. The applicant shall install a six-foot-tall fence having opacity of at least 95% at the property line adjacent to each structure and extending at least 50 feet further along the property line each direction past the end of each structure.
- h. The applicant shall provide a photometric study showing that there will be no light emission or glare at the property line when the growing lights are turned on. All lighting fixtures must be installed such that light is emitted downward only.
- i. Prior to a final approval of any building the applicant shall submit a report from a licensed engineer, registered in the State of Nevada certifying that, as constructed, there is no light spill-over from the approved buildings at any property line.
- j. The applicant shall install timers on all lights and all artificial lighting shall be turned off daily not later than one hour after sunset, nor turned on more than one hour before sunrise OR the applicant shall install and utilize screening or blinds on the interior of the buildings so that no light is emitted from the structures at night.
- k. The applicant shall submit detailed grading plans for development of the greenhouse structures. All cut and fill slopes shall be set back at least ten feet from all property lines. No final slopes shall be steeper than 3 horizontal to 1 vertical (3H:1V). The grading plans shall show the area and volume of all grading on the entire parcel for all purposes.
- l. A note shall be placed on all construction drawings and grading plans stating:

## NOTE



Should any prehistoric or historic remains/artifacts be discovered during site development, work shall temporarily be halted at the specific site and the State Historic Preservation Office of the Department of Museums, Library and Arts shall be notified to record and photograph the site. The period of temporary delay shall be limited to a maximum of two (2) working days from the date of notification.

- m. The site plan submitted with construction drawings shall include all improvements on the subject site including all grading for all purposes. All plans shall show contours prior to disturbance and proposed contours after construction. A special use permit for grading may be required prior to construction if the thresholds in Article 438 of the Development Code are met.
- n. The following **Operational Conditions** shall be required for the life of the project/business/development:
  - 1. This administrative permit shall remain in effect until or unless it is revoked or is inactive (crop production ceases) for one year.
  - 2. Failure to comply with the conditions of approval shall render this approval null and void. Compliance with this condition shall be determined by the Planning and Development Division.
  - 3. The applicant and any successors shall direct any potential purchaser/operator of the site and/or the administrative permit to meet with the Planning and Development Division 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 the Planning and Development Division of the name, address, telephone number, and contact person of the new purchaser/operator within 30 days of the final sale.
  - 4. This administrative permit shall remain in effect as long as the business is in operation and maintains a valid business license.
  - 5. The operation of commercial vehicles on the site shall be limited to the hours between 9 am and 5 pm daily.
  - 6. Light shall not be emitted from the greenhouse structures at night.
- o. The easement for the Gregory Ditch shall be shown on all plans. That easement shall be respected and flow of the ditch water shall not be impeded in any way.

### **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:** Leo Vesely, 775.328.2040

- 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, and slope stabilization. Placement or removal of any excavated materials shall be indicated on the site/grading plan. Silts shall be controlled on-site and not allowed to exit the property or enter the Truckee River.

- b. The owner/developer shall obtain from the Nevada Division of Environmental Protection a Stormwater Discharge Permit for construction and submit a copy to the Engineering Division prior to issuance of a building or grading permit.
- c. The owner/developer shall complete and submit the Construction Permit Submittal Checklist, the Performance Standards Compliance Checklist and pay the Construction Stormwater Inspection Fee prior to obtaining a grading permit. The County Engineer shall determine compliance with this condition.

**Washoe-Storey Conservation District**

3. The following conditions are requirements of the Washoe-Storey Conservation District. Compliance with these conditions shall be determined by the Planning and Development Division in consultation with the Washoe-Storey Conservation District.

**Contact:** Kevin Roukey, 775.232.1571, kevinjr@att.net

- a. The plans must include details on what type of BMP's (Best Management Practices) will be utilized and their placement for mitigation of soil erosion.
- b. Clearing of vegetation between the fence line and the river is prohibited. Any disturbed areas shall be re-vegetated with appropriate native plant species.
- c. The applicant shall supply evidence that any and all necessary permits from all State, and Federal agencies, including the tribes, have been issued prior to construction of phase 2 of the project.

\*\*\* End of Conditions \*\*\*





LOCKED FACILITY  
ENTRY BY TRAINED  
PERSONNEL ONLY





LOCKED FACILITY  
ENTRY BY TRAINED  
PERSONNEL ONLY



