



# WASHOE COUNTY

# WASHOE COUNTY BOARD OF ADJUSTMENT NOTICE OF MEETING AND AGENDA

## Board of Adjustment Members

Robert F. Wideman, Chair  
Kim Toulouse, Vice Chair  
Richard "R.J." Cieri  
Philip J. Horan  
Lee Lawrence  
William Whitney, Secretary

Thursday April 4, 2013  
1:30 p.m.

Washoe County Commission Chambers  
Building A  
1001 East Ninth Street  
Reno, NV

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### PUBLIC HEARING ITEMS

(complete case descriptions are provided beginning on page three of this agenda)

- **Variance Case No. VA13-001 – Felix Friedrich**
- **Administrative Permit Case No AP13-001 – Saint Rose of Lima Catholic Parish**
- **Special Use Permit Case No. SB13-003 – Traditional Mexican Rodeo**
- **Special Use Permit Case No. SB13-004 – Wild West Motor Sports**

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**Items for Possible Action:** All numbered or lettered items on this agenda are hereby designated for possible action as if the words "for possible action" were written next to each item (NRS 241.020), except for items marked with an asterisk (\*). Those items marked with an asterisk (\*) may be discussed but action will not be taken on them.

**Possible Changes to Agenda Order and Timing:** Discussion may be delayed on any item on this agenda, and items on this agenda may be taken out of order, combined with other items and discussed or voted on as a block, removed from the agenda, moved to the agenda of another later meeting or moved to or from the consent section. Items designated for a specified time will not be heard before that time, but may be delayed beyond the specified time.

**Public Comment; Disrupting of Meeting:** During the "Public Comment" periods listed below, anyone may speak pertaining to any matter either on or off the agenda. Public comment during these periods is limited to three minutes. Additionally, during action items (those *not* marked with an asterisk), public comment will be heard on that particular item before action is taken. See "Public Participation," below, for time limits. In either event, each speaker must fill out a "Request to Speak" form and give it to the recording secretary. Unused time may not be reserved or transferred. Comments are to be directed to the board as a whole and not to one individual. The presiding officer may (with or without advance warning) order the removal of a person whose conduct willfully disrupts the meeting to the extent that its orderly conduct is made impractical.

**Public Participation:** The Board of Adjustment adopted Rules, Policies and Procedures are available on the website provided above or by contacting the Planning and Development Department.

At least one copy of items displayed and at least ten copies of any written or graphic material for the Board's consideration should be provided to the Recording Secretary. Materials longer than one page in length submitted within six days of the Board of Adjustment meeting may not be considered by the Board in their deliberations. Subject to applicable law and the board's rules, policies, and procedures, public comment or testimony may be submitted to the board in written form for its consideration. However, the board is not required to read written statements aloud during the meeting.

Time allocations for public hearing items are as follows: 15 minutes for staff's presentation; 15 minutes for an applicant's presentation; 5 minutes for a group representative's comments; 3 minutes for individual comment. At the discretion of the Chair, additional time may be provided to any party if the request is made

at least 24 hours in advance of the meeting start time. The Chair may reduce the per person time allotment for comment on a particular item; this determination will be made prior to hearing comment on the item.

**Posting of Agenda; Website Location:** Pursuant to NRS 241.020, this notice has been posted at the Washoe County Administration Complex, 1001 E. Ninth Street, Reno, Nevada, and at the following locations: Washoe County Courthouse (Court and Virginia Streets), Washoe County Library (301 South Center Street), and Sparks Justice Court (1675 East Prater Way, Suite 107). Agendas and staff reports are posted to the Washoe County website at [www.washoecounty.us/comdev](http://www.washoecounty.us/comdev) four days prior to the meeting.

**Special Accommodations:** Facilities in which this meeting is being held are accessible to the disabled. Persons with disabilities who require special accommodations or assistance (e.g. sign language, interpreters, or assisted listening devices) at the meeting should notify Washoe County Planning and Development, at 775.328.3600, two working days prior to the meeting.

**Appeal Procedure:** Most decisions rendered by the Board of Adjustment are appealable to the Board of County Commissioners. If you disagree with the decision of the Board of Adjustment and you want to appeal its action, call the Planning staff immediately, at 328-6100. You will be informed of the appeal procedure, application fee, and the time in which you must act. Appeal periods vary from seven (7) to fifteen (15) days, depending on the type of application.

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1:30 p.m.

## AGENDA

1. **\*Determination of Quorum**
2. **\*Pledge of Allegiance**
3. **\*Ethics Law Announcement**
4. **\*Appeal Procedure**
5. **\*Public Comment**

The public is invited to speak on any item on or off the agenda during this period. However, action may not be taken until this item is placed on an agenda as an action item.

6. **Approval of Agenda**
7. **Approval of Minutes**

February 7, 2013

- 1:30 p.m. 8. **Planning Items and Public Hearings** – On the following items, the Board of Adjustment may take action to approve (with or without conditions), modify and approve (with or without conditions), or deny the request. The Board of Adjustment may also take action to continue an item to a future agenda.

**A. PUBLIC HEARING: Variance Case No VA13-001 - Friedrich** – To allow a reduction in the front yard setback from twenty (20') feet to five feet nine inches (5' 9") to facilitate construction of a single-family residence on a currently undeveloped parcel.

- Applicant / Developer Gary R. Taylor, PO Box 1715, Crystal Bay, NV 89402
- Property Owner Felix Friedrich, 175 Pinetree Circle, Alpharetta GA, 30009
- Location: 400 Tuscarora Road approximately 300 feet south of the intersection with Teresa Court.

- Assessor's Parcel No: 123-142-07
- Parcel Size: ±0.164 acres
- Master Plan Category: Suburban
- Regulatory Zone: High Density Suburban
- Area Plan: Tahoe
- Citizen Advisory Board: Incline Village / Crystal Bay
- Development Code: Article 804
- Commission District: 1 – Commissioner Berkbigler
- Section/Township/Range: Section 19, T16N, R18E, MDM, Washoe County, NV
- Staff: Roger D. Pelham, MPA, Senior Planner
- Phone: 775.328.3622
- Email: rpelham@washoecounty.us

**B. PUBLIC HEARING: Administrative Permit Case No AP13-001 – Saint Rose of Lima Catholic Parish** - To allow the expansion of an existing church of 2,372 square feet by an additional 700 square feet to construct an office for the pastor and an area to serve refreshments.

- Applicant / Property Owner: Saint Rose of Lima Catholic Parish
- Location: 695 US Highway 395, Washoe Valley
- Assessor's Parcel No: 046-070-60
- Parcel Size: 2.42 acres
- Master Plan Category: Commercial and Rural
- Regulatory Zone: General Commercial and Public and Semi-Public Facilities
- Area Plan: South Valleys
- Citizen Advisory Board: West Washoe Valley
- Development Code: Article 808, Administrative Permits
- Commission District: 2 – Commissioner Humke
- Section/Township/Range: Section 23, T17N, R18E, MDM, Washoe County, NV
- Staff: Roger D. Pelham, MPA, Senior Planner
- Phone: 775.328.3622
- Email: rpelham@washoecounty.us

**C. PUBLIC HEARING: Special Use Permit Case No SB13-004 - Wild West Motorsports Park** – Request approval of for the mass grading done to create a race track and grandstand areas, and to operate the site as a commercial outdoor entertainment venue for off-road racing and other outdoor entertainment activities.

- Applicant: Hayfed, LLC
- Property Owner: Lockwood Investment Co. Ltd
- Location: 12005 East I-80
- Assessor's Parcel No: 084-060-13
- Parcel Size: 170.53 acres of a 624-acre parcel
- Master Plan Category: Rural
- Regulatory Zone: Parks and Recreation
- Area Plan: East Truckee Canyon
- Citizen Advisory Board: East Truckee Canyon
- Development Code: Article 810, Special Use Permit
- Commission District: 4 – Commissioner Hartung
- Section/Township/Range: Section 9, T19N, R21E, MDM, Washoe County, NV

- Staff: Eva M. Krause - AICP, Planner
- Phone: 775.328.3796
- E-Mail: ekrause@washoecounty.us

**D. PUBLIC HEARING: Special Use Permit Case No. SB13-003 - Traditional Mexican Rodeo** - To establish an equestrian facility for the hosting of “Traditional Mexican Rodeos” also known as “Charreada”. Proposed events will consist of horse competition, team roping, and Mexican Charreada events. No boarding stables or new structures are proposed.

- Applicant: Adalberto Ortega-Peralta
- Property Owner: Claudia Ortega
- Location: 6505 Ernie Lane, Reno, NV 89510
- Assessor’s Parcel No: 076-200-10
- Parcel Size: ±40.33
- Master Plan Category: Rural (R)
- Regulatory Zone: General Rural Agricultural (GRA)
- Area Plan: Warm Springs
- Citizen Advisory Board: Warm Springs
- Development Code: Article 302, Allowed Uses and Article 810, Special Use Permits
- Commission District: 5 – Commissioner Weber
- Section/Township/Range: Section 23, T23N, R20E, MDM, Washoe County, NV
- Staff: Grace Sannazzaro, Planner
- Phone: 775.328.3771
- Email: gsannazzaro@washoecounty.us

**9. Chair and Board Items**

(Unless otherwise listed with a topic description, this portion of the agenda is limited to announcements, staff discussion of items or suggested items to be scheduled proposed for action at future meetings, and reports on planning issues and/or activities of organizations in which individual members may be involved.)

- A. Discussion and possible action on revised Rules, Policies and Procedures for the Board of Adjustment regarding the conduct of meetings, hearings, and appeals to the Board, and governance matters such as quorum, voting, record keeping, and the duties, responsibilities and ethical rules for Board members.
- B. \*Report on Previous Board of Adjustment Items
- C. Future Agenda Items and Staff Reports

**10. Director’s Items**

- A. \*Legal Information and Updates

**11. \*Public Comment**

The public is invited to speak on any item on or off the agenda during this period. However, action may not be taken until this item is placed on an agenda as an action item.

**12. Adjournment**



# BOARD OF ADJUSTMENT MEETING MINUTES

## Board of Adjustment Members

Robert F. Wideman, Chair  
Kim Toulouse, Vice Chair  
Philip J. Horan  
Richard "R.J." Cieri  
Lee Lawrence  
William Whitney, Secretary

Thursday February 7, 2013  
1:30 p.m.

Washoe County Health Department  
1001 East Ninth Street  
Reno, NV

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## WASHOE COUNTY BOARD OF ADJUSTMENT

### Minutes

February 7, 2013

The regular meeting of the Washoe County Board of Adjustment was scheduled for Thursday, February 7, 2013 at 1:30 p.m., in the Washoe County Health Department Conference Rooms, 1001 East Ninth Street, Reno, Nevada.

### 1. Determination of Quorum

Chair Wideman called the meeting to order at 1:30 p.m. The following members and staff were present:

Members present: Robert Wideman, Chair  
Kim Toulouse  
Philip Horan  
Richard "R.J." Cieri  
Lee Lawrence

Members absent: None

Staff present: William Whitney, Director, Planning & Development  
Eva Krause, Planner, Planning & Development  
Grace Sannazzaro, Planner, Planning & Development  
Roger Pelham, Senior Planner, Planning & Development  
Trevor Lloyd, Senior Planner, Planning & Development  
Greg Salter, Deputy District Attorney, District Attorney's Office  
Dawn Spinola, Recording Secretary, Planning & Development

### 2. Pledge of Allegiance

Chair Wideman led the pledge to the flag.

### 3. Ethics Law Announcement

Deputy District Attorney (DDA) Salter recited the Ethics Law standards.

#### 4. Appeal Procedure

Mr. Whitney recited the appeal procedure for items heard before the Board of Adjustment.

#### 5. Public Comment

As there was no response to the call for public comment, Chair Wideman closed the public comment period.

Chair Wideman welcomed the newest member to the Board of Adjustment, Lee Lawrence.

#### 6. Approval of Agenda

Chair Wideman announced staff had requested Item 8E be heard first.

In accordance with the Open Meeting Law, Member Toulouse moved to approve the agenda of February 7, 2013, amended as requested. The motion, seconded by Member Horan, passed unanimously.

#### 7. Approval of Minutes

Member Cieri moved to approve the minutes of December 6, 2012. The motion was seconded by Member Toulouse and passed unanimously.

#### 8. Planning Items and Public Hearings

##### Agenda Item 8E

PUBLIC HEARING: Administrative Permit Case No AP12-011 – Baca – To permit the temporary use of a recreational vehicle as a residence for the care of the infirm at 5672 Lupin Drive, Sun Valley, in conjunction with the existing single family residence.

- Applicant: Richard and Tamera Baca
- Property Owner: George W. Paine Jr.
- Location: 5672 Lupin Drive
- Assessor's Parcel No: 504-042-05
- Parcel Size: 0.35 acres
- Master Plan Category: Suburban Residential (SR)
- Regulatory Zone: Medium Density Suburban (MDS)
- Area Plan: Sun Valley
- Citizen Advisory Board: Sun Valley
- Development Code: 110.310.35(g)
- Commission District: 3 – Commissioner Jung
- Section/Township/Range: Section 17, T20N, R20E, MDM, Washoe County, NV

Chair Wideman opened the public hearing.

Ms. Krause reviewed the staff report dated January 18, 2013.

Chair Wideman asked if the applicants were renters or property owners. Ms. Krause explained the applicants were related to a person who is living in the home, but is not the



- Project Location: 14085 Bihler Road, Reno, NV 89511
- Assessor's Parcel No: 142-241-19
- Parcel Size: ± 2.5 Acres
- Master Plan Category: Rural Residential (RR)
- Regulatory Zone: High Density Rural (HDR)
- Area Plan: Southwest Truckee Meadows
- Citizen Advisory Board: Southwest Truckee Meadows
- Development Code: Article 306, Accessory Uses and Structures  
Article 808, Administrative Permits
- Commission District: 2 – Commissioner Humke
- Section/Township/Range: Section 30, T18N, R20E, MDM, Washoe County

Chair Wideman opened the public hearing.

Ms. Sannazzaro reminded the Board the case had been continued so the applicant could have the opportunity to speak to Amy Ray of the Truckee Meadows Fire Protection District (TMFPD) about the required residential fire sprinkler system. Ms. Ray had since amended the condition to allow a water supply for fire suppression and/or the sprinkler system.

Ms. Sannazzaro stated she had received nine letters and emails of opposition from the neighbors, expressing concerns about the design being inconsistent with the neighborhood, potential for commercial use, wear and tear on the private road, degradation of property values and over consumption of water. Staff had also received a petition of opposition signed by 148 people and a shared statement of core values in opposition with 39 signatures.

Ms. Sannazzaro explained the citizens had submitted seven additional requests for conditions if the project was approved:

1. Restrict lighting to the height of a one-story building;
2. Install a sound-proof roof on the accessory structure;
3. Limit of one bathroom;
4. Post a bond for damage and maintenance of road;
5. Require a monitored fire alarm system;
6. Applicant must move into residence before construction of the accessory structure, and;
7. Plans to be reviewed by Washoe County Design Review Committee.

Member Cieri noted the applicant had sent an email with pictures of large metal buildings in the area. Ms. Sannazzaro explained there were a wide variety of structures in the area. She could not verify that the accessory buildings were larger than the associated main dwelling units.

Applicant David Wood approached the lectern and Chair Wideman asked if Mr. Wood had had the opportunity to work with TMFPD to resolve his concerns. Mr. Wood stated he was happy with what the county had decided. He acknowledged the neighbor's concerns regarding the manufactured home and noted the structures were allowed anywhere there was not a restrictive covenant. He stated he understood a manufactured home by itself would bring down property values, which was why he was proposing the accessory structure. Together they



would increase the value of the property. He stated his willingness to post a bond for the roads and said the building would not be used for commercial purposes. He showed a series of pictures of large accessory structures in the neighborhood, emphasizing the freedom enjoyed by the residents as there were no Covenants, Conditions or Restrictions or a Homeowners Association.

Kurt Spencer, Jan Sluchak, Ed Yenick, Karen Dickerson, Todd Tressider, Nora Boisselle, Carol Phillips, Lyn Mundt and Gail Ferrell all spoke in opposition, reiterating the concerns Ms. Sannazzaro had outlined for the Board in her opening presentation.

Mr. Yenick suggested TMFPD's alternative water source may be a pond, and expressed concerns about freezing, water rights and potential mosquito problems.

Member Cieri asked if the property had additional water rights to support a pond and landscaping. Ms. Sannazzaro explained the property owner is entitled to 2.2 acre-feet (af) of water rights. The project was conditioned to require a water meter, and if the usage exceeded 2.2 af, the owner would be required to purchase additional water rights.

Member Toulouse pointed out the applicant could install either a sprinkler system or provide the additional water source in the form of a tank or a pond. He opined the pond could be used as a dip site in case of fire, so was a positive addition for the neighborhood. He stated the sprinkler system was a standard requirement and asked for clarification as to why the applicant had been offered a choice. Ms. Sannazzaro had not been informed of the reasoning. Applicant's Architect Joe Snider explained TMFPD required a minimum of 300 gallons of static storage.

Chair Wideman asked if the decision had been made between the tank or pond and Mr. Wood stated it had not. Member Lawrence asked how many af of water would be needed to maintain a pond and Ms. Sannazzaro stated she did not know. Discussions with Water Resources had revealed it would be more economically feasible to utilize a tank, due to evaporation loss with a pond. Member Lawrence asked if any soils studies had been done or if there would be a pond liner installed. Ms. Sannazzaro did not have that information.

Member Lawrence asked what kind of foundation the mobile home would have. Ms. Sannazzaro explained he would be required to have a full foundation, the structure was allowed by right and that was not part of the application.

Member Cieri asked how it would be possible for them to approve the permit if the owner would not be able to obtain sufficient water rights. DDA Salter pointed out one of the Findings required adequate infrastructure which would include the water supply.

Member Horan asked Ms. Sannazzaro to confirm that all the pictures the applicant had shown were of properties that were part of the community. Ms. Sannazzaro stated they were, but could not confirm whether or not the neighbors considered them to be.

Chair Wideman closed the public hearing and asked if any Board members wished to provide disclosures. All members stated they had received correspondence from the neighboring property owners but had not had direct contact.

Chair Wideman thanked the participants. He pointed out they were faced with the classic dilemma of choosing between the rights of the property owner versus the wishes of the surrounding property owners. He explained they were obliged to follow the rules as they existed at the time, and reiterated the mobile home was not under consideration.

Member Cieri stated he would not be able to make the Findings of adequate infrastructure and the project not being detrimental to the neighborhood. Member Toulouse agreed, adding his inability to be able to find the structure consistent with the surrounding property types. He stated 300 gallons was not enough water to fight a fire.

Member Horan stated he would be able to overlook the water concerns as that was the purview and responsibility of the TMFPD, and expressed concerns about putting conditions on an otherwise rural area. Member Lawrence stated he would not support the project due to all of the questions surrounding the potential pond, and he also did not feel a 300-gallon tank would provide adequate water for fire.

Chair Wideman noted there had been a fair amount of speculation regarding the case. He pointed out the Administrative Permit requested to build a building, not determine its use. Any commercial use would require a separate permitting process and there are enforcement processes in place to deal with that aspect. From the point of land use, he did not consider that to be a relevant issue. The same applied to traffic on the road. Regarding the fire suppression issue, he trusted the fire professionals to make the determination what was fair and adequate protection.

Chair Wideman acknowledged the return of Fire Marshall Amy Ray and reopened the public hearing to accept her testimony.

Member Toulouse asked if the option of a residential sprinkler system or adequate water supply was the direction TMFPD was moving for fire suppression in rural areas. He expressed concern that 300 gallons of water was not enough for adequate fire protection. Ms. Ray explained Fire Code requires water supply for fire suppression, and that can be obtained in several different ways, which she reviewed. She explained how a 300-gallon tank of water can supply enough for a residential sprinkler system and supplemented by water the fire department would bring to the site in case of an emergency.

Further discussion ensued regarding details of the requirements and Ms. Ray explained nothing was set in stone because the applicant had not made the final decision about what type of water supply he wanted to use yet.

Chair Wideman closed the public hearing. He clarified that if a pond were supportable, it appeared that TMFPD felt it was sufficient, but other departments had to sign off on it.

Member Cieri reiterated he felt the structure was a detriment. Chair Wideman pointed out the difficulty was that the people who had come to the neighborhood had chosen to build a higher class of home, but that did not change the rules for what could be built there 40 years ago and what could be built there now.

Member Toulouse noted Ms. Ray had stated the size of the building caused it to be regulated under a commercial code and that concerned him. He also felt it was detrimental and was struggling with the consistency finding.

DDA Salter advised they needed to find that the project was consistent with the Master Plan, not the surrounding neighborhood. The finding of No Detriment applies to the neighborhood.

Mr. Whitney clarified Fire Code was separate from the Development Code, and according to the Development Code, the project was still considered residential.

Member Toulouse moved to deny Administrative Permit Case No. AP12-009 – David Wood, based on his view that he could not make Finding Number 4 regarding no detriment. The motion was seconded by Member Cieri and passed three in favor of denial and two against, Chair Wideman and Member Horan voting in favor of the applicant.

Mr. Whitney read the appeal procedure for the record.

Chair Wideman called a 10-minute recess at 3:25 p.m. The meeting reconvened at 3:35 p.m.

### **Agenda Item 8B**

**PUBLIC HEARING:** Olson-Olson Architects Case No. AC13-001, amending Special Use Permit Case No. SB09-002 for Tahoe Estates, LLC – To increase the area of livable space by 291 square feet for a Detached Accessory Dwelling that was previously approved under Special Use Permit Case No. SB09-002. The original approval granted 1,200 square feet of livable space, and the new request is asking for 1,491 square feet of livable space.

- Property Owner: Tahoe Estates, LLC
- Applicant: Olson-Olson Architects
- Project Address/Location: 1019 Lakeshore Boulevard, Incline Village, South side of Lakeshore Boulevard, approximately 600 feet west of its intersection with Selby Drive
- Assessor's Parcel No.: 130-230-05
- Parcel Size: ± 2.17 Acres
- Master Plan Category: Suburban Residential (SR)
- Regulatory Zone: High Density Suburban (HDS)
- Area Plan: Tahoe
- Citizen Advisory Board: Incline Village/Crystal Bay
- Development Code: Article 306, Accessory Uses and Structures  
Article 810, Special Use Permits
- Commission District: 1 – Commissioner Berkbigler
- Section/Township/Range: Section 23, T16N, R18E, MDM, Washoe County

Chair Wideman opened the public hearing.

Ms. Sannazzaro reviewed the staff report dated January 24, 2013. She explained there would be no changes to the outside of the structure; the interior was being redesigned to allow for more living space. She explained changes to the code that had occurred since the structure was originally approved, which legalized the increased living area.

Applicant's Representative Lori Shannon reiterated the points Ms. Sannazzaro had made and stated the only affected neighbor had been contacted and had no concerns.

Chair Wideman closed the public hearing and asked if any Board members wished to provide disclosures. None did.

Member Cieri moved to approve conditionally Olson-Olson Architects Case No. AC13-001, amending Special Use Permit Case No. SB09-002 for Tahoe Estates, LLC. The motion was seconded by Member Toulouse and passed unanimously.

The motion was based on the following findings:

1. Consistency. The proposed amendment is consistent with the action programs, policies, standards and maps of the Master Plan and the Tahoe Area Plan;
2. Improvements. 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. The site is physically suitable to accommodate this proposal and for the intensity of such development;
4. Issuance Not Detrimental. Approval of the proposed amendment 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 safety, security, location, purpose or mission of the military installation.

### **Agenda Item 8C**

PUBLIC HEARING: Special Use Permit Case No. SB12-014 – Sierra Nevada College – To allow the operation of a “Schools-College” in a currently unoccupied commercial building, within the Incline Village Tourist Community Plan.

AND

Variance Case No. VA12-005 – Sierra Nevada College – To allow the construction of an outdoor kiln area on the east end of the building. Construction of this area requires reduction of the side yard setback from ten (10) feet to one (1) foot and an increase in the height of a retaining wall from a maximum of eight (8) feet to a maximum of sixteen (16) feet, as required by Article 406, Building Placement Standards; and the reduction of the slope setback from three (3) feet to one (1) foot as required by Article 438, Grading.

- Applicant/Property Owner: Sierra Nevada College
- Location: 1008 Tahoe Boulevard
- Assessor’s Parcel No.(s): 130-050-11
- Parcel Size: ± .404 Acres
- Area Plan: Tahoe
- Citizen Advisory Board: Incline Village / Crystal Bay
- Commission District: 1 – Commissioner Berkbigler
- Development Code: Article 810, Special Use Permits
- Section/Township/Range: Within T16N, R18E, MDM, Washoe County, NV

Chair Wideman opened the public hearing.

Mr. Pelham reviewed the staff report dated January 18, 2013. He explained the applicant had agreed to building modifications that satisfied the requirements of the Special Use Permit, and an additional requested condition made the Variance unnecessary. The condition which would be numbered 1L, would read:

“The applicant shall construct two covered front entry features on the first floor of the side of the existing structure facing State Route 28. The covered front entry features shall be designed and constructed to the front lot line, no other portion of the structure shall extend to the front lot line. The covered front entry features shall be designed and constructed to meet or exceed all requirements of the Americans with Disabilities Act (ADA) and shall be located to provide as

much protection from snow and other natural elements as possible. The covered front entry features shall be designed and constructed to provide a safe entrance to enhance the safety and general welfare of all users of the building. The lot standards approved in variance case number VA06-021 are hereby changed to allow the foregoing, as authorized by WCC 110.810.20(e).”

Mr. Pelham explained parking would be reduced but the main campus was 300 feet away and the applicant was proposing to build an asphalt pathway between the buildings. The building had been a commercial office and had been donated to the college, so the use would not cause more intensity to the area.

Member Horan asked if the parking that had existed in the lower level of the building would be eliminated and Mr. Pelham replied it would. He added a letter from a Traffic Engineer would be required showing that the college has sufficient parking. Member Horan noted the parking was already stretched, as students parked on Country Club Drive. He asked where the new pathway would be located and Mr. Pelham pointed out the location in the Nevada Department of Transportation (NDOT) right of way along the property line of the church to be constructed next door. Mr. Pelham added the number of students would not increase, as they were relocating one of the programs to the new building.

Applicant’s Representative Phil Gilan Farr explained the building was originally designed for industrial use and that was why the redesign had changed the lower-floor parking into usable classroom space. Laws do not restrict street parking, except in the case of snowy days. He explained the school was planning additional parking.

Chair Wideman closed the public hearing and asked if any Board members wished to provide disclosures. None did.

Member Cieri moved to approve conditionally as amended Special Use Permit Case No. SB12-014 – Sierra Nevada College. The motion was seconded by Member Toulouse and passed unanimously.

The motion was based on the following findings:

1. Special Circumstances. Because of the special circumstances applicable to the property, including exceptional narrowness, shallowness or shape of the specific piece of property; exceptional topographic conditions; extraordinary and exceptional situation or condition of the property and/or location of surroundings; the strict application of the regulation results in exceptional and undue hardships upon the owner of the property;
2. No Detriment. The relief will not create a substantial detriment to the public good, substantially impair affected natural resources or impair the intent and purpose of the Development Code or applicable policies under which the variance is granted;
3. No Special Privileges. The granting of the variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and the identical regulatory zone in which the property is situated;
4. Use Authorized. The variance will not authorize a use or activity which is not otherwise expressly authorized by the regulation governing the parcel of property; and

5. Effect on a Military Installation. The variance will not have a detrimental effect on the location, purpose and mission of the military installation.

No action was taken on Variance Case No. VA12-005 – Sierra Nevada College, as the amended condition added to the Special Use Permit had made it unnecessary.

Chair Wideman called a 5-minute recess at 4:10 p.m. at Ms. Spinola's request. The meeting reconvened at 4:15 p.m.

### **Agenda Item 8D**

**PUBLIC HEARING:** Variance Case No VA12-006 - Kurosh Moassessi – To vary the required front yard setback from 30 feet to 28 feet to allow the existing garage to remain as it was constructed in 1956.

- Applicant/Property Owner: Kurosh Moassessi
- Location: 12755 Valley Springs Road, at the northwest corner of Valley Springs Road and Cottonwood Road
- Assessor's Parcel No: 049-355-01
- Parcel Size: 1 acre
- Regulatory Zone: Low Density Suburban (LDS)
- Area Plan: Southwest Truckee Meadows
- Citizen Advisory Board: Southwest Truckee Meadows
- Development Code: Article 804
- Commission District: 2 – Commissioner Humke
- Section/Township/Range: Section 20, T18N, R20E, MDM, Washoe County, NV

Chair Wideman opened the public hearing.

Mr. Pelham reviewed the staff report dated January 18, 2013. He explained the home had undergone a remodel and it was discovered at time of building permit in 2008 that the garage encroached two feet into the setback. The building plans at the time showed the front two feet of the garage would be removed. The applicant was attempting to legalize the encroachment instead.

Member Horan noted the applicant had agreed to correct the problem in 2008 and had not addressed it. Mr. Pelham suggested there were options for correction, one of which was the Variance.

Applicant Kurosh Moassessi stated they had been granted a building permit for expansion with no restrictions in 2007. In 2008 they submitted new plans and were then informed the garage had to be moved. The house was in its original state, and neither title insurance nor the county had informed them of the problem up to that point. It had been bought and sold several times since original construction in 1956, and the issue had never been brought up or disclosed.

Mr. Moassessi stated he was told by county employees that County Building Code was changing, most likely in their favor, and they should wait to see what happened before going ahead with the construction. In November 2012 they decided not to wait any longer and asked for the Variance. He suggested the issue may no longer be valid due to rules regarding adverse possession and that the other property owners in the neighborhood should be informed of the situation as they were likely to be in the same circumstance as he was.

Member Horan reiterated in 2008 the applicant agreed to reduce the size of the garage. Mr. Moassessi stated that was correct and said that in 2009, after construction had begun, he was told Code was going to change, so chose to wait based on the advice of staff.

Neighbor Marvin Spiker stated the encroachment did not concern him and he didn't feel it was necessary to reduce the size of the garage.

Chair Wideman closed the public hearing and asked if any Board members wished to provide disclosures. None did.

Member Horan stated he had issues with the fact the problem was discovered in 2008 and had not yet been dealt with. Member Cieri pointed out the applicant had been led by county officials to believe changes would be made to the regulations of his area addressing the problem.

Chair Wideman expressed sympathy for the applicant, as it was not something of his doing and had been there for a very long time. He explained it was the Board's job to make findings based on specific criteria outlined in Code having to do with unique characteristics of the lot. In this case, none of the criteria applied, so he couldn't make the finding. If they granted this, then it could be construed as a special privilege.

Member Cieri opined it could be considered a hardship, since the only other remedies were for the applicant to move the house or cut the garage down, limiting its use. Member Toulouse agreed they must follow the law but felt this was a special circumstance.

Member Toulouse moved to approve conditionally Variance Case No VA12-006 - Kurosh Moassessi. The motion was seconded by Member Cieri and passed by a vote of four in favor and one against, Member Horan voting to deny.

The motion was based on the following findings:

1. Special Circumstances. Because of the special circumstances applicable to the property, including an exceptional situation or condition of the property, particularly that shortening the garage to meet the required setback would result in a garage less than 18 feet in length; the strict application of the regulation results in exceptional and undue hardships upon the owner of the property.
2. No Detriment. The relief will not create a substantial detriment to the public good, substantially impair affected natural resources or impair the intent and purpose of the Development Code or applicable policies under which the variance is granted;
3. No Special Privileges. The granting of the variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and the identical regulatory zone in which the property is situated;
4. Use Authorized. The variance will not authorize a use or activity which is not otherwise expressly authorized by the regulation governing the parcel of property;
5. Effect on a Military Installation. The variance will not have a detrimental effect on the location, purpose and mission of any military installation.

## **Agenda Item 8F**

PUBLIC HEARING: Amendment of Conditions Case No. AC12-006 – Sierra Nevada Teen Ranch - To amend condition #7 of the Special Use Permit case number SB07-019 to extend the time for completion of each phase of the project by two additional years such that phase one will be extended to February 12, 2015, phase two will be extended to February 12, 2017, phase three will be extended to February 12, 2019 and phase four will be extended to February 12, 2022 as authorized in Section 110.810 of the Washoe County Development Code. The facility comprises a teen group care facility that will include housing, counseling, education and recreational opportunities for up to 40 at-risk teenagers, as authorized in Article 810 of the Washoe County Development Code. The proposed facility will include the phased construction of four 5,200-square-foot residential buildings, one 1,500-square-foot vocational building, one 4,000-square-foot multi-purpose building, one 1,000-square-foot reception area, one 1,500-square-foot barn and an obstacle course.

- Property Owner/Applicant: Sierra Nevada Teen Ranch, Marvin Neal
- Location: The project is located in Bedell Flat, east of the Sierra Ranchos/Rancho Haven communities.
- Assessor's Parcel No.: 079-210-15
- Parcel Size: 29.03 acres
- Regulatory Zone: General Rural (GR)
- Master Plan Designation: Rural (R)
- Area Plan: North Valleys
- Citizen Advisory Board: North Valleys
- Commission District: 5 - Commissioner Weber
- Development Code: Article 810, Amendment of Regulatory Zone
- Section/Township/Range: Within Section 4, T23N, R19E, MDM Washoe County, NV

Chair Wideman opened the public hearing and read the case description for the record.

Mr. Lloyd reviewed the staff report dated January 24, 2013. He noted the Board had already granted two extensions, one on February 1, 2010 and another on February 3, 2011. The reasons given each time were the funding challenges created by the downturn in the economy. He noted Code provided little direction for staff or the Board when determining whether or not additional extensions were appropriate. He requested the Board provide direction moving forward so that in the event the applicant were to apply for another extension, perhaps there would be some measure of progress required in the interim.

Member Cieri asked if any construction had taken place and Mr. Lloyd stated there had not. He clarified there was a well on the property and maybe a fence. Member Lawrence asked what the maximum number of children living at the site would be and Mr. Lloyd said it would be 40.

Applicant Marvin Neal reiterated the recession had slowed funding of the project, and fundraisers had not brought in enough money to complete the first phase. He explained they intended to pay cash in full for each portion and not incur any debt.

Chair Wideman pointed out the Board agreed it was a worthy cause, as evidenced by the approval of the project and the two extensions. He asked Mr. Neal to explain how close they were to their goals. Mr. Neal replied he felt they were over halfway there and explained the upcoming fundraising plans and anticipated support. Chair Wideman encouraged them to proceed with all due speed.



Member Cieri expressed concern that funding would dry up partway through construction and the project be dropped, leaving a ghost town. Mr. Neal reiterated they would not start until they had the funding to complete what they were working on.

Brent Johnson introduced himself as speaking for the Sierra Ranchos Property Owners (SRPOA). Mr. Johnson, speaking for himself and not the SRPOA, suggested Mr. Neal was not actually representing a not-for-profit entity. He opined the Board should request legal documentation establishing its existence. On behalf of the property owners and himself, Mr. Johnson stated they did not feel the project was feasible and did not want it in their neighborhood.

Chair Wideman closed the public hearing and asked if any Board members wished to provide disclosures. All members acknowledged they had received a letter from the SRPOA and Member Toulouse stated he had been to the area recently.

Member Horan noted he had been on the Board during the entire process and had supported the project. Due to the lack of progress, he felt it was best to let the SUP expire and the applicant could come back with a new request when they were ready to proceed with construction. Members Cieri, Lawrence and Toulouse, as well as Chair Wideman, concurred. Chair Wideman emphasized the denial of the extension should not be construed as a lack of support for the project or as being prejudicial.

Member Horan asked if they were required to make findings for a denial. After a short break and discussion with Counsel, it was determined the denial did not require findings.

Member Horan moved to deny Amendment of Conditions Case No. AC12-006 – Sierra Nevada Teen Ranch. The motion was seconded by Member Toulouse and passed unanimously.

Mr. Whitney read the appeal procedure for the record.

### **Agenda Item 8G**

Draft Ordinance Amending Articles 912 and 914 - Review proposed text of an ordinance establishing general rules governing appeals to the Board of Adjustment and provide direction to staff and recommendations to the Planning Commission for drafting and proposing the ordinance. Proposed ordinance generally covers what matters can be appealed to the Board of Adjustment, the timelines and procedures for such appeals (including what evidence may be reviewed and who has the burden of persuasion), and the right to either seek judicial review of the decisions of the Board of Adjustment or appeal them to the Board of County Commissioners.

Mr. Salter reviewed the staff report dated January 23, 2013. He pointed out the changes made at the request of the Board regarding pre-hearing procedures and what items could or could not be approved unilaterally by the Chair.

Member Toulouse moved that the changes discussed by the Board of Adjustment concerning this matter be included within the draft ordinance and, further, moved to recommend to the Planning Commission that the draft ordinance, as amended, be submitted to the Board of County Commissioners for adoption. The motion was seconded by Member Horan and passed unanimously.

## **9. Chair and Board Items**

A. Discussion and possible action to adopt the revised Rules, Policies and Procedures – Member Toulouse requested a staff report and a copy of the draft so the members could review them and discuss the item on a future agenda. DDA Salter opined the staff report could be compiled fairly quickly as it would primarily be describing the changes. Chair Wideman requested the item be heard at the April meeting.

**10. Director's Items**

None

**11. Public Comment**

As there was no response to the call for public comment, Chair Wideman closed the public comment period.

**12. Adjournment**

There being no further business to come before the Board of Adjustment, the meeting adjourned at 5:30 p.m.

Respectfully submitted,

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Dawn Spinola, Recording Secretary

Approved by Board in session on \_\_\_\_\_, 2013

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William Whitney  
Secretary to the Board of Adjustment



# Board of Adjustment Staff Report

**Meeting Date: April 4, 2013**

**Subject:** Variance Case No: VA13-001  
**Applicant(s):** Gary R. Taylor on behalf of Felix Friedrich  
**Agenda Item No.** **8A**  
**Project Summary:** Reduction of front yard setback from 20 feet to 5 feet 9 inches.  
**Recommendation:** **Denial**  
**Prepared by:** Roger D. Pelham, MPA, Senior Planner  
Washoe County Community Services Department  
Division of Planning and Development  
Phone: 775.328.3622  
E-Mail: [rpelham@washoecounty.us](mailto:rpelham@washoecounty.us)

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## Description

**Variance Case No VA13-001 (Friedrich)** – To allow a reduction in the front yard setback from twenty (20') feet to five feet nine inches (5' 9") to facilitate construction of a single-family residence on a currently undeveloped parcel.

- Applicant / Developer Gary R. Taylor, PO Box 1715, Crystal Bay, NV 89402
- Property Owner Felix Friedrich, 175 Pinetree Circle, Alpharetta GA, 30009
- Location: 400 Tuscarora Road approximately 300 feet south of the intersection with Teresa Court.
- Assessor's Parcel No: 123-142-07
- Parcel Size: ±0.164 acres
- Master Plan Category: Suburban
- Regulatory Zone: High Density Suburban
- Area Plan: Tahoe
- Citizen Advisory Board: Incline Village / Crystal Bay
- Development Code: Article 804
- Commission District: 1 – Commissioner Berkbigler
- Section/Township/Range: Sec 19, T16N, R 18E

**Staff Report Contents**

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Vicinity Map ..... 4  
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**Exhibits Contents**

Public Notice Map ..... Exhibit A  
Project Application ..... Exhibit B  
Public Works, Engineering Division Memo ..... Exhibit C  
Nevada State Lands Letter Dated 03/01/13 ..... Exhibit D  
Public Works, Traffic Engineer Memo ..... Exhibit E

### Variance Definition

The use and standards for a variance are set out in NRS 278.300 (1) (c), which provides that:

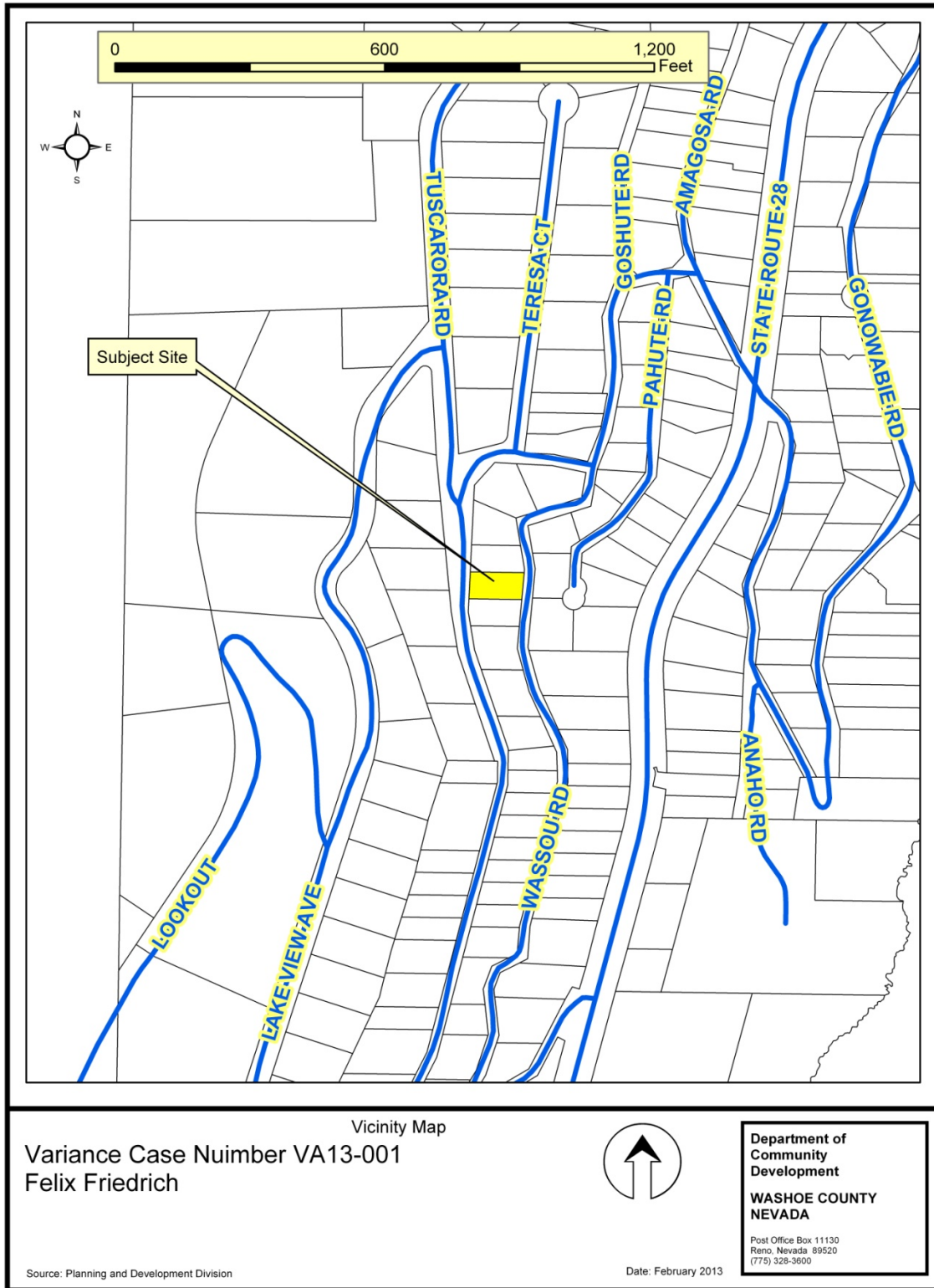
Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any regulation enacted under NRS 278.010 to 278.630, inclusive, would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, the Board of Adjustment has the power to authorize a variance from that strict application so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution.

The statute is jurisdictional in that if the circumstances are not as described above, the Board does not have the power to grant a variance from the strict application of a regulation. Along that line, under WCC 110.804.25, the Board must make four findings which are discussed below.

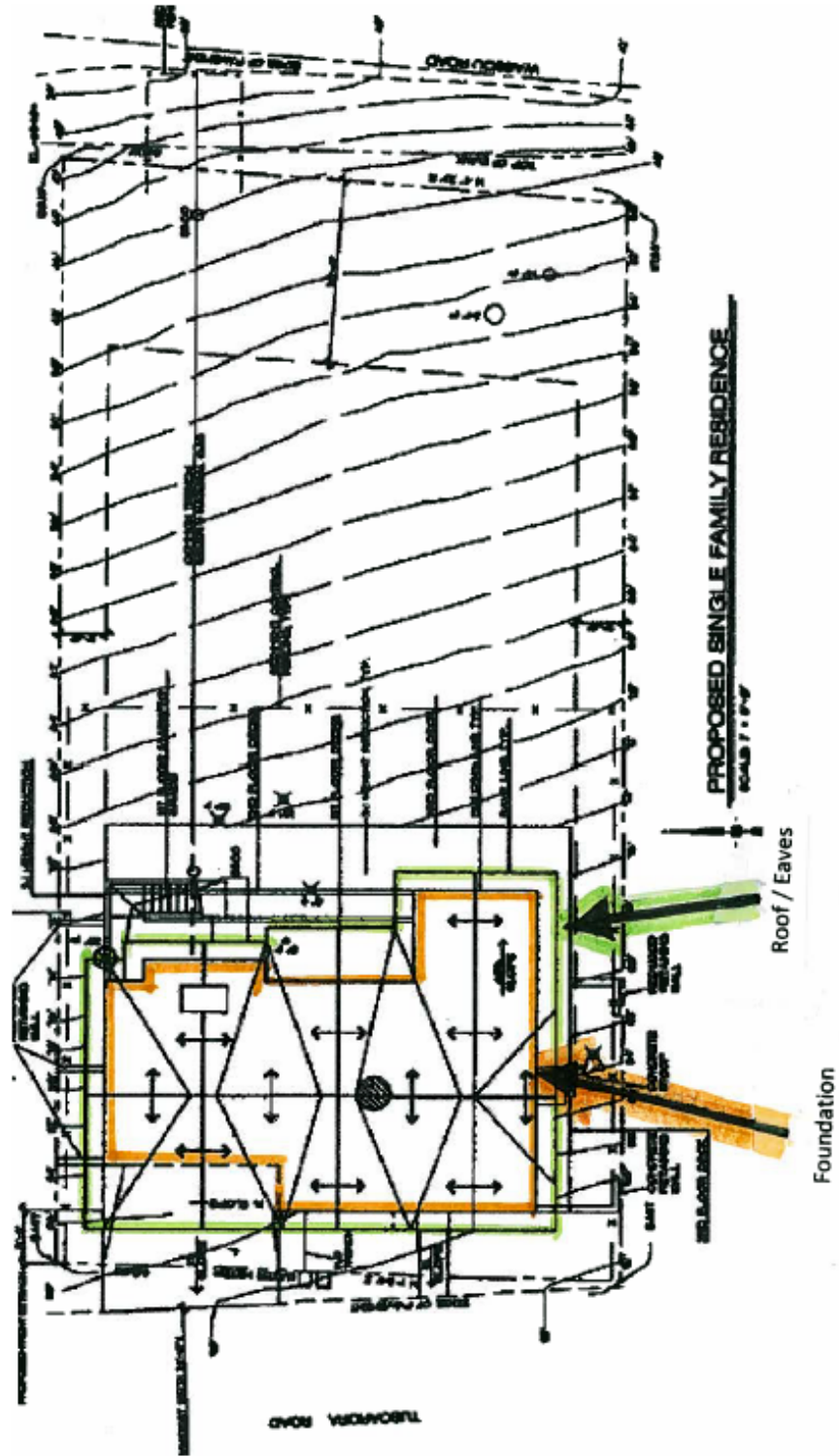
If the Board of Adjustment grants an approval of the Variance, that approval can be made, subject to Conditions of Approval. Conditions of Approval are requirements that need to be completed during different stages of the proposed project. Those stages are typically:

- 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.

Because denial of this variance request is recommended, no conditions of approval have been attached to this staff report.



Vicinity Map



Site Plan



**Subject Site, looking east from a point approximately above Anaho Road**



**Overhead Photo**



## **Project Evaluation**

The applicant is requesting approval to construct a three-story single-family dwelling with a front yard setback of 5 feet 9 inches, instead of the required twenty-foot front yard setback as generally required. The applicant cites the steepness of the slope and the requirement to abide by Washoe County and Tahoe Regional Planning Agency regulations as hardships to support the variance request. The application states that the parcel cannot be developed unless the variance is granted. A variance to allow a reduction in front yard setback was granted in 2007, a building permit was applied for and later withdrawn on this parcel. Evaluation of the current request must be made on its own merits as the previous approval has expired.

The Tahoe Area Plan modifiers allow the construction of a detached garage of 576 square feet up to the front property line without a variance, when the lot contains slopes of 20% or greater. This lot contains slopes of 20% or greater. This applicant has the ability to construct a detached garage at the front property line without a variance, but must maintain 15 feet from the edge of pavement to allow sufficient room for snow removal.

The current request is for the dwelling to extend 14 feet 3 inches into the required front yard setback area, resulting in a setback of 5 feet 9 inches from the property line adjacent to Tuscarora Road.

For staff to recommend approval of a variance request the Development Code requires that a series of specific findings be made. Among these is the finding that a special circumstance or hardship related to the nature of the land is identified. The specific code language is below.

**Section 110.804.25 Findings.** *Prior to approving an application for a variance, the Board of Adjustment, the Planning Commission or hearing examiner shall find that findings (a) through (d) apply to the property and, if a military installation is required to be noticed, finding (e):*

(a) Special Circumstances. *Because of the special circumstances applicable to the property, including either the:*

(1) *Exceptional narrowness, shallowness or shape of the specific piece of property, or*

(2) *By reason of exceptional topographic conditions, or*

(3) *Other extraordinary and exceptional situation or condition of the property and/or location of surroundings,*

*the strict application of the regulation results in exceptional and undue hardships upon the owner of the property;*

(b) No Detriment. *The relief will not create a substantial detriment to the public good, substantially impair affected natural resources or impair the intent and purpose of the Development Code or applicable policies under which the variance is granted;*

(c) No Special Privileges. *The granting of the variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and the identical regulatory zone in which the property is situated; and*

(d) Use Authorized. *The variance will not authorize a use or activity which is not otherwise expressly authorized by the regulation governing the parcel of property.*

(e) Effect on a Military Installation. *The variance will not have a detrimental effect on the location, purpose and mission of the military installation.*

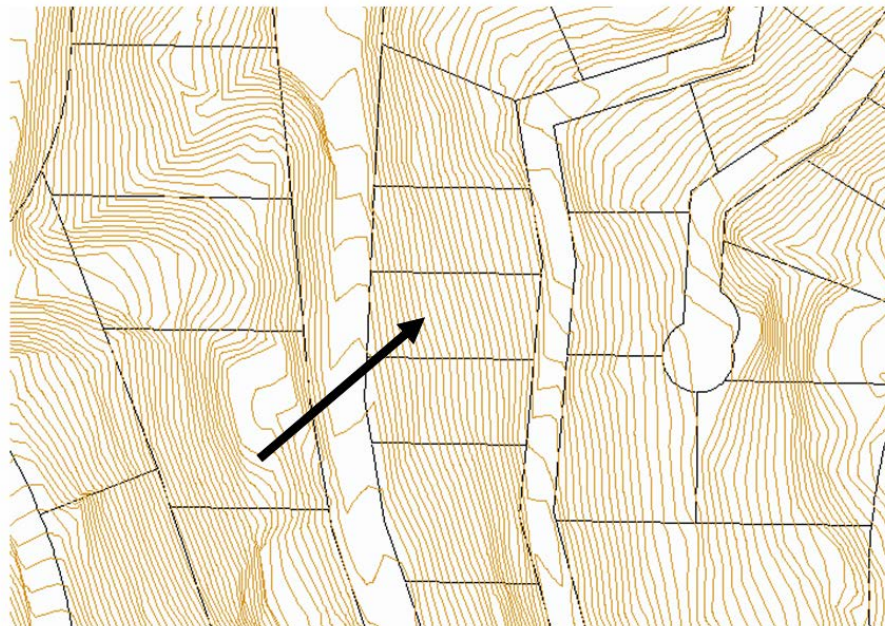
The project is located within the High Density Suburban zone. The minimum lot width specified by the Code is 60 feet in that zone. The subject parcel is approximately 88 feet in width. **The parcel is not exceptionally narrow.**

The parcel is approximately 168 feet in depth, again the minimum is 60'. **The parcel is not exceptionally shallow.**

The parcel is essentially rectangular in shape. **There are no special circumstances associated with the shape of the parcel.**

The parcel is located on a down-slope of 20% or greater, as previously noted, this entitles the applicant to an automatic front yard setback reduction. As the parcel is steep it may be challenging to site the proposed dwelling with an attached garage within the required setbacks on the subject parcel. It is for this very situation that the Tahoe Area Plan allows for a detached garage of 576 square feet to be constructed at the front property line. The applicant is proposing to set the proposed residence at 5 feet 9 inches from the front property line. It is instructive to note that the portion of the dwelling with the greatest encroachment in to the setback is not the garage but rather living area within the proposed residence. The applicant cites the necessity for a garage as the primary special circumstance to justify the variance. This can be accomplished without the variance, as noted above. **The requirement for a garage does not constitute a special circumstance.**

Further, the topography of the subject parcel is essentially similar to all surrounding parcels therefore there is nothing exceptional about the topography that is not substantially similar to most surrounding parcels. Please see the following graphic showing the topography of the subject parcel and surrounding parcels. Each contour line represents two feet in elevation change. **There are no exceptional topographic conditions that justify approval of the variance request.**

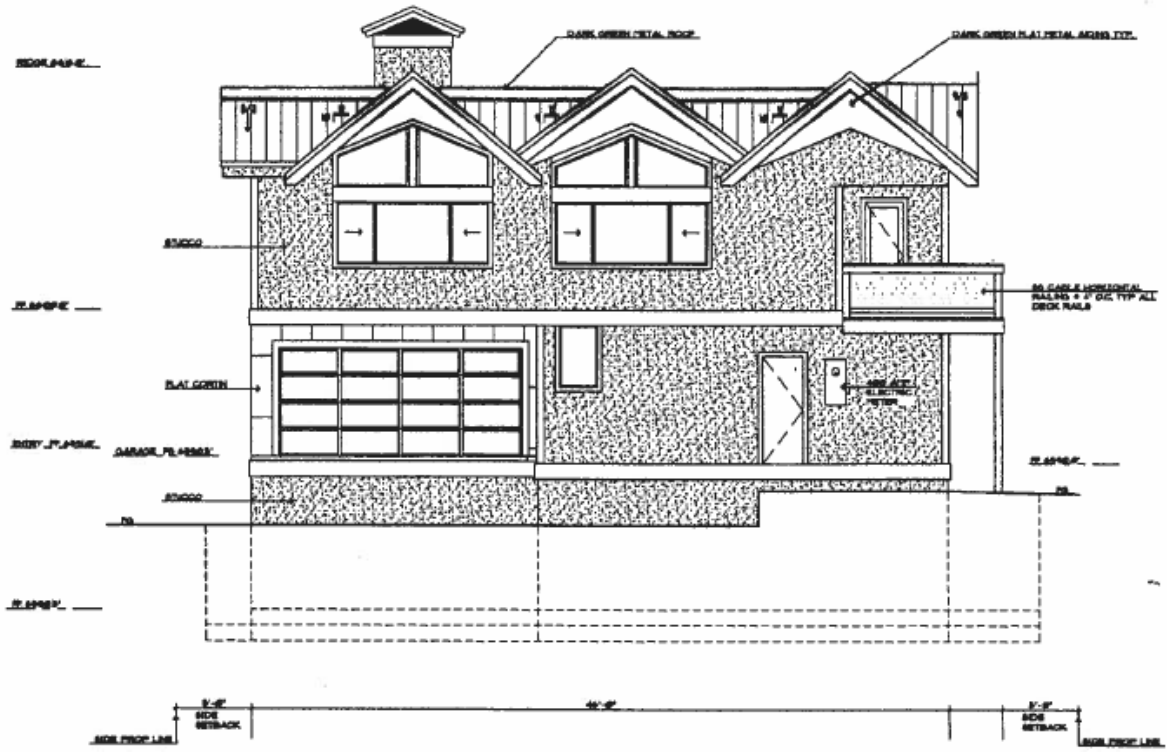


The applicant cites the necessity of compliance with regulations of the Tahoe Regional Planning Agency (TRPA), particularly height limitations, as special circumstances to justify the variance. Compliance with those regulations is generally applicable to all new development within the Tahoe Basin and therefore is neither extraordinary nor exceptional. **There is no “extraordinary and exceptional situation or condition” created by the TRPA regulations.**

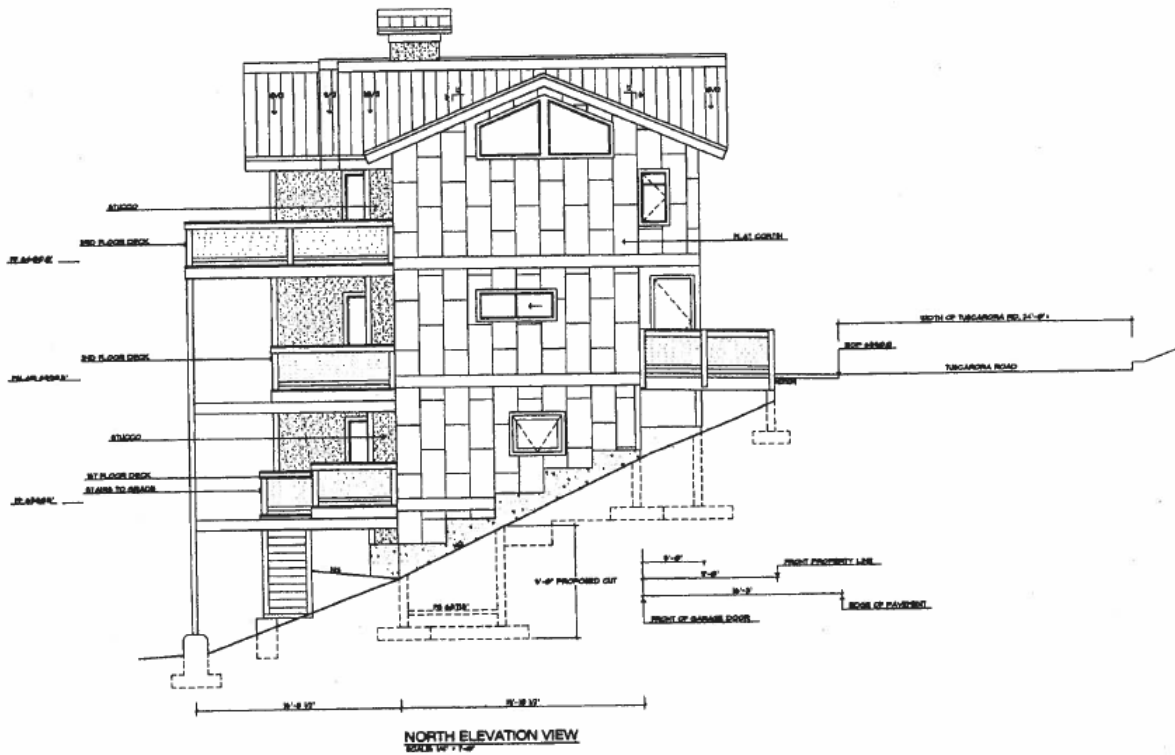
Overall, the subject parcel may present challenges to development in a particular manner, but those challenges do not prohibit all development. All parcels have certain constraints and challenges, and the owner is presumed to be aware of those constraints and challenges when they purchase the property. As this parcel is currently undeveloped, designing a single-family dwelling sited within the standard building setbacks is by no means unreasonable.

**Proposed Elevations**

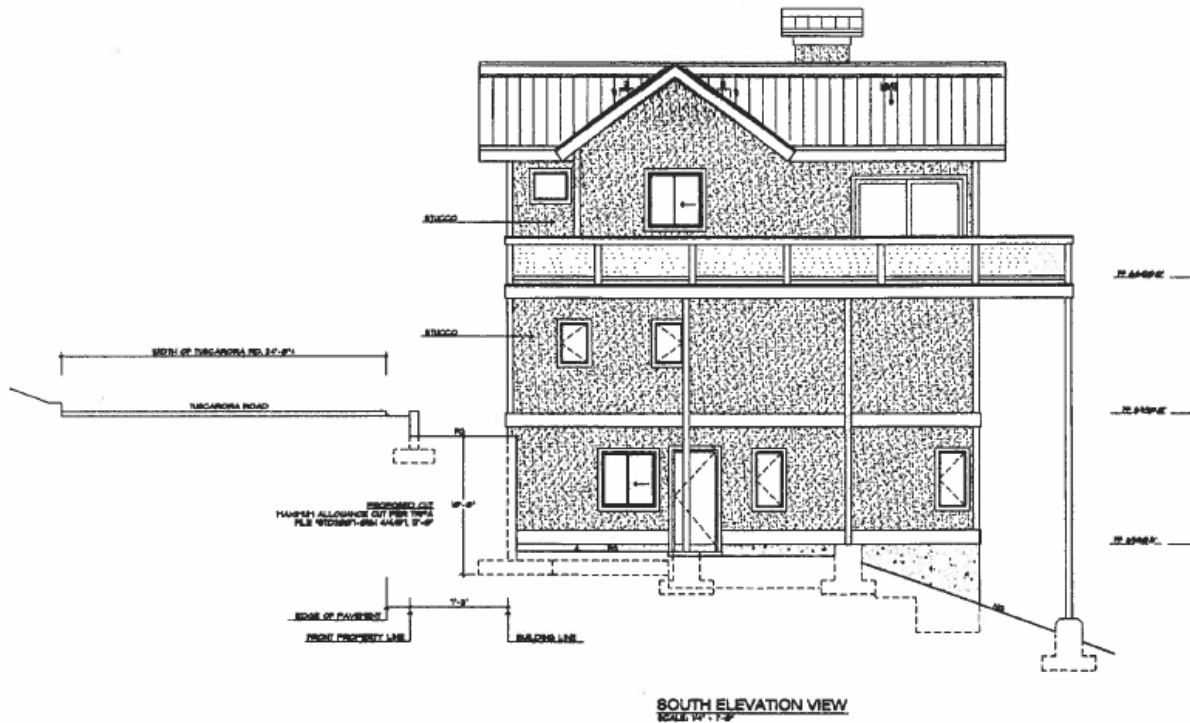




**WEST ELEVATION VIEW**  
SCALE 1/4" = 1'-0"



**NORTH ELEVATION VIEW**  
SCALE 1/4" = 1'-0"



### **Citizen Advisory Board**

There are no Citizen Advisory Board (CAB) meetings being held at this time. This application was sent to each member of the Incline Village / Crystal Bay CAB requesting their comments on the proposal. No comments were received from any CAB member.

### **Reviewing Agencies**

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

- Washoe County Community Services Department
  - Engineering and Capital Projects Division
  - Planning and Development Division
  - Water Resources Division
- Washoe County Health District
  - Vector-Borne Diseases Division
  - Environmental Health Division
- US Bureau of Land Management
- US Forest Service
- Nevada Department of Transportation
- Nevada Department of Wildlife

- Nevada Department of Environmental Protection
- Nevada Department of State Lands
- Incline Village General Improvement District

#### North Lake Tahoe Fire Protection District

Four out of the twelve above-listed agencies/departments provided comments and/or provided an evaluation of the project application. A **summary** of each agency's comments and their contact information is provided. Because this project is being recommended for denial Conditions of Approval are not attached to this report.

- *Washoe County Planning and Development* evaluated the subject site and found that there are no unique or extraordinary conditions or physical constraints of the land that warrant the approval of a variance request.  
**Contact: Roger Pelham, Senior Planner 775.328.3622, [rpelham@washoecounty.us](mailto:rpelham@washoecounty.us)**
- *The Nevada State Division of Lands* provided a letter indicating concern over the proposed variance and that the "NDSL has historically taken a firm stance against the granting of any variances by Washoe County that may affect or sensitive lands in the Tahoe Basin."  
**Contact: Elyse Randles, 775.684.2735 [erandles@lands.nv.gov](mailto:erandles@lands.nv.gov)**
- *Washoe County Engineering and Capital Projects* provided a letter with conditions requiring a garage door opener to be installed and a hold-harmless agreement to be submitted by the applicant.  
**Contact: Leo Vesely, 775.328.2040 [lvesely@washoecounty.us](mailto:lvesely@washoecounty.us)**
- *Washoe County Engineering and Capital Projects, Traffic Engineer* provided a letter with conditions requiring the slope of the roof to be away from Tuscarora Road so that snow does not slide on to the road and to provide room for at least one vehicle to park along the street.  
**Contact: Clara Lawson, 775.328.2040 [clawson@washoecounty.us](mailto:clawson@washoecounty.us)**

#### **Staff Comment on Required Findings**

Section 110.804.25 of Article 804, *Variances*, within the Washoe County Development Code, requires that all of the following findings be made to the satisfaction of the Washoe County Board of Adjustment before granting approval of the abandonment request. Staff has completed an analysis of the application and has determined that the proposal is not in compliance with the required findings as follows.

1. Special Circumstances. Because of the lack of special circumstances applicable to the property, the lack of: exceptional narrowness, shallowness or shape of the specific piece of property; there are no exceptional topographic conditions; there are no extraordinary and exceptional situation or condition of the property and/or location of surroundings; the strict application of the regulation does not result in exceptional and undue hardships upon the owner of the property.

Staff Comment. The parcel is not exceptionally narrow. The parcel is not exceptionally shallow. There are no special circumstances associated with the shape of the parcel. The requirement for a garage does not constitute a special circumstance. There are no exceptional topographic conditions that justify approval of the variance request. There is no “extraordinary and exceptional situation or condition” created by the TRPA regulations.

2. Detriment. The relief may create a substantial detriment to the public good, substantially impair affected natural resources or impair the intent and purpose of the Development Code or applicable policies under which the variance is granted.

Staff Comment. Approval of the variance has the possibility to inhibit snow-removal, because the structure is proposed at less than 15 feet from the edge of the asphalt roadway and because there is no provision for off-street guest parking.

3. Special Privileges. The granting of the variance will constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and the identical regulatory zone in which the property is situated.

Staff Comment. Because there is no unique or extraordinary topography or other condition of the land, approval of a variance would constitute a special privilege for this applicant.

4. Use Authorized. The variance will not authorize a use or activity which is not otherwise expressly authorized by the regulation governing the parcel of property.

Staff Comment. The variance does not seek to authorize a use (single-family dwelling) that is not otherwise allowed in this zone.

5. Effect on a Military Installation. The variance will not have a detrimental effect on the location, purpose and mission of the military installation.

Staff Comment. There is no military installation in the vicinity of the project.

## **Recommendation**

After a thorough analysis and review, Variance Case No. VA13-001 is being recommended for denial. 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 Washoe County Board of Adjustment deny Variance Case No. VA13-001 for Felix Friedrich and Gary Taylor, being unable to make all five findings in accordance with Washoe County Development Code Section 110.804.25:*

1. Special Circumstances. Because of the lack of special circumstances applicable to the property, the lack of: exceptional narrowness, shallowness or shape of the specific piece of property; there are no exceptional topographic conditions; there are no extraordinary and exceptional situation or condition of the property and/or location of surroundings; the

strict application of the regulation does not result in exceptional and undue hardships upon the owner of the property;

2. No Detriment. The relief may create a substantial detriment to the public good, substantially impair affected natural resources or impair the intent and purpose of the Development Code or applicable policies under which the variance is granted.;
3. No Special Privileges. The granting of the variance will constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and the identical regulatory zone in which the property is situated;
4. Use Authorized. The variance will not authorize a use or activity which is not otherwise expressly authorized by the regulation governing the parcel of property;
5. Effect on a Military Installation. The variance will not have a detrimental effect on the location, purpose and mission of the military installation.

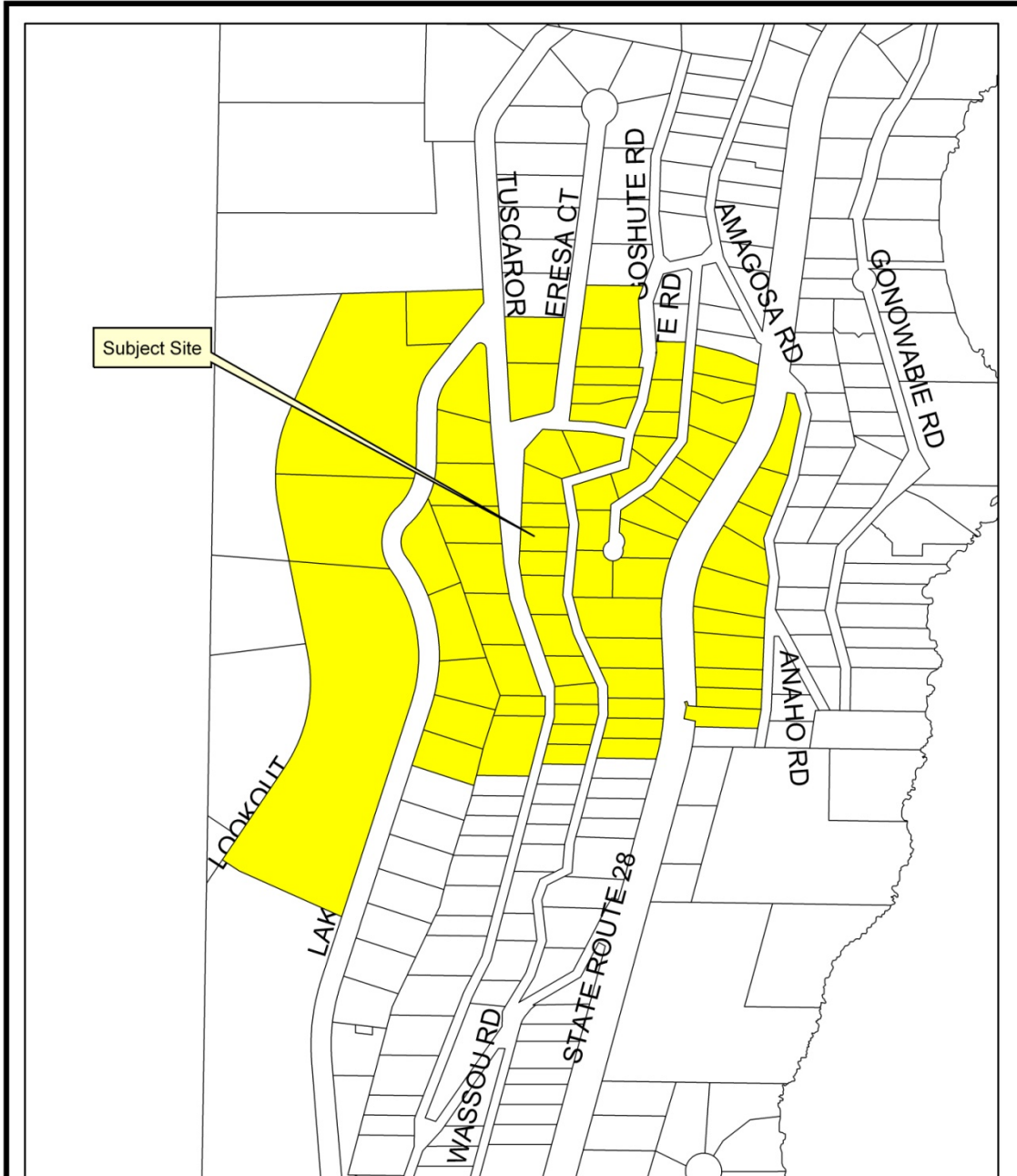
### **Appeal Process**

Board of Adjustment/Planning Commission action will be effective 10 days after the public hearing date, unless the action is appealed to the County Commission, in which case the outcome of the appeal shall be determined by the Washoe County Commission.

xc:   Property Owner:       Felix Friedrich, 175 Pinetree Circle, Alpharetta GA, 30009  
      Developer:             Gary Taylor, PO Box 1715, Crystal Bay, NV 89402



# Exhibit A, VA13-001



Mailing Label Map

Variance Case No VA13-001  
Friedrich

71 Parcels selected at 500 feet.

Source: Community Planning Services



Date: February 2013

Department of  
Community  
Development  
WASHOE COUNTY  
NEVADA

Post Office Box 11130  
Reno, Nevada 89520  
(775) 328-3600

EXHIBIT B

*Original*

**Washoe County Development Application**

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

<b>Project Information</b>		Staff Assigned Case No.: <u>VA13-001</u>	
Project Name (commercial/industrial projects only):			
Project Description: Friedrich New Single Family Residence			
Project Address: 400 Tuscarora Road, Crystal Bay, Nevada			
Project Area (acres or square feet): 7,132 sq.ft., 0.164 acres			
Project Location (with point of reference to major cross streets AND area locator): 200 feet south of intersection of Tuscarora Road and East Tuscarora Road			
Assessor's Parcel No(s):	Parcel Acreage:	Assessor's Parcel No(s):	Parcel Acreage:
123-142-07	0.164		
Section(s)/Township/Range: Section 19, T16N, R 18E, MDM			
Indicate any previous Washoe County approvals associated with this application: Case Nos.			
<b>Applicant Information (attach additional sheets if necessary)</b>			
<b>Property Owner:</b>		<b>Professional Consultant:</b>	
Name: Felix J. Friedrich		Name: Gary R. Taylor	
Address: 175 Pinetree Circle		Address: PO Box 1715	
Alpharetta GA	Zip: 30009	Crystal Bay NV	Zip: 89402
Phone: 770 663 3604	Fax:	Phone: 775 742 1152	Fax: 775 832 5072
Email: fjfriederich@gmail.com		Email: garyrtaylor@LTOL.com	
Cell:	Other:	Cell:	Other:
Contact Person: Gary R. Taylor		Contact Person: garyrtaylor@LTOL.com	
<b>Applicant/Developer:</b>		<b>Other Persons to be Contacted:</b>	
Name: Gary R. Taylor		Name:	
Address: PO Box 1715		Address:	
Crystal Bay NV	Zip: 89402		Zip:
Phone: 775 742 1152	Fax: 775 832 5072	Phone:	Fax:
Email: garyrtaylor@LTOL.com		Email:	
Cell:	Other:	Cell:	Other:
Contact Person: Gary R. Taylor		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):	

## Variance Application Supplemental Information

(All required information may be separately attached)

Chapter 110 of the Washoe County Code is commonly known as the Development Code. Specific references to variances may be found in Article 804, Variances.

1. What provisions of the Development Code (e.g. front yard setback, height, etc.) must be waived or varied to permit your request?

The existing parcel is zoned high density suburban with a front setback requirement of 20 feet. The proposed variance request is to reduce the front setback from 20 feet to 5 feet 9 inches, to facilitate the construction of a new 3 story single family residence.  
Washoe County Developemtn Code, Section 1110.406.30(a) (front yards, through lots).

**You must answer the following questions in detail. Failure to provide complete and accurate information will result in denial of the application.**

2. What are the topographic conditions, extraordinary or exceptional circumstances, shape of the property or location of surroundings that are unique to your property and, therefore, prevent you from complying with the Development Code requirements?

The existing vacant parcel, which is located in the Lake Tahoe Basin, has a downslope of 35% . The parcel has limited coverage due to TRPA restrictions. The proposed single family residence is 3 stories, with a maximum proposed height of 42 feet, as restricted by TRPA rules. The existing 35% slope of the parcel exceeds the TRPA maximum cross slope of 24%, thereby requiring that the proposed new single family residence be located closer to the front property line in order to meet both Washoe County and TRPA parking requirements (2 onsite enclosed parking spaces).

3. **What steps will be taken to prevent substantial negative impacts (e.g. blocking views, reducing privacy, decreasing pedestrian or traffic safety, etc.) to other properties or uses in the area?**

No negative impacts will result from the construction of the new single family residence and the requested front setback reduction.

The proposed new single family residence with a reduced front setback will not interfere with any views of the surrounding developed parcels, to the east, north or west. The parcel to the south is owned by the State of Nevada, and cannot be developed.

The proposed new single family residence will provide 2 onsite enclosed parking spaces with a minimum distance of 15 feet 0 inches, from the front of the garage door to the edge of pavement. The proposed new single family residence will not affect pedestrian or traffic safety.

4. **How will this variance enhance the scenic or environmental character of the neighborhood (e.g. eliminate encroachment onto slopes or wetlands, provide enclosed parking, eliminate clutter in view of neighbors, etc.)?**

Without the approval of the requested variance to the front setback, this parcel cannot be developed, as the steepness of the parcel and the TRPA coverage restrictions would prohibit any other options. The variance to the front setback will allow for level access to the proposed new single family residence and provide for 2 onsite enclosed parking spaces, eliminating parking within the road right-of-way and eliminating interference with Washoe County snow removal operations during the winter months. The approval of the proposed variance request will not constitute a grant of special privileges inconsistent with the current conditions of the other developed properties in the vicinity.

5. What enjoyment or use of your property would you be denied that is common to other properties in your neighborhood?

The development of this parcel cannot be achieved without approval of this variance request due to the special circumstances: steepness of the parcel, and the TRPA height and coverage restrictions. The approval of the requested variance will allow for the construction of a new single family residence with level access to a 2 car garage, with enclosed off street parking (required by Washoe County for a new single family residence). The proposed variance request, if approved, does not authorize a use which is inconsistent with other developed properties in the Crystal Bay area.

6. Are there any restrictive covenants, recorded conditions or deed restrictions (CC&Rs) that apply to the area subject to the variance request?

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	If yes, please attach a copy. See below.
---	-----------------------------	--

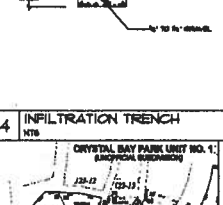
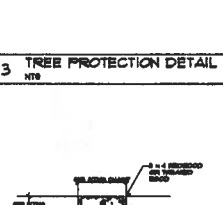
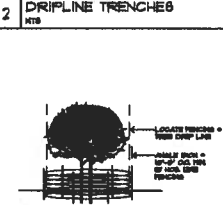
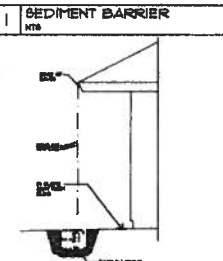
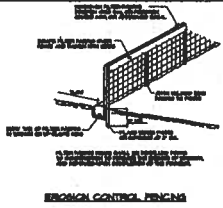
7. What is your type of water service provided?

<input type="checkbox"/> Well	<input checked="" type="checkbox"/> Community Water System
-------------------------------	--

8. What is your type of sanitary waste disposal?

<input type="checkbox"/> Individual Septic System	<input checked="" type="checkbox"/> Community Sewer System
---	--

6. Recorded deed restrictions:
- Coverage transfer, document #3590581, 11/1/07, TRPA.
  - Hold harmless (avalanche), document #3592572, 11/8/07, TRPA.
  - Hold harmless agreement, Washoe County Road Dept. for maintenance and snow removal operations, per Action Order 9/11/07, VA07-014.



**NOTES:**  
 PRIOR TO ANY TYPE OF SOIL, AN EROSION PROTECTION SEDIMENT BARRIER (USE POLYESTER FABRIC FENCING) SHALL BE PLACED DOWN SLOPE OF CONSTRUCTION SITE ALONG CONTIGUOUS PERIMETER, EACH LINE OR METAL FENCE POSTS WITH AT LEAST TWO STRANDS OF 1/2" GAUGE OR HEAVIER WIRE. A THRESHOLD OF THREE FEET HIGH SHALL BE LOCATED AT DRIP LINE OF TREES. SMALL SHRUBS OR OTHER TYPES OF VEGETATION WITHIN 50 FEET ± OF THE CONSTRUCTION SITE PERIMETER BARRIERS SHALL BE USED TO DEFINE THE CONSTRUCTION AREA AND TO PROTECT VEGETATION OUTSIDE ITS LIMITS FROM DISTURBANCE.

DRIVEWAYS AND PARKING AREAS SHALL BE BUILT FIRST UNLESS OTHERWISE PLACED BUILDING MATERIALS IN THESE AREAS OR INSIDE FOUNDATION, PARK ON STREET OR DRIVEWAY, NOT UNDER TREES OR NEAR BARBERS CUT AND/OR FILL INSIDE THE DRIP LINE OF TREES SHALL BE AVOIDED. WHEN POSSIBLE, UTILITY TRENCHES SHALL RUN UNDER DRIVEWAYS OR PARKING DECKS. OTHER COMMON TRENCHES SHALL BE USED UNLESS OTHERWISE POSSIBLE. INFILTRATION TRENCHES LOCATED AND SIZED AS NOTED ON PLOT PLAN, SHALL BE PLACED UNDER BUILDING DRIVE DRIVELINES.

ALL DISTURBANCE TO BE KEPT TO A MINIMUM AND COMPENSATED WITHIN CONSTRUCTION SITE PERIMETER. LOCATION OF CONSTRUCTION SITE PERIMETER ON PLOT PLAN IS APPROXIMATE.

REVEGETATE ALL DISTURBED AREAS WITH NATIVE TREES, SHRUBS AND/OR GRASSES.  
 FERTILIZE AND MULCH ALL REVEGETATED AND LANDSCAPED AREAS AND MAINTAIN IRRIGATION AS NEEDED.

**GENERAL NOTE:**

1. ALL BARREN AREAS AND AREAS DISTURBED BY CONSTRUCTION SHALL BE REVEGETATED IN ACCORDANCE WITH THE TERRA HANDBOOK OF BEST MANAGEMENT PRACTICES. APPLICATION OF MULCH MAY ENHANCE VEGETATIVE ESTABLISHMENTS.
2. DOWNSPOUTS, GUTTER TERMINATION POINTS SHALL BE DISTURBED IN THE FIELD.

**PROPOSED PROJECT:**

LIVING AREA	278 SQ. FT.
GARAGE/STORAGE	497 SQ. FT.
DRIVEWAY	34 SQ. FT.
DECK/PATIOS	142 SQ. FT.
FURNACE/UTILITY	54 SQ. FT.

LOT AREA 133 SQ. FT.  
 IPES 609 - 35 BARE COVERAGE  
 MAXIMUM ALLOWABLE COVERAGE 1089 SQ. FT.

**PROPOSED COVERAGE**

BUILDING	176 SQ. FT.
DRIVEWAY/BRODGE	289 SQ. FT.
DECKS	154 SQ. FT.
STOP/BALKONAY	54 SQ. FT.
TOTAL	1428 SQ. FT.

**PREVIOUSLY APPLIED COVERAGE**

TRPA FILE 1989-193, 2/8/91	314 SQ. FT.
BASE COVERAGE	1489 SQ. FT.

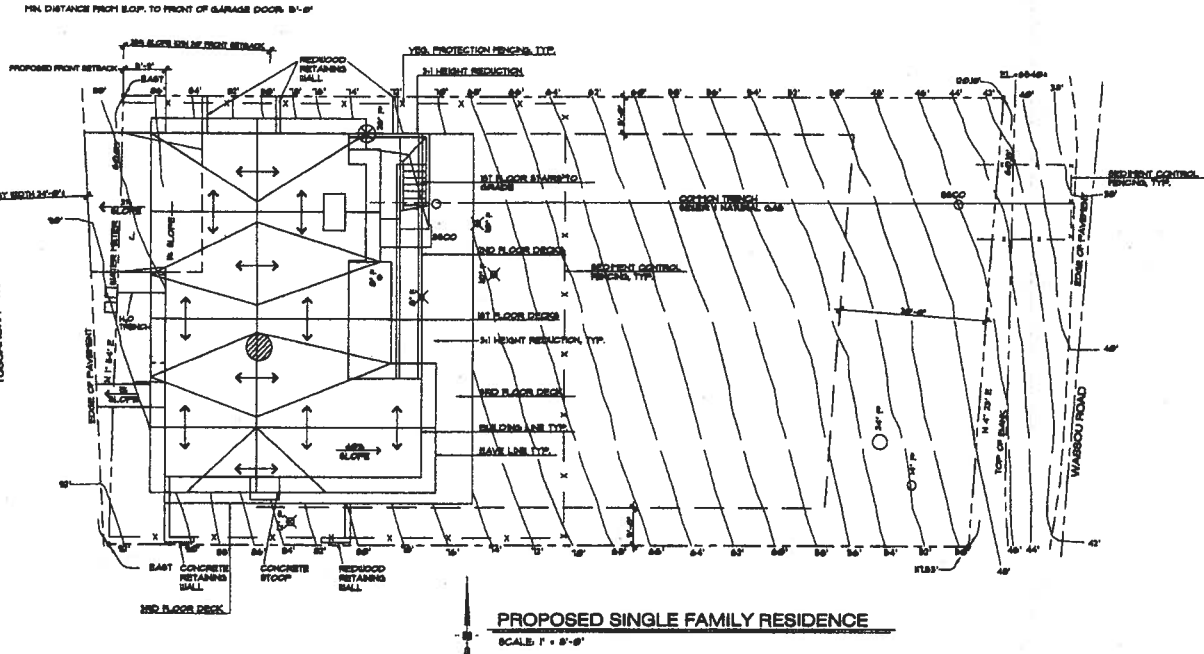
TRANSFERRED COVERAGE  
 TRPA FILE 1989-193, 2/8/91  
 APN 23-071-34, 03-071-35, 03-071-36,  
 03-071-37 (ISSUING PARCELS) TO  
 03-040-07 (RECEIVING PARCEL)

**SUBTOTAL** 1314 SQ. FT.  
 PROPOSED COVERAGE TO BE TRANSFERRED (10% - 1314)

OPPOSITE COVERAGE (PREVIOUSLY APPLIED OPPOSITE COVERAGE) 144 SQ. FT.

**SITE LEGEND:**

- ORIGINAL PROPERTY LINE
- NEW BUILDING
- STUMP
- ELEVATION @ 2'
- SWALE
- INFILTRATION/DRIPLINE TRENCH
- EROSION CONTROL FENCING
- DRYWELL
- TREES TO BE REMOVED



**PROPOSED SINGLE FAMILY RESIDENCE**  
 SCALE: 1" = 8'-0"

TOPOGRAPHIC INFORMATION TAKEN FROM KENNETH F. BARRILL PLS MAP DATED 1/8/97

JOB No.	
START DATE	06/19/03
DESCRIPTION	
DATE	
REV.	

**SCALE NOTED**  
 DATE: 02/12/03  
 DRAWN BY: G. A. Taylor  
 CHECKED BY: G. A. Taylor

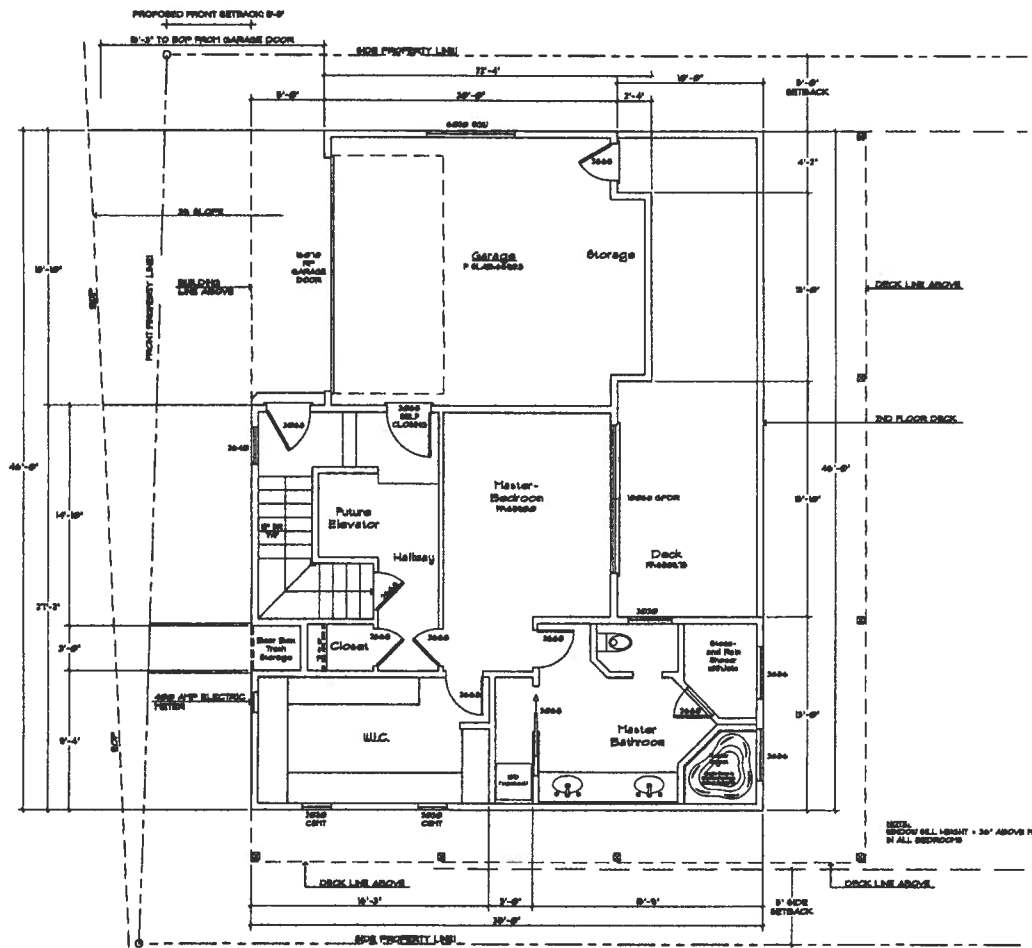
**GARY R. TAYLOR**  
 Land Use Planning  
 PO Box 1718 CRYSTAL BAY, NV 89402  
 ph: (775) 832-6074 - fax: (775) 832-6075  
 e-mail: garyrtaylor@LUL.com

**FRIEDRICH RESIDENCE**  
 400 TUSCARORA RD., CRYSTAL BAY  
 LOT 24, BLOCK 6, CRYSTAL BAY SUBDIVISION (UNOFFICIAL)  
 APN 123-142-07  
 WASHOE COUNTY, NEVADA

**SHEET TITLE**  
 TOPOGRAPHIC SURVEY  
 PROPOSED SITE PLAN

**SCALE** 1" = 8'-0"  
**CAD FILE** FRIEDRICH  
**SHEET** C-1  
 1 OF 2 SHEETS





**SECOND FLOOR PLANVIEW**

SCALE: 1/4" = 1'-0" 898 87

DECK AREA: 800 SQ. FT.

GARAGE AREA: 407 SQ. FT.

DESCRIPTION	DATE	REV.

**SHOULD NOTED**  
 DATE: 8/21/15  
 DRAWN BY: G. R. Taylor  
 CHECKED BY: G. R. Taylor

**GARY R. TAYLOR**  
 Land Use Planning  
 PO Box 1715 CRYSTAL BAY, NV 89402  
 PH: (775) 832-6074 - Fax: (775) 832-6078  
 e-mail: garyrtaylor@LUL.com

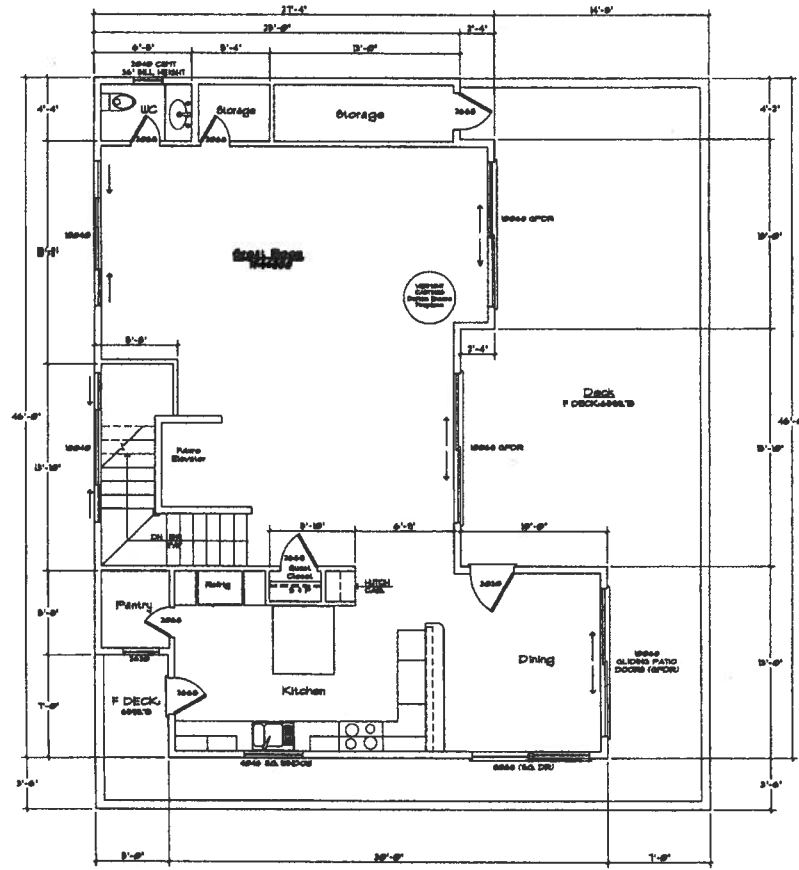
**FRIEDRICH RESIDENCE**  
 400 TUSCARORA RD, CRYSTAL BAY  
 LOT 24, BLOCK 8, CRYSTAL BAY SUBDIVISION (UNOFFICIAL)  
 APN 123-142-07  
 WASHOE COUNTY, NEVADA

SHEET TITLE  
**PROPOSED  
 FLOOR PLANVIEW**

SCALE: NOTED  
 CAD FILE: 489 TUSCARORA.DWG

SHEET  
**A-2**  
 3 OF SHEETS





**THIRD FLOOR PLANVIEW**  
 SCALE: 1/4" = 1'-0"  
 DECK AREA: 754 SQ. FT.

JOB No.		
START DATE	01/03/02	
DESCRIPTION	DATE	REV.

SCALE: NOTED  
 DATE: 3/21/03  
 DRAWN BY: G. R. Taylor  
 CHECKED BY: G. R. Taylor

**GARY R. TAYLOR**  
 Land Use Planning  
 PO Box 1716 CRYSTAL BAY, NV 89402  
 PH: (775) 632-5074 - Fax: (775) 632-5078  
 e-mail: garyrtaylor@LTDL.com

**FRIEDRICH RESIDENCE**  
 400 TUSCARORA RD., CRYSTAL BAY  
 LOT 24, BLOCK 8, CRYSTAL BAY SUBDIVISION (UNOFFICIAL)  
 APN 129-142-07  
 WASHOE COUNTY, NEVADA

SHEET TITLE  
**PROPOSED  
 FLOOR PLANVIEW**

SCALE: NOTED  
 CAD FILE: 400 TUSCARORA RD.

SHEET  
**A-3**  
 3 OF 3 SHEETS



JOB No.		
START DATE 01/03/13		
DESCRIPTION	DATE	REV.

SCALE NOTED  
 DATE 2/28/13  
 DRAWN BY: G. R. Taylor  
 CHECKED BY: G. R. Taylor

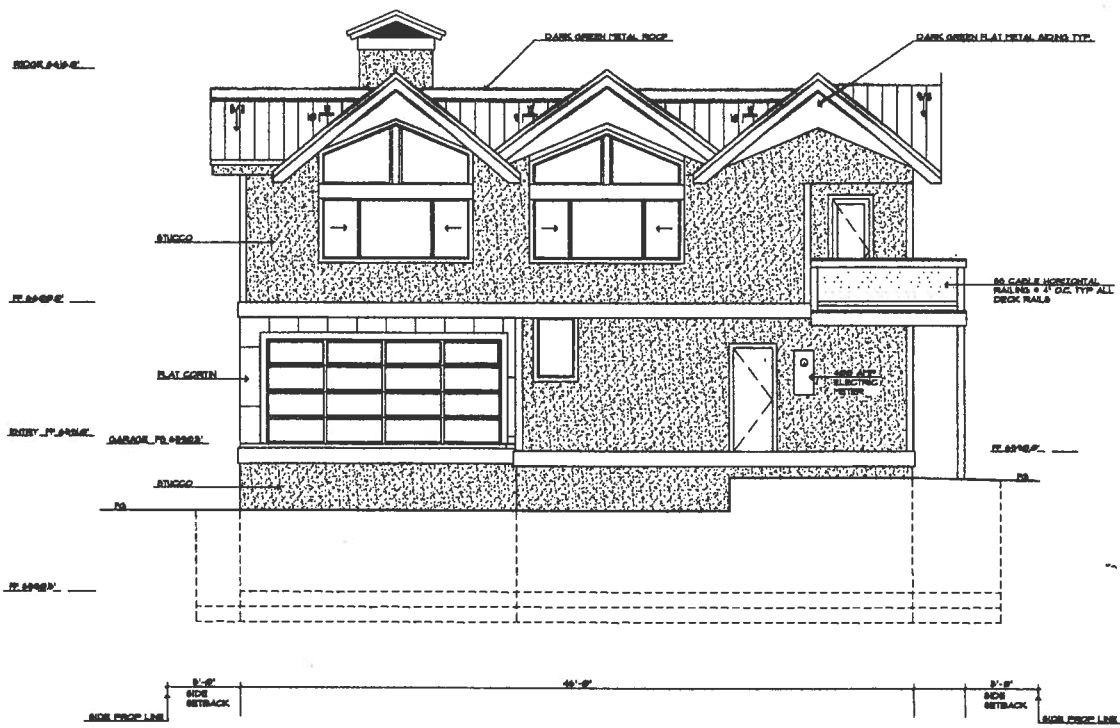
**GARY R. TAYLOR**  
 Land Use Planning  
 PO Box 1715 CRYSTAL BAY, NV 89402  
 PH: (775) 832-5074 - Fax: (775) 832-9078  
 e-mail: garyrtaylor@TOL.com

**FRIEDRICH RESIDENCE**  
 400 TUSCARORA RD, CRYSTAL BAY  
 LOT 24, BLOCK 6, CRYSTAL BAY SUBDIVISION (UNOFFICIAL)  
 APN 123-142-07  
 WASHOE COUNTY, NEVADA

SHEET TITLE  
**PROPOSED  
 ELEVATION VIEW**

SCALE NOTED  
 GAD FILE 400 TUSCARORA RD.

SHEET  
**Δ-4**  
 4 OF 5 SHEETS



**WEST ELEVATION VIEW**  
SCALE: 1/4" = 1'-0"

JOB NO.		
START DATE 06/29/13		
DESCRIPTION	DATE	REV.

SCALE: NOTED  
DATE: 5/15/13  
DRAWN BY: G. R. Taylor  
CHECKED BY: G. R. Taylor

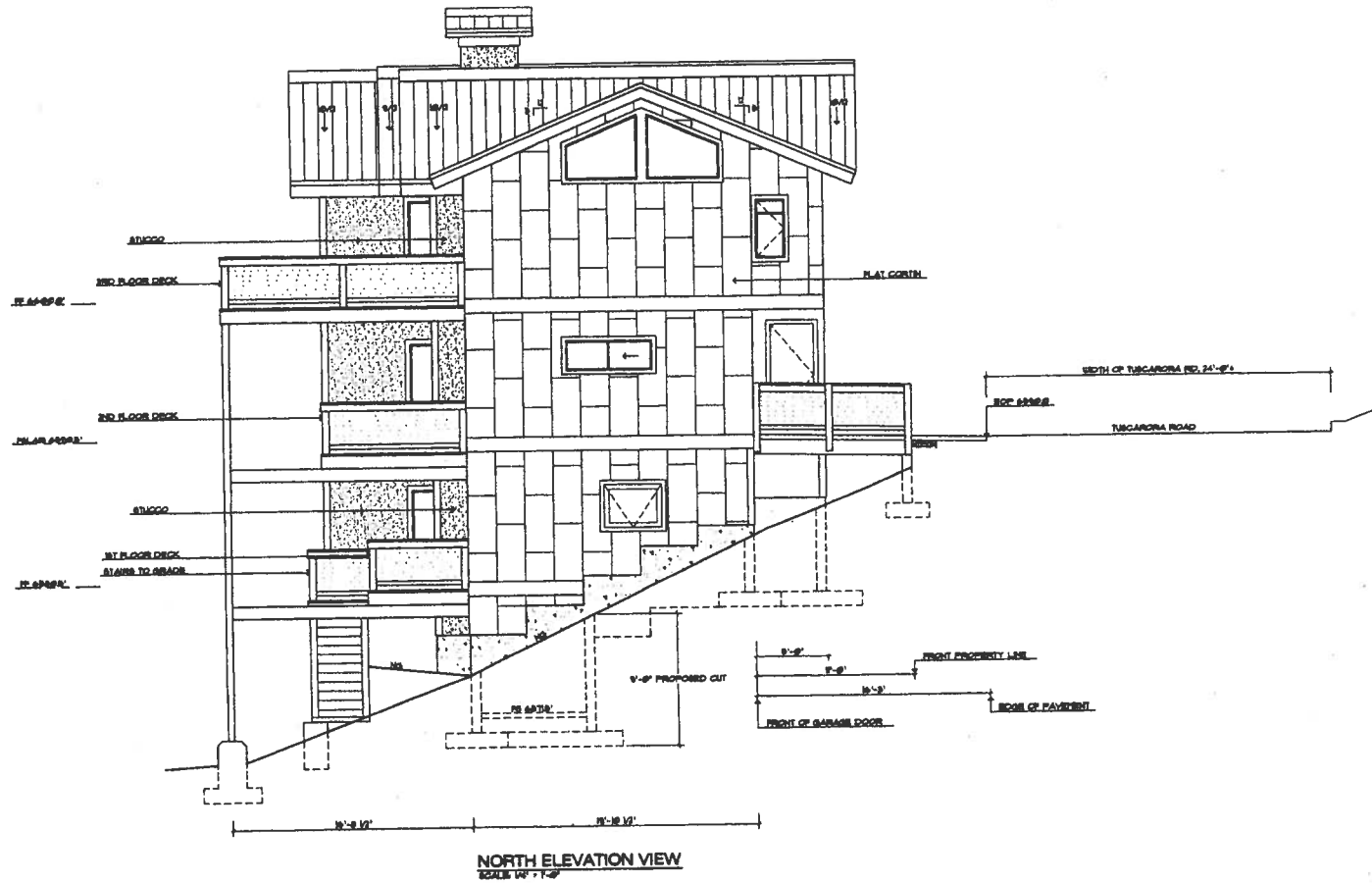
**GARY R. TAYLOR**  
Land Use Planning  
PO Box 1715 CRYSTAL BAY, NV 89402  
ph: (775) 832-8074 - fax: (775) 832-8078  
e-mail: garyrtaylor@LUTOL.com

**FRIEDRICH RESIDENCE**  
400 TUSCARORA RD., CRYSTAL BAY  
LOT 24, BLOCK 8, CRYSTAL BAY SUBDIVISION (UNOFFICIAL)  
APN 123-142-07  
WASHOE COUNTY, NEVADA

SHEET TITLE  
**PROPOSED  
ELEVATION VIEW**

SCALE: NOTED  
CADD FILE: 400 TUSCARORA RD.

SHEET  
**A-5**  
8 OF SHEETS



DESCRIPTION	DATE	BY

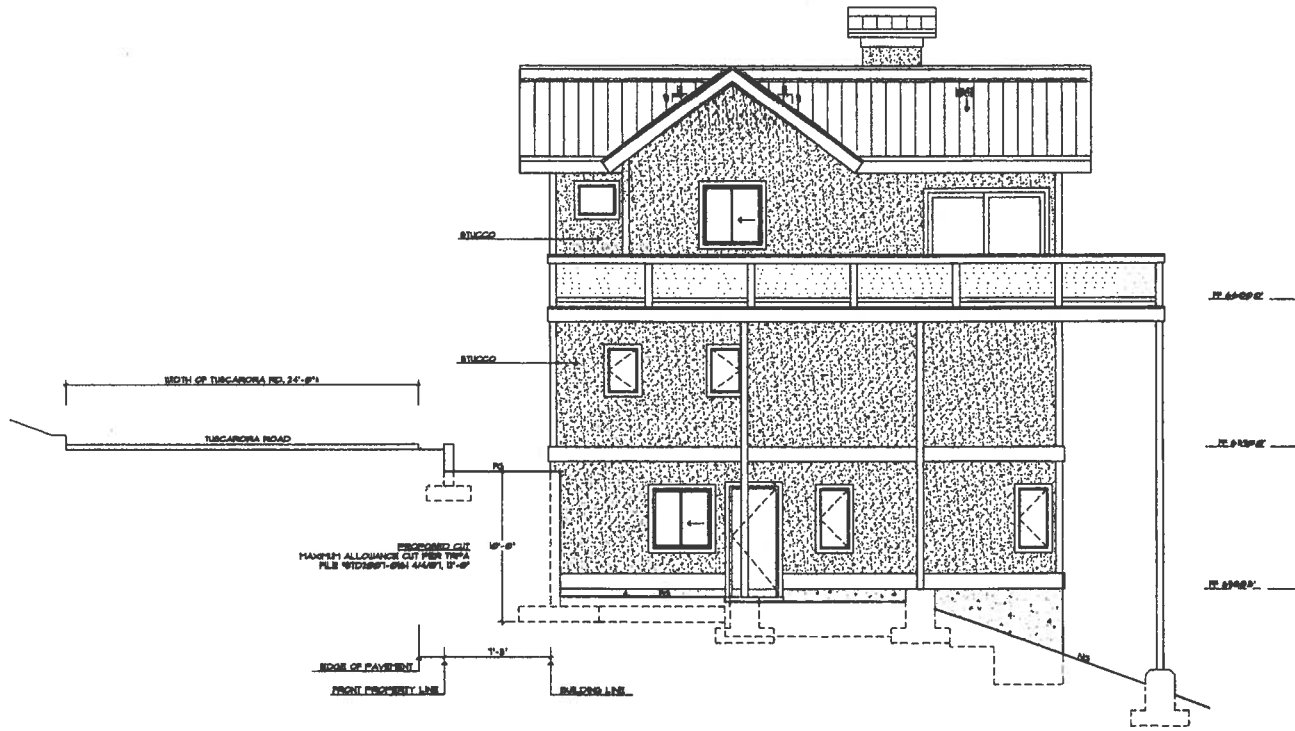
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DATE: 2/12/13  
DRAWN BY: G. R. Taylor  
CHECKED BY: G. R. Taylor

**GARY R. TAYLOR**  
Land Use Planning  
PO Box 1718 CRYSTAL BAY, NV 89402  
ph: (775) 832-5074 - fax: (775) 832-5078  
e-mail: garyrtaylor@LTOI.com

**FRIEDRICH RESIDENCE**  
400 TUSCARORA RD., CRYSTAL BAY  
LOT 24, BLOCK 8, CRYSTAL BAY SUBDIVISION (UNOFFICIAL)  
APN 123-142-07  
WASHOE COUNTY, NEVADA

SHEET TITLE  
**PROPOSED  
ELEVATION VIEW**

SCALE: NOTED  
DATE: 2/12/13  
DRAWN BY: G. R. Taylor  
CHECKED BY: G. R. Taylor  
SHEET  
**A-6**  
OF 6 SHEETS



**SOUTH ELEVATION VIEW**  
SCALE: 1/4" = 1'-0"

JOB NO.		6149343
START DATE		
DESCRIPTION	DATE	REV.

SCALE: NOTED  
DATE: 3/15/13  
DRAWN BY: G. R. Taylor  
CHECKED BY: G. R. Taylor

**GARY R. TAYLOR**  
Land Use Planning  
PO Box 1716 CRYSTAL BAY, NV 89402  
ph: (775) 882-5074 - fax: (775) 882-5078  
e-mail: garytaylor@LUL.com

**FRIEDRICH RESIDENCE**  
400 TUSCARORA RD., CRYSTAL BAY  
LOT 24, BLOCK 8, CRYSTAL BAY SUBDIVISION (UNOFFICIAL)  
APN 123-142-07  
WASHOE COUNTY, NEVADA

SHEET TITLE  
**PROPOSED ELEVATION VIEW**

SCALE: NOTED  
CAD FILE: 400 TUSCARORA RD.

SHEET  
**A-1**  
1 OF 3 SHEETS



VIEWING SOUTH @ TUSCARORA RD.



VIEWING EAST @ TUSCARORA RD

400 TUSCARORA ROAD, LLC., 400 TUSCARORA RD, CRYSTAL BAY, NV, APN: 123-142-07

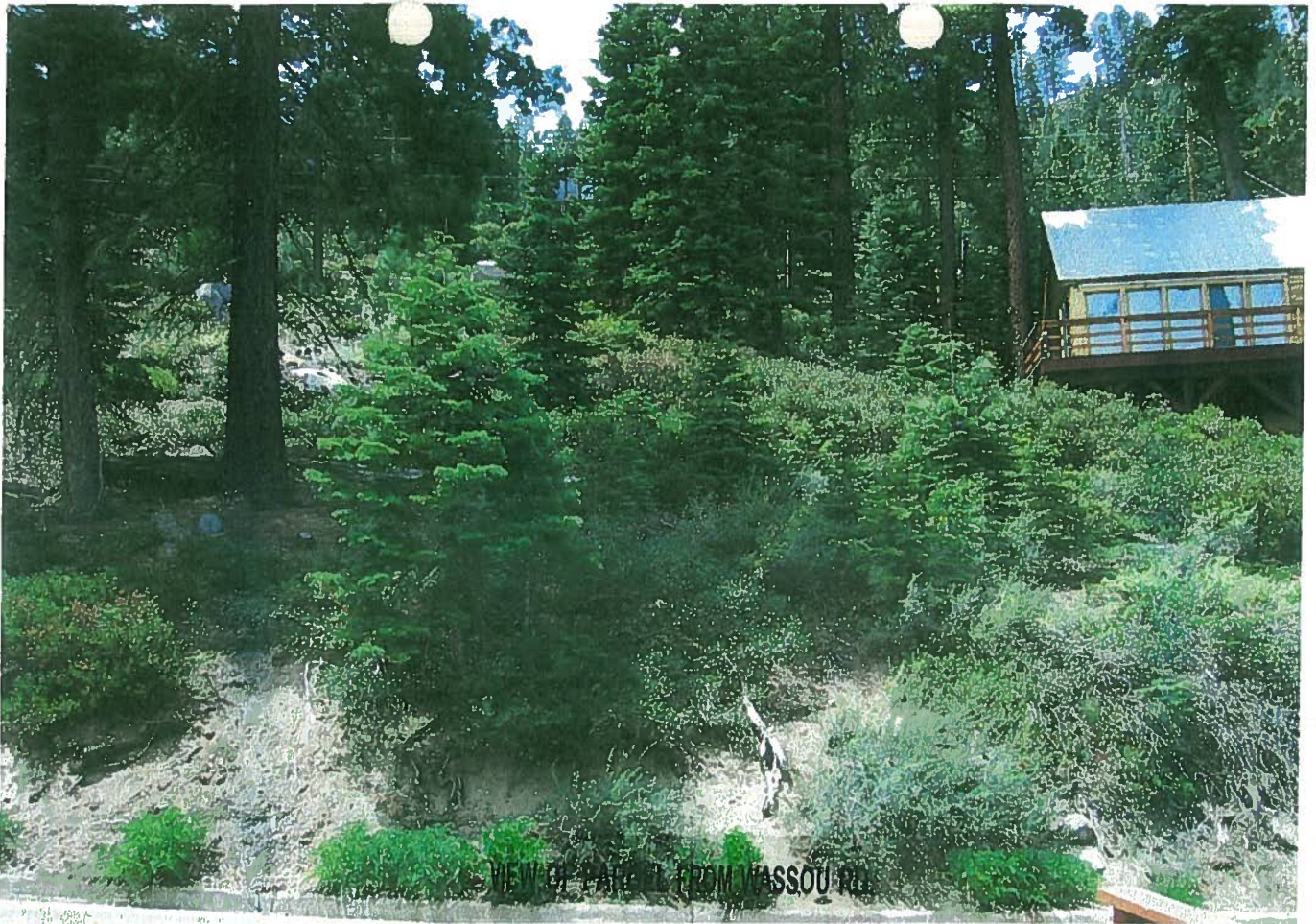
400 TUSCARORA ROAD, LLC., 400 TUSCARORA RD., CRYSTAL BAY, NV. APN: 123-142-07



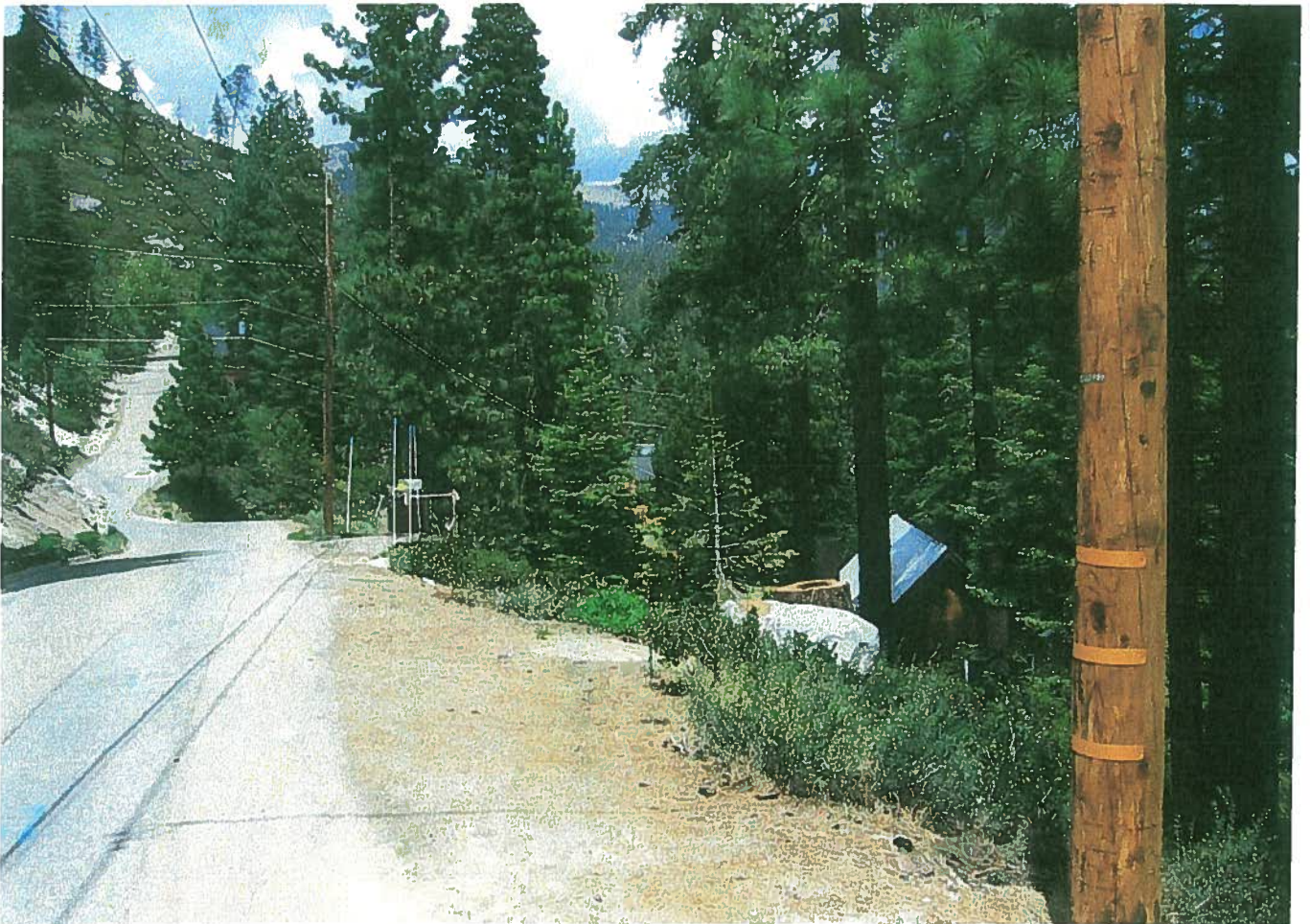
VIEW OF PARCEL FROM WASSOU RD. W/ PROPERTY CORNERS STAKED.



VIEW OF PARCEL FROM WASSOU RD. W/ PROPERTY CORNERS STAKED.



VIEW OF PATEL FROM MASSOU RD



VIEWING NORTH @ TUSCARORA RD

400 TUSCARORA ROAD, LLC, 400 TUSCARORA RD., CRYSTAL BAY, NV. APN: 123-142-07



400 TUSCARORA ROAD, LLC., 400TUSCARORA RD., CRYSTAL BAY, NV. APN:123-142-07



VIEW OF PARCEL FROM WASSOU RD.



VIEW OF PARCEL FROM WASSOU RD.



**WASHOE COUNTY**  
**COMMUNITY SERVICES DEPARTMENT**  
**Engineering and Capital Projects Division**

Exhibit C

*"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 11, 2013  
TO: Roger Pelham, Planning and Development Division  
FROM: Leo R. Vesely, P.E., Engineering and Capitol Projects Division  
SUBJECT: **VA13-001**  
**APN 123-142-07**  
**FELIX FRIEDRICH**

---

I have reviewed the referenced variance and recommend the following conditions:

1. Provide a hold-harmless agreement to the satisfaction of the District Attorney and the Engineering Division.
2. The applicant shall provide automatic garage door openers.

LRV/lrv

# Exhibit D, VA13-001

LEO DROZDOFF  
*Director*

Department of Conservation  
and Natural Resources

JAMES R. LAWRENCE  
*Administrator*

BRIAN SANDOVAL  
*Governor*



State Land Office  
State Land Use Planning Agency  
Nevada Tahoe Resource Team  
Conservation Bond Program -Q1

*Address Reply to*

Division of State Lands  
901 S. Stewart St. Suite 5003  
Carson City, Nevada 89701-5246  
Phone (775) 684-2720  
Fax (775) 684-2721  
Web [www.lands.nv.gov](http://www.lands.nv.gov)

STATE OF NEVADA  
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

## Division of State Lands

March 1, 2013

ROGER D. PELHAM, MPA, SENIOR PLANNER  
WASHOE COUNTY COMMUNITY SERVICES DEPARTMENT  
PLANNING & DEVELOPMENT DIVISION  
P.O. BOX 11130  
RENO, NEVADA 89520

SUBMITTED ELECTRONICALLY

RE: VARIANCE CASE NO. VA13-001 FELIX FRIEDRICH

Dear Mr. Pelham:

I am writing to provide comments on the above referenced application that is to be heard before the Washoe County Board of Adjustment. This application requests a variance to the Washoe County setback standards to construct a new single family residence. The State of Nevada owns one Tahoe Bond Act parcel (APN 123-142-06) directly adjacent to the above referenced parcel. The Nevada Division of State Lands ("NDSL") staff understands that only a front yard setback variance is proposed at this time but staff offers the following information associated with the proposed development that should be considered as part of the County's review.

According to the plan sheet C-1, it appears that erosion control fencing and a redwood and concrete retaining wall are to be constructed very close to the State owned parcel. Construction access, disturbance, storage of materials, trash and debris or temporary Best Management Practices ("BMPs") installation on the State of Nevada parcels will not be authorized. This includes any access for foundation excavation or general construction access or parking at the site. NDSL is unwilling to grant authorization for any trees, vegetation or rock outcrops to be removed, modified or damaged in any way on State Lands to facilitate construction of residential structures. Staff asks that the applicant be required to take cautionary measures to ensure that the temporary fencing and retaining walls, during or after construction, do not encroach on the state owned parcel in any manner.

The State of Nevada manages over 500 parcels in the Lake Tahoe Basin acquired through the Tahoe Bond Act of 1986. These public lands are designated as conservation areas and are maintained in their natural state as open space in perpetuity. The management direction of these parcels in the Tahoe Basin contains specific goals and measures of success. These include:

- Protect the State's investment and real value of open space parcels by reducing stocking levels of trees and brush-fields to resemble the pre-Comstock era. This will improve the overall health of the residual vegetation by providing nutrient & moisture availability.

## Exhibit D, VA13-001

- Use forest product/litter as an erosion control method and for nutrient cycling by leaving larger cut trees on the landscape contour to slow water run-off.
- Retain various snag classes and living wildlife trees where they can be safely considered. This is based on proximity to buildings, streets and power lines.
- Enhance and maintain a natural variable seed and forage source for wildlife.
- Re-introduce fire as a tool to maintain the desired conditions on a long-term, cost- effective basis.
- Provide an example of effective ecosystem resource management and fuels reduction that can be followed by the local community.

These objectives and measures of success can only be achieved with cooperation from the local community and support from other government agencies. Encroachments such as heavy equipment activity, storage of building materials, and excessive foot traffic can be detrimental to state-owned property, thus quickly reversing many years of management.

Research conducted by NDSL staff has revealed that since 2006 a number of previously granted Washoe County variance requests have caused considerable damage to state owned parcels resulting in numerous hours of NDSL staff time and resources to rectify. The most egregious of these cases occurred in 2007 when a variance was granted to a homeowner on Lakeview and Tuscarora Avenues in Crystal Bay. The variance allowed for a side yard setback of only 2.0 feet directly adjacent to a state owned parcel. NDSL staff discovered that an access road had been cut into our parcel by the contractor and an attempt was made to hide the disturbance. Countless hours were spent restoring this parcel, involving the homeowner and the Tahoe Regional Planning Agency. This site may never recover from this level of disturbance. In October of 2008 a homeowner who had been granted a 0.0 foot setback variance on Allison Drive in Incline Village attempted to covertly remove a large, healthy Jeffrey Pine tree from the adjacent state owned lot. Luckily, her attempt was unsuccessful.

The effects of encroachments can be long lasting with some taking decades to reverse. NDSL looks to other governmental agencies to recognize our long term management goals for our urban holdings. We realize that not all granted variances pose a problem for NDSL. However, it takes only one case where many hours and dollars are expended correcting a negative impact to delay our treatment goals during a short field season. NDSL has historically taken a firm stance against the granting of any variances by Washoe County that may affect our sensitive lands in the Tahoe basin. Please consider these comments during the variance granting process.

Should you have any further questions regarding this variance and our comments, please contact me at 775-684-2735 or via email at [erandles@lands.nv.gov](mailto:erandles@lands.nv.gov).

Sincerely,



Elyse Randles  
State Land Agent III  
Nevada Tahoe Resource Team  
Nevada Division of State Lands

# Exhibit E

From: Lawson, Clara  
Sent: Friday, March 01, 2013 8:29 AM  
To: Pelham, Roger; Thomsen, Richard  
Cc: Spinola, Dawn  
Subject: FW: Development Applications for Review and Comment

Roger, here are my requests for approval on VA13-001, the setback request on Tuscarora Rd.

**\* Change the roof to slope away from the road. Because of the very narrow pavement and shoulder area there isn't enough room for snow storage from the roof that slopes toward the street.**

**\* There should be room for at least one vehicle to park along the street without parking on the pavement and blocking through traffic.**

Rich, if you have additional comments you can send them directly to Roger.

Dawn, I'm sending Rich the agency review memo, he didn't get it. Rich will be reviewing setback requests in Incline Village now.

Clara Lawson, PE, PTOE  
Washoe County  
Community Services Department  
Engineering & Capital Projects Division  
775-328-3603



# Administrative Permit Staff Report

Meeting Date: April 4, 2013

Subject: Administrative Permit Case No: AP13-001  
Applicant(s): Saint Rose of Lima Catholic Parish  
**Agenda Item No. 8B**  
Summary: To allow the expansion of an existing church by an additional 700 square feet  
**Recommendation: Approval with Conditions**  
Prepared by: Roger D. Pelham MPA, Senior Planner  
Washoe County Community Services Department  
Division of Planning and Development  
Phone: 775.328.3622  
E-Mail: rpelham@washoecounty.us

---

## Description

**PUBLIC HEARING: Administrative Permit Case No AP13-001 – Saint Rose of Lima Catholic Parish** - To allow the expansion of an existing church of 2,372 square feet by an additional 700 square feet to construct an office for the pastor and an area to serve refreshments.

- Applicant / Property Owner: Saint Rose of Lima Catholic Parish
- Location: 695 US Highway 395, Washoe Valley
- Assessor's Parcel No: 046-070-60
- Parcel Size: 2.42 acres
- Master Plan Category: Commercial and Rural
- Regulatory Zone: General Commercial and Public and Semi-Public Facilities
- Area Plan: South Valleys
- Citizen Advisory Board: West Washoe Valley
- Development Code: Article 808, Administrative Permits
- Commission District: 2 – Commissioner Humke
- Section/Township/Range: Section 23, T17N, R18E, MDM, Washoe County, NV

**Staff Report Contents**

Project Description ..... 1  
Administrative Permit Definition ..... 3  
Vicinity Map ..... 3  
Site Plan ..... 4  
Project Evaluation ..... 4  
West Washoe Valley Citizen Advisory Board (WWVCAB)..... 7  
Reviewing Agencies..... 7  
Recommendation ..... 9  
Motion ..... 9  
Appeal Process.....10

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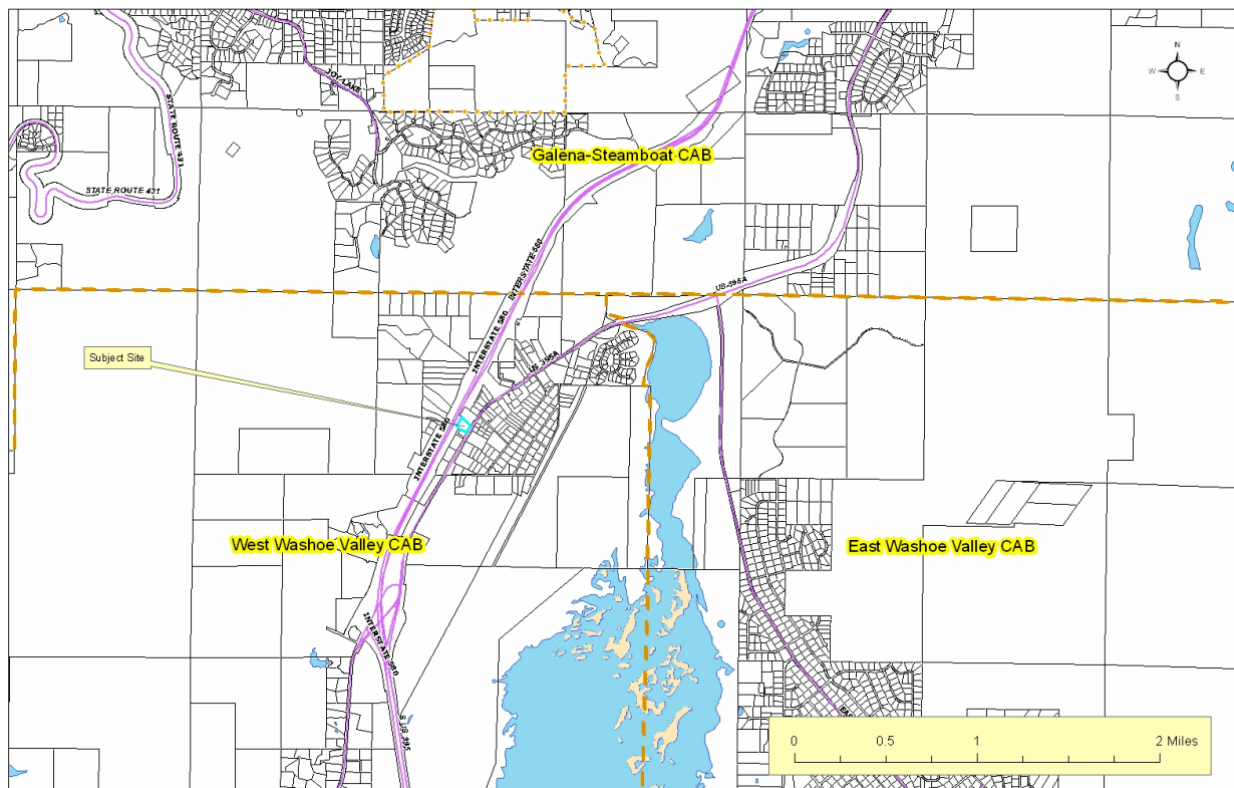
**Exhibits Contents**

Conditions of Approval ..... Exhibit A  
Public Notice Map ..... Exhibit B  
Health District Letter Dated 03/19/2013 ..... Exhibit C  
Project Application ..... Exhibit D

**Administrative Permit Definition**

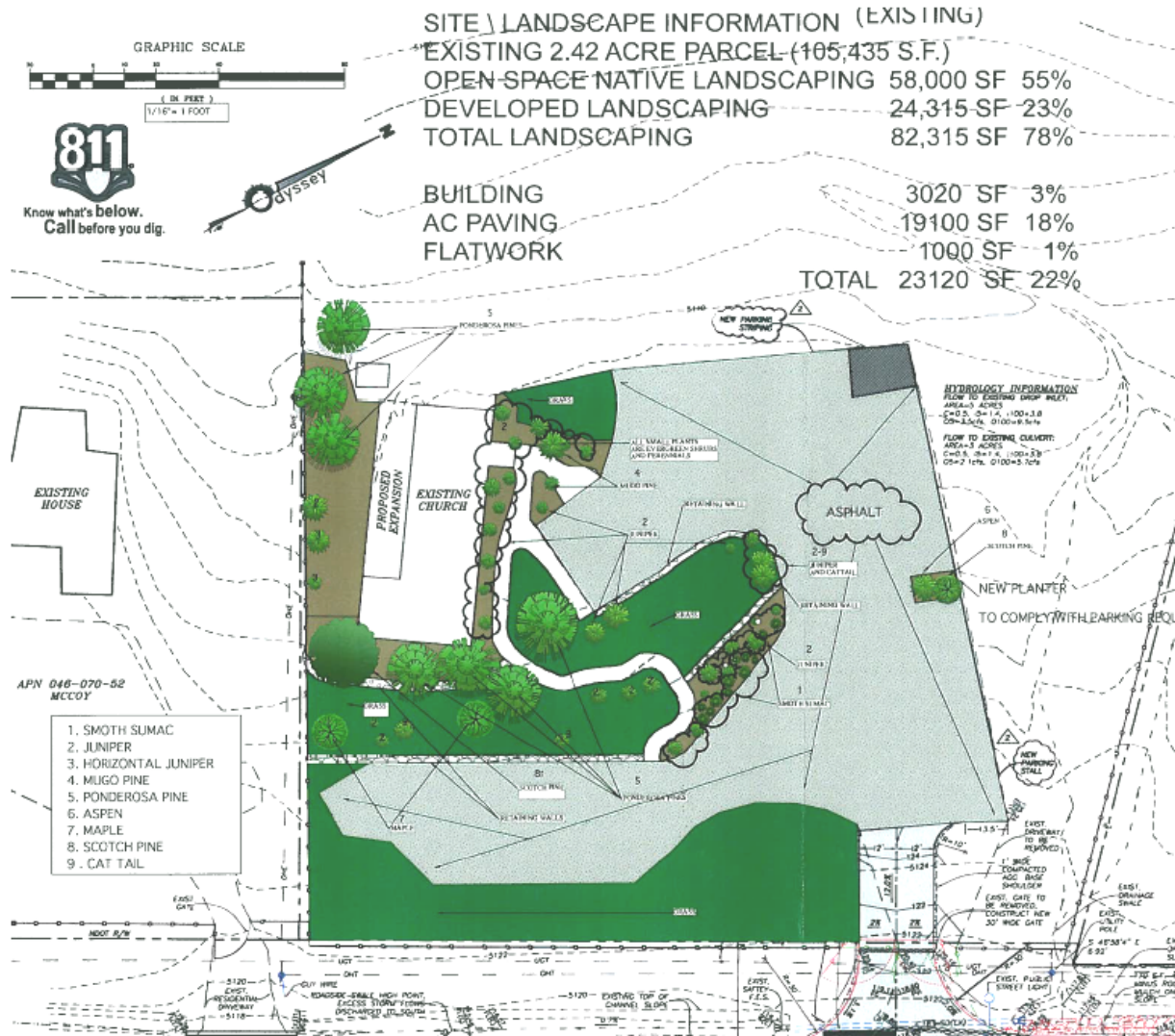
The purpose of an Administrative Permit is to provide a method of review for a proposed use which possess characteristics that requires a thorough appraisal in order to determine if the use has the potential to adversely affect other land uses, transportation or facilities in the vicinity. The Board of Adjustment or the Hearing Examiner may require conditions of approval necessary to eliminate, mitigate, or minimize to an acceptable level any potentially adverse effects of a use, or to specify the terms under which commencement and operation of the use must comply. Prior to approving an application for an administrative permit, the Hearing Examiner or the Board of Adjustment must find that all of the required findings, if applicable, are true.

The Conditions of Approval for Administrative Permit Case No. AP13-001 is attached to this staff report and will be included with the Action Order.



**Vicinity Map**





**Site Plan**

**Project Evaluation**

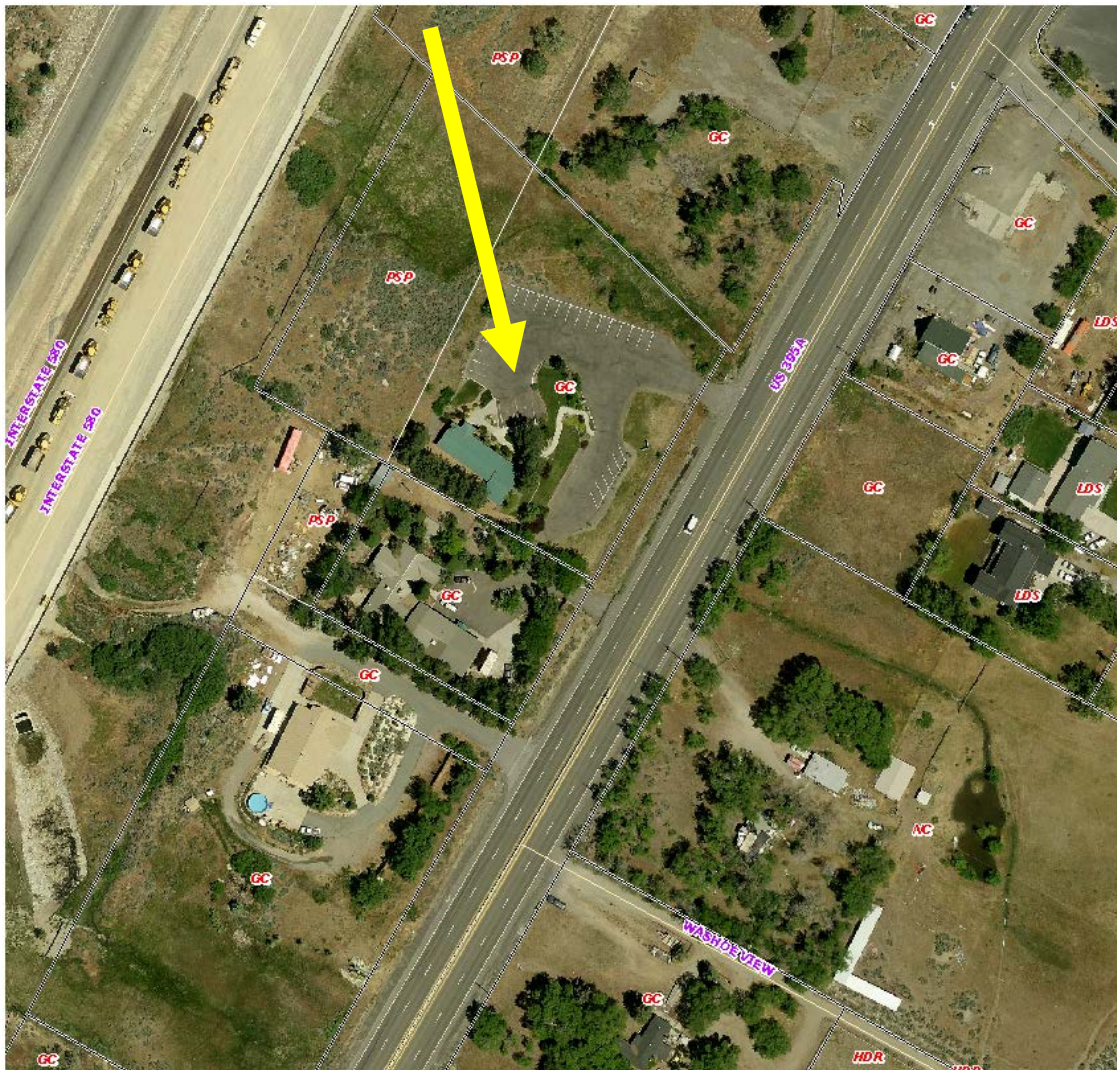
The applicant, Saint Rose of Lima Catholic Parish is requesting to expand their existing Holy Spirit Chapel by 700 square feet (about 30%) to accommodate an office for the pastor and to construct an area for refreshments. The Chapel has been in use for many years and is considered an existing, non-conforming use as there is no Administrative Permit approval as currently required for a Religious Assembly use type in the General Commercial zone. Because the proposed expansion is greater than ten percent of the existing facility the applicant is required to come into compliance with the Development Code for approval of the expansion to be granted.

Section 110.904.25 of the Development Code is applicable to the expansion and use of nonconforming structures, it reads in part, as follows:

- (a) Continuation. A nonconforming use of a structure may be continued as long as it remains otherwise lawful, subject to the following provisions:

- (1) A structure devoted to a nonconforming use shall not be enlarged more than ten (10) percent, extended, constructed, reconstructed, moved or structurally altered;
- (2) Any structure in which a nonconforming use is superseded by an allowed use shall thereafter conform to the regulations for the regulatory zone in which such structure is located, and the nonconforming use may not thereafter be resumed;

The current improvements on the subject site include a small Catholic chapel with stained-glass windows, parking areas and extensive landscaping. There are large evergreen trees surrounding the chapel which help the facility to significantly blend the facility with the hillside. The rear of the parcel is bordered by a tall retaining wall supporting the new I-580 freeway.





As can be seen in the photo above, the existing facility is nicely landscaped and generally very attractive. There are, however, several minor improvements that are required by the Development Code and that have been included as conditions of approval. The first of these is that the exterior lighting fixtures on the building, in the parking area and adjacent to the monument sign must be down-shielded so that there is no light spillover created.



The next requirement is that the handicapped parking spaces be re-painted and handicapped signage installed.



Over all the existing facility is very much in keeping with the character of the surrounding area, the area proposed for expansion of the facility is substantially screened from the adjacent parcel by several large ponderosa pine trees and there is little, if any, additional impact likely to be created by the proposed expansion.

Because there is little likelihood of any detriment being created by approval of the expansion of the facility, staff is comfortable recommending approval of the request, and is confident that the Board will be able to make all required findings of fact in support of the approval.

#### **West Washoe Valley Citizen Advisory Board (WWVCAB)**

Administrative permits are not required by Washoe County Code to be presented at a Citizen Advisory Board meeting. However this application was provided to each of the CAB members and their responses were requested. Staff received no written comments from any of the CAB members.

#### **Reviewing Agencies**

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

- Washoe County Community Services Department
  - Engineering and Capital Projects Division
  - Planning and Development Division
  - Water Resources Division
- Washoe County Health District
  - Vector-Borne Diseases Division
  - Environmental Health Division
- Truckee Meadows Fire Protection District

Two out of the six above listed agencies/departments provided comments and/or recommended conditions of approval in response to their evaluation of the project application. A **summary** of each agency's comments and/or recommended conditions of approval and their contact information is provided. The Conditions of Approval document is attached to this staff report and will be included with the Action Order.

- Washoe County Planning and Development addressed improvements necessary for the facility to meet current Code requirements.  
Contact: Roger Pelham, 775.328.3622, rpelham@washoecounty.us
- Washoe County Health District, Vector-Borne Diseases Division provided conditions of approval to avoid creating habitat for vermin.  
Contact: Roger Pelham, 775.328.3622, rpelham@washoecounty.us

### **Staff Comment on Required Findings**

Section 110.808.25 of Article 808, *Administrative Permits*, within the Washoe County Development Code, requires that all of the following findings be made to the satisfaction of the Washoe County Planning Commission before granting approval of the administrative permit request. Staff has completed an analysis of the application and has determined that the proposal is in compliance with the required findings as follows.

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the South Valleys Area Plan.

*Staff Comment: The Religious Assembly use type is allowed in the General Commercial zone, subject to the approval of an Administrative Permit. Nothing in the South Valleys area plan prohibits that use type. The Old Washoe City Historic District, in which this parcel is located, being a part of the South Valleys Area Plan, anticipates a mixture of residential and commercial use types.*

2. Improvements. 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.

*Staff Comment: The facility is existing and has been in operation for many years, the proposed minor expansion will not create any additional demand upon necessary infrastructure. The applicant is working with the Nevada Department of Transportation to improve the entry to the facility.*

3. Site Suitability. That the site is physically suitable for a chapel, and for the intensity of such a development.

*Staff Comment: The facility is in-place and has been in operation for many years, the site contains no topographic constraints, sufficient parking areas are available, access is from US Highway 395, thus there are no impacts of traffic on residential areas. The site is suitable for the Chapel.*

4. Issuance Not Detrimental. 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.

*Staff Comment: This is a relatively small expansion, and the area of expansion is significantly screened by a number of mature evergreen trees, thus the expansion will not be detrimental.*

5. Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

*Staff Comment: There is no military installation in the vicinity of the chapel.*

## **Recommendation**

Those agencies which reviewed the application recommended conditions in support of approval of the project. Therefore, after a thorough analysis and review, Administrative Permit Case No. AP13-001 is being recommended for approval with conditions. 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 Administrative Permit Case No. AP13-001 for Saint Rose of Lima Catholic Parish, Holy Spirit Chapel, having made all five findings in accordance with Washoe County Development Code Section 110.808.25:

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the South Valleys Area Plan;
2. Improvements. 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;
3. Site Suitability. That the site is physically suitable for a chapel and for the intensity of such a development;
4. Issuance Not Detrimental. 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; 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.

**Appeal Process**

Board of Adjustment action will be effective 10 days after the date of the public hearing, unless the action is appealed to the County Commission, in which case the outcome of the appeal shall be determined by the Washoe County Commission.

xc: Applicant / Property Owner: Saint Rose of Lima Catholic Parish, attn: Father Larry Morrison, 100 Bishop Manogue Drive, Reno, NV 89511

Representatives: Dan Munoz, 2595 Spinnaker Drive, Reno, NV 89519

# EXHIBIT A



## Conditions of Approval

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Administrative Permit Case No. AP13-001

The project approved under Administrative Permit Case No: AP13-001 shall be carried out in accordance with the Conditions of Approval granted by the Board of Adjustment on 4/4/2013. 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 Department of Community Development.

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.

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.**

- **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 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, rpelham@washoecounty.us

- a. The applicant shall demonstrate substantial conformance to the plans approved as part of this administrative permit.
- b. The applicant shall submit complete construction plans and 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.
- 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. The handicapped parking spaces shall be re-painted and required signage installed in accordance with Article 410 of the Development Code.
- e. All exterior lighting fixtures shall be shielded such that light is emitted downward only.
- f. Lighting for signage shall be installed such that light is emitted downward only.
- g. 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.

- h. The following **Operational Conditions** shall be required for the life of the 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.

**Washoe County District Health Department**

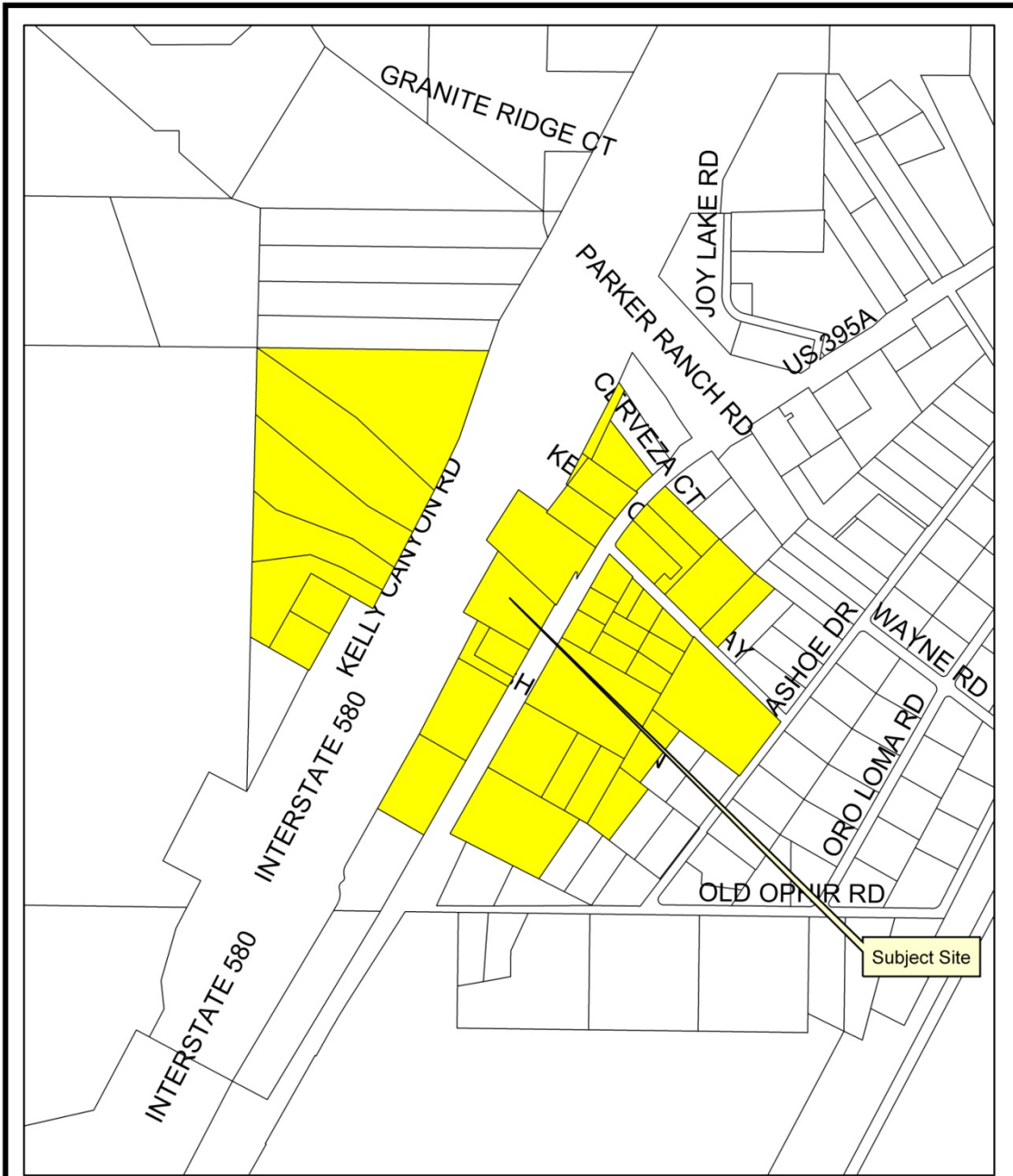
2. The following conditions are requirements of the District Health Department, Vector-Borne Diseases Program which shall be responsible for determining compliance with these conditions. The District Board of Health has jurisdiction over all public health matters in the Health District. Any conditions set by the District Health Department must be appealed to the District Board of Health.

Contact Name – Jim Shaffer, 775. 785-4599, [jshaffer@washocounty.us](mailto:jshaffer@washocounty.us)

- a. A wind sensor control unit will be required for the existing turf to assist in reducing the nuisance water runoff associated with irrigation (040.038).
- b. The rock treatment for slope protection shall require the placement of  $\frac{3}{4}$  to  $1\frac{1}{2}$  D size rock to a depth of 4 inches as a mixed aggregate to discourage void formation of rodent habitat for the slope.
- c. Prior to the sign off of the building plans the above detail designs are required on the plans.

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

Exhibit B  
AP13-001



Mailing Label Map  
Administrative Permit Case No AP13-001  
Holy Spirit Chapel  
41 Parcels selected at 700 feet.

Source: Community Planning Services



Date: February 2013

Department of  
Community  
Development  
WASHOE COUNTY  
NEVADA  
Post Office Box 11130  
Reno, Nevada 89520  
(775) 328-3600



Exhibit C  
AP13-001

# Washoe County Health District

ENVIRONMENTAL HEALTH SERVICES DIVISION



**Public Health**  
Prevent. Promote. Protect.

Washoe County  
Community Development  
C/O Roger Pelham  
1001 E. Ninth St.  
Reno, NV 89512

March 27, 2013

Dear Roger,

After having reviewed the Administrative Permit request from Saint Rose of Lima Catholic Parish (AP13-001) for the expansion of the existing church, please be advised of the following.

1. A wind sensor control unit will be required for the existing turf to assist in reducing the nuisance water runoff associated with irrigation (040.038).
2. The rock treatment for slope protection shall require the placement of  $\frac{3}{4}$  to  $1\frac{1}{2}$  D size rock to a depth of 4 inches as a mixed aggregate to discourage void formation of rodent habitat for the slope.
3. Prior to the sign off of the building plans the above detail designs are required on the plans.

If there are any questions concerning the aforementioned vector-planning conditions as it relates to environmental health, please call us at 785-4599.

Sincerely,

J. L. Shaffer  
Coordinator/Planner  
Vector-Borne Diseases program  
Environmental Health Division

## Washoe County Development Application

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

<b>Project Information</b>		Staff Assigned Case No.: <b>AP13-001</b>	
Project Name (commercial/industrial projects only): Addition to Holy Spirit Chapel in Washoe Valley			
Project: Addition to Holy Spirit Chapel in Washoe Valley			
Description: Addition of and office of 140 square feet and 560 square feet of area . This area will be used after services for serving refreshments.			
Project Address: 695 US Highway 395 Washoe Valley			
Project Area (acres or square feet): 800 Square feet			
Project Location (with point of reference to major cross streets AND area locator): Washoe Valley On old Highway 395 South 1/4 Mile from Parker Ranch Road			
Assessor's Parcel No(s):	Parcel Acreage:	Assessor's Parcel No(s):	Parcel Acreage:
046-070-60	2.42 acres		
Section(s)/Township/Range: Township 17 Range 19 Section23			
Indicate any previous Washoe County approvals associated with this application: Case Nos.			
<b>Applicant Information</b> (attach additional sheets if necessary)			
<b>Property Owner:</b>		<b>Professional Consultant:</b>	
Name: SAINT ROSE OF LIMA CATHOLIC PARISH		Name: Dan Munoz	
Address: 100 BISHOP MANOGUE DRIVE		Address: 2595 Spinnaker Drive	
Zip: 89511		Zip: 89519	
Phone: 775-851-1874	Fax: 775-851-1727	Phone: 775-828-9015	Fax: 775-867-2002
Email: SRL@STROSERENO.COM		Email: dan@renodesignbuild.com	
Cell:	Other:	Cell: 775-828-9015	Other:
Contact Person: FR. LARRY MORRISON		Contact Person: Dan Munoz	
<b>Applicant/Developer:</b>		<b>Other Persons to be Contacted:</b>	
Name:		Name:	
Address:		Address:	
Zip:		Zip:	
Phone:	Fax:	Phone:	Fax:
Email:		Email:	
Cell:	Other:	Cell:	Other:
Contact Person:		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):	

## **Administrative Permit Application Supplemental Information**

(All required information may be separately attached)

Chapter 110 of the Washoe County Code is commonly known as the Development Code. Specific references to administrative permits may be found in Article 808, Administrative Permits.

**1. What is the type of project or use being requested?**

This project is a small addition to the Holy Spirit Catholic Chapel in Washoe Valley. There are three primary elements to this project. 1. Space for refreshments after services. 560 Square feet. 2. Space for an office for the Pastor. 140 Square feet 3. Bringing the restrooms into compliance for ADA requirements.

**2. What currently developed portions of the property or existing structures are going to be used with this permit?**

The space will be used in conjunction with the existing main worship space and parking lot.

**3. What improvements (e.g. new structures, roadway improvements, utilities, sanitation, water supply, drainage, parking, signs, etc.) will have to be constructed or installed and what is the projected time frame for the completion of each?**

A new entrance will be installed under an existing NDOT permit. This will provide a modified turn lane which the NDOT has approved. This will provide a safer entrance from 395 to the property. There was no existing egress permit and a new one has been issued for this project. This should be in place by May. No new signs or parking will be installed. The building is scheduled to be finished by August 30.

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

The total project will be finished by August 30 according to our preliminary scheduling.

**5. 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 site is centrally located to provide a place for the Washoe Valley Catholic Community to worship. It is well landscaped, has sufficient parking and with the scheduled improvements will be a great asset to the community.

**6. What are the anticipated beneficial aspects or effects your project will have on adjacent properties and the community?**

We will provide with the new entry a modified turn lane that will create a safer environment for our neighbors. This was required by the NDOT and we readily complied with their request. We believe it will have a positive impact on the area.

**7. What will you do to minimize the anticipated negative impacts or effects your project will have on adjacent properties?**

We do not believe it will have a negative impact at all. As previously stated it will have a positive impact on traffic safety and create a better overall environment for our community.

8. Please describe operational parameters and/or voluntary conditions of approval to be imposed on the administrative permit to address community impacts.

None are necessary. This is a very moderate addition which will not impact capacity

9. How many improved parking spaces, both on-site and off-site, are available or will be provided? (Please indicate on site plan.)

30 spaces will be made available. Calculation is made on available pew seating  $21 \times 90'' = 1890/72'' = 26$  parking spaces. Less than 1200 square feet of public space is in the building. Add 4 more spaces. Total of 30 spaces necessary and are provided as per new plan adjusting old parking lot by Odyssey Engineering.

10. What types of landscaping (e.g. shrubs, trees, fencing, painting scheme, etc.) are proposed? (Please indicate location on site plan.)

Please see attached exhibit b which shows the extensive landscaping already in place. We have grass, trees and shrubs in excess of landscape requirements. Calculations for the landscaping requirement are on the Odyssey

11. What type of signs and lighting will be provided? On a separate sheet, show a depiction (height, width, construction materials, colors, illumination methods, lighting intensity, base landscaping, etc.) of each sign and the typical lighting standards. (Please indicate location of signs and lights on site plan.)

We propose to do no changes at this time to our signage or lighting. There will be none installed during this construction project.



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

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
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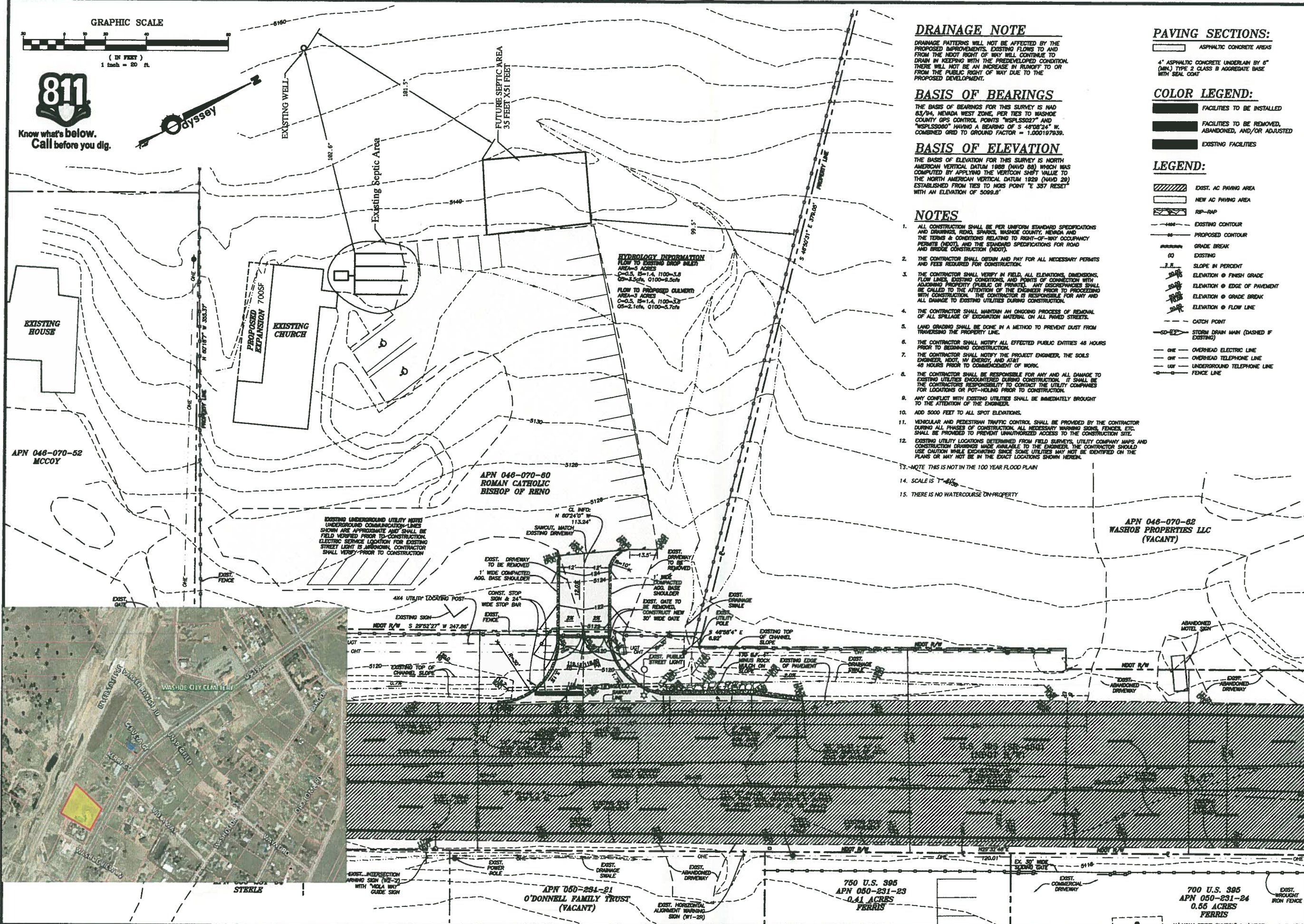
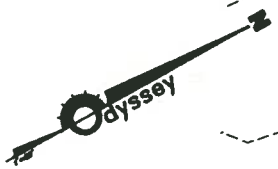
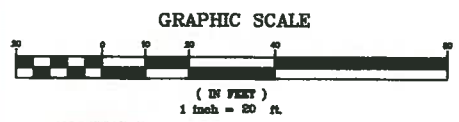
13. Utilities:

a. Sewer Service	Septic System
b. Water Service	Well

For most uses, the 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:

c. Permit #		acre-feet per year	
d. Certificate #		acre-feet per year	
e. Surface Claim #		acre-feet per year	
f. Other, #		acre-feet per year	

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



APN 046-070-52  
MCCOY

APN 046-070-60  
ROMAN CATHOLIC  
BISHOP OF RENO

APN 046-070-62  
WASHOE PROPERTIES LLC  
(VACANT)

APN 050-231-21  
O'DONNELL FAMILY TRUST  
(VACANT)

750 U.S. 395  
APN 050-231-23  
0.41 ACRES  
FERRIS

700 U.S. 395  
APN 050-231-24  
0.56 ACRES  
FERRIS

**DRAINAGE NOTE**

DRAINAGE PATTERNS WILL NOT BE AFFECTED BY THE PROPOSED IMPROVEMENTS. EXISTING FLOWS TO AND FROM THE NDOT RIGHT OF WAY WILL CONTINUE TO DRAIN IN KEEPING WITH THE PREDEVELOPED CONDITION. THERE WILL NOT BE AN INCREASE IN RUNOFF TO OR FROM THE PUBLIC RIGHT OF WAY DUE TO THE PROPOSED DEVELOPMENT.

**BASIS OF BEARINGS**

THE BASIS OF BEARINGS FOR THIS SURVEY IS NAD 83/94, NEVADA WEST ZONE, PER TIES TO WASHOE COUNTY GPS CONTROL POINTS "WSPSS027" AND "WSPSS080" HAVING A BEARING OF S 48°18'24" W, COMBINED GRID TO GROUND FACTOR = 1.000197839.

**BASIS OF ELEVATION**

THE BASIS OF ELEVATION FOR THIS SURVEY IS NORTH AMERICAN VERTICAL DATUM 1988 (NAVD 88) WHICH WAS COMPUTED BY APPLYING THE VERTICAL SHIFT VALUE TO THE NORTH AMERICAN VERTICAL DATUM 1929 (NAVD 29) ESTABLISHED FROM TIES TO NGS POINT "E 337 RESE" WITH AN ELEVATION OF 5099.8'

**NOTES**

1. ALL CONSTRUCTION SHALL BE PER UNIFORM STANDARD SPECIFICATIONS AND DRAWINGS, RENO, SPARKS, WASHOE COUNTY, NEVADA AND THE TERMS & CONDITIONS RELATING TO RIGHT-OF-WAY OCCUPANCY PERMITS (NDOT), AND THE STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION (NDOT).
2. THE CONTRACTOR SHALL OBTAIN AND PAY FOR ALL NECESSARY PERMITS AND FEES REQUIRED FOR CONSTRUCTION.
3. THE CONTRACTOR SHALL VERIFY IN FIELD, ALL ELEVATIONS, DIMENSIONS, FLOW LINES, EXISTING CONDITIONS, AND POINTS OF CONNECTION WITH ADJACENT PROPERTY (PUBLIC OR PRIVATE). ANY DISCREPANCIES SHALL BE CALLED TO THE ATTENTION OF THE ENGINEER PRIOR TO PROCEEDING WITH CONSTRUCTION. THE CONTRACTOR IS RESPONSIBLE FOR ANY AND ALL DAMAGE TO EXISTING UTILITIES DURING CONSTRUCTION.
4. THE CONTRACTOR SHALL MAINTAIN AN ONGOING PROCESS OF REMOVAL OF ALL SPILLAGE OF EXCAVATION MATERIAL ON ALL PAVED STREETS.
5. LAND GRADING SHALL BE DONE IN A METHOD TO PREVENT DUST FROM TRAVELING THE PROPERTY LINE.
6. THE CONTRACTOR SHALL NOTIFY ALL EFFECTED PUBLIC ENTITIES 48 HOURS PRIOR TO BEGINNING CONSTRUCTION.
7. THE CONTRACTOR SHALL NOTIFY THE PROJECT ENGINEER, THE SOILS ENGINEER, NDOT, NV ENERGY, AND AT&T 48 HOURS PRIOR TO COMMENCEMENT OF WORK.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY AND ALL DAMAGE TO EXISTING UTILITIES ENCOUNTERED DURING CONSTRUCTION. IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO CONTACT THE UTILITY COMPANIES FOR LOCATIONS OR POT-HOLDING PRIOR TO CONSTRUCTION.
9. ANY CONFLICT WITH EXISTING UTILITIES SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF THE ENGINEER.
10. ADD 5000 FEET TO ALL SPOT ELEVATIONS.
11. VEHICULAR AND PEDESTRIAN TRAFFIC CONTROL SHALL BE PROVIDED BY THE CONTRACTOR DURING ALL PHASES OF CONSTRUCTION INCLUDING SIGNING, FENCING, ETC. SHALL BE PROVIDED TO PREVENT UNAUTHORIZED ACCESS TO THE CONSTRUCTION SITE.
12. EXISTING UTILITY LOCATIONS DETERMINED FROM FIELD SURVEYS, UTILITY COMPANY MAPS AND CONSTRUCTION DRAWINGS MADE AVAILABLE TO THE ENGINEER, THE CONTRACTOR SHOULD USE CAUTION WHILE EXCAVATING SINCE SOME UTILITIES MAY NOT BE IDENTIFIED ON THE PLANS OR MAY NOT BE IN THE EXACT LOCATIONS SHOWN HEREIN.
13. NOTE: THIS IS NOT IN THE 100 YEAR FLOOD PLAN
14. SCALE IS 1"=40'
15. THERE IS NO WATERCOURSE ON PROPERTY

**PAVING SECTIONS:**

ASPHALTIC CONCRETE AREAS  
4" ASPHALTIC CONCRETE UNDERLAY BY 6" (MIN.) TYPE 2 CLASS B AGGREGATE BASE WITH SEAL COAT

**COLOR LEGEND:**

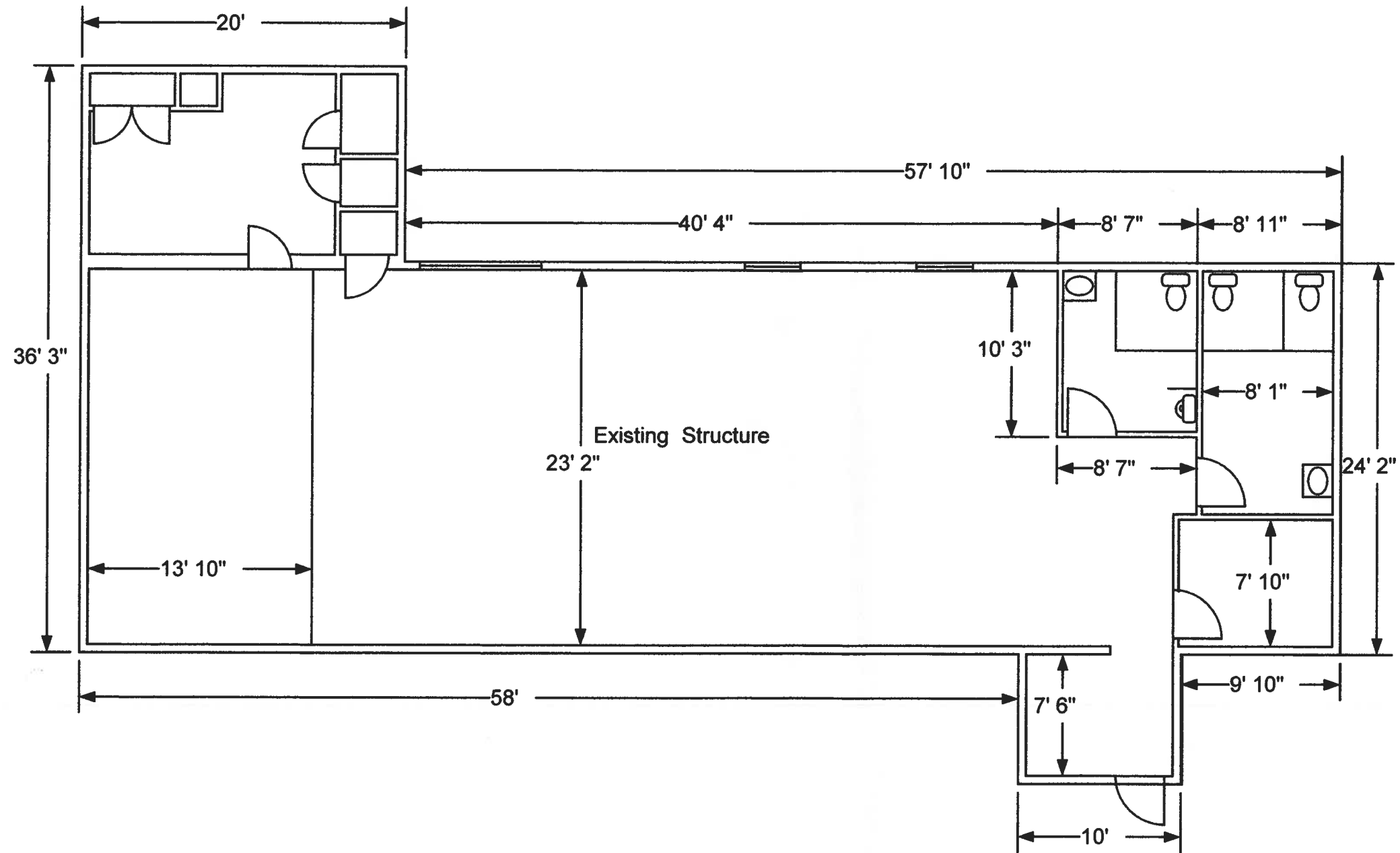
Facilities to be installed  
Facilities to be removed, abandoned, and/or adjusted  
Existing facilities

**LEGEND:**

- EXIST. AC PAVING AREA
- NEW AC PAVING AREA
- RP-RAP
- EXISTING CONTOUR
- PROPOSED CONTOUR
- GRADE BREAK
- EXISTING
- SLOPE IN PERCENT
- ELEVATION @ FRESH GRADE
- ELEVATION @ EDGE OF PAVEMENT
- ELEVATION @ GRADE BREAK
- ELEVATION @ FLOW LINE
- CATCH POINT
- STORM DRAIN MAIN (DASHED IF EXISTING)
- OVERHEAD ELECTRIC LINE
- OVERHEAD TELEPHONE LINE
- UNDERGROUND TELEPHONE LINE
- FENCE LINE



DATE: SEPTEMBER 14, 2012	BY: [Signature]
DRAWN BY: ACAD2008	DESCRIPTION: [Blank]
DESIGNED BY: G.V.	DATE: [Blank]
CHECKED BY: G.V.	DATE: [Blank]
<b>HOLY SPIRIT CATHOLIC CHURCH</b> <b>HEALTH DEPARTMENT PLAN PLOT PLAN</b> WASHOE VALLEY, WASHOE COUNTY, NEVADA	
DIVERSIFIED BUILDERS 2595 SPINNAKER DRIVE RENO, NEVADA LIC 017280 775-828-9015	
SCALE HORIZ. = 20' VERT. = [Blank]	SECRET
JOB NO.	N-1
	OF
	4



Existing Church

Revisions

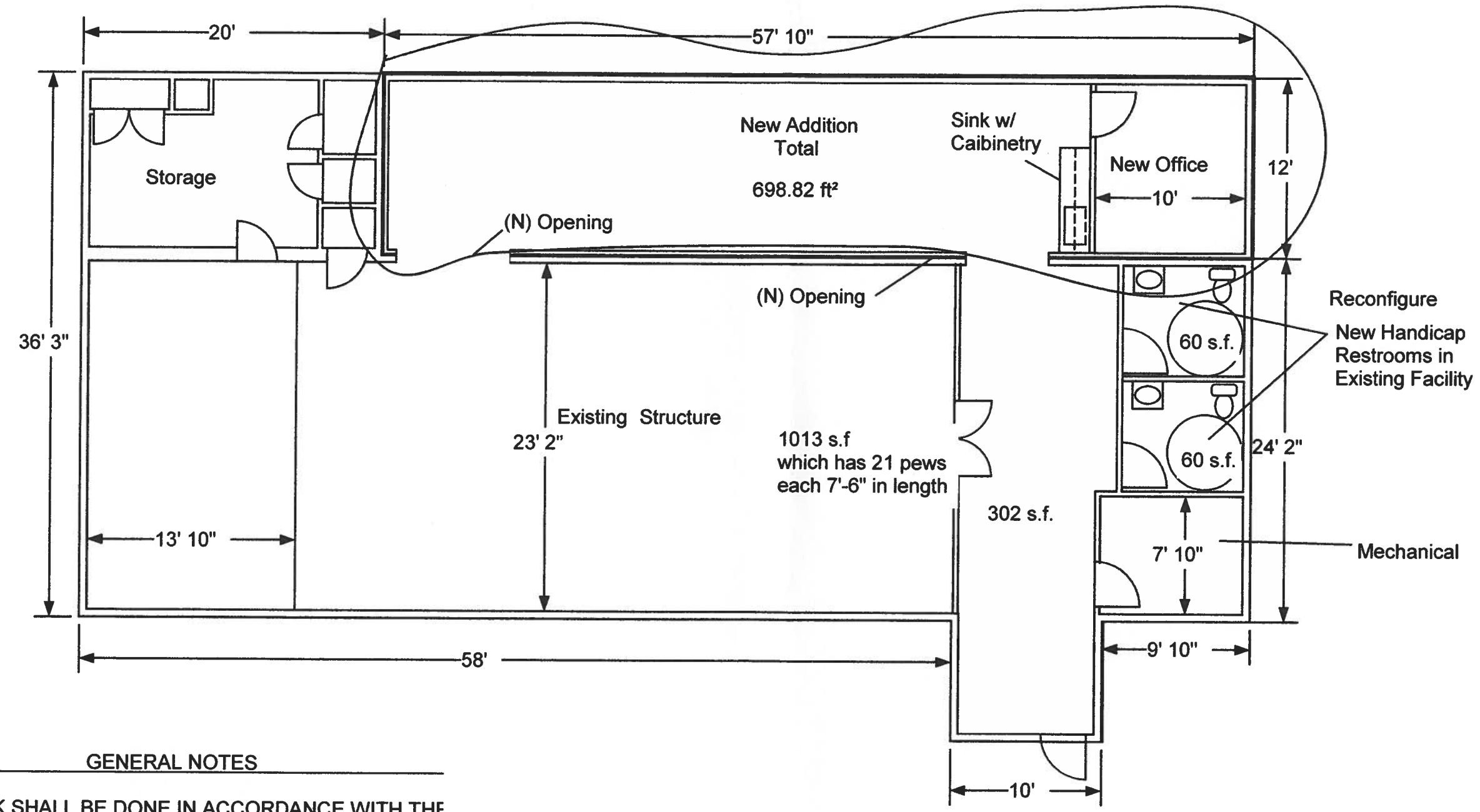
**DIVERSIFIED BUILDERS**  
 2595 Spinnaker Drive  
 Reno, Nevada 89509  
 775-828-9015

**HOLY SPIRIT CATHOLIC CHURCH**  
 APN 046-070-60  
 WASHOE VALLEY, NEVADA

Sheet

**A1a**

SCALE 1/8" = 1'

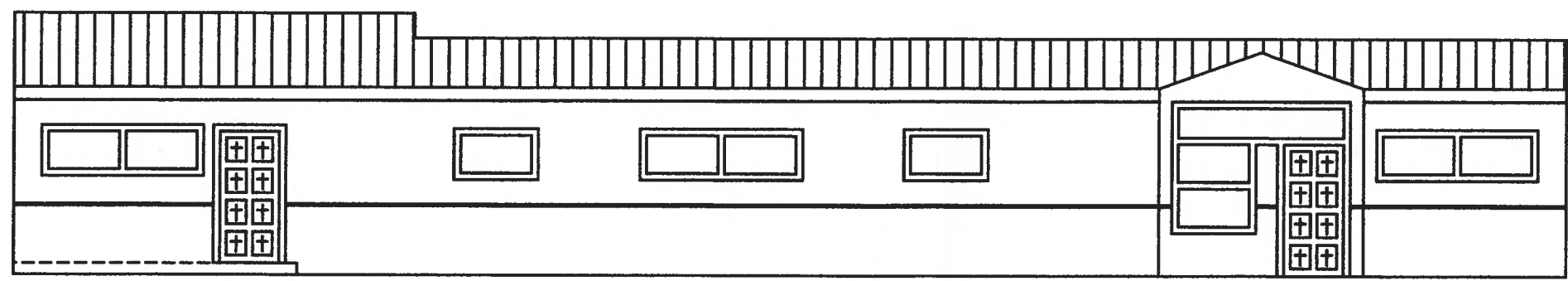


**GENERAL NOTES**

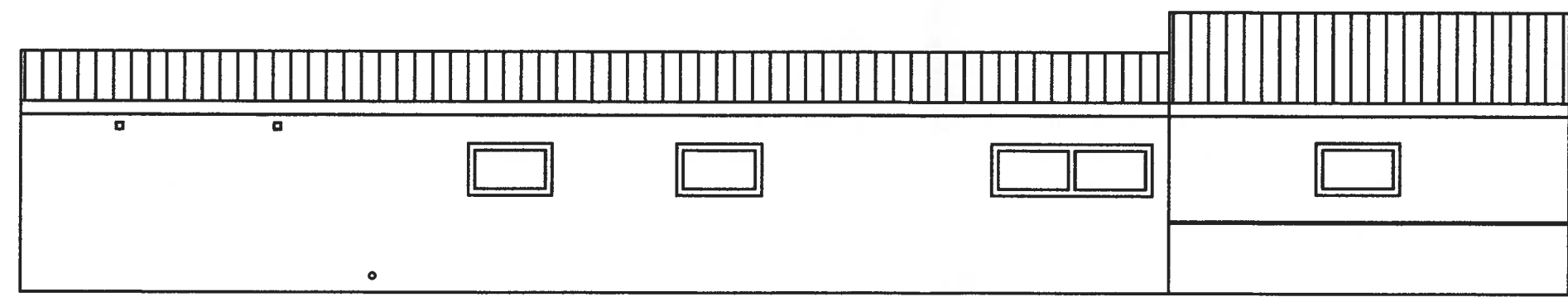
1. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE INTERNATIONAL BUILDING CODE, UNIFORM MECHANICAL CODE, UNIFORM PLUMBING CODE, AND NATIONAL ELECTRICAL CODE.
2. ALL ELECTRICAL, MECHANICAL, AND PLUMBING WORK SHALL BE DONE BY CONTRACTORS WHO ARE LICENSED BY THE STATE OF NEVADA TO DO THESE AREAS OF WOF

**Floor Plan- Addition outlined in bold**

**SCALE 1/8" = 1'**



North Elevation



South Elevation

Exterior Notes: Body of exterior is shingle siding with a rock veneer wainscoting. The roof is green metal roof panels.

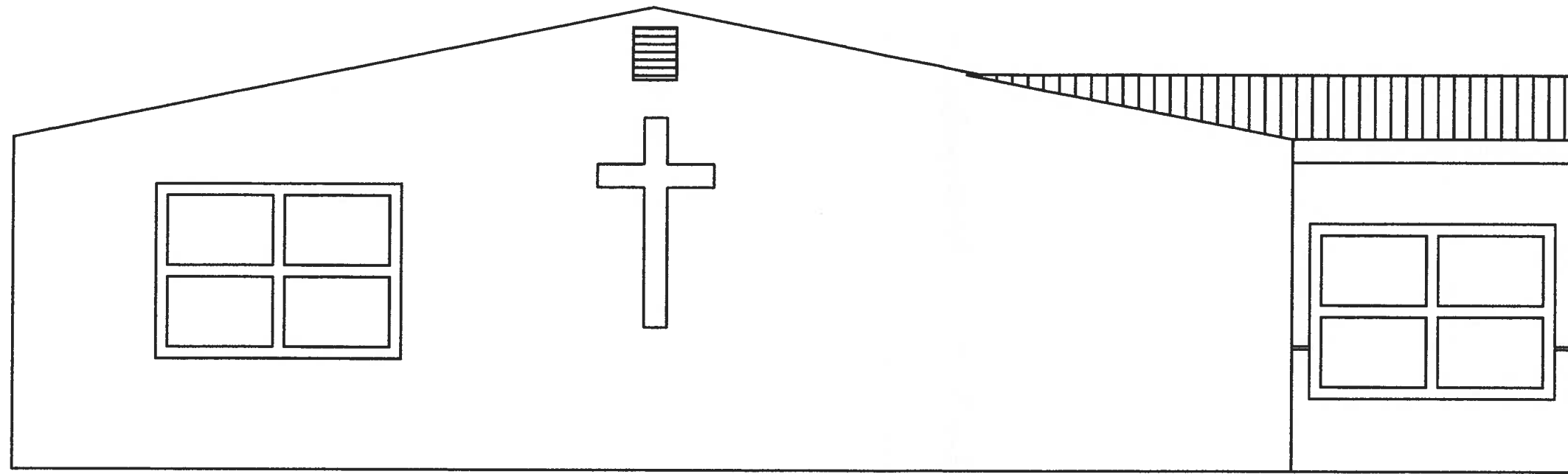
SCALE 1/8" = 1'

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2595 Spinnaker Drive  
Reno, Nevada 89509  
775-828-9015

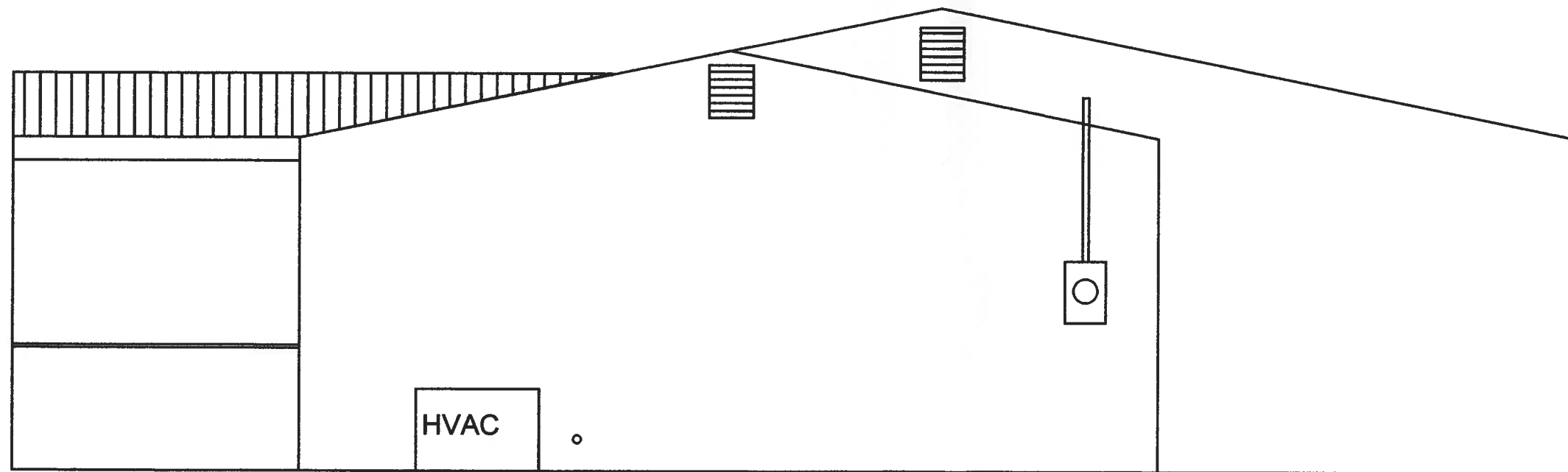
**HOLY SPIRIT CATHOLIC CHURCH**  
APN 046-070-60  
WASHOE VALLEY, NEVADA

Sheet

**A2**



East Elevation



West Elevation

Revisions

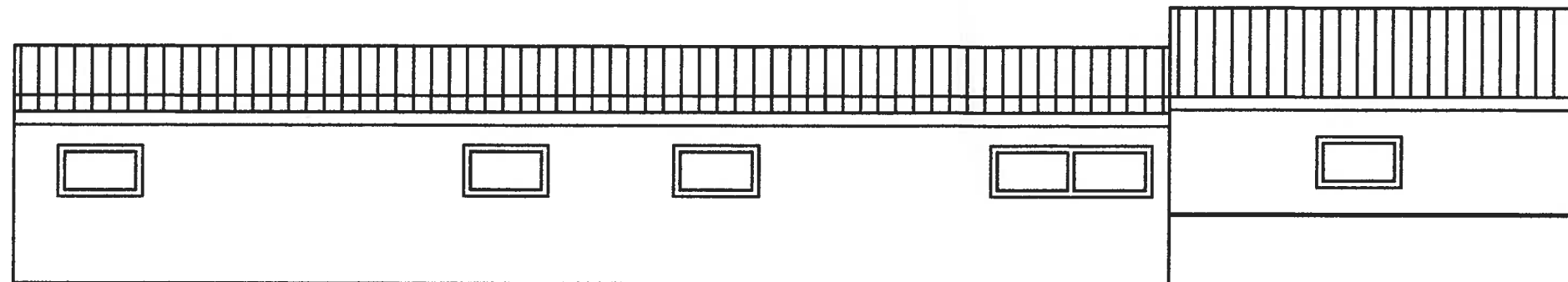
**DIVERSIFIED BUILDERS**  
 2595 Spinnaker Drive  
 Reno, Nevada 89509  
 775-828-9015

**HOLY SPIRIT CATHOLIC CHURCH**  
 APN 046-070-60  
 WASHOE VALLEY, NEVADA

Sheet

**A3**

SCALE 1/4" = 1'



New South Elevation

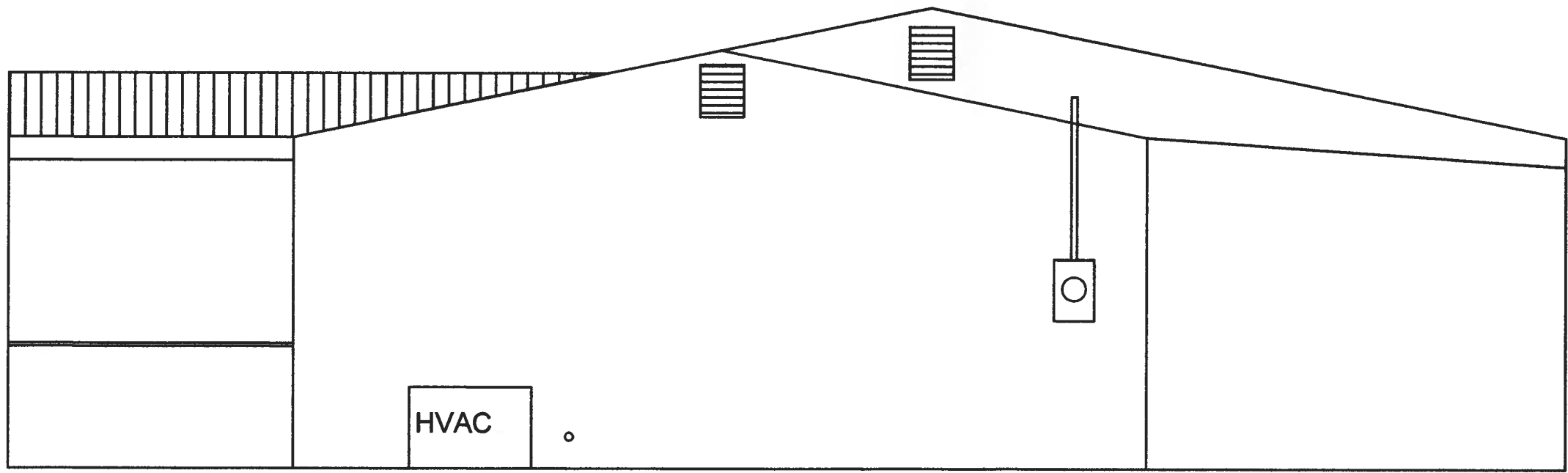
SCALE 1/8" = 1'

**DIVERSIFIED BUILDERS**  
2595 Spinnaker Drive  
Reno, Nevada 89509  
775-828-9015

**HOLY SPIRIT CATHOLIC CHURCH**  
APN 046-070-60  
WASHOE VALLEY, NEVADA

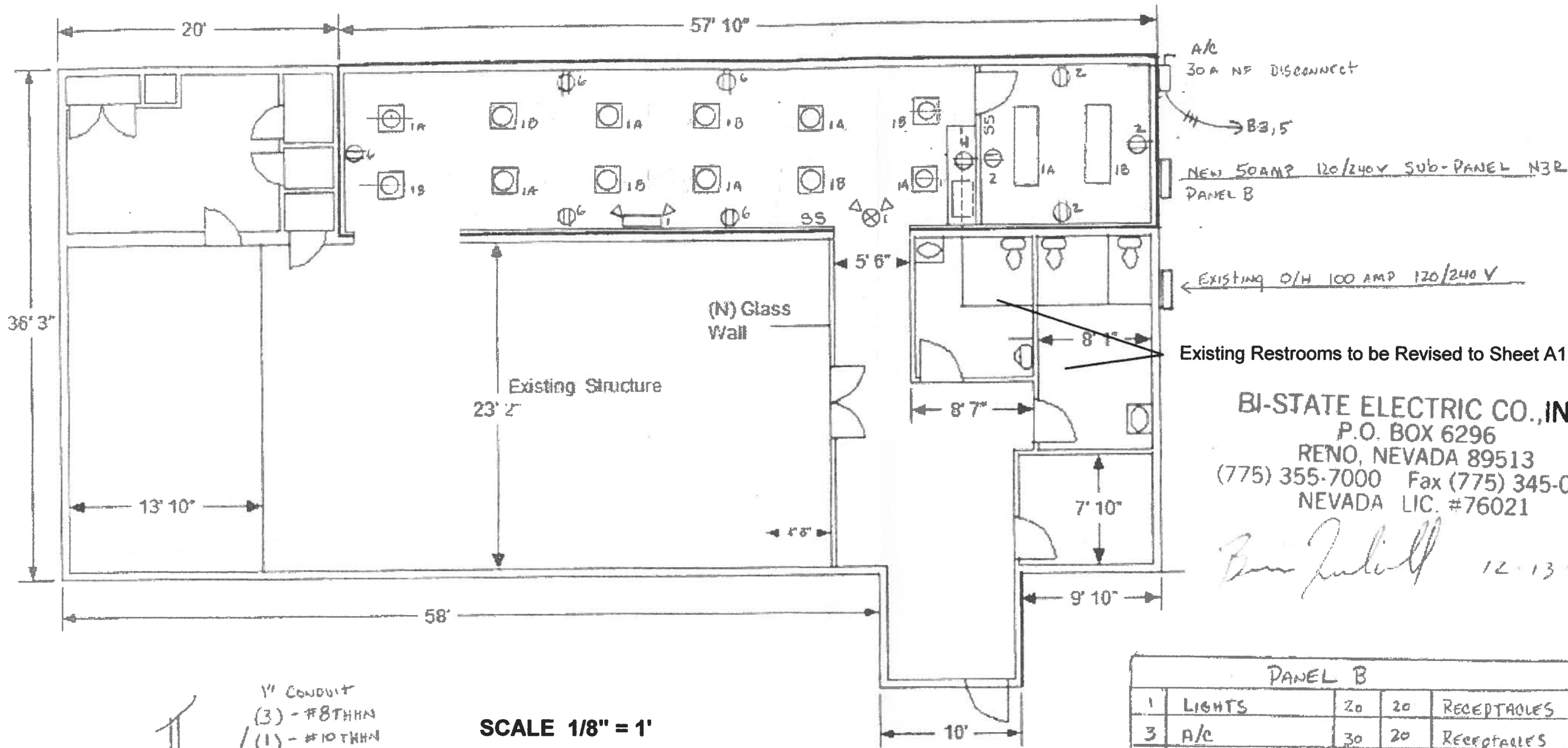
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**A4**



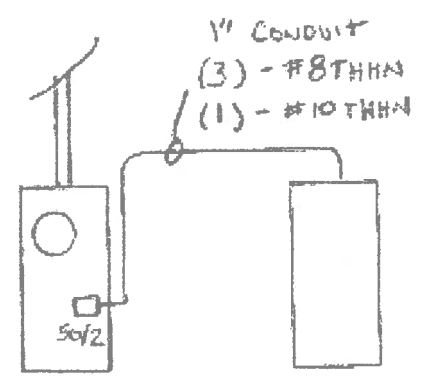
New West Elevation

SCALE 1/4" = 1'



**BI-STATE ELECTRIC CO., INC.**  
 P.O. BOX 6296  
 RENO, NEVADA 89513  
 (775) 355-7000 Fax (775) 345-0814  
 NEVADA LIC. #76021

*Ben Jubill* 12-13-12



SCALE 1/8" = 1'

POWER DISTRIBUTION DIA

NTS

PANEL B					
1	LIGHTS	20	20	RECEPTACLES	2
3	A/C	30	20	RECEPTACLES	4
5	A/C	30	20	RECEPTACLES	6
7	SPACE		20	FAU	8
9				SPACE	10
11					12
VOLTS 120/240					
LOAD CENTER					
AMPS 100A					
NEMA 3R					

**DIVERSIFIED BUILDERS**  
 2595 Spinnaker Drive  
 Reno, Nevada 89509  
 775-828-9015

**HOLY SPIRIT CATHOLIC CHURCH**  
 APN 046-070-60  
 WASHOE VALLEY, NEVADA

Sheet

**E1**





COMcheck Software Version 3.9.1  
**Interior Lighting Compliance Certificate**

**2009 IECC**

**Section 1: Project Information**

Project Type: **New Construction**  
 Project Title : Holy Spirit Catholic Church

Construction Site:  
 695 US 395  
 New Washoe City, NV 89704

Owner/Agent:  
 Holy Spirit Catholic Church  
 695 US 395  
 New Washoe City, NV 89704

Designer/Contractor:  
 Brian Fairchild  
 Bi-State Electric Company  
 PO Box 6296  
 Reno, NV 89513  
 775-355-7000  
 brian@bi-stateelectric.com

**Section 2: Interior Lighting and Power Calculation**

A Area Category	B Floor Area (ft <sup>2</sup> )	C Allowed Watts / ft <sup>2</sup>	D Allowed Watts (B x C)
Meeting Room (Religious Building)	700	1.3	910
Total Allowed Watts =			910

**Section 3: Interior Lighting Fixture Schedule**

A Fixture ID : Description / Lamp / Wattage Per Lamp / Ballast	B Lamps/ Fixture	C # of Fixtures	D Fixture Watt.	E (C X D)
Meeting Room ( Religious Building 700 sq.ft.)				
Incandescent 1: Incandescent 65W	1	12	65	780
Linear Fluorescent 1: 48" T8 32W / Electronic	2	2	64	128
Total Proposed Watts =				908

**Section 4: Requirements Checklist**

Interior Lighting: Design 0.2% better than code.

**Lighting Wattage:**

- 1. Total proposed watts must be less than or equal to total allowed watts.

Allowed Watts	Proposed Watts	Complies
910	908	YES

**Controls, Switching, and Wiring:**

- 2. Daylight zones under skylights more than 15 feet from the perimeter have lighting controls separate from daylight zones adjacent to vertical fenestration.
- 3. Daylight zones have individual lighting controls independent from that of the general area lighting.

*Exceptions:*

- Contiguous daylight zones spanning no more than two orientations are allowed to be controlled by a single controlling device.
- Daylight spaces enclosed by walls or ceiling height partitions and containing two or fewer light fixtures are not required to have a separate switch for general area lighting.

- 4. Independent controls for each space (switch/occupancy sensor).

*Exceptions:*

- Areas designated as security or emergency areas that must be continuously illuminated.
- Lighting in stairways or corridors that are elements of the means of egress.
- 5. Master switch at entry to hotel/motel guest room.
- 6. Individual dwelling units separately metered.
- 7. Medical task lighting or art/history display lighting claimed to be exempt from compliance has a control device independent of the control of the nonexempt lighting.
- 8. Each space required to have a manual control also allows for reducing the connected lighting load by at least 50 percent by either controlling all luminaires, dual switching of alternate rows of luminaires, alternate luminaires, or alternate lamps, switching the middle lamp luminaires independently of other lamps, or switching each luminaire or each lamp.

*Exceptions:*

- Only one luminaire in space.
- An occupant-sensing device controls the area.
- The area is a corridor, storeroom, restroom, public lobby or sleeping unit.
- Areas that use less than 0.6 Watts/sq.ft.
- 9. Automatic lighting shutoff control in buildings larger than 5,000 sq.ft.

*Exceptions:*

- Sleeping units, patient care areas; and spaces where automatic shutoff would endanger safety or security.
- 10. Photocell/astronomical time switch on exterior lights.

*Exceptions:*

- Lighting intended for 24 hour use.
- 11. Tandem wired one-lamp and three-lamp ballasted luminaires (No single-lamp ballasts).

*Exceptions:*

- Electronic high-frequency ballasts; Luminaires on emergency circuits or with no available pair.

**Section 5: Compliance Statement**

*Compliance Statement:* The proposed lighting design represented in this document is consistent with the building plans, specifications and other calculations submitted with this permit application. The proposed lighting system has been designed to meet the 2009 IECC requirements in COMcheck Version 3.9.1 and to comply with the mandatory requirements in the Requirements Checklist.

Name - Title \_\_\_\_\_ Signature *Brian Fairchild* Date 12-13-12

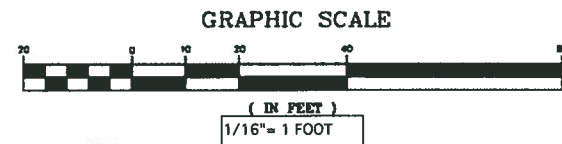
Revisions

**DIVERSIFIED BUILDERS**  
 2595 Spinnaker Drive  
 Reno, Nevada 89509  
 775-828-9015

**HOLY SPIRIT CATHOLIC CHURCH**  
 APN 046-070-60  
 WASHOE VALLEY, NEVADA

Sheet

**E2**



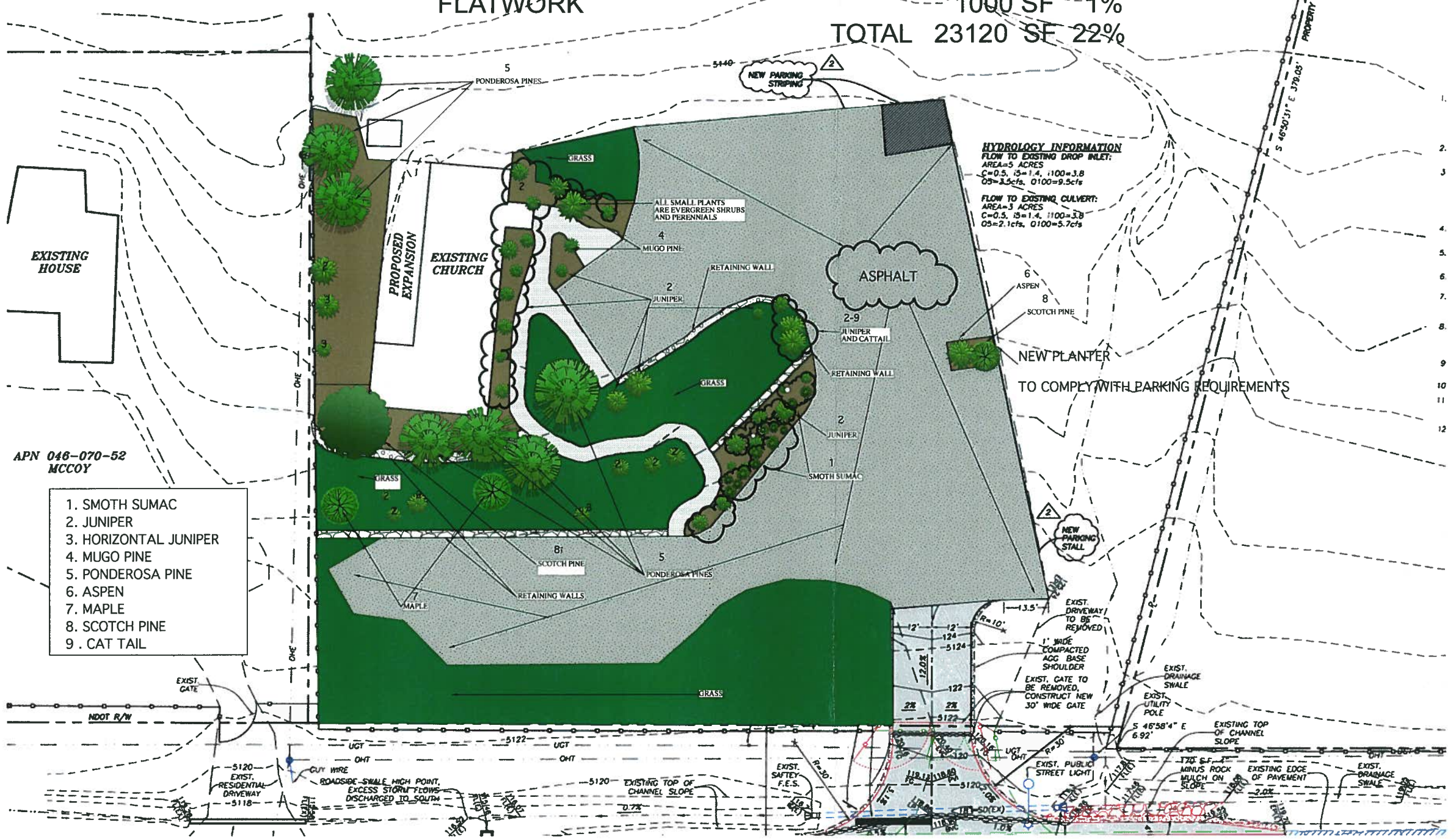
Know what's below.  
Call before you dig.



**SITE \ LANDSCAPE INFORMATION (EXISTING)**

EXISTING 2.42 ACRE PARCEL (105,435 S.F.)  
 OPEN-SPACE NATIVE LANDSCAPING 58,000 SF 55%  
 DEVELOPED LANDSCAPING 24,315 SF 23%  
 TOTAL LANDSCAPING 82,315 SF 78%

BUILDING 3020 SF 3%  
 AC PAVING 19100 SF 18%  
 FLATWORK 1000 SF 1%  
 TOTAL 23120 SF 22%



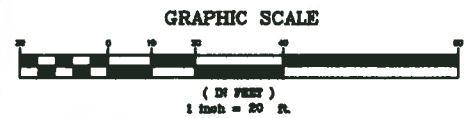
EXISTING LANDSCAPE  
 HOLY SPIRIT CATHOLIC CHURCH

No.	Revision/Issue	Date

DIVERSIFIED BUILDERS  
 2595 SPINNAKER DRIVE  
 RENO, NEVADA

775-828-9015  
 775-848-8524

L1



**SITE/LANDSCAPE INFO:**  
 EXISTING 2.48 ACRE PARCEL (105,438 S.F.)  
 OPEN SPACE/NATIVE LANDSCAPE: 58,000 S.F. 55%  
 DEVELOPED LANDSCAPE: 47,438 S.F. 45%  
 TOTAL LANDSCAPE: 105,438 S.F. 100%  
 BUILDING: 3,020 S.F. 3%  
 A.C. PAVING: 18,700 S.F. 18%  
 PLANTING: 1,400 S.F. 1%  
 TOTAL Hardscape: 23,100 S.F. 22%

**PARKING INFO:**  
 EXISTING PARKING STALLS: 22  
 EXISTING ADA PARKING STALLS: 2  
 PROPOSED PARKING STALLS: 30  
 TOTAL PARKING STALLS: 54

**HYDROLOGY INFORMATION**  
 AREA: 5 ACRES  
 C=0.8, S=1.4, H=0.3-3.0  
 Q=1.5cfs, Q100=8.5cfs  
 AREA: 3 ACRES  
 C=0.8, S=1.4, H=0.3-3.0  
 Q=2.1cfs, Q100=8.7cfs

**DRAINAGE NOTE**

DRAINAGE PATTERNS WILL NOT BE AFFECTED BY THE PROPOSED IMPROVEMENTS. EXISTING FLOWS TO AND FROM THE WEST RIGHT OF WAY WILL CONTINUE TO DRAIN IN KEEPING WITH THE PREDEVELOPED CONDITION. THERE WILL NOT BE AN INCREASE IN RUNOFF TO OR FROM THE PUBLIC RIGHT OF WAY DUE TO THE PROPOSED DEVELOPMENT.

**BASIS OF BEARINGS**

THE BASIS OF BEARINGS FOR THIS SURVEY IS NAD 83/04, NEVADA WEST ZONE, PER TIES TO WASHOE COUNTY GPS CONTROL POINTS "WSP15027" AND "WSP15028" HAVING A BEARING OF S 45°08'24" W, COMBINED GRID TO GROUND FACTOR = 1.000197936.

**BASIS OF ELEVATION**

THE BASIS OF ELEVATION FOR THIS SURVEY IS NORTH AMERICAN VERTICAL DATUM 1988 (NAVD 88) WHICH WAS COMPUTED BY APPLYING THE VERTCON SHIFT VALUE TO THE NORTH AMERICAN VERTICAL DATUM 1929 (NAVD 29) ESTABLISHED FROM TIES TO NGPS POINT "E 337 RESIST" WITH AN ELEVATION OF 5088.5'

**NOTES**

- ALL CONSTRUCTION SHALL BE PER UNIFORM STANDARD SPECIFICATIONS AND DRAWINGS, REVISED SPECIFICATIONS, WASHOE COUNTY, NEVADA AND THE TERMS & CONDITIONS RELATIVE TO RIGHT-OF-WAY OCCUPANCY PERMITS (RWO) AND THE SPECIFIED SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION (RWB).
- THE CONTRACTOR SHALL OBTAIN AND PAY FOR ALL NECESSARY PERMITS AND FEES REQUIRED FOR CONSTRUCTION.
- THE CONTRACTOR SHALL VERIFY IN FIELD ALL ELEVATIONS, DIMENSIONS, FLOW LINES, EXISTING CONDITIONS, AND POINTS OF CONSTRUCTION WITH ADJOINING PROPERTY (PUBLIC OR PRIVATE). ANY DISCREPANCIES SHALL BE CALLED TO THE ATTENTION OF THE ENGINEER PRIOR TO PROCEEDING WITH CONSTRUCTION. THE CONTRACTOR IS RESPONSIBLE FOR ANY AND ALL DAMAGE TO EXISTING UTILITIES DURING CONSTRUCTION.
- THE CONTRACTOR SHALL MAINTAIN AN ONGOING PROCESS OF REMOVAL OF ALL SPILLAGE OF EXHAUSTION MATERIAL ON ALL PAVED STREETS.
- LAND GRADING SHALL BE DONE IN A METHOD TO PREVENT DUST FROM TRAVELING THE PROPERTY LINE.
- THE CONTRACTOR SHALL NOTIFY ALL AFFECTED PUBLIC ENTITIES 48 HOURS PRIOR TO BEGINNING CONSTRUCTION.
- THE CONTRACTOR SHALL NOTIFY THE PROJECT ENGINEER, THE SOILS ENGINEER, NDOT, BY ENERGY, AND CITY 48 HOURS PRIOR TO COMMENCEMENT OF WORK.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY AND ALL DAMAGE TO EXISTING UTILITIES ENCOUNTERED DURING CONSTRUCTION. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO CONTACT THE UTILITY COMPANIES FOR LOCATIONS OR POT-HOLDING PRIOR TO CONSTRUCTION.
- ANY CONFLICT WITH EXISTING UTILITIES SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF THE ENGINEER.
- ADD 5000 FEET TO ALL SPOT ELEVATIONS.
- VEHICULAR AND PEDESTRIAN TRAFFIC CONTROL SHALL BE PROVIDED BY THE CONTRACTOR DURING ALL PHASES OF CONSTRUCTION. ALL NECESSARY WARNING SIGNS, FENCES, ETC. SHALL BE PROVIDED TO PREVENT UNAUTHORIZED ACCESS TO THE CONSTRUCTION SITE.
- EXISTING UTILITY LOCATIONS DETERMINED FROM FIELD SURVEYS, UTILITY COMPANY MAPS AND CONSTRUCTION DRAWINGS MADE AVAILABLE TO THE ENGINEER. THE CONTRACTOR SHOULD USE CAUTION WHILE EXCAVATING SINCE SOME UTILITIES MAY NOT BE IDENTIFIED ON THE PLANS OR MAY NOT BE IN THE EXACT LOCATIONS SHOWN HEREIN.

**PAVING SECTIONS:**

ASPHALTIC CONCRETE AREAS  
 4" ASPHALTIC CONCRETE UNDERLAY BY 6" (MIN.) TYPE 2 CLASS B AGGREGATE BASE WITH SEAL COAT

**COLOR LEGEND:**

- FACILITIES TO BE INSTALLED
- FACILITIES TO BE REMOVED, ABANDONED, AND/OR ADJUSTED
- EXISTING FACILITIES

**LEGEND:**

- EXIST. AC PAVING AREA
- NEW AC PAVING AREA
- RIP-RAP
- EXISTING CONTOUR
- PROPOSED CONTOUR
- GRADE BREAK
- EXISTING
- SLOPE IN PERCENT
- ELEVATION @ FINISH GRADE
- ELEVATION @ EDGE OF PAVEMENT
- ELEVATION @ GRADE BREAK
- ELEVATION @ FLOW LINE
- CATCH POINT
- STORM DRAIN MAN (DASHED IF EXISTING)
- OVERHEAD ELECTRIC LINE
- OVERHEAD TELEPHONE LINE
- UNDERGROUND TELEPHONE LINE
- EDGE LINE
- EXISTING PARKING STALL
- PROPOSED PARKING STALL

DATE: DECEMBER, 2011  
 DRAWN BY: ACADSOOS  
 DESIGNED BY: G.W.  
 CHECKED BY: G.W.

HOLY SPIRIT CATHOLIC CHURCH  
 NDOT ENCROACHMENT PLAN

SCALE  
 HORIZ. 1" = 20'  
 VERT. 1" = 2'

JOB NO.  
 N-1  
 4

odyssey ENGINEERING INCORPORATED

**From:** Jane Countryman [<mailto:jane.countryman@dncfp.nv.gov>]

**Sent:** Monday, March 25, 2013 10:42 AM

**To:** Croarkin, Dan

**Subject:** RE: Board of Adjustment 4/4/13 - agenda

Dan,

I don't know if anyone responded from West Washoe. As a resident of this area, I do not find any problem with this application.

**B. PUBLIC HEARING: Administrative Permit Case No AP13-001 – Saint Rose of Lima Catholic Parish - To allow the expansion of an existing church of 2,372 square feet by an additional 700 square feet to construct an office for the pastor and an area to serve refreshments.**

Thank you

Jane Countryman



# Board of Adjustment Staff Report

Meeting Date: April 4, 2013

Subject: Special Use Permit Case No. SB13-004  
Applicant(s): Hayfed, LLC  
**Agenda Item No. 8C**  
Project Summary: Wild West Motorsports Park, Outdoor Entertainment Permit and Grading Permit  
**Recommendation: Approval with Conditions**  
Prepared by: Eva M. Krause - AICP, Planner  
Planning & Development Division  
Washoe County Community Services Department  
Phone: 775.328.3796  
E-Mail: ekrause@washoecounty.us

---

## Description

**Special Use Permit Case No. SB13-004 Wild West Motorsports Park** – Request approval of the mass grading done to create a race track and grandstand areas, and to operate the site as a commercial outdoor entertainment venue for off-road racing and other outdoor entertainment activities

- Applicant: Hayfed, LLC
- Property Owner: Lockwood Investment Co. Ltd
- Location: 12005 East I-80
- Assessor's Parcel No: 084-060-13
- Parcel Size: 170.53 acres of a 624-acre site
- Master Plan Category: Rural
- Regulatory Zone: Parks and Recreation
- Area Plan: Truckee Canyon
- Citizen Advisory Board: East Truckee Canyon
- Development Code: Article 810, Special Use Permit
- Commission District: 4 – Commissioner Hartung
- Section/Township/Range: Section 9, T19N, R21E, MDB&M, Washoe County, NV

**Staff Report Contents**

Description ..... 1  
Special Use Permit ..... 3  
Vicinity Map ..... 4  
Current Conditions ..... 5  
Background..... 6  
Reviewing Agencies..... 9  
Recommendation.....11  
Motion.....12  
Appeal Process.....12

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**Exhibits Contents**

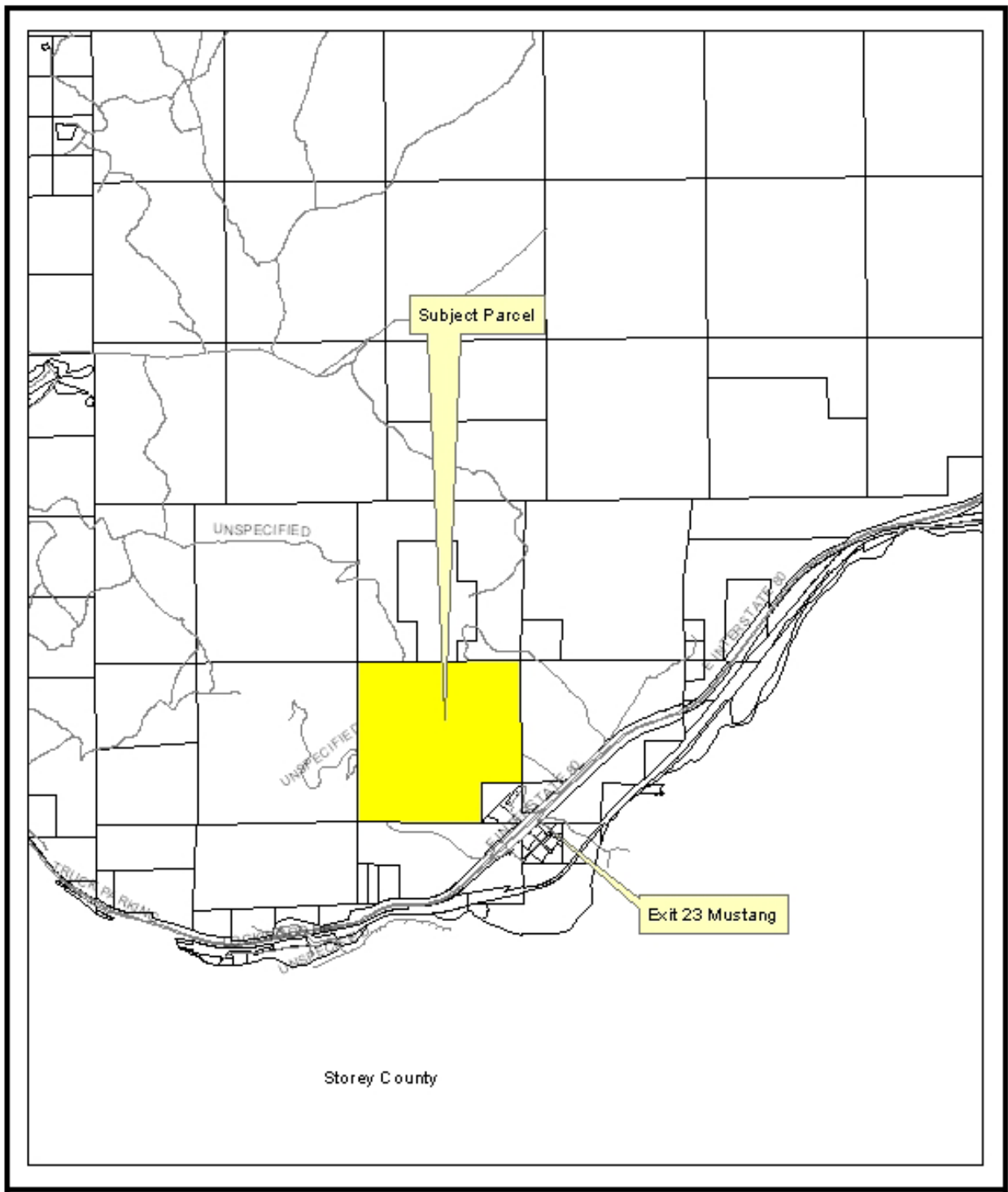
Conditions of Approval.....Exhibit A  
Planning and Development.....Exhibit B  
Public Works, Engineering Division, Traffic..... Exhibit C  
Public Works, Engineering Division, Grading and Construction..... Exhibit D  
Department of Water Resources.....Exhibit E  
Risk Management.....Exhibit F  
Health District, Emergency Management Services..... Exhibit G  
Health District, Food Concessions and Sanitation..... Exhibit H  
Washoe County Sheriff..... Exhibit I  
Truckee Meadows Fire Protections District..... Exhibit J  
Nevada Public Safety, Highway Patrol.....Exhibit K  
East Truckee Canyon Citizen Advisory Board Member..... Exhibit L  
Public Notice..... Exhibit M  
Project Application..... Exhibit N

### **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 No. SB13-004 are attached to this staff report and will be included with the Action Order.



Vicinity Map





Area of use map

**Current Conditions**

The subject parcel is a 624-acre parcel owned by the Lockwood Investment Co. LTD. The applicant Hayfed, LLC, leases 170.5 acres of the property that was once the Mustang landfill. In January 2013, the Board of County Commissioners approved the rezoning of the 170.5 acres from General Rural (GR) to Parks and Recreation (PR), a zoning in which Outdoor Entertainment is permitted. The remaining 453.5 acres will remain GR, so that the opportunity for mining in the future is not curtailed by a change of zoning.

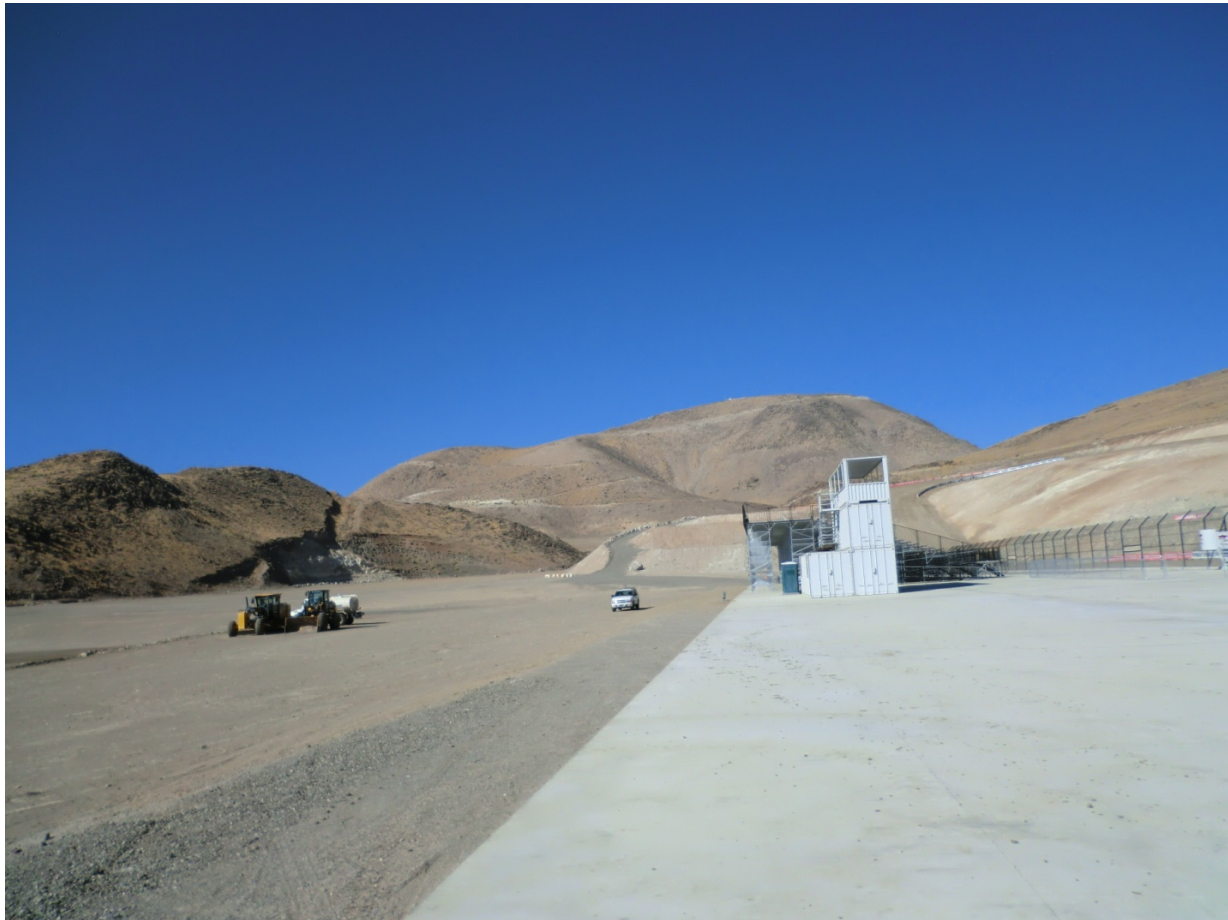
The landfill is no longer active and has been capped. The property owner continues to add clean fill on top of the landfill area. With each addition, the fill is compacted and the area is stabilized. This landfill cap is the area where the events will be held and where all the parking and vendors are located. The area around the landfill is steep foothills (slopes over 30%), covered in sagebrush and other native species. There are no water bodies, springs or other

sources of water to service this area. Most of the surrounding land is planned for mining (aggregate) which Granite Construction owns the mineral rights to.

### **Background**

In 2003, an administrative permit was issued for outdoor sports and recreation use. The permit allowed the former landfill site to be used for off-road racing. This was both a participatory and spectator facility. In 2004, the applicant requested and received approval for participants with self-contained vehicles to camp overnight.

In August 2012, a special events permit was issued to use the area of the landfill for an off-road racing event (Lucas Oil Off-road Racing). A special event is a temporary use and is permitted in all zoning designations. Special events are approved as temporary uses and are limited by the number of days and number of events that can take place each year. Each event requires a new permit. As part of the special event permit, a race track, bleacher seating, announcer's box and view areas were constructed. The applicant would like to be able to reuse the amenities installed and be able to host racing events on a regular basis without having to obtain a special event permit each time.



A portion of the landfill cap used for outdoor entertainment.

## **Project Evaluation**

The applicant is proposing to use the site of the old Mustang Landfill as an outdoor entertainment venue with no one specific type of event. Washoe County Development code described this type of use as:

### **Section 110.304.25 Commercial Use Types.**

- (h) Commercial Recreation. Commercial recreation use type refers to commercial establishments or places of business primarily engaged in the provision of sports, entertainment or recreation for participants or spectators. The following are commercial recreation use types:
  - (7) Outdoor Entertainment. Outdoor entertainment refers to predominantly spectator-type uses conducted in open or partially enclosed or screened facilities. Typical uses include sports arenas, racing facilities and amusement parks.

Commercial and public events that have large numbers of participants and spectators require special consideration to address the issues of public and participants safety, health and sanitation, emergency service and evacuation, and general crowd control and management, as well as other concerns related to the specific event.

Because the use is not limited to just being a race facility or amusement park, staff has reviewed the application for any type of outdoor event that permits spectators. Staff has received conditions and comments from ten different agencies, to address their specific concerns and responsibilities. In most cases, each event will have to submit plans specific to the event and provide additional information about how the event will be managed and controlled. The large number of conditions for approval is the result of not having specific limited uses.

Staff has placed conditions related to general hours of operation that are consistent with most outdoor activities. Should there be a compelling need to extend the hours to accommodate a special activity, the Planning and Development Division Director may extend the hours of operation for a specific event.

The number of spectators allowed [4,684] is capped by the number of parking spaces provided. Should additional areas of parking be created and the plans approved by all affected agencies, the Planning and Development Division Director may amend the Conditions of Approval to increase the number of spectators allowed. A new special use permit shall be required if the anticipated number of people exceeds 9,999 (total number people on site).

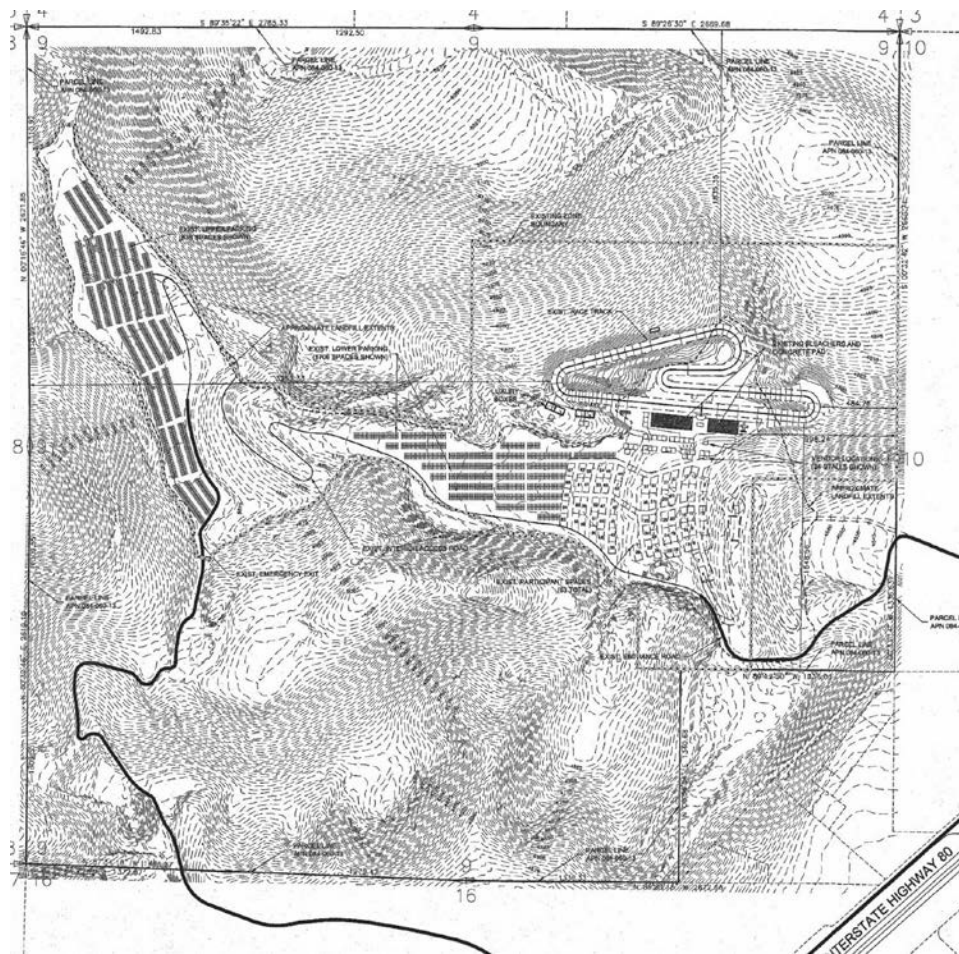
One concern that came up when the property was rezoned to Parks and Recreation is the protection of the surrounding uses, specifically Granite Construction's right to develop their mineral rights in the future. Granite stated that mining is a loud and dusty business, and they are concerned that the outdoor venue would limit their hours of operation, require landscaping or other screening or other concessions from them. The applicant has stated that he does not feel that Granite's activities will interfere with the Outdoor Events venue and agrees not to take action to limit or interfere with any mineral extraction activities.

The applicant was allowed to build the race track last summer for the Special Event, with the condition that the project meet all of the construction conditions for major grading, that they

obtain all permits and inspection required for the construction, and that they apply for the special use grading permit as part of the special use permit to continue to use the facilities on a commercial basis. Engineering has stated that the grading and construction done last summer is in conformance with grading codes that were in place when the site was altered. Engineering has included conditions for future grading or structures. Alterations or maintenance of the race track does not require a grading permit.

Building and Safety did issue a permit for the race track and the grandstands built on a concrete slab. All temporary structures that are erected for an event are required to obtain a separate permit.

Commercial outdoor entertainment facilities do not require landscaping. The area is not located near any residential uses, so screening and buffers are not necessary to protect the surrounding property owners. Therefore, Planning and Development staff does not recommend any additional conditions for the completed grading work. Staff recommends that the Board recommend approval of the grading that has been completed.



Site Plan

## **Reviewing Agencies**

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

- Washoe County Planning and Development
  - Planning
  - Business License
  - Code Compliance
  - Building and Safety
- Engineering and Operation Division
  - Traffic
  - Grading and Construction
- Water Resources
- Risk Management
- Washoe County Health District
  - Vector-Borne Diseases Division
  - Environmental Health Division
  - Emergency Medical Services
  - Food Concessions and Sanitation
- Washoe County Sheriff
- Truckee Meadows Fire Protection District
- Regional Transportation Commission
- Nevada Department of Transportation
- Nevada Highway Patrol
- East Truckee Canyon Citizen Advisory Board members

Thirteen out of the seventeen above listed agencies/departments provided comments and/or recommended conditions of approval in response to their evaluation of the project application. A **summary** of each agency's comments and/or recommended conditions of approval and their contact information is provided. Copies of each agency's comments are included in the exhibits. The Conditions of Approval document is attached to this staff report [Exhibit A] and will be included with the Action Order.

- Washoe County Planning and Development addressed business licensing, review of each event, the hours of operation, operational conditions that will be in effect for the life of the project.
- Washoe County Engineering, Transportation Engineer addressed access, traffic and parking. Construction Engineer stated that the exiting grading that created the race-

- track was reviewed and approved by engineering prior to being built. Any future grading and construction projects will be required to meet all regular construction standards and will require permits.
- Washoe County Water Resources addressed the fact that there is no water on the site and no plans to provide service to this area. The applicant is required to bring water to the site for all events.
  - Washoe County Risk Management requires indemnification and insurance documents.
  - Washoe County Health District addressed emergency medical services and food concessions and sanitation requirements.
  - Washoe County Sheriff addressed the need for an emergency response plan for each event.
  - Truckee Meadows Fire Protection District requires site plans, permits and inspection before each event.
  - Nevada Public Safety, Highway Patrol requires that the applicant contract with the Highway Patrol for traffic management on I-80 during each event that is expected to draw over 1,600 people.
  - East Truckee Canyon Citizen Advisory Board Members, one member responded stating that these events are welcome.

### **Staff Comment on Required Findings**

Section 110.810.20 of Article 810, *Special Use Permits*, within the Washoe County Development Code, requires that all of the following findings be made to the satisfaction of the Washoe County Board of Adjustment before granting approval of the Special Use Permit. 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.

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Truckee Canyon Planning Area.

Staff Comment: The area of the proposed use is surrounded by rural undeveloped land and some industrial uses. There are no residential uses in the area, and none of the surrounding areas are designated for future residential development. The Truckee Canyon Area Plan, calls for protecting views of the Truckee River Corridor and protection of cultural and historic sites. The event area is located behind a hillside and is difficult to see from the river or the highway. Most of the cultural and historical sites are located along the river. Because the area to be used under this Special Use Permit has been used as a landfill, it is highly unlikely that any cultural or historic elements would be found on the site. The proposed use increases recreational opportunities and diversifies use potential as called for in the Truckee Canyon Area Plan.

2. Improvements. 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.

*Staff Comment:* Conditions of approval require that adequate sanitation, water supply, and other facilities be brought into the site for each event. The attendance of any event is limited by the parking, access and the ability to provide emergency response. Existing permanent improvements have been permitted and have been inspected for compliance with construction requirements. Access to and from I-80 is adequate for the use.

3. Site Suitability. That the site is physically suitable for Outdoor Entertainment and for the intensity of such a development.

*Staff Comment:* There is no residential development within the area. The site was a landfill, which limits development on the site, or would require special and costly engineering and construction methods to build upon the fill area. Most of the surrounding area is vacant land. The use does not interfere with the industrial uses nearby. The site is suitable for the use and intensity of such use.

4. Issuance Not Detrimental. 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.

*Staff Comment:* Most of the conditions of approval are in place to protect the health, safety and welfare of the public. The surrounding area is industrial or undeveloped, natural area that is not conducive to residential development due to steep slopes, rugged terrain and lack of water. Conditions of approval states that the applicant shall not take action to limit or interfere with the proposed mining of the surrounding area. Therefore the proposed use would not be detrimental to the public or surround area.

5. Effect on a Military Installation. 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 within 3,000 feet of the development or use, therefore the use is not detrimental to location, purpose or mission of any military installation.

### **Recommendation**

Those agencies which reviewed the application recommended conditions in support of approval of the project. Therefore, after a thorough analysis and review, Special Use Permit Case No. SB13-004 is being recommended for approval with conditions. 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 Washoe County Board of Adjustment approve Special Use Permit Case No. SB13-004 for Wild West Motorsports Park, having made all five findings in accordance with Washoe County Development Code Section 110.810.30:*

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Truckee Canyon Area Plan;
2. Improvements. 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;
3. Site Suitability. That the site is physically suitable for Outdoor Entertainment events, and for the intensity of such a development;
4. Issuance Not Detrimental. 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;
5. Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation; and

**Appeal Process**

Board of Adjustment action will be effective 10 days after the public hearing date, unless the action is appealed to the County Commission, in which case the outcome of the appeal shall be determined by the Washoe County Commission.

xc: Applicant: Hayfed, LLC

Property Owner: Lockwood Investment Co., LTD, Ron Bath

Consultant: Summit Engineering Corporation, Tom Gallagher

Staff Report xc: Debbie Wenzel, NV Highway Patrol, [dwenzel@dsp.state.nv.us](mailto:dwenzel@dsp.state.nv.us); Washoe County Sheriff, Sergeant Philip Condon; Fire Marshall Amy Ray, [aray@tmfpd.org](mailto:aray@tmfpd.org); Washoe County Health, Jeffrey M. Brasel; Washoe County Health, Stacey E. Akurosawa, Emergency Medical Services Coordinator; Carol Smith, Risk Management; John Buzzone, Water Resources; Don Jeppson, building and Safety; Clara Lawson, Engineering; Leo Vesely, Engineering; Bob Web, Planning and Development.

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# EXHIBIT A



## Conditions of Approval

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Special Use Permit Case No. SB13-004

The project approved under Special Use Permit Case No. SB13-004 shall be carried out in accordance with the Conditions of Approval granted by the Board of Adjustment on April 4, 2013. 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 or to abide by all other generally applicable Codes.

**Unless otherwise specified**, 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 & Development 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 initiation of revocation procedures.

Operational Conditions are subject to review by the Planning & Development Division prior to the renewal of a business license each year. Failure to adhere to the Operational Conditions may result in the Planning & 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 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 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 Division**

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

**Contact** – Eva Krause, 775.328.3796, [ekrause@washoecounty.us](mailto:ekrause@washoecounty.us)

- a. The applicant shall demonstrate substantial conformance to the plans approved as part of this special use permit.
- b. The special use permit is limit to a maximum of 9,999 people on site at one time. When any event is anticipated for 10,000 or more people, a new special use permit shall be required, or the applicant shall apply for a Special Event License for a specific event.
- c. The applicant shall submit complete construction plans for any additional grading or future structures on the site. The applicant shall complete construction within the time specified by the building permits.
- d. This special use permit does not exempt any grading or building permits from compliance with all applicable codes or regulations of the County or effected agencies for development not approved as part of this special use permit.
- e. 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.

- f. 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 special use permit.
- g. The applicant shall provide signed *Affidavit of Property Ownership and/or Permission to Conduct Event* forms for Assessor's Parcel Numbers (APN) 084-060-32 and 33 for public ingress and egress routes to the event property and for APN 084-060-14 for the emergency exit route.

The following **Operational Conditions** shall be required for the life of the use of the property as a venue for Outdoor Entertainment:

- h. This special use permit shall remain in effect until or unless it is revoked or is inactive for one year.

- i. A business license for the event venue is required. Failure to maintain a valid business license for a time period of one-year or more is equal to being inactive and will nullify and void this permit.
- j. Failure to comply with any of the Conditions of Approval shall render this approval null and void.
- k. The applicant and any successors shall direct any potential purchaser/operator of the site and/or the special use permit to meet with the Planning & Development Division to review Conditions of Approval prior to the final sale of the site and/or the special use permit. Any subsequent purchaser/operator of the site and/or the special use permit shall notify the Planning & Development Division of the name, address, telephone number, and contact person of the new purchaser/operator within 30 days of the final sale.
- l. The site plan provided as part of the SUP application is a generic plan to be used for events at this site. If the site plan needs to be changed or modified for specific events, the applicant or sponsor shall provide a new or revised site plan 60 days prior to the event for review and approval, by each of the agencies listed in this Condition of Approval document.
- m. All new or modified site plans submitted shall provide a detailed site plan, drawn to scale, showing following at a minimum:
  - i. Public entrance/ticket gate.
  - ii. Participants entrance gate.
  - iii. Location, layout and number of participant camping spaces.
  - iv. Location, layout and number of public camping spaces.
  - v. Location(s) and number of vendor booths.
  - vi. Location(s) of portable restrooms and wash stations.
  - vii. Locations(s) of all structures, both temporary and permanent.
  - viii. Location of helicopter landing zone and associated safety exclusion zone.
  - ix. Location of medical aid station.
  - x. Location of security command post.
- n. The applicant shall provide a detailed site plan and plan for each camping area, showing the number of RV's and personal vehicles, and how security and sanitation will be handled for both public and participant camping areas. All camping areas shall be secured, monitored and have 24 hour security to prevent access to unregistered persons.
- o. Hours of Operation: Events shall be held between the hours of 8:00 a.m. to 9:00 p.m., Sunday through Thursday and 8:00 a.m. to 11:00 p.m., Fridays and Saturdays. The applicant may request that the Planning and Development Director extend hours of operation for an event if there is a specific need to accommodate an event or activity.
- p. The applicant has agreed to not take action to limit or restrict Granite Construction or their successors from any mineral extraction activities. The applicant is encouraged to work with the surrounding property owners to avoid any conflicts of use.

Licensing and Inspections

**Contact** - Bob Webb, 775.328.3623, [bwebb@washoecounty.us](mailto:bwebb@washoecounty.us), or Karin Kremers, 775.328.3733, [kkremer@washoecounty.us](mailto:kkremer@washoecounty.us)

- q. The applicant shall provide current Articles of Incorporation documentation, to include proof of registration for the Corporation and/or Company with the State of Nevada.
- r. The applicant shall provide Washoe County Code Compliance with a vehicle pass to gain access to every event, to include all camping and parking areas, for inspections to verify compliance with these conditions and issued business/liquor licenses.
- s. Before each event, the event sponsor shall be responsible for providing complete list of vendors.
- t. All vendors shall obtain appropriate Washoe County business and/or intoxicating liquor licenses.
- u. The event sponsor shall be responsible for verifying that all Washoe County vendor booth licensing fee(s) have been paid prior to the event. The sponsor may pay booth licensing fee(s) for the vendors who are not selling liquor. Any vendor selling liquor shall obtain a separate vendor license for the sale of intoxicating beverages from Washoe County Business License.
- v. The applicant shall provide to the Planning and Development Division, a complete list of ancillary services or activities to occur at each event.
- w. The applicant and/or event sponsor shall provide a complete statement of assets and statement of liabilities.
- x. The applicant will be responsible for total cleanup of the event sites. The applicant shall contact Washoe County Code Compliance to arrange a final site inspection after clean up is completed.
- y. The site will be inspected by and approved as to the adequacy of cleanup by the Washoe County Code Compliance Officer.

**Community Services, Public Works, Engineering**

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

**Traffic Contact** – Clara Lawson, 775.328.3603, [Clawson@washoecounty.us](mailto:Clawson@washoecounty.us)

- a. The applicant shall provide traffic controls including traffic guards to be used at each event to insure orderly and efficient movement of traffic in the parking lot and the anticipated peak hour volume of traffic entering and leaving the site. Vehicles should be able to leave the facility in no more than 90 minutes.
- b. If the applicant installs traffic control signage or traffic guards prior to, at, or near Exit 23 off I-80, then the applicant shall provide written approval from NDOT in the form of a temporary encroachment permit for the signage and/or guards.
- c. Traffic shall not be allowed to back-up onto the I-80 freeway mainline or ramp.
- d. The number of spectators is limited to 4,684 in any one day. This is based on the number of parking provided and assuming 2 people per car. The Director of

Planning and Development Division may modify the number of spectators allowed if the number of parking spaces is increased and meets with the approval of the traffic engineer.

**Grading and Construction Contact** – Leo Vesely, 775.325.8032, [ivesely@washoecounty.us](mailto:ivesely@washoecounty.us)

- e. Any maintenance or re-grading of the existing race track to adjust race track features shall not require a grading permit.
- f. Grading operations in excess of 50 cubic yards located outside of the limits of the originally constructed (2012) race track shall be in conformance with the Washoe County Code Article 438 Grading Standards and the following requirements:
  - i. 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. The limits of the FEMA floodway shall be delineated on the grading plan. No fill shall be allowed in the floodway area. Silts shall be controlled on-site and not allowed onto adjacent property.
  - ii. 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 and Operation Division prior to issuance of a grading permit.
  - iii. The owner/developer shall complete and submit the Construction Permit Submittal Checklist, the Performance Standards Compliance Checklist, pay the Construction Stormwater Inspection Fee to Washoe County and provide the 5 standard stormwater notes on the grading plan prior to obtaining a grading permit. The County Engineer shall determine compliance with this condition.
  - iv. For areas of new grading, a grading bond of \$2,000/acre of disturbed area shall be provided to the Engineering and Operations Division prior to issuance of a grading permit.
  - v. A hydrology/hydraulic report may be required by the Engineering Division. If required, the report shall be prepared by a registered engineer shall be submitted to the Engineering and Operations Division for review and approval. The report shall include the locations, points of entry and discharge, flow rates and flood limits of all 5- and 100-year storm flows impacting both the site and offsite areas and the methods for handling those flows. The report shall include all storm drain sizing calculations and a discussion of and mitigation measures for any impacts on existing offsite drainage facilities and properties.
  - vi. If required, any increase in stormwater runoff resulting from the development and based upon the 5-year storm shall be detained on site to the satisfaction of the County Engineer.
  - vii. The developer shall provide pretreatment for petrochemicals and silt for all storm drainage from the site to the satisfaction of the County Engineer.

**Community Services, Building and Safety:**

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

**Contact** - Don Jeppson, 775.328.2030, [djeppson@washoecounty.us](mailto:djeppson@washoecounty.us)

- a. The applicant shall apply for and obtain any required permits from Building and Safety for any new grading, temporary buildings or structures, bleachers, grandstands and all utilities including generators provided for any event.

**Community Services Department, Water Resources (DWR)**

4. The following conditions are requirements of the Department of Water Resources, which shall be responsible for determining compliance with these conditions.

**Contact** – John Buzzone, P.E., Senior Licensed Engineer, 775.954.4600, [jbuzzone@washoecounty.us](mailto:jbuzzone@washoecounty.us)

- a. The approval of the Special Use Permit Case No. SB13-004 - Wild West Motorsports Park is based on the understanding that all sanitation and water supply are portable and are brought to the site.
- b. No onsite wells may be drilled to supply this project without adequate water rights to support such diversion of water.

**Washoe County Risk Management:**

5. The following conditions are requirements of Risk Management, which shall be responsible for determining compliance with these conditions.

**Contact** - Carol Smith, 775.328.2071, [CSmith@washoecounty.us](mailto:CSmith@washoecounty.us)

- a. The applicant shall provide a copy of the certificate of insurance, Hold Harmless and Indemnification form signed by the applicant and included within the business license for the event venue.

**Washoe County District Health Department**

6. The following conditions are requirements of the District Health Department, which shall be responsible for determining compliance with these conditions. The District Board of Health 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.

**Contact Name** – Stacey E. Akurosawa, Emergency Medical Services Coordinator, 775.328.2420, [SAkurosawa@washoecounty.us](mailto:SAkurosawa@washoecounty.us)

For each event (up to 9,999 people) they would need to provide proof (e.g. a signed contract for services) of the following to the Washoe County Health District EMS Program a minimum of 30 days in advance:

- a. First Aid Station
  - i. A First Aid Station staffed by at least one Emergency Medical Technician or a person with a higher skill level capable of providing emergency medical care within their prescribed scope of practice.
  - ii. Hand washing facilities for the First Aid Station and Medical Personnel should be separate from general public facilities.

- iii. Handicapped accessible temporary restrooms or ADA-approved fixed facility restrooms should be available near the First Aid Station so that patients can access them.
  - iv. Disposal plan for biological waste at First Aid Station.
  - v. An Automatic External Defibrillator (AED) would need to be supplied at the First Aid Station.
  - vi. Distribution methods for the First Aid Station maps/information for participants and spectators and identification method for visibility of EMS Personnel.
  - vii. Medical Records to be kept and provided to the Washoe County Health District EMS program within 30 days of the event should include:
    - 1. Number of patients treated on scene
    - 2. Number of patients known to have been transported to a medical facility by private vehicle, ambulance, or other means.
    - 3. Listing of individual types of illness or injuries seen
- b. Patient Transportation
- i. A Dedicated Advanced Life Support (ALS) Ambulance staffed by a Paramedic and Intermediate EMS, or person with a higher skill level, and capable of providing transportation of patients, but which immediately respond back to the event. Co-location with the First Aid Station is desirable but the staffing is in addition to the required First Aid Station staff.
  - ii. Ingress and Egress route(s) for EMS vehicles
  - iii. Pre-planned landing area for a medical helicopter
- c. Other Requirements
- i. For each event, the name and contact information for the on-scene EMS Coordinator/Manager
  - ii. For any event in excess of 2,500 – Copies of letters announcing the event date and times to the local hospital emergency departments and ambulance services at least one month prior to the event to assist them in anticipating staffing needs.
  - iii. EMS personnel should be on site whenever event personnel, spectators, or participants are on-scene, including set up and take down activities.
- d. Any event where attendance would meet or exceed 10,000 combined individuals (spectators/staff/participants), there would be additional conditions to be met.

**Contact** – Jeffrey M. Brasel, 775.328.2620, [JBrasel@washoecounty.us](mailto:JBrasel@washoecounty.us)

- e. Food concessions and attendant sanitary facilities (Washoe County Health District):
  - i. All food vendors shall acquire a temporary food permit no more than 7 days prior to each event unless the food is provided by a mobile unit with current permit in Washoe County as per mobile permit requirements.

- ii. For each event there shall be a 50 foot setback of portable toilets from food service operations and the 50 foot setback of portable toilets from food must also provide that the toilets are down-gradient.
- iii. There must suitable dust control and protection of food from dust in food service areas and temporary food establishments must cease operation and protect food during dust storms.

**Contact** – James English, 775.328.2448 [JEnglish@washoecounty.us](mailto:JEnglish@washoecounty.us)

- f. The Hazardous Materials Team from the Environmental Services Division requires a specific plan for waste containment from the promoter. The applicant shall prepare a suitable plan to the satisfaction of the Hazardous Materials program.

### **Truckee Meadows Fire Protection District**

7. The following conditions are requirements of the Truckee Meadows Fire Protection District, which shall be responsible for determining compliance with these conditions.

**Contact** – Amy Ray, 775.326.6005, [aray@tmfspd.org](mailto:aray@tmfspd.org)

- a. Grading plans shall be submitted for review and approval. The plans shall meet all applicable requirements of WC Code 60. Review and approval is required for any structures on site.
- b. A plan shall be submitted to TMFPD for each event, prior to each event held at the site for review and approval of site, access, parking, vendor placement, tents and/or canopies, flammable and/or combustible liquid storage, fueling stations, etc. in accordance with WCC 60.
- c. All associated inspections and permits for the event shall be required.
- d. There may be additional requirements based on the event or activities at the site.

### **Washoe County Sheriff Department**

8. The following conditions are requirements of the Washoe County Sheriff Department, which shall be responsible for determining compliance with these conditions.

**Contact** - Lieutenant Frank Schumann [fschumann@washoecounty.us](mailto:fschumann@washoecounty.us) or Sergeant Philip Condon, [PCondon@washoecounty.us](mailto:PCondon@washoecounty.us) 775.328.2895

- a. The applicant shall prepare a security plan to the satisfaction of the Washoe County Sheriff's Office. The plan shall include the detailed site plan and address provisions for helicopter flights other than emergency evacuations before, during, and/or after the event.
- b. A copy of the security plan will be provided to the Sheriff's Office and maintained at the on-site security command post.
- c. The site shall be secured to prevent unauthorized use of the property, including the race tracks and camping areas.



**Nevada Department of Public Safety, Highway Patrol**

10. The following conditions are required by the Nevada Highway Patrol, which shall be responsible for determining compliance with these conditions.

**Contact Name** – Debbie Wenzel, 775.688.2500 [dwenzel@dsp.state.nv.us](mailto:dwenzel@dsp.state.nv.us)

- a. The applicant is required to notify Nevada Highway Patrol 30 days in advance of each event with detailed informant about the event, schedule of operation times, number of anticipated participants and spectator, and any additional information that may be requested by said agency.
- b. The applicant is required to contract with the Highway Patrol for traffic management on I-80 during each event that is expected to draw over 1,600 people.

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

# EXHIBIT B

**From:** Webb, Bob  
**Sent:** Saturday, March 09, 2013 11:41 AM  
**To:** Krause, Eva; Brasel, Jeff; Condon, Philip; Schumann, Frank; Akurosawa, Stacey; Smith, Carol A; Jeppson, Don C; Lawson, Clara  
**Cc:** Ray, Amy; 'dwenzell@dps.state.nv.us'  
**Subject:** RE: Wild West Motorsports Park

Eva:

Specific to Planning & Development, I would recommend considering the following to be SUP conditions. I'm sure Don will also provide building specific conditions to complete our P & D responsibilities.

- Provide a site plan for the "generic" layout to be used with all events. If the site plan needs to change, based on a specific event, then the applicant should provide those modifications. A site plan is important to provide all public responders (e.g., sheriff, fire, ambulance, etc.) with the layout in case of emergency. The site plan should contain those elements outlined in the outdoor festival, as appropriate.
- There should be an accompanying site plan for the RV parking, to include location of sanitary facilities, ingress and egress, etc.
- The property owner should obtain a general business license to operate the facility. Additionally, "special event" licenses for vendors and intoxicating liquor should be obtained prior to each event (if vendors and/or alcohol will be present/served).
- Should determine overall hours of operation for the facility, which should also apply to any events unless modified prior to an actual event. Up to you if you want the Director to have the authority to grant approval for modifying hours of operations for specific events.
- As we discussed, as is inferred in my comments, you may wish to require the applicant to provide event details XX days before an actual event. Again, the Director may be granted the authority to modify existing conditions, or perhaps to impose event specific conditions (?), as needed.

Bob Webb  
Planning Manager  
Washoe County Community Services Department  
Planning & Development Division  
328-3623  
[bwebb@washoecounty.us](mailto:bwebb@washoecounty.us)

## EXHIBIT C

**From:** Lawson, Clara  
**Sent:** Wednesday, March 06, 2013 4:50 PM  
**To:** Krause, Eva  
**Subject:** RE: Wild West Motorsports Park

Since last year went so well I was thinking of keeping conditions b-d as they are and modifying a as shown:

**The applicant shall provide ~~additional information on the traffic controls to be used during the event,~~ including ~~the number of~~ traffic guards *to be used during each event* required to insure orderly and efficient movement of traffic in the parking lot and the anticipated peak hour volume of traffic entering and leaving the site. *Vehicles should be able to leave the facility in no more than 90 minutes.***

Do you think that will be OK?

Clara Lawson, Washoe County  
775-328-3603

# EXHIBIT D



## WASHOE COUNTY COMMUNITY SERVICES DEPARTMENT Engineering and Capital Projects Division

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 14, 2013  
TO: Eva Krause, Planning and Development Division  
FROM: Leo R. Vesely, P.E., Engineering and Capitol Projects Division  
SUBJECT: **SB13-004**  
**APN 084-060-13**  
**WILD WEST MOTORSPORTS PARK**

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I have reviewed the referenced special use permit and recommend the following conditions:

Any maintenance or regrading of the existing race track to adjust race track features shall not require a grading permit.

For any grading operations in excess of 50 cubic yards located outside of the limits of the originally constructed (2012) race track shall be in conformance with the Washoe County Code Article 438 and the following requirements:

1. 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. The limits of the FEMA floodway shall be delineated on the grading plan. No fill shall be allowed in the floodway area. Silts shall be controlled on-site and not allowed onto adjacent property.

2. 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 grading permit.
3. The owner/developer shall complete and submit the Construction Permit Submittal Checklist, the Performance Standards Compliance Checklist, pay the Construction Stormwater Inspection Fee to Washoe County and provide the 5 standard stormwater notes on the grading plan prior to obtaining a grading permit. The County Engineer shall determine compliance with this condition.
4. For areas of new grading, a grading bond of \$2,000/acre of disturbed area shall be provided to the Engineering Division prior to issuance of a grading permit.
5. A hydrology/hydraulic report may be required by the Engineering Division. If required, the report shall be prepared by a registered engineer shall be submitted to the Engineering Division for review and approval. The report shall include the locations, points of entry and discharge, flow rates and flood limits of all 5- and 100-year storm flows impacting both the site and offsite areas and the methods for handling those flows. The report shall include all storm drain sizing calculations and a discussion of and mitigation measures for any impacts on existing offsite drainage facilities and properties.
6. If required, any increase in storm water runoff resulting from the development and based upon the 5-year storm shall be detained on site to the satisfaction of the County Engineer.
7. The developer shall provide pretreatment for petrochemicals and silt for all storm drainage from the site to the satisfaction of the County Engineer.

LRV/lrv



Washoe County  
Department of  
Water Resources

4930 Energy Way  
Reno, NV 89502  
Tel: 775-954-4600  
Fax: 775-954-4610

## *EXHIBIT E*

March 4, 2013

TO: Eva M. Krause - AICP, Planner, Community Development

FROM: John Buzzone, P.E., Senior Licensed Engineer

SUBJECT: **SB13-004 - Wild West Motorsports Park** APN: 084-060-13

**The Department of Water Resources (DWR) has reviewed the subject application and has the following comments:**

The Applicant is requesting approval for the mass grading of the site that will create a racetrack, event area, and large parking areas; and to operate the site as a commercial outdoor entertainment venue for off-road racing.

The project is located on 170.53 acres in the East Truckee Canyon Area Plan addressed at 12005 E. I-80.

**The Washoe County Department of Water Resources (DWR) recommends approval provided the following conditions are met:**

1. The approval of the Special Use Permit Case No. SB13-004 - Wild West Motorsports Park is based on the understanding that all sanitation and water supply are portable and are brought in to the site. No on site wells may be drilled to supply this project without adequate water rights to support such diversion of water.

# EXHIBIT F

**From:** Jeppson, Jim  
**Sent:** Thursday, March 21, 2013 2:32 PM  
**To:** Krause, Eva  
**Cc:** Smith, Carol A; Teasley, Doreen  
**Subject:** RE: Wild West Motorsports Park

Eva,

The property owner or manager should maintain one certificate of insurance for as long as the permit is in force. The hold harmless and indemnification provisions should be sufficient for any number of events that may be held at the facility.

JIM JEPPSON

---

**From:** Krause, Eva  
**Sent:** Tuesday, March 19, 2013 2:34 PM  
**To:** Jeppson, Jim  
**Cc:** Smith, Carol A  
**Subject:** RE: Wild West Motorsports Park  
**Importance:** High

Jim,

Since the Wild West special use permit is for any number of events and we do not know who or what type of events will be held, do you need just one insurance/indemnification from the property manager or will you need one from each event Sponsor, or both?

This will be a special use permit to allow any type of outdoor event. Are the provision stated for Outdoor Festival the same for all events?

- a. The applicant shall provide a copy of the certificate of insurance complying with the provisions stated and outlined in the Outdoor Festival Insurance, Hold Harmless and Indemnification Requirements form signed by the applicant and included within the application.

Eva M. Krause, AICP  
Planner  
Washoe County Community Services Department  
Planning and Development Division  
775.328.3796  
[ekrause@washoecounty.us](mailto:ekrause@washoecounty.us)

---

**From:** Jeppson, Jim  
**Sent:** Friday, March 08, 2013 1:14 PM  
**To:** Krause, Eva  
**Cc:** Teasley, Doreen; Smith, Carol A; Webb, Bob  
**Subject:** FW: Wild West Motorsports Park

**Importance:** High

Eva,

The applicant should provide a certificate of insurance consistent with that submitted last year.

**JIM JEPPSON**  
Risk Management Division



# EXHIBIT G

**From:** Akurosawa, Stacey  
**Sent:** Thursday, March 14, 2013 10:19 AM  
**To:** Krause, Eva  
**Subject:** RE: Wild West Motorsports Park

Eva,

For each event (up to 9,999 people) they would need to provide proof (e.g. a signed contract for services) of the following to the Washoe County Health District EMS Program a minimum of 30 days in advance:

## **FIRST AID STATION**

- A First Aid Station staffed by at least one Emergency Medical Technician or a person with a higher skill level capable of providing emergency medical care within their prescribed scope of practice.
- Hand washing facilities for the First Aid Station and Medical Personnel should be separate from general public facilities.
- Handicapped accessible temporary restrooms or ADA-approved fixed facility restrooms should be available near the First Aid Station so that patients can access them.
- Disposal plan for biological waste at First Aid Station
- An Automatic External Defibrillator (AED) would need to be supplied at the First Aid Station
- Distribution methods for the First Aid Station maps/information for participants and spectators and identification method for visibility of EMS Personnel.
- Medical Records to be kept and provided to the Washoe County Health District EMS program within 30 days of the event should include:
  1. Number of patients treated on scene
  2. Number of patients known to have been transported to a medical facility by private vehicle, ambulance, or other means.
  3. Listing of individual types of illness or injuries seen

## **PATIENT TRANSPORTATION**

- A Dedicated Advanced Life Support (ALS) Ambulance staffed by a Paramedic and Intermediate EMS, or person with a higher skill level, and capable of providing transportation of patients, but which immediately respond back to the event. Co-location with the First Aid Station is desirable but the staffing is in addition to the required First Aid Station staff.
- Ingress and Egress route(s) for EMS vehicles
- Pre-planned landing area for a medical helicopter

## **OTHER REQUIREMENTS**

- For each event, the name and contact information for the on-scene EMS Coordinator/Manager
- For any event in excess of 2,500 – Copies of letters announcing the event date and times to the local hospital emergency departments and ambulance services at least one month prior to the event to assist them in anticipating staffing needs.

- EMS personnel should be on site whenever event personnel, spectators, or participants are on-scene, including set up and take down activities.

Any event where attendance would meet or exceed 10,000 combined individuals (spectators/staff/participants), there would be additional conditions to be met.

Please let me know if you have any questions or require any additional information.

Thank you,  
~Stacey

Stacey E. Akurosawa  
Emergency Medical Services Coordinator  
Washoe County Health District  
PO Box 11130; Reno, NV 89520-0027  
Phone: (775) 328-2420  
Fax: (775) 328-3631  
[SAkurosawa@washoecounty.us](mailto:SAkurosawa@washoecounty.us)

# EXHIBIT H

**From:** Brasel, Jeff  
**Sent:** Friday, March 22, 2013 10:16 AM  
**To:** Krause, Eva  
**Cc:** English, James J.  
**Subject:** RE: Wild West Motorsport Park

**Importance:** High

Hi Eva,

So sorry for the delay! The same criteria apply except we will reword it such that:

- a. Food concessions and attendant sanitary facilities (Washoe County Health District):
  - i. All food vendors shall acquire a temporary food permit no more than 7 days prior to each event **unless the food is provided by a mobile unit with current permit in Washoe County as per mobile permit requirements.**
  - ii. **For each event there shall be a 50 foot setback of portable toilets from food service operations and** the 50 foot setback of portable toilets from food must also provide that the toilets are down-gradient.
  - iii. **There must suitable dust control and protection of food from dust in food service areas and temporary food establishments must cease operation and protect food during dust storms.**

James English is taking over the Hazardous Materials requirements for our division. I have cc'd him on this email.

Thanks,

Jeff

---

**From:** Krause, Eva  
**Sent:** Thursday, March 21, 2013 4:24 PM  
**To:** Brasel, Jeff  
**Subject:** Wild West Motorsport Park  
**Importance:** High

Jeff,

Below are the conditions of approval that you had Planning include for the special events permit for Lucas Oil Off-road Racing. I am now processing a Special Use permit which will allow the site to be used for any outdoor event at that same site. This means they can hold multiple

events each year. Would you like me to include these same conditions as part of the special use permit? I need your okay by Monday March 25, 2013, so I can include these.

- b. Food concessions and attendant sanitary facilities (Washoe County Health District):
  - iv. All food vendors shall acquire a temporary food permit no more than 7 days prior to each event.
  - v. The Hazardous Materials Team from the Environmental Services Division requires a specific plan for waste containment from the promoter. The applicant shall prepare a suitable plan to the satisfaction of the Hazardous Materials program.
  - vi. The 50 foot setback of portable toilets from food must also provide that the toilets are down-gradient.

Eva M. Krause, AICP  
Planner  
Washoe County Community Services Department  
Planning and Development Division  
775.328.3796  
[ekrause@washoecounty.us](mailto:ekrause@washoecounty.us)

# *EXHIBIT I*

**From:** Emerson, Marshall  
**Sent:** Tuesday, March 19, 2013 10:48 AM  
**To:** Krause, Eva  
**Cc:** Meyer, Duane  
**Subject:** Amendment To Recommendation Regarding Race Track Plan From DDianda Construcdtion / Mustag

Eva,

Per our discussion earlier this morning, regarding the above topic, I have had the opportunity to review our original recommendation. The specific issue related to widening the road for emergency vehicles can be rescinded/ modified. Predicated on additional discussion with event/ site organizers, as well as staff, the original plans can move forward as presented. The WCSO with other emergency service providers will work with site/ event security to develop an emergency response plan related to egress/ exit of emergency vehicles, which will not require any modification to the existing roadways at this time. Should you have any questions related to this topic, please feel free to contact me. Please let me know that this request is adequate to allow the project to move forward.

Best regards,

**Assistant Sheriff Marshall R Emerson**  
**Operations Bureau Commander**  
**Washoe County Sheriff's Office**  
**911 Parr Blvd.**  
**Reno, NV 89512**  
**(775) 328-3004**  
[memerson@washoecounty.us](mailto:memerson@washoecounty.us)



**MEMORANDUM**

Date: March 14, 2013

To: Marshall Emerson, Assistant Sheriff

*A/SM [Signature] #1011  
03-14-13*

From: Duane Meyer, Captain

RE: Application for Wild West Motorsports

On March 11, 2013 Captain Balaam and I received the Special Use Permits for Wild West Motorsports Park, aka Lucas Oil Race Track in the Mustang area of Washoe County. Captain Spencer managed the event last year and was present for much of the event.

Upon conferring with Captain Spencer, and his first hand knowledge of the event from the previous year, he advised the only issue he recognized from the last event was the ingress/egress road into the event. The road was only a single lane road and was unable to accommodate more than one vehicle at a time based upon on the width of the roadway. This also created potential difficulties in the event of an emergency at the track that may necessitate two vehicles driving down the road in opposite directions. The recommendation is for the ingress/egress road, to include the emergency exit road, to be expanded in width to accommodate two vehicles travelling in different directions.

No other recommendations beyond those measures in place at last year's event were noted.

*I concur w/ RECOMMENDATION.  
[Signature] T. WINGAR u/s WLSO  
3/15/13*

# EXHIBIT J

Amy Ray  
*Fire Marshal*



Tim Leighton  
*Division Chief*

Charles A. Moore  
*Fire Chief*

March 5, 2013

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

Re: Special Use Permit Case Number: SB 13-004 Wild West Motor Sports Park

The Truckee Meadows Fire Protection District (TMFPD) will approve the above permit with the following conditions:

- Grading plans shall be submitted for review and approval. The plans shall meet all applicable requirements of WC Code 60. Review and approval is required for any structures on site.
- A plan shall be submitted to TMFPD for each event, prior to each event held at the site for review and approval of site, access, parking, vendor placement, tents and/or canopies, flammable and/or combustible liquid storage, fueling stations, etc. in accordance with WCC 60.
- All associated inspections and permits for the event will be required.
- There may be additional requirements based on the event or activities at the site.

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

Thank you,

Amy Ray  
Fire Marshal

**TRUCKEE MEADOWS FIRE PROTECTION DISTRICT**

1001 E. Ninth St. Bldg D 2nd Floor • Reno, Nevada 89512 • PO Box 11130 • Reno, Nevada  
89520

*Office 775.326.6000 Fax 775.326.6003*

# EXHIBIT K

**From:** Deborah Wenzel [dwenzel@dps.state.nv.us]  
**Sent:** Tuesday, March 19, 2013 3:45 PM  
**To:** Krause, Eva  
**Subject:** FW: Wild West Motorsports park

**From:** Susan Aller-Schilling  
**Sent:** Tuesday, March 19, 2013 3:41 PM  
**To:** Deborah Wenzel  
**Subject:** RE: Wild West Motorsports park

For the highlighted area below let's go with 1,600 people.

**From:** Deborah Wenzel  
**Sent:** Tuesday, March 19, 2013 3:27 PM  
**To:** Susan Aller-Schilling  
**Subject:** FW: Wild West Motorsports park

**This looks good to me. Any changes on your part?**

**From:** Krause, Eva [<mailto:EKrause@washoecounty.us>]  
**Sent:** Tuesday, March 19, 2013 2:51 PM  
**To:** Deborah Wenzel  
**Subject:** Wild West Motorsports park

Debbie:

Based on Susan Aller-schilling's comments, I have drafted a condition for NVHP. Would you approve of the following condition to be include as a NVHP requirement?

- a. The applicant is required to notify Nevada Highway Patrol 30 days in advance of each event with detailed informant about the event, schedule of operation times, number of anticipated participants and spectator, and any additional information that may be requested by said agency.
- b. The applicant is required to contract with the Highway Patrol for traffic management on I-80 during each event that is **expected to draw over XXX people**.

please feel free to edit or change this language and add any addition requirement that you may need. A copy of the staff report and conditions of approval will be emailed to you prior to the April 4, public hearing.

Sincerely,  
Eva M. Krause, AICP  
Planner  
Washoe County Community Services Department  
Planning and Development Division  
775.328.3796



**From:** Susan Aller-Schilling [saller-schilling@dps.state.nv.us]  
**Sent:** Thursday, March 07, 2013 10:40 AM  
**To:** Deborah Wenzel  
**Cc:** Krause, Eva  
**Subject:** FW: Wild West Motorsports Park  
**Attachments:** sb13004app.pdf; BCC staff report Lucas Oil Off Road Racing July 24 2012.pdf

**Importance:** High

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Deb – please see below.

Eva – I have reviewed both attachments. My concern for NHP would be any event that would have a substantial impact on the normal traffic on I80 into and out of the venue. In those cases, the vendor would need to contract with us for traffic control. Debbie's email is [dwenzel@dps.state.nv.us](mailto:dwenzel@dps.state.nv.us).

Thanks, Susan

# EXHIBIT L

RECEIVED

MAR 12 2013

WASHOE COUNTY  
COMMUNITY DEVELOPMENT  
NEVADA

## Washoe County Citizen Advisory Boards CAB Member Worksheet

Citizen Advisory Board: EAST TRUCKEE CANYON

Meeting Date: BOARD OF ADJUSTMENT - 4/4/2013

Topic or Project Name (include Case No. if applicable): WILD WEST MOTORSPORTS PARK  
SB 13-004

Please check the appropriate box:

My comments  were (or)  were not NO MEETING discussed during the meeting.

Identified issues and concerns:

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Suggested alternatives and/or recommendations:

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WE WELCOME THESE EVENTS.

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Name B. VAN DYKE Date: 3/5/2013  
(Please Print)

Signature: B. Van Dyke

This worksheet may be used as a tool to help you take notes during the public testimony and discussion on this topic/project. Your comments during the meeting will become part of the public record through the minutes and the CAB action memorandum. Your comments, and comments from other CAB members, will and shall not collectively constitute a position of the CAB as a whole.

You may also complete this worksheet and send it separately to your County Commissioner.

Commissioner's Name: HARTUNG

Use additional pages, if necessary.

Worksheets may be mailed to:

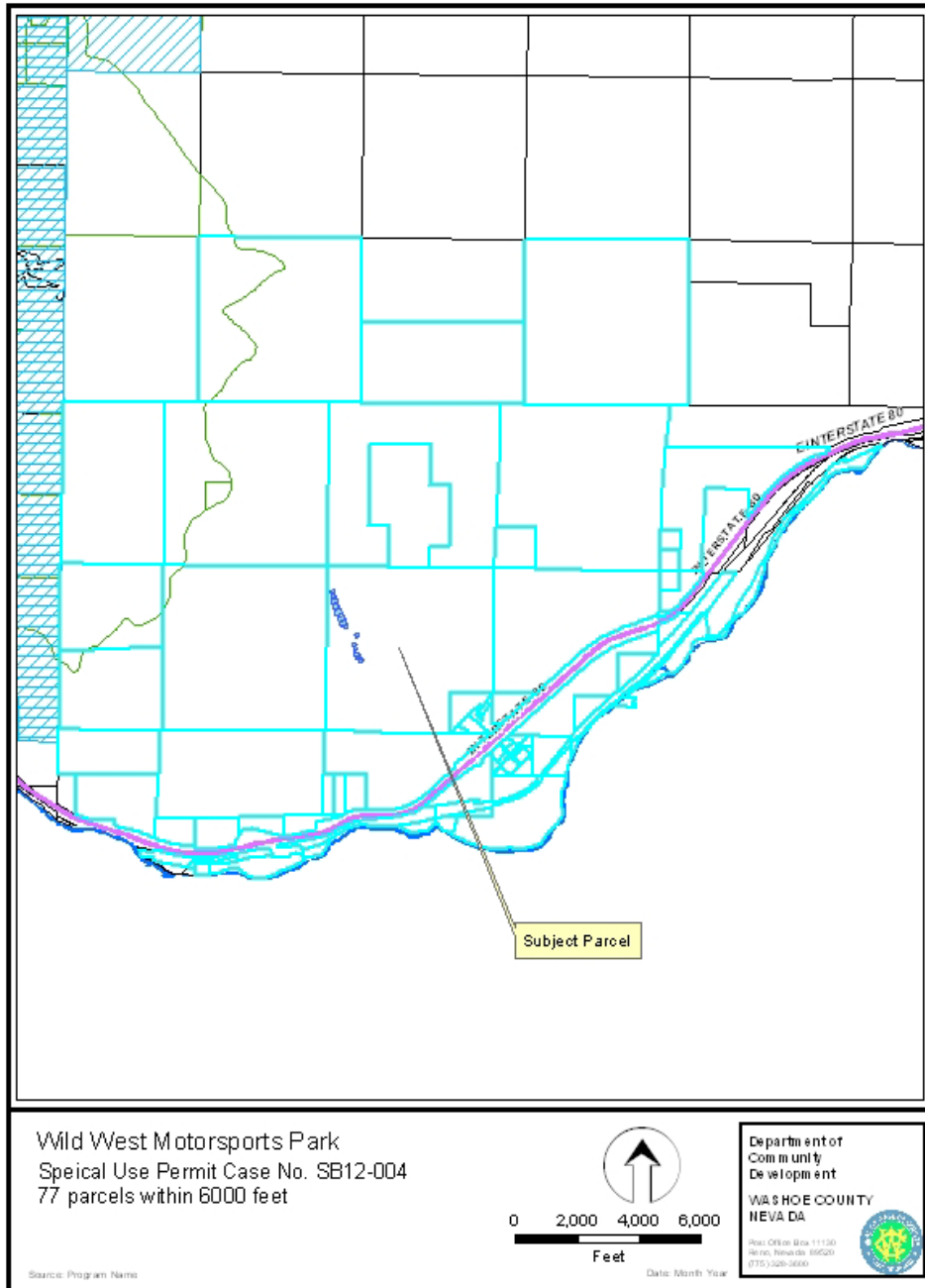
Washoe County Community Development  
Attn: CAB Program  
Post Office Box 11130  
Reno, NV 89520-0027

Revised February 2009

# Exhibit M

## Public Notice

A public notification is required to be mailed to at least 30 separate property owners within a minimum 500 foot radius of the subject property at least 10 days before the public hearing date. Public notification for Special Use Permit Case No. SB13-004 was mailed to 31 separate property owners within a 6000 foot radius of the subject property.



**Public Notice Map**

## Washoe County Development Application

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

<b>Project Information</b>		Staff Assigned Case No.: <u>SB13-004</u>	
Project Name (commercial/industrial projects only): Wild West Motorsports Park, aka Lucas Oil Race Track			
Project Description: Off Road Racing track and spectator seating, parking, and participant pits. Portable restrooms, security and emergency services as required on an event by event basis.			
Project Address: 12005 E I-80 Mustang, Nevada 89434			
Project Area (acres or square feet): +/- 170.54 acres			
Project Location (with point of reference to major cross streets AND area locator): North of I-80 at Mustang			
Assessor's Parcel No(s):	Parcel Acreage:	Assessor's Parcel No(s):	Parcel Acreage:
084-060-13	+/- 170.54 ac		
Section(s)/Township/Range: Sec 9 Township 19 North, Range 21 East			
Indicate any previous Washoe County approvals associated with this application: Case Nos.			
<b>Applicant Information</b> (attach additional sheets if necessary)			
<b>Property Owner:</b>		<b>Professional Consultant:</b>	
Name: Lockwood Investment Co. Ltd.		Name: Summit Engineering Corporation	
Address: 8555 Double R Boulevard, Suite 108		Address: 5405 Mae Anne Avenue	
Reno, Nevada	Zip: 89511	Reno, Nevada	Zip: 89523
Phone: (775) 825-2855	Fax:	Phone: 775-747-8550	Fax: 775-747-8559
Email:		Email: phil@summitnv.com	
Cell:	Other:	Cell:	Other:
Contact Person: Ron Bath		Contact Person: Phil Baumann	
<b>Applicant/Developer:</b>		<b>Other Persons to be Contacted:</b>	
Name: Hayfed, LLC		Name:	
Address: 1050 South 21st St.		Address:	
Sparks, Nevada	Zip: 89431		Zip:
Phone: 775-786-2677	Fax:	Phone:	Fax:
Email: ndianda@qdconstruction.com		Email:	
Cell:	Other:	Cell:	Other:
Contact Person: Norm Dianda		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):	

## **Special Use Permit Application Supplemental Information**

(All required information may be separately attached)

Chapter 110 of the Washoe County Code is commonly known as the Development Code. Specific references to special use permits may be found in Article 810, Special Use Permits.

1. What is the type of project being requested?

Off Road Race Track, including vehicle pit areas, public parking, vending and sales areas, and public seating.

2. What currently developed portions of the property or existing structures are going to be used with this permit?

Off road racing track, spectator seating grandstands, and leveled portions of the property for participant vehicle pit areas, public parking, and additional racing areas.

3. What improvements (e.g. new structures, roadway improvements, utilities, sanitation, water supply, drainage, parking, signs, etc.) will have to be constructed or installed and what is the projected time frame for the completion of each?

No public improvements are proposed as each race event is short in duration and utilities may be temporarily set up and taken down.

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

The project construction is complete, so no project phasing is necessary.

5. 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 area is mountainous with gentle surface slopes in the landfill cap surrounded by vacant lots. The topography is well suited to off-road racing and the flat portions of the property are more than adequate for parking demands and additional race types. The entrance road is about 2800' from the intersection of the frontage road and exit 23 of Interstate 80. Much of the area to be used for racing events is shielded from view from Interstate 80.

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

The benefits to adjacent properties are unknown at this time. Benefits to the community include a unique source of entertainment close to Reno and Sparks, positive local economic benefits due to race participants and race spectators attending from outside locations, and responsible, beneficial use of a reclaimed landfill.

7. What will you do to minimize the anticipated negative impacts or effects your project will have on adjacent properties?

One race was held last summer and no negative comments were received from adjacent properties. Lockwood Investment Co, Ltd., and Hayfed, LLC, will work to minimize negative effects on adjacent properties when they are discovered.

8. Please describe operational parameters and/or voluntary conditions of approval to be imposed on the project special use permit to address community impacts:

No operational parameters and/or voluntary conditions of approval are foreseen at this time.

9. How many improved parking spaces, both on-site and off-site, are available or will be provided? (Please indicate on site plan.)

2593 improved parking spaces, may be provided on site. Sufficient parking will be provided, based upon the needs of the event.

10. What types of landscaping (e.g. shrubs, trees, fencing, painting scheme, etc.) are proposed? (Please indicate location on site plan.)

No landscaping is proposed on the site as the site has been quite barren for some time. Little vegetation grows on the clay cap of the reclaimed landfill and on the surrounding rocky slopes. No well exists on this property for irrigation and water stored in the existing water tank is not available for use at this time.

11. What type of signs and lighting will be provided? On a separate sheet, show a depiction (height, width, construction materials, colors, illumination methods, lighting intensity, base landscaping, etc.) of each sign and the typical lighting standards. (Please indicate location of signs and lights on site plan.)

Property owners are exploring the feasibility of installing one sign on an adjacent property, which may maximize exposure from the frontage road and Interstate 80. No further description is available at this time.

12. 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.)

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
------------------------------	--

13. Community Sewer

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
------------------------------	--

Community Water

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
------------------------------	--



# Special Use Permit Application for Grading Supplemental Information

(All required information may be separately attached)

Chapter 110 of the Washoe County Code is commonly known as the Development Code. Specific references to special use permits may be found in Article 810, Special Use Permits. Article 438, Grading, and Article 418, Significant Hydrologic Resources, are the ordinances specifically involved in this request.

1. What is the purpose of the grading?

Off Road Race Track, Grand Stand Area, Parking (Blading of Parking Area)

Mass Grading for Race Track.

2. How many cubic yards of material are you proposing to excavate on site?

98,029 cubic yards

3. How many square feet of surface of the property are you disturbing?

2,714,659 S.F.

4. How many cubic yards of material are you exporting or importing? If none, how are you managing to balance the work on-site?

None, earthwork will balance on site.

5. Is it possible to develop your property without surpassing the grading thresholds requiring a Special Use Permit? (Explain fully your answer.)

No, area of disturbance & volume are too large.

6. Has any portion of the grading shown on the plan been done previously? (If yes, explain the circumstances and the year the work was done.)

Yes, site had pre-existing off road race tracks.

7. Have you shown all areas on your site plan that are proposed to be disturbed by grading? (If no, explain fully your answer.)

Yes

8. Can the disturbed area be seen from off-site? If yes, from which directions, and which properties or roadways?

No

9. Could neighboring properties also be served by the proposed access/grading requested (i.e. if you are creating a driveway, would it be used for access to additional neighboring properties)?

Yes, access roads can serve adjacent parcels.

10. What is the slope (Horizontal:Vertical) of the cut and fill areas proposed to be? What methods will be used to prevent erosion until the revegetation is established?

Proposed cut/fill slopes range from 10:1 to 2:1

11. Are you planning any berms?

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	If yes, how tall is the berm at its highest?
------------------------------	--	--

12. If your property slopes and you are leveling a pad for a building, are retaining walls going to be required? If so, how high will the walls be and what is their construction (i.e. rockery, concrete, timber, manufactured block)?

No retaining walls

13. What are you proposing for visual mitigation of the work?

None

14. Will the grading proposed require removal of any trees? If so, what species, how many and of what size?

No

15. What type of revegetation seed mix are you planning to use and how many pounds per acre do you intend to broadcast? Will you use mulch and, if so, what type?

None

16. How are you providing temporary irrigation to the disturbed area?

Water truck

17. Have you reviewed the revegetation plan with the Washoe Storey Conservation District? If yes, have you incorporated their suggestions?

No

18. Are there any restrictive covenants, recorded conditions, or deed restrictions (CC&Rs) that may prohibit the requested grading?

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	If yes, please attach a copy.
------------------------------	--	-------------------------------

# SPECIAL USE PERMIT FOR WILD WEST MOTORSPORTS

## MUSTANG

## WASHOE COUNTY

## NEVADA

### PROJECT LOCATION

12005 E. INTERSTATE 80  
MUSTANG, NV 89434

### OWNER

LOCKWOOD INVESTMENT CO., LTD.  
c/o RON BATH  
8555 DOUBLE R BLVD. STE. 108  
RENO, NV 89511

### BASIS OF BEARINGS:

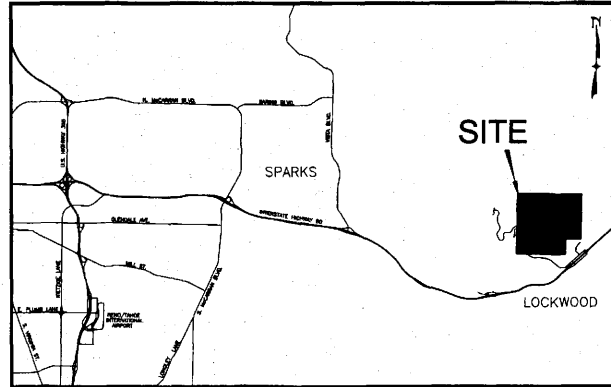
NEVADA STATE PLANE COORDINATE SYSTEM, WEST ZONE (NAD 83/84), MODIFIED BY A COMBINATION FACTOR OF 1.00010259 AND CONVERTED TO THE U.S. SURVEY FOOT. ALL DIMENSIONS ON THIS MAP ARE GROUND DISTANCES.

### BASIS OF ELEVATIONS:

NAVD 88

### ABBREVIATIONS

AC	ASPHALTIC CONCRETE	LT	LEFT
AGG.	AGGREGATE	M.H.	MANHOLE
B.C.	BEGIN CURVE	MPCC	MID POINT OF CURVE
B.F.	BOTTOM OF FOOTING	N.G.P.	NO GRADING THIS PARCEL
B.V.C.	BEGIN VERTICAL CURVE	P.O.C.	POINT OF COMPOUND CURVATURE
B.W.	BACK OF SIDEWALK	PI	POINT OF INTERSECTION
CB	CATCH BASIN	P.R.C.	POINT OF REVERSE CURVATURE
C	CENTERLINE	P.V.C.	POLYVINYL CHLORIDE PIPE
CONC.	CONCRETE	P.D.	PUSH IN
CONST.	CONSTRUCT	P.U.E.	PUBLIC UTILITY EMBLEMENT
C.O.	CLEAN OUT	E	PROPERTY LINE
C.P.	CONCRETE PIPE	Q10	10-YEAR STORM FLOW
C.P.L.	CURB RETURN	Q100	100-YEAR STORM FLOW
D.I.	DROP INLET	R	RADIUS
DET.	DETAIL	R	RADIUS
D.W.	DRIVEWAY	REF.	REFERENCE
ELEV.	ELEVATION	R.C.P.	REINFORCED CONCRETE PIPE
E.C.	END OF CURVE	R.P.	RADIUS POINT
E.V.C.	END OF VERTICAL CURVE	RT	RIGHT
EXIST.	EXISTING	R.W.	RIGHT OF WAY
(EX)	EXISTING	S	SLOPE
E.G.	EXISTING GRADE	S.D.	SUBGRADE
F.F.	FINISHED FLOOR	S.S.	SANITARY SEWER
F.F.C.	FRONT FACE OF CURB	S.W.	SEWER
F.G.	FINISHED GRADE	STD.	STANDARD
F.H.	FIRE HYDRANT	SH.	SHED
E	EXIT	STA.	STATION
FLG.	FLANGE	S.D.	STORM DRAIN
G.	GATE	T	TANGENT
G.B.	GRADE BREAK	TELE.	TELEPHONE
G.V.	GATE VALVE	T.C.	TOP OF CURB
H.C.	HANDICAPPED	T.S.	THRUST BLOCK
HORIZ.	HORIZONTAL	TOE	TOE OF SLOPE
H.P.	HIGH POINT	TOP	TOP OF SLOPE
INT.	INTERSECTION	TYP.	TYPICAL
INT.	INVERT ELEVATION	V.C.	VERTICAL CURVE
L	LENGTH	V.P.I.	VERTICAL POINT OF INTERSECTION
L.F.	LINEAL FEET	W	WATER
L.P.	LOW POINT	U	CURVE DELTA



VICINITY MAP



SITE MAP

### ENGINEER



### SHEET INDEX

T-1 ..... TITLE SHEET

S-1 ..... SITE PLAN

### ENGINEER'S STATEMENT

THESE PLANS HAVE BEEN PREPARED IN ACCORDANCE WITH ACCEPTED ENGINEERING PROCEDURES AND GUIDELINES, AND ARE IN SUBSTANTIAL COMPLIANCE WITH APPLICABLE STATUTES, COUNTY ORDINANCES, AND CODES. IN THE EVENT OF CONFLICT BETWEEN ANY PORTION OF THESE PLANS AND WASHOE COUNTY CODES, THE COUNTY CODES SHALL PREVAIL.



PHILLIP J. BAUMANN

P.E. #21797

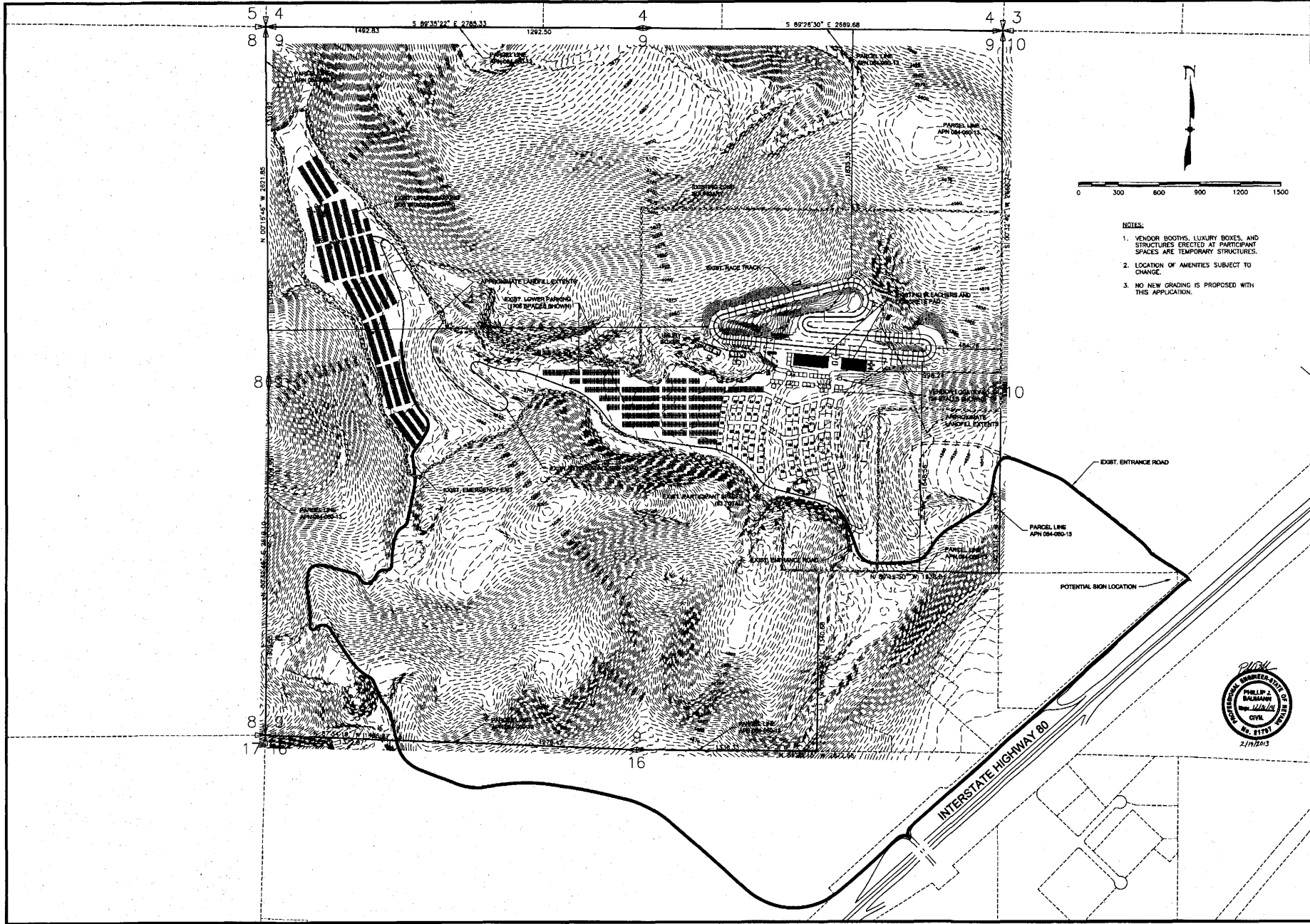


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DRAWN BY: PB  
CHECKED BY: TG  
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SPECIAL USE PERMIT FOR  
WILD WEST MOTORSPORTS  
TITLE SHEET

REV.	DATE	DESCRIPTION	BY	APPD.

SHEET	SCALE
T-1	HORIZ. AS SHOWN
2	VERT. 1"=20'



- NOTES:
1. VENDOR BOOTHS, LUXURY BOXES, AND STRUCTURES ERECTED AT PARTICIPANT SPACES ARE TEMPORARY STRUCTURES.
  2. LOCATION OF AMENITIES SUBJECT TO CHANGE.
  3. NO NEW GRADING IS PROPOSED WITH THIS APPLICATION.



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 DRAWN BY: PJB  
 CHECKED BY: PJB  
 Copyright Summit Eng 2013

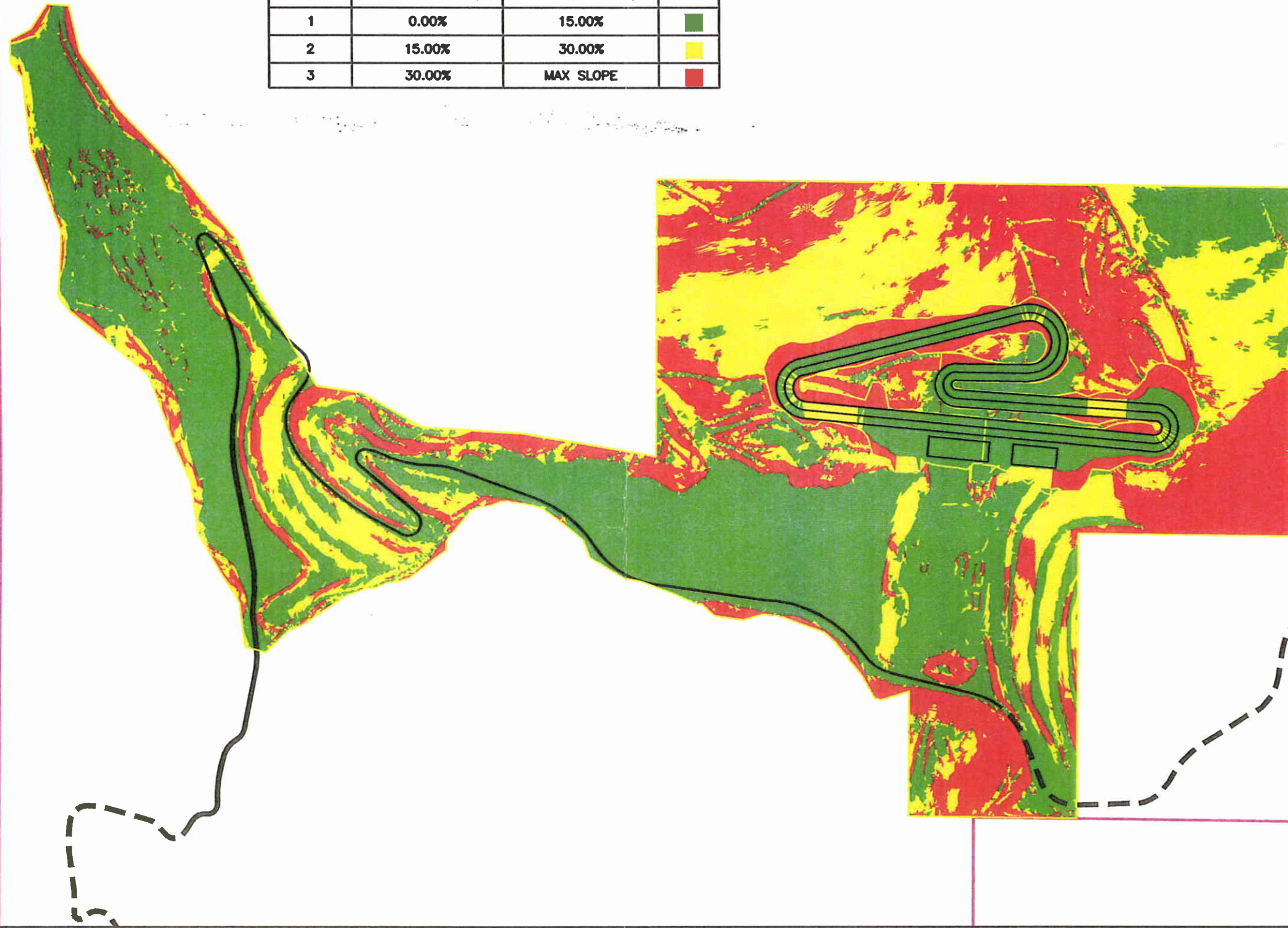
**SPECIAL USE PERMIT FOR  
 WILD WEST MOTORSPORTS PARK  
 SITE PLAN**

MUSTANG NEVADA

SHEET	SCALE	REV.	DATE	DESCRIPTION	BY	APP'D
S-1	HORIZ. 1"=300'					
2	VERT. 1"=30'					



Slopes Table			
Number	Minimum Slope	Maximum Slope	Color
1	0.00%	15.00%	Green
2	15.00%	30.00%	Yellow
3	30.00%	MAX SLOPE	Red



*PJB*  
 PROFESSIONAL ENGINEER-STATE OF NEVADA  
 PHILLIP J. BAUMANN  
 Exp: *12/31/14*  
 CIVIL  
 No. 21791  
*2/19/2013*



SCALE: 1"=500'	DESIGNED BY:
JOB #:	CHECKED BY:
Copyright SUMMIT ENG 2013	DRAWN BY: pbaumann

**WILD WEST MOTORSPORTS  
 SPECIAL USE PERMIT  
 SLOPE MAP**

SHEET  
 1  
 OF  
 1



# CIVIL IMPROVEMENTS FOR LUCAS OIL RACE TRACK MUSTANG WASHOE COUNTY NEVADA



## PROJECT LOCATION

12005 E, INTERSTATE 80  
MUSTANG, NV 89434

## OWNER

LOCKWOOD INVESTMENT CO., LTD.  
c/o RON BATH  
8555 DOUBLE R BLVD, STE. 108  
RENO, NV 89511

## BASIS OF BEARINGS:

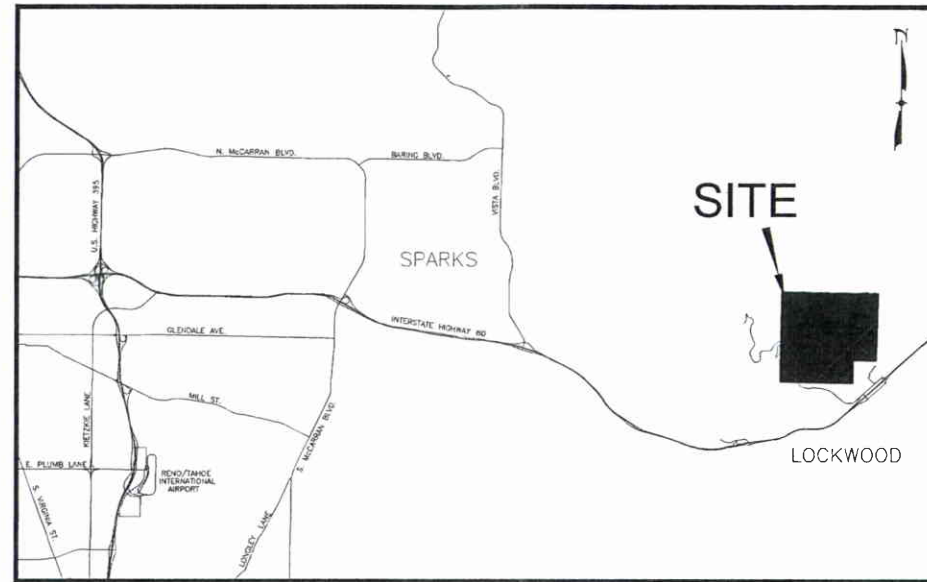
NEVADA STATE PLANE COORDINATE SYSTEM, WEST ZONE (NAD 83/94), MODIFIED BY A COMBINATION FACTOR OF 1.000197939 AND CONVERTED TO THE U.S. SURVEY FOOT. ALL DIMENSIONS ON THIS MAP ARE GROUND DISTANCES.

## BASIS OF ELEVATIONS:

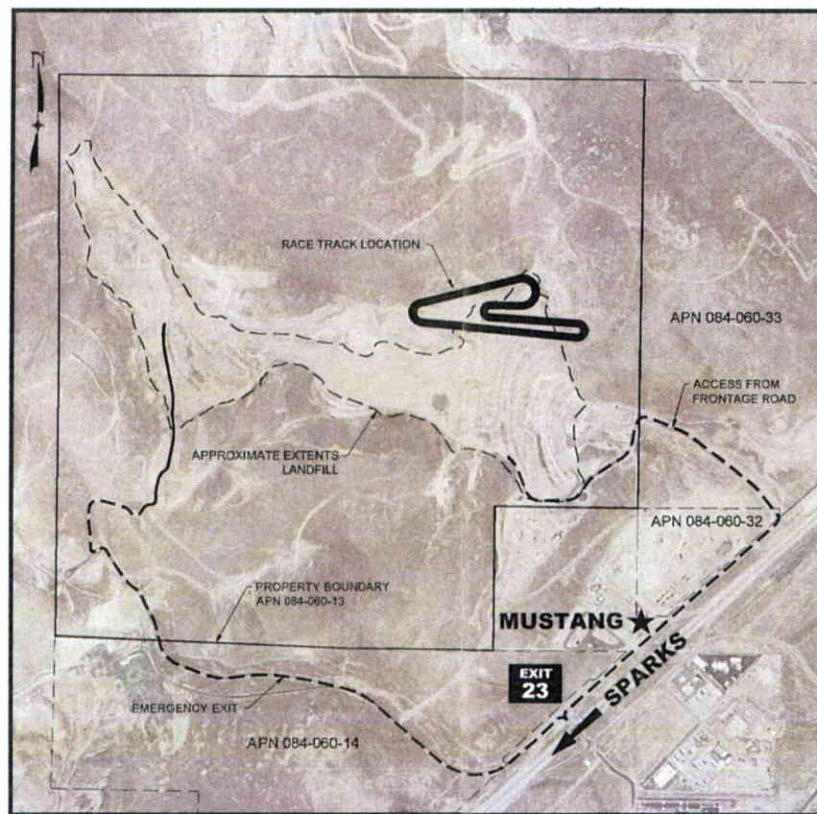
NAVD 88

## ABBREVIATIONS

A.C.	ASPHALTIC CONCRETE	LT.	LEFT
AGG.	AGGREGATE	M.H.	MANHOLE
B.C.	BEGIN CURVE	MPOC	MID POINT OF CURVE
B.F.	BOTTOM OF FOOTING	N.G.P.	NO GRADING THIS PARCEL
B.V.C.	BEGIN VERTICAL CURVE	P.C.C.	POINT OF COMPOUND CURVATURE
B.W.	BACK OF SIDEWALK	PI	POINT OF INTERSECTION
C.B.	CATCH BASIN	P.R.C.	POINT OF REVERSE CURVATURE
C.L.	CENTERLINE	P.V.C.	POLYVINYL CHLORIDE PIPE
CONC.	CONCRETE	P.O.	PUSH ON
CONST.	CONSTRUCT	P.U.E.	PUBLIC UTILITY EASEMENT
C.O.	CLEAN OUT	R	PROPERTY LINE
C.P.	CONCRETE PIPE	Q10	10-YEAR STORM FLOW
C.R.	CURB RETURN	Q100	100-YEAR STORM FLOW
D.I.	DROP INLET	(R)	RADIAL
DET.	DETAIL	R	RADIUS
DW.	DRIVEWAY	REF.	REFERENCE
ELEV.	ELEVATION	R.C.P.	REINFORCED CONCRETE PIPE
E.C.	END OF CURVE	R.P.	RADIUS POINT
E.V.C.	END OF VERTICAL CURVE	RT.	RIGHT
EXIST.	EXISTING	R/W	RIGHT OF WAY
(EX)	EXISTING	S	SLOPE
E.G.	EXISTING GRADE	S.G.	SUBGRADE
F.F.	FINISHED FLOOR	S.S.	SANITARY SEWER
F.F.C.	FRONT FACE OF CURB	S.W.	SIDEWALK
F.G.	FINISHED GRADE	STD.	STANDARD
F.H.	FIRE HYDRANT	SHT.	SHEET
F.	FLOW LINE	STA.	STATION
FLG.	FLANGE	S.D.	STORM DRAIN
G.	GAS	T	TANGENT
G.B.	GRADE BREAK	TELE.	TELEPHONE
GT.V.	GATE VALVE	T.C.	TOP OF CURB
H.C.	HANDICAPPED	T.B.	THRUST BLOCK
HORIZ.	HORIZONTAL	TOE	TOE OF SLOPE
H.P.	HIGH POINT	TOP	TOP OF SLOPE
INT.	INTERSECTION	TYP.	TYPICAL
I.E.	INVERT ELEVATION	V.C.	VERTICAL CURVE
L.	LENGTH	V.P.I.	VERTICAL POINT OF INTERSECTION
L.F.	LINEAL FEET	W	WATER
L.P.	LOW POINT	..	CURVE DELTA



VICINITY MAP  
NO SCALE



SITE MAP  
1"=800'

## ENGINEER



## SHEET INDEX

- T-1 ..... TITLE SHEET
- D-1 ..... DISTURBANCE PLAN
- G-1 ..... GRADING PLAN

## LEGEND

ALL LINE TYPES DASHED IF EXISTING

PROPOSED GRADE

## ENGINEER'S STATEMENT

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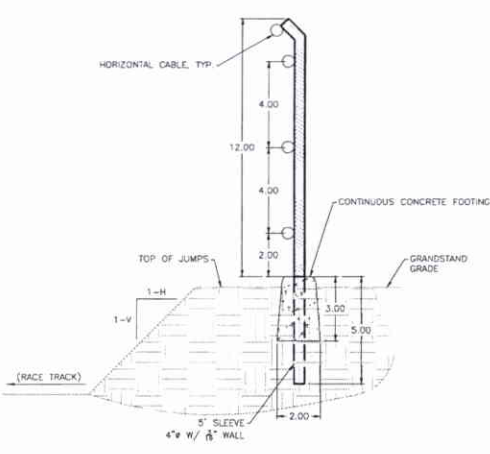
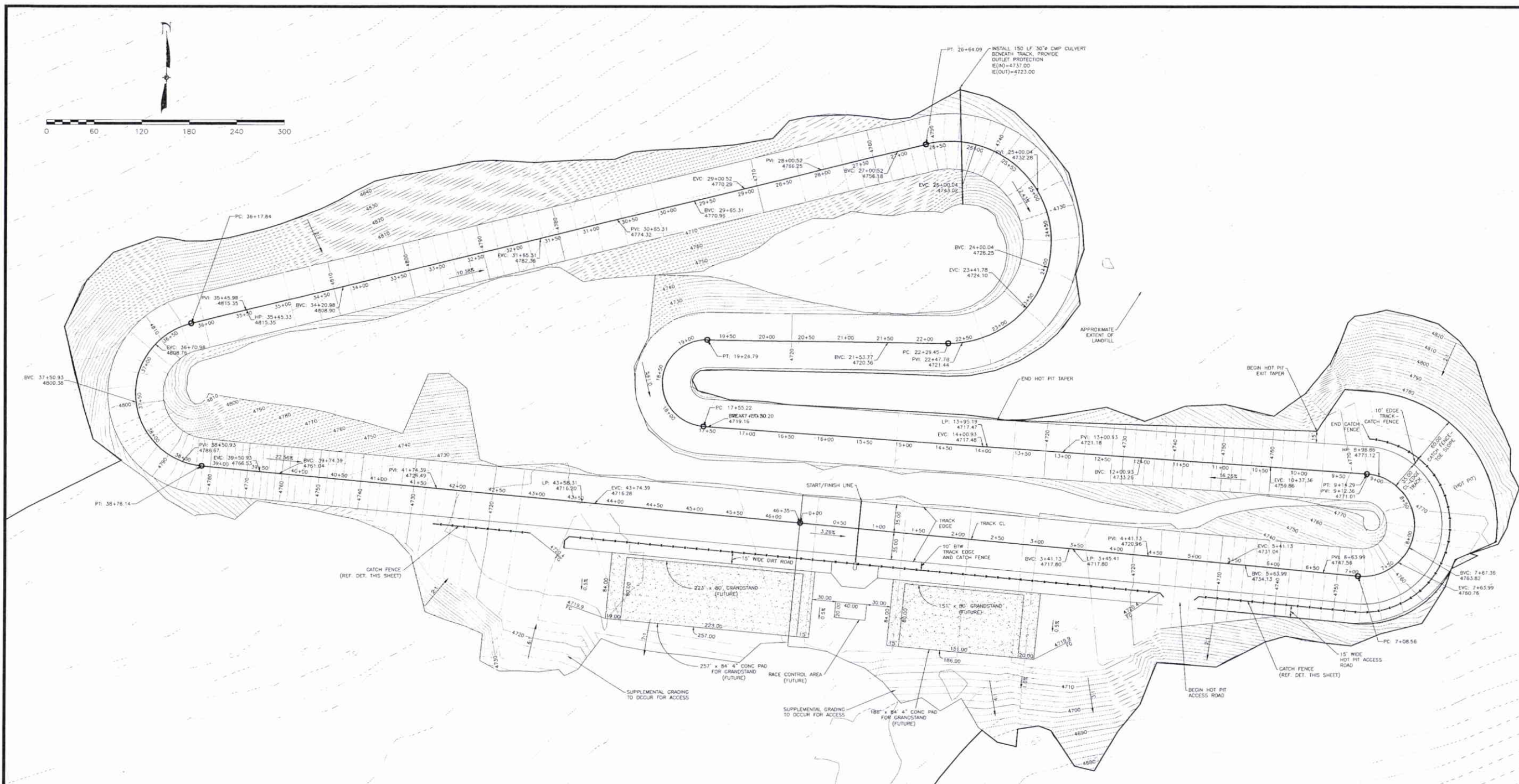
PHILLIP J. BAUMANN

P.E. #21797

DESIGNED BY:	PB	DRAWN BY:	PB	CHECKED BY:	TG	Copyright SUMMIT ENG 2012
CIVIL IMPROVEMENTS FOR LUCAS OIL RACE TRACK TITLE SHEET						
NEVADA MUSTANG WASHOE						
SCALE	REV.	DATE	DESCRIPTION	BY	APP'D	
T-1 OF 3						
HORIZ: AS SHOWN VERT: AS SHOWN JOB NO: N10263MSPHILJ001LUCAS.DWG - 141 PM * 20-JUL-2012						

SHEET	SCALE	REV.	DATE	DESCRIPTION	BY	APP'D
G-1	HORIZ: 1"=60' VERT: 1"=10'					
2						

NEVADASCPHIL06LUCAS.DWG - 1:41 PM \* 20-JUL-2012



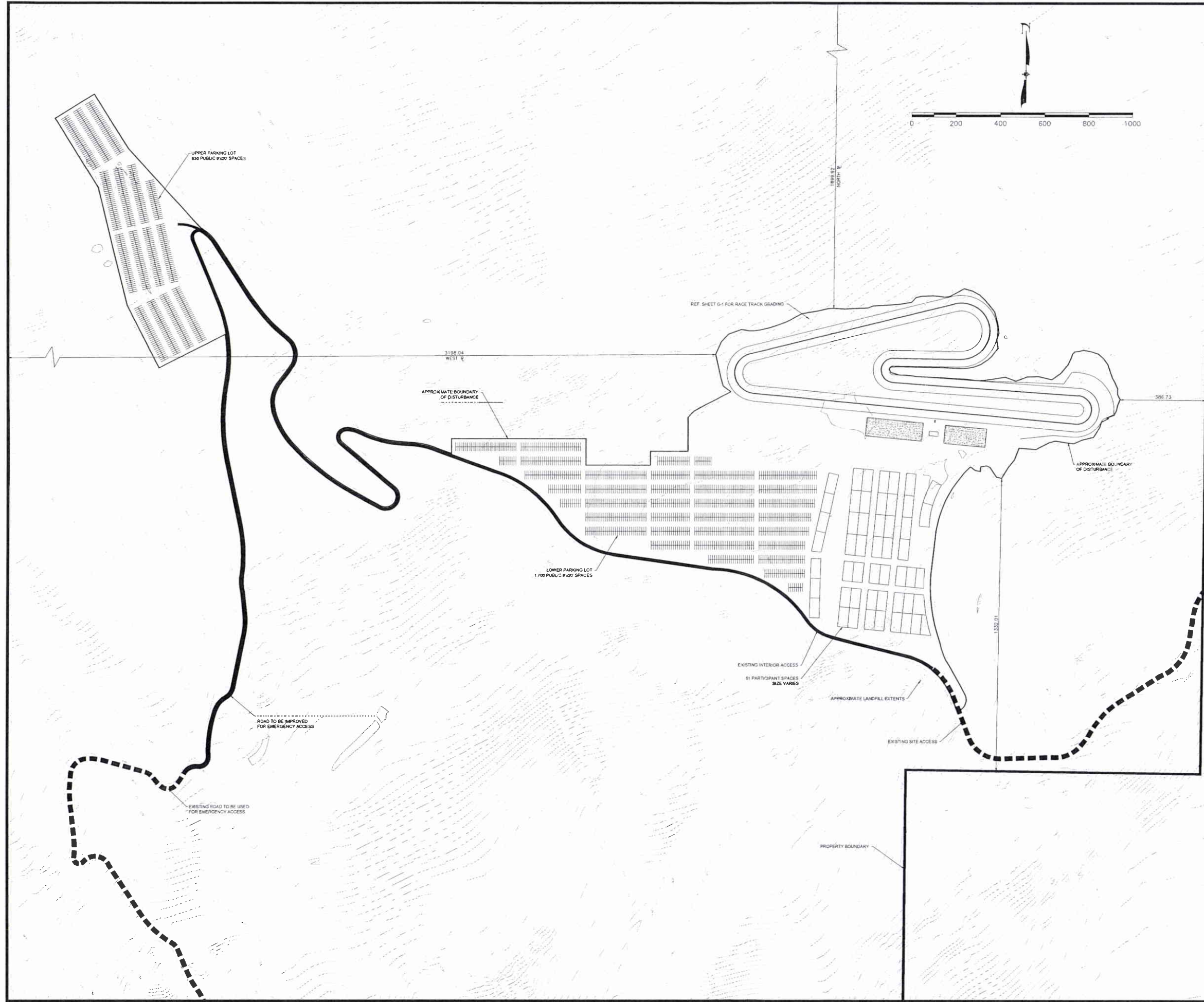
**GENERAL NOTES**

1. THE CONTRACTOR SHALL MAINTAIN A DUST CONTROL PROGRAM, INCLUDING WATERING OF OPEN AREAS.
2. THE CONTRACTOR SHALL MAINTAIN AN ONGOING PROCESS OF REMOVAL OF ALL SPILLAGE OF EXCAVATION MATERIAL ON ALL PAVED STREETS.
3. LAND GRADING SHALL BE DONE IN A METHOD TO PREVENT DUST FROM TRAVERSING THE PROPERTY LINE.
4. THE CONTRACTOR SHALL OBTAIN AND PAY FOR ALL NECESSARY PERMITS AND FEES REQUIRED FOR CONSTRUCTION.
5. THE CONTRACTOR SHALL NOTIFY ALL AFFECTED PUBLIC ENTITIES 48 HOURS PRIOR TO BEGINNING CONSTRUCTION.
6. THE CONTRACTOR SHALL VERIFY IN FIELD, ALL ELEVATIONS, DIMENSIONS, FLOW LINES, EXISTING CONDITIONS, AND POINTS OF CONNECTIONS WITH ADJOINING PROPERTY (PUBLIC OR PRIVATE). ANY DISCREPANCIES SHALL BE CALLED TO THE ATTENTION OF THE ENGINEER BEFORE PROCEEDING WITH THE WORK.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY AND ALL DAMAGE TO EXISTING UTILITIES ENCOUNTERED DURING CONSTRUCTION. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO CONTACT THE UTILITY COMPANIES FOR LOCATIONS OR POTHOLES PRIOR TO CONSTRUCTION.
8. THE CONTRACTOR SHALL INSTALL AND MAINTAIN BMPs AND ANY ADDITIONAL MEASURES OF STORMWATER CONTROL.
9. A MINIMUM OF 4'-FEET OF COVER MUST BE MAINTAINED OVER THE LANDFILL AT ALL TIMES.

**RACE TRACK VOLUMETRIC ANALYSIS**  
 CUT VOLUME 98029.39 ± Cu. Yd.  
 FILL VOLUME 46190.16 ± Cu. Yd.  
 NET VOLUME 51839.22 ± Cu. Yd. (CUT)

**STANDARD NOTES**

1. THE OWNER, SITE DEVELOPER, CONTRACTOR, AND/OR THEIR AUTHORIZED AGENTS SHALL EACH DAY REMOVE ALL SEDIMENT, MUD, CONSTRUCTION DEBRIS, OR OTHER POTENTIAL POLLUTANTS THAT MAY HAVE BEEN DISCHARGED TO, OR ACCUMULATE IN, THE PUBLIC RIGHTS OF WAY OF WASHOE COUNTY AS A RESULT OF CONSTRUCTION ACTIVITIES ASSOCIATED WITH THIS SITE. DEVELOPMENT OR CONSTRUCTION PROJECT, SUCH MATERIALS SHALL BE PREVENTED FROM ENTERING THE STORM SEWER SYSTEM.
2. ADDITIONAL CONSTRUCTION SITE DISCHARGE BEST MANAGEMENT PRACTICES MAY BE REQUIRED OF THE OWNER AND HIS OR HER AGENTS DUE TO UNFORESEEN CROSSLAND PROBLEMS OR IF THE SUBMITTED PLAN DOES NOT MEET THE PERFORMANCE STANDARDS SPECIFIED IN WASHOE COUNTY ORDINANCE NO. 1223 AND THE TRUCKEE MEADOWS CONSTRUCTION SITE BEST MANAGEMENT PRACTICES HANDBOOK.
3. TEMPORARY OR PERMANENT STABILIZATION PRACTICES WILL BE INSTALLED ON DISTURBED AREAS AS SOON AS PRACTICABLE AND NO LATER THAN 14 DAYS AFTER THE CONSTRUCTION ACTIVITY IN THAT PORTION OF THE SITE HAS TEMPORARILY OR PERMANENTLY CEASED. SOME EXCEPTIONS MAY APPLY. REFER TO STORMWATER GENERAL PERMIT NV100000, SECTION 1.8.1.3.(2).
4. AT A MINIMUM, THE CONTRACTOR OR HIS AGENT SHALL INSPECT ALL DISTURBED AREAS, AREAS USED FOR STORAGE OF MATERIALS AND EQUIPMENT THAT ARE EXPOSED TO PRECIPITATION, VEHICLE ENTRANCE AND EXIT LOCATIONS AND ALL BMPs WEEKLY. PRIOR TO A FORECASTED RAIN EVENT AND WITHIN 24 HOURS AFTER ANY ACTUAL RAIN EVENT. THE CONTRACTOR OR HIS AGENT SHALL UPDATE OR MODIFY THE STORMWATER POLLUTION PREVENTION PLAN AS NECESSARY. SOME EXCEPTIONS TO WEEKLY INSPECTIONS MAY APPLY, SUCH AS FROZEN GROUND CONDITIONS OR SUSPENSION OF LAND DISTURBANCE ACTIVITIES. REFER TO STORMWATER GENERAL PERMIT NV100000, SECTION 1.8.1.4.
5. ACCUMULATED SEDIMENT IN BMPs SHALL BE REMOVED WITHIN SEVEN DAYS AFTER A STORMWATER RUNOFF EVENT OR PRIOR TO THE NEXT ANTICIPATED STORM EVENT, WHICHEVER IS EARLIER. SEDIMENT MUST BE REMOVED WHEN BMP DESIGN CAPACITY HAS BEEN REDUCED BY 50 PERCENT OR MORE.



DESIGNED BY: \_\_\_\_\_  
 DRAWN BY: pbaumann  
 CHECKED BY: \_\_\_\_\_  
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CIVIL IMPROVEMENT PLANS FOR  
 LUCAS OIL RACETRACK  
 DISTURBANCE PLAN

MUSTANG WASHOE COUNTY NEVADA

SHEET	SCALE	REV.	DATE	DESCRIPTION	BY	APPD
D-1	HORIZ: 1"=200'					
3	VERT:					
JOB NO: NLS0065MSGCPHILSOL/LUCAS/LUCAS.DWG -- 1:41 PM *28-JUL-2012						



# Board of Adjustment Staff Report

**Meeting Date: April 4, 2013**

Subject: Special Use Permit Case No: SB13-003  
Applicant: Adalberto Ortega-Peralta  
**Agenda Item No. 8D**  
Project Summary: To establish an equestrian facility for the hosting of "Traditional Mexican Rodeos" also known as "Charreada".  
**Recommendation: Approval with Conditions**  
Prepared by: Grace Sannazzaro, Planner  
Planning & Development Division  
Washoe County Community Services Department  
Phone: 775.328.3771  
E-Mail: gsannazzaro@washoecounty.us

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## **Description**

**Special Use Permit Case No. SB13-003 for Traditional Mexican Rodeo** - To establish an equestrian facility for the hosting of "Traditional Mexican Rodeos" also known as "Charreada". Proposed events will consist of horse competition, team roping, and Mexican Charreada events. No boarding stables or new structures are proposed.

- Applicant Adalberto Ortega-Peralta
- Property Owner Claudia Ortega
- Location: 6505 Ernie Lane, Reno, NV 89510
- Assessor's Parcel No: 076-200-10
- Parcel Size: +40.33
- Master Plan Category: Rural (R)
- Regulatory Zone: General Rural Agricultural (GRA)
- Area Plan: Warm Springs
- Citizen Advisory Board: Warm Springs
- Development Code: Article 302, *Allowed Uses* and Article 810, *Special Use Permits*
- Commission District: 5 – Commissioner Weber
- Section/Township/Range: Section 23, T23N, R20E, MDM, Washoe County, NV

**Staff Report Contents**

Description ..... 1

Special Use Permit ..... 4

Vicinity Map ..... 5

Site Plan ..... 6

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Public Notice ..... 8

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Public Comment ..... 15

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Recommendation ..... 20

Motion ..... 20

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**Exhibits Contents**

Conditions of Approval ..... Exhibit A

Event Plan ..... Exhibit B

**Reviewing Agency Conditions of Approval**

Washoe County Engineering Division ..... Exhibit C

Washoe County Air Quality Division ..... Exhibit D

Washoe County Environment Health Services ..... Exhibit E

Truckee Meadows Fire Protection District ..... Exhibit F

Palomino Valley General Improvement District ..... Exhibit G

Washoe County Regional Animal Services ..... Exhibit H

Washoe County Water Services ..... Exhibit I

**Public Comment**

Chesney ..... Exhibit J

Ezzell ..... Exhibit K

Gustavson ..... Exhibit L

Public Notice Map ..... Exhibit M

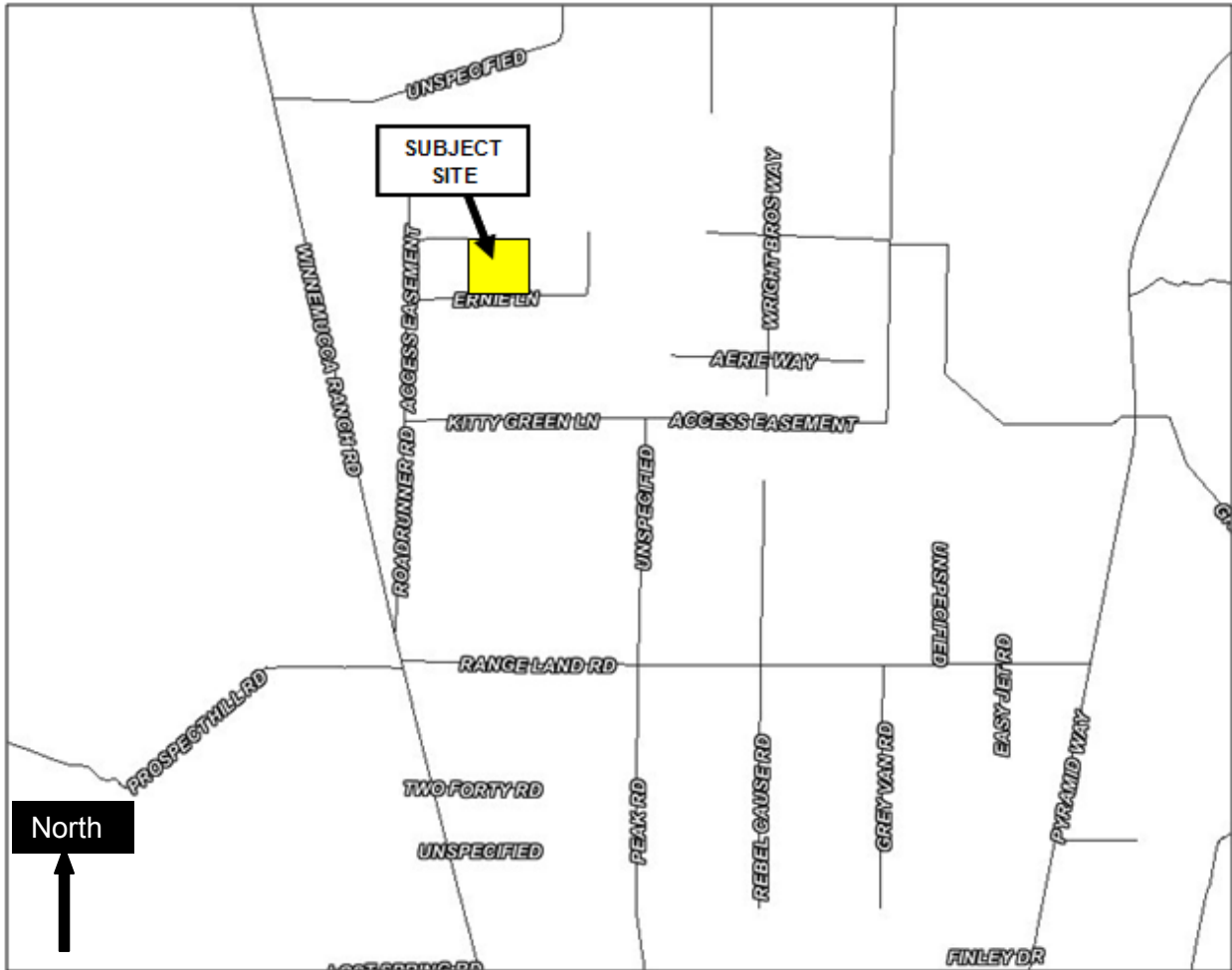
Project Application ..... Exhibit N

### **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 No. SB13-003 are attached to this staff report and if granted approval, will be included with the Action Order.

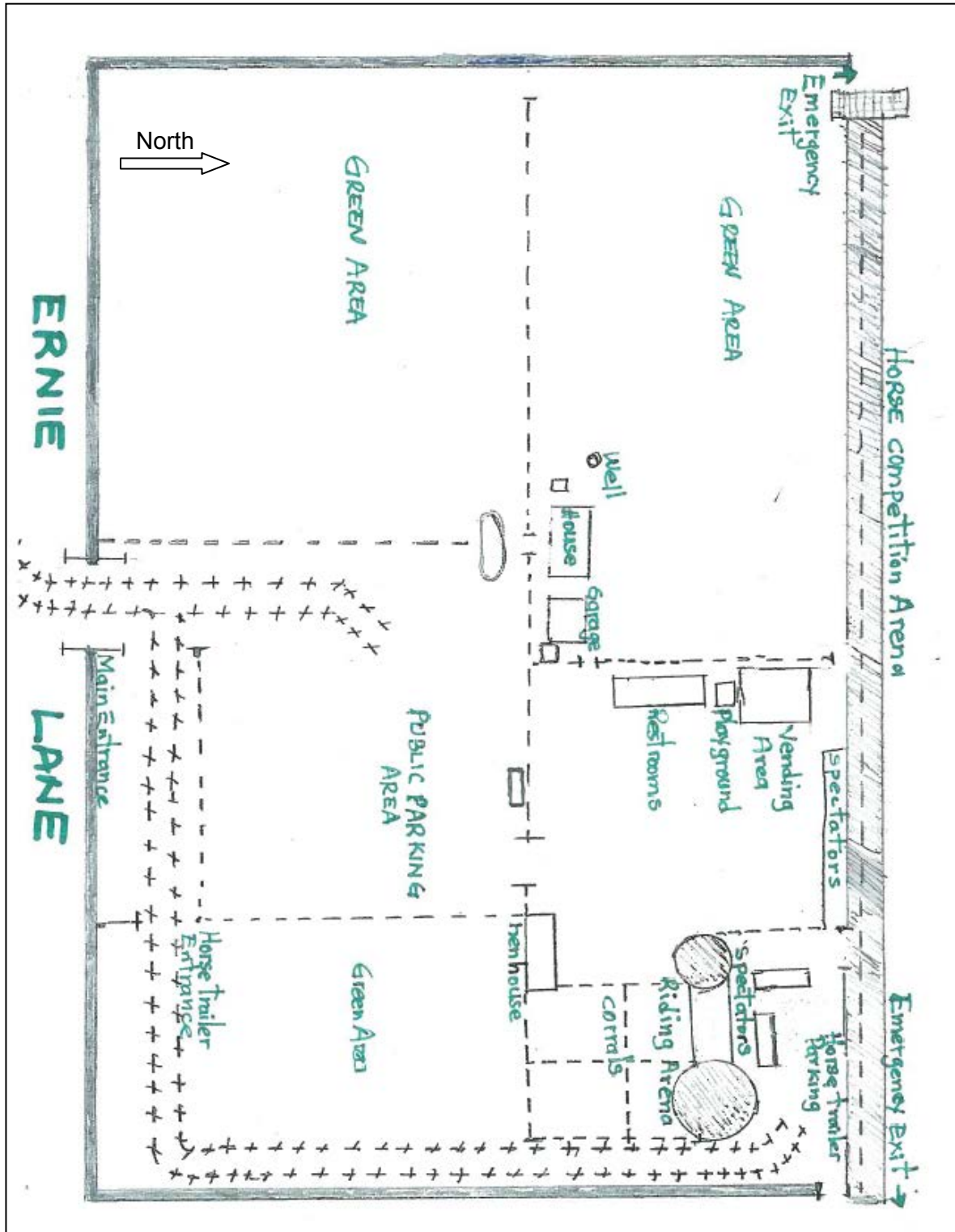


**Vicinity Map**

6505 Ernie Lane

Located on the west side of the Pyramid Highway (SR 445)  
Access is off Winnemucca Ranch Road and Roadrunner Road  
In the Warm Springs Planning Area





**Site Plan**  
± 40 acre parcel



**Aerial Photo**

Subject Site - ±40 Acre Parcel

**Public Notice**

Notification of Special Use Permit Case No. SB13-003 was mailed at least 10 days prior to the public hearing date to 31 separate property owners who own parcels that are located within 3,000 feet of the subject parcel.

Washoe County Development Code, Article 810, *Special Use Permits*, requires a minimum 500 foot radius from the subject site and a minimum of 30 separate property owners noticed. The notices must be mailed at least 10 days prior to the public hearing date.

**Project Evaluation**

The applicant is requesting a special use permit to allow a maximum of four Traditional Mexican Rodeo events per calendar year, with each event lasting one day and taking place during spring and summer months. There are also four practice days related to each Rodeo event. The subject parcel is +40 acres, is within the Warm Springs Area Plan, and is designated with a Master Plan category of *Rural* and with a Regulatory Zone designation of *General Rural Agricultural (GRA)*.

**Washoe County Development Code**

Washoe County Development Code, Article 106, Section 110.106.10 *Master Plan Categories*, includes the following language to describe the Rural Master Plan category.

*“The Rural Master Plan category is intended for areas of the County that are remote, have minimal infrastructure, contain significant amounts of open spaces, and which are suitable for commercial agricultural and grazing uses, extraction industries, natural resource conservation, energy production, rural commerce, and large lot residential uses....”*

Washoe County Development Code, Article 106, Section 110.106.15 *Regulatory Zones*, includes the following language to describe the General Rural Agricultural (GRA) regulatory zone.

*“The General Rural Agricultural (GRA) regulatory zone is intended to preserve areas where large lot residential uses, open space, agricultural and grazing uses predominate....”*

Washoe County Development Code, Article 302 *Allowed Uses*, prescribes uses, (referred to as “Use Types”) that are allowed in each regulatory zone. The Development Code does not identify “Rodeo” as a use type. Therefore, equestrian events are categorized the same as *Commercial Stables*, which is a use type defined in Article 304, *Use Classification System* as provided below.

*Section 110.304.25 Commercial Stables.* *Commercial stables refers to boarding or raising of three or more horses, but excludes horses used primarily for agricultural operations which are classified under animal production. Typical uses include commercial stables, riding clubs and riding instruction facilities.*

Washoe County Development Code, Table 110.302.05.3 of Article 302, *Allowed Uses*, allows Commercial Stables in the General Rural Agricultural (GRA) regulatory zone with an approved special use permit.

Warm Springs Area Plan (a part of the Washoe County Master Plan)

The following excerpt is found in the Warm Springs Area Plan under “*Community Vision to Preserve the Agricultural and Rural Lifestyle*”.

*“It is the guiding principle of the Warm Springs Area Plan to conserve and protect the individual property rights of all property owners to pursue agricultural activities in the planning area. There may be impacts associated with proximity to existing agricultural activities which might include sounds, odors and dust that may accompany agricultural activities. These impacts can be a natural result of living in or near agricultural uses and should be anticipated.”*

*“The property owners of Palomino Valley are good stewards of the land by keeping its agricultural and ranching heritage, and by maintaining the rural quality of its wide-open spaces, dark skies, and unique beauty. The vision includes the property owners engaging in activities such as agriculture, livestock and poultry raising, 4-H projects, equestrian activities, home businesses and other endeavors.”*

The Land Use and Transportation Element of the Warm Springs Area Plan states the following about the General Rural Agricultural (GRA) regulatory zone.

*“In the Warm Springs planning area, the General Rural (GR) classification is further refined into a General Rural Agricultural (GRA) classification. The extent of GRA in the planning area is shown on the Master Plan map. The rural character of the area will be enhanced by allowing agricultural uses consistent with the residential character of the area. The environment, ecology, scenic beauty, wildlife and the water resources of the GRA area shall be protected to ensure that future generations will have the opportunity to enjoy a rural lifestyle into the foreseeable future....”*

History

In 2012, the applicant applied for a Temporary Outdoor Community Event License to hold a one day rodeo event in May of 2012, for a maximum of 200 people, and was granted approval with conditions through an administrative decision by the Acting Director of Washoe County Community Development.

The temporary license granted the hours of operation between 12:00 p.m. (noon) and 8:00 p.m. The applicant was compliant with the imposed conditions and he also submitted an Event Plan which elaborated on his intentions. The Event Plan mirrored the conditions of approval which committed to contracting with a security guard service, obtaining valid permits for food and alcohol concessions, providing maintenance of portable toilets, having on-site emergency medical personnel, providing dust control, providing cleanup, having a veterinarian on site, and having fire extinguishers on site. The applicant will continue with his

commitment to carry out the actions outlined in the Event Plan with this application (Exhibit B).

In 2012, the applicant also applied for and was granted four separate Special Event Licenses, each being for one day for Rodeo practice and horse training. Special Event licenses are issued for events with fewer than 100 attendees per day. These four days of practice and horse training were granted in the months of April, June, and July of 2012.

Washoe County's permit system shows that in late summer and fall of 2009, the Environmental Health Division granted special events permits on this parcel for applicant Carlos Cruz for the Mariposa School. In August of 2010, Adalberto Ortega-Peralta (current applicant) was granted a special events permit by Environmental Health. There is no activity in Washoe County's permit system for the subject parcel in 2011.

#### Summary of Traditional Mexican Rodeo

The applicant's Event Plan states that a Traditional Mexican Rodeo is known as a "Charreada", and is the national sport of Mexico. It celebrates the traditional cattle ranching life and culture of colonial Mexico. This Rodeo includes team roping, bronco riding, bull riding, and horse competition. The applicant has verbally assured staff that there will be no cruelty to the Rodeo animals as is often associated with a *Charreada*. Additionally, Washoe County Regional Animal Services has provided a condition of approval that requires compliance with NRS Chapter 574 *Animal Cruelty* and Washoe County Code Chapter 55 relating to animals, as well as requiring submittal of a large animal veterinarian plan. Male riders are dressed in elaborate three piece suits and women ride side-saddle. The competitors are judged on both style and execution. Competitors come from Reno, Sparks, Fallon, Fernley, Yerington, and many other communities. Most of the competitors in this Rodeo hope to go on to regional competitions in Elko, Nevada, and from there, go on to national competitions in California.

#### Project Proposal

The applicant is proposing a Traditional Mexican Rodeo (the "Rodeo") to be held between the hours of 2:00 p.m. and 7:00 p.m. one Saturday per month during the months of May, June, July, and August of each calendar year. There will also be one practice/horse training day during the same months to prepare contestants and horses for the Rodeo. In summary, there will be a total of four Rodeos per calendar year, each lasting one day; and a total of four practice days, per calendar year, each lasting one day. The practice/horse training will occur at the beginning of the month and the Rodeo event will occur later in the month.

The subject site is a ±40 acre parcel located at 6505 Ernie Lane in the Warm Springs Valley, approximately 6.2 miles north of the intersection of Winnemucca Ranch Road and the Pyramid Lake Highway (SR 445). The subject parcel is served by private septic and well, and is surrounded by similar ±40 acre parcels with GRA zoning. All adjacent parcels are undeveloped, with the nearest developed parcel (it has a house) being approximately a quarter mile to the east. The northeast corner and the entire east side of the subject parcel is in a FEMA 100 year flood zone. The flood zone area within the subject parcel has no habitable structures on it.

Rodeo related traffic will utilize Winnemucca Ranch Road and Roadrunner Road to get to Ernie Lane. Winnemucca Ranch Road is a paved public road, and Roadrunner Road and Ernie Lane are unpaved public roads. All are maintained by the Palomino Valley General Improvement District (PVGID). The subject parcel is developed with a single family dwelling where the applicant lives, a 672 square foot detached garage and a small single story barn. Rodeo related items on the subject parcel consist of one outdoor riding arena, four fenced corrals, four portable bleacher stands, a starting gate structure, and a fenced outdoor dirt straightaway used for horse racing that runs along the north edge of the parcel.

The total number of people anticipated to attend each Rodeo event will be no more than 200, with 25 to 50 of those people being Rodeo participants. The applicant has estimated about 25 to 30 vehicles coming to each Rodeo event. While staff has taken note, and neighbors have commented on this number being low when compared to the anticipated number of attendees, the applicant has allowed close to 6 acres for public parking, and almost another acre for participant parking. The applicant has also sufficiently prepared for dust control both on and off site. The sum total of attendees will include the rodeo participants, employees who are the applicant's family members, spectators, vendors, and contractors. There will be about 12 to 15 horses brought to the site for each Rodeo event and for each practice day. The total number of people anticipated to come to each practice is no more than 75. The applicant advises that nothing different is being proposed from the past Rodeo event that operated under an Outdoor Community Event License in May of 2012.

A ticket booth will be set up at the pedestrian entrance gate and will be the official entrance into the Rodeo (see photo on Page 12). Once inside the Rodeo area, there will be a dedicated area for food/alcohol vendors, eight portable toilets, a play area for children, and four separate sections of portable bleachers that seat a maximum of 50 people per section. All vendors are required to have a permanent or temporary food permit and/or liquor license through the County Health District, as well as a business license. The bleachers will be set up near the riding arenas and the race straightaway. The portable toilets are owned by the applicant, and serviced by Sani-Hut before and after each event. The spectator area is securely fenced off from the Rodeo participant areas. Rodeo participants and horses will arrive and depart the same day as the Rodeo. There will be no overnight camping. Approximately thirty 50-gallon trash barrels will be placed throughout the Rodeo area, which will be hauled off the property subsequent to each event. The applicant will also provide trash pickup along the access roads of Roadrunner Road and Ernie Lane after each event.

The subject parcel is fenced with barbed wire and has one unpaved gated driveway off of Ernie Lane (see photo on Page 12) and an unpaved gated emergency access along the west side of the parcel. The gate will be open for parking before the Rodeo and will be closed when the Rodeo begins at 2:00 p.m. All Rodeo related parking will remain on site, with public parking at the front (southeast side) of the parcel and contestant parking at the rear (northeast side) of the parcel. An attendant will be in the parking area directing vehicles before and after each Rodeo, and will maintain the gate in the event of an emergency. Communication between Rodeo staff will be done through walkie-talkies. With the Rodeo taking place during daylight hours, there will be no outdoor lighting.

The applicant will provide surface moisture like he has done in the past to the arenas, and race straightaway before and after activities. The parking areas and the access roads of

Ernie Lane and Roadrunner Road will be watered down before vehicles arrive and before vehicles leave. The applicant owns two water trucks that remain onsite; one is 500 gallons and the other is 2,000 gallons.

An amplified sound system will be used during each Rodeo event between the hours of 2:00 p.m. and 7:00 p.m. The sound system will be used intermittently during the competitions. The sound system consists of one speaker near the concession stand facing east toward the arena. The sound system will not be used on practice/horse training days and there is a condition of approval to that effect.

Due to the challenging environment of a Rodeo, the applicant agrees that emergency medical personnel should be onsite during each Rodeo event. As has been done in the past, the applicant will contract with REMSA (Regional Emergency Medical Services Authority). This will include having one ambulance and two paramedics on site for the day of each Rodeo.

The applicant agrees that the presence of security guards is reassuring for all involved. He will have five security guards on site during Rodeo events. If there is any sign of disturbance during an event, the Washoe County Sheriff's Office will be called immediately.

### **Development Code Standards**

Washoe County Development Code, Section 110.410.25 *Design of Parking Areas* requires wheel stops, surface pavement, marking/stripping, landscaping/screening, and lighting in commercial parking lots. Washoe County Development Code, Article 412 *Landscaping* requires formal landscaping, including deciduous and coniferous trees, shrubs, and groundcover. All landscaping is required to be irrigated and maintained with regular pruning, staking, and replacement of damaged or dead plants. These parking and landscaping regulations do not make sense for a commercial agricultural business on a  $\pm 40$  acre parcel in the high desert that is accessed by dirt roads, surrounded by other  $\pm 40$  acre parcels that are covered with sagebrush; and trees, shrubs and groundcover are not a part of the natural landscape. Therefore, the Planning and Development Division is recommending a condition of approval (see Conditions of Approval 1k) that releases the applicant from meeting commercial parking design and landscaping regulations

The subject parcel meets the number of required parking spaces set by Washoe County Development Code, Section 110.410.10 *Required Parking Spaces*, which is 1 parking space per employee during peak business hours and .25 parking space for every horse when at capacity. As previously mentioned, the applicant has designated close to six acres for public parking and another acre for participant parking.

Washoe County Development Code, Article 810 *Special Use Permits*, Section 110.810.20 *Review Procedures* (for special use permits) allows the Board of Adjustment to vary the standards of the Development Code as part of the approval of the special use permit application.

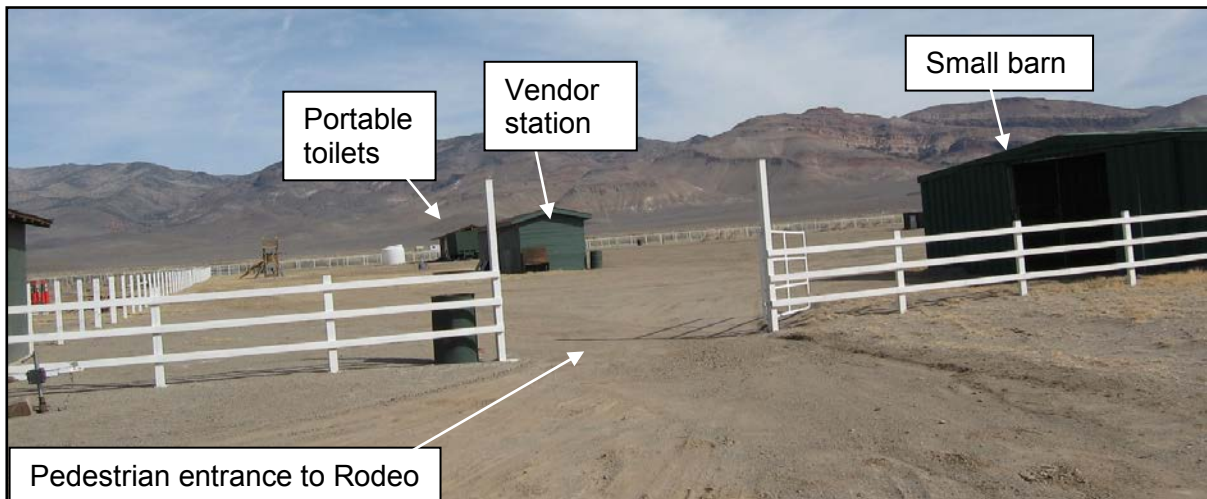
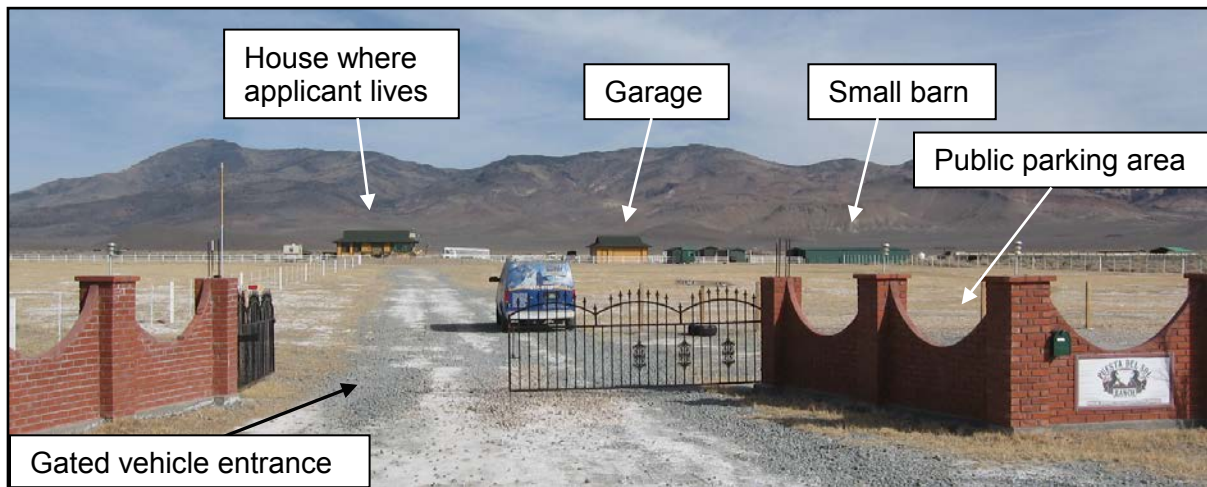
### **Section 110.810.20 Review Procedures.**

(e) *Action.* The Planning Commission, Board of Adjustment or a hearing examiner may take action to approve, approve with conditions, modify,

*modify with conditions, or deny the special use permit request. **The Planning Commission, Board of Adjustment or a hearing examiner may also vary standards of the Development Code as part of the approval of a special use permit application....***

**Site Visit**

On March 13, 2013, staff made a site visit and found the subject parcel to be exceptionally clean and well maintained. It appears that the applicant has given much attention to detail, as he reportedly did in 2012 for the Rodeo event and practices. The applicant would like to have the Rodeo as a reoccurring permanent event, along with practice days, where he doesn't have to apply for an Outdoor Event License year after year. Everything is set up on site and the applicant seems earnest in his intentions of being a respectful neighbor and having reputable events. Some photos taken by staff during the site visit are provided below.





**Reviewing Agencies**

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

- Washoe County Community Services Department
  - Planning and Development Division
  - Engineering and Traffic Division
  - Water Services Division
- Washoe County Health District
  - Air Quality Management
  - Environmental Health Services
- Truckee Meadows Fire Protection District
- Palomino General Improvement District
- Washoe County Regional Animal Services
- Nevada Department of Transportation
- Bureau of Land Management
- Palomino Volunteer Fire Department

The agencies/departments that responded to the application with comments and/or recommended conditions of approval are listed below. A summary of each agency's conditions of approval and their contact information is provided. The Conditions of Approval document is attached to this staff report and will be included with the Action Order if granted approval. Each agency's comments and/or conditions of approval are attached as Exhibits C – H.

**Summary of Conditions of Approval**

- Washoe County Planning and Development Division sets limits on the operation such as number of days per year, number of attendees per event, hours of operation, and cleanup.  
**Contact: Grace Sannazzaro, 775.328.3771, [gsannazzaro@washoecounty.us](mailto:gsannazzaro@washoecounty.us)**
- Washoe County Engineering Division states that a portion of the parcel is in the FEMA (Federal Emergency Management Agency) 100 year flood zone and all manure shall be stored outside this flood zone, all natural drainages shall not be impeded, and any grading over 50 cubic yards shall require a grading permit.  
**Contact: Leo Vesely, 775.325.8023, [lvesely@washoecounty.us](mailto:lvesely@washoecounty.us)**
- Washoe County Air Quality Division requires that a water truck be on site before, during, and after all events, and that access roads, parking areas, arenas, and any other travel areas must be watered to control dust.  
**Contact: Charlene Albee, 775.784.7211, [calbee@washoecounty.us](mailto:calbee@washoecounty.us)**

- Washoe County Environmental Health Services Division provides requirements for the management of manure, including storage and disposal.

**Contact:** Jim Shaffer, 775.785.4599, [jshaffer@washoecounty.us](mailto:jshaffer@washoecounty.us)

- Truckee Meadows Fire Protection District is requiring that the access gate be maintained and remain unlocked for emergency response. Also fire extinguishers are required to be at event related cooking areas.

**Contact:** Amy Ray, 775.326.6005, [aray@tmfcpd.us](mailto:aray@tmfcpd.us)

- Palomino Valley General Improvement District (PVGID) is requiring access roads be watered before and after events, and a calendar of events be submitted to PVGID before the Rodeo season begins, so PVGID can properly maintain the roads.

- Washoe County Regional Animal Services is requiring compliance with NRS Chapter 574 *Animal Cruelty* and Washoe County Code Chapter 55 relating to animals, and the submission of a large animal veterinarian plan.

**Contact:** Larry Johnson, 775.848.6788, [palvalgid@gmail.com](mailto:palvalgid@gmail.com)

### **Public Comment**

“*Courtesy Notices*” were mailed on March 11, 2013, to 31 of the nearest property owners. A courtesy notice is not a required notice, and is sent early in the process advising that a project is being proposed and will be going to a public hearing. “*Legal Notices*”, which are required by Nevada Revised Statutes (NRS) and County Code, were mailed to these same 31 property owners on March 22, 2013. NRS and County Code require notices be mailed to a minimum of 30 property owners at least 10 days prior to the scheduled public hearing date. These 31 property owners have parcels within a 3,000 foot radius of the subject property. These notices also included the Warm Springs Citizen Advisory Board members.

A summary of public comments received from three separate property owners is provided below, along with staff comment. The public comments are provided in their entirety as Exhibits I, J & K. Some of the concerns are addressed through recommended conditions of approval and some of the allegations from the past could not be confirmed.

### **Larry Chesney – Public Comment**

Mr. Chesney lives at 6055 Rebel Cause Road, which is about 2 ½ miles south of the applicant’s parcel. The following is a summary of Mr. Chesney’s comments, along with staff’s responses. Mr. Chesney’s comments can be found in their entirety as Exhibit I, attached to this report.

1. *Mr. Ortega was a “bad actor” in the past. However, last year, Mr. Ortega satisfied the conditions of approval that were imposed upon him for the rodeo event. I drove by twice and it looked like the restrictions were being met. They included requirements for security, ambulance, a veterinarian, water truck. The place was kept clean and the noise was kept at a manageable level.*

**Staff Comment:** Staff cannot substantiate the issues of the past. The statements regarding the applicant’s compliance with imposed conditions

**for the 2012 Rodeo event are in line with what the Washoe County Code Enforcement Officer observed during his visit to the Rodeo last year.**

### **Hugh Ezzell – Public Comment**

Mr. Ezzell lives at 10000 Roadrunner Road, which is about one-half mile south of the applicant's parcel, and is one of the unpaved access roads leading to the applicant's parcel. The following is a summary of Mr. Ezzell's stated concerns along with staff's responses. Mr. Ezzell's comments can be found in their entirety as Exhibit J, attached to this report.

1. *The number of anticipated vehicles is low and inconsistent with the number of anticipated attendees.*

**Staff Comment:** Staff agrees that the anticipated number of vehicles listed in the application is low as compared to the maximum number of attendees listed. The applicant has advised that he will be replicating his 2012 Rodeo event that was approved through an Outdoor Special Events License. The applicant is prepared to meet all the conditions of approval for this special use permit, including, but not limited to dust control, ample onsite parking, and traffic control.

2. *The water truck tanks are too small to hold enough water to keep Ernie Lane and Roadrunner Road moist.*

**Staff Comment:** Staff checked with the District Health Department's Air Quality Services Division which provided conditions of approval, and they did not express concern over the tank size of the water trucks. A Washoe County Code Enforcement Officer went out to the site during the 2012 Rodeo event and did not observe an abnormal amount of dust caused by traffic or Rodeo related events. Also, during the 2012 Rodeo event, there were no citizen complaints filed with Washoe County. Water Services reviewed this application for potential water related issues, and they responded by stating they have no comments or conditions of approval (see Exhibit H)

3. *The applicant talks about, at some point in the future, possibly applying gravel to Roadrunner Road to help with the dust. This should not be done. This is a hard dirt roadway surface, which works well.*

**Staff Comment:** The applicant's intent was to be a good neighbor. He will not lay gravel if it is not in the best interests of the local community. The applicant understands that the Palomino Valley General Improvement District would need to be consulted prior to taking any action.

4. *If alcohol is involved with the events, a Washoe County Sheriff's deputy should attend the events to ensure a safe environment.*

**Staff Comment:** The applicant plans to have security guards on site during the events as he did in 2012, and this is also a condition of approval. Additionally, there is a condition of approval requiring that

**the applicant notify the Washoe County Sheriff's Office at the first sign of any disturbance that may be caused by attendees of these events.**

### **Sharon Gustavson – Public Comment**

Ms. Gustavson owns a parcel on Theodore Lane without living there. Her parcel is adjacent to the north of the applicant's parcel. Ms. Gustavson's parcel has no address, but the Assessor's parcel number is 076-200-05. The following is a summary of Ms. Gustavson's concerns, along with staff's responses. Ms. Gustavson's comments can be found in their entirety as Exhibit K attached to this report.

1. *Mr. Ortega has never maintained the swale on his northern property side, which affects the water delivery of the swale on my southern property side.*

**Staff Comment:** During the site visit staff observed a drainage on the northwest corner of the applicant's property, which was clear except for normal debris consisting of a few tumbleweeds. Washoe County Engineering has conditioned the approval by stating that natural drainages shall not be impeded by development or by the use of the parcel.

2. *The applicant stores a heavy mechanical rodeo device where all the horses and the riders stage events.*

**Staff Comment:** A starting gate, dark green in color, is set up inside a well maintained fenced area on the northwest section of the subject property and is used during the Rodeo events. Staff did not see anything remarkable about this piece of equipment or its location. See below photo.



3. *Horrific dust is caused by these events.*

**Staff Comment:** Washoe County Air Quality Division is recommending a condition of approval that requires the applicant moisten access roads, parking areas before and after the Rodeo, the arenas, and the race straightaway before, during, and after events as needed for dust control.

4. *The applicant needs to reinforce the barbed wire fence around his property.*

**Staff Comment:** During the site visit, staff observed the fencing on the subject property to be in good condition, this includes the barbed wire fencing around the property.

5. *There are piles of dry vegetative material along the north property line presenting a fire hazard. This is highly flammable matter and should be removed.*

**Staff Comment:** Staff specifically queried Truckee Meadows Fire Protection District (TMFPD) regarding this concern. TMFPD stated that this cut brush does not present any more of a fire hazard than the existing sagebrush that is seen growing in every direction of this valley. TMFPD is satisfied with the existing 30 foot clearance of defensible space around the Rodeo area.

6. *There has been vandalism, trespassing, confrontations, threats, arson, alcohol use, littering, and loitering, public urination, as well as gambling and drinking, along with gun shooting, roll-over accidents from car racing, and extremely loud music (thumping-loud bass rap beats and Mariachi) events held at these Mexican Rodeos that are staged long into the night.*

**Staff Comment:** Staff contacted the Washoe County Sheriff's Office, which provided the following record of calls received on the applicant's property.

**05/02/12** Check for possible firework usage - No fire was visible. No case was taken - cleared unfounded

**10/18/09** Check for people selling alcohol to minors and other suspicious activity; No case was taken - cleared unfounded.

**07/25/08** Occupants requested that a law enforcement officer call them. No further information.

**08/12/07** Multiple units responded due to possible horse racing. No case was taken, as Animal Control was summoned.

**01/11/05** Call to Animal Control on a stray dog

7. *Would like applicant to pay to replace two road signs. I have witnessed (and reported to the Sheriff) both the stealing of the Road Runner Road sign as well as the destruction by repeated shotgun target practice of the Theodore Lane sign north of Ernie Road where my property is located by drunken "friends" of the applicant's--I witnessed both these incidents.*

**Staff Comment:** Staff is unable to confirm these allegations.

8. *A caretaker of the applicant's property has threatened me personally, and also destroyed the lock on the Mexican gate by deliberately vandalizing it by dousing it with super glue.*

**Staff Comment:** Staff is unable to confirm this allegation.

9. *Would like the applicant to ensure our safety from the unknown entities he has involved with him with insurance, bonding, security demands on him during events and even when events are not being held.*

**Staff Comment:** The reviewing agencies have had the opportunity to evaluate the application and provide conditions of approval. There are no recommendations for requiring bonding, security, or the like. Staff is confident about each agency's analysis and recommended conditions of approval.

10. *There is continued building to current time and even during the current permitting process as it is being reviewed.*

**Staff Comment:** Staff did not see any onsite construction or evidence of construction during the site visit. Staff is recommending a condition of approval that states all structures over 120 square feet require a building permit.

11. *The number of vehicles and trailers, as well as the number of participants and spectators is far understated.*

**Staff Comment:** The applicant estimated low on the number of vehicles. However, he has allowed adequate parking. The Rodeo is limited to 200 people and the practices are limited to 75 people. There shall be no more than 15 horses brought in for the events.

### **Staff Comment on Required Findings**

Section 110.810.20 of *Article 810, Special Use Permits*, within the Washoe County Development Code, requires that 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.

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Warm Springs Area Plan.

**Staff Comment:** *The proposed use is consistent with the Master Plan and the Warm Springs Area Plan. As previously discussed, the Community Vision Statement of the Warm Springs Area Plan encourages equestrian activities.*

2. Improvements. 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.

**Staff Comment:** *The reviewing agencies provided conditions of approval that address these concerns. There are no public improvements required. The applicant is required to mitigate for potential dust and notify PVGID of upcoming events for access road maintenance. The applicant is also required to manage onsite manure according to Health District regulations, and all natural drainages shall remain unobstructed.*

3. Site Suitability. That the site is physically suitable for Rodeo equestrian events, and for the intensity of such a development.

***Staff Comment: The subject ±40 acre parcel is designated with General Rural Agricultural (GRA) zoning and is within the Warm Springs Area Plan. GRA zoning and the Warm Springs Area Plan both support agricultural type uses and a rural environment.***

4. Issuance Not Detrimental. 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.

***Staff Comment: The reviewing agencies have responded with conditions of approval to mitigate dust and noise, ensure proper sanitation, and provide for the general safety and welfare of those attending the events and those owning property and/or residing in the surrounding area.***

5. Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

***Staff Comment: There is no military installation nearby.***

### **Recommendation**

Those agencies which reviewed the application recommended conditions in support of approval of the proposed project. Therefore, after a thorough analysis and review, Special Use Permit Case No. SB13-003 is being recommended for approval with conditions. 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 the information received during the public hearing, the Washoe County Board of Adjustment approve Special Use Permit Case No. SB13-003 for Adalberto Ortega-Peralta, having made all five findings in accordance with Washoe County Development Code Section 110.810.30.***

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Warm Springs Area Plan;
2. Improvements. 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;
3. Site Suitability. That the site is physically suitable for Rodeo equestrian events, and for the intensity of such a development;

4. Issuance Not Detrimental. 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;
5. Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation; and

**Appeal Process**

Board of Adjustment action will be effective 10 days after the public hearing date, unless the action is appealed to the County Commission, in which case the outcome of the appeal shall be determined by the Washoe County Commission.

xc: Applicant: Adalberto Ortega-Peralta, 6505 Ernie Lane, Reno, NV 89510

Property Owner: Claudia Ortega, 6505 Ernie Lane, Reno, NV 89510

Consultant: Solaegui Engineers, Attn; Paul Solaegui, 715 H Street, Sparks, NV 89431



# EXHIBIT A



## Amended Conditions of Approval

Special Use Permit Case No. SB13-003

The project approved under Special Use Permit Case No: SB13-003 shall be carried out in accordance with the Amended Conditions of Approval ("Conditions of Approval") granted by the Board of Adjustment on April 4, 2013. 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 or to abide by all other generally applicable Codes.

**Unless otherwise specified**, 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 & Development 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 initiation of revocation procedures.

Operational Conditions are subject to review by the Planning & Development Division prior to the renewal of a business license each year. Failure to adhere to the Operational Conditions may result in the Planning & 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 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 District Health Department 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.

**THE FOLLOWING ARE OPERATIONAL CONDITIONS OF APPROVAL SET BY THE REVIEWING AGENCIES. THESE OPERATIONAL CONDITIONS SHALL BE REQUIRED FOR THE LIFE OF THE BUSINESS. 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 & Development Division, which shall be responsible for determining compliance with these conditions.

**Contact Name – Grace Sannazzaro, 775.328.3771, gsannazzaro@washoecounty.us**

- a. The applicant shall demonstrate substantial conformance to the plans approved as part of this special use permit. The Planning & Development Division shall determine compliance with this condition.
- b. 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 special use permit.
- c. Noncompliance with the conditions of approval shall be treated as a violation and may be grounds for the Planning and Development Division to take action in accordance with the Washoe County Development Code.
- d. There shall be no more than four one-day Rodeo events per calendar year and no more than four Rodeo related practice days per calendar year.
- e. Each Rodeo event and each practice day shall be for one day and shall operate between the hours of 2:00 p.m. and 7:00 p.m.
- f. There shall be no more than 200 people in attendance for each Rodeo Event. This shall include participants, vendors, and spectators.
- g. There shall be no more than 75 people in attendance for each practice day.
- h. The applicant shall submit an event calendar no later than April 15, 2013, to the Planning and Development Division, showing the exact dates and times of 2013

Rodeo events and practice days for the Rodeo season of May, June, July and August.

- i. For the years following 2013, the applicant shall submit an events calendar on an annual basis no later than March 15<sup>th</sup> of each year to the Planning and Development Division, showing the exact dates and times of the current year's Rodeo events and practice days for the Rodeo season of May, June, July and August.
- j. There shall be no amplified noise on practice days.
- k. There shall be no more than 15 horses brought in for Rodeo events or practice days.
- l. Gates to the Rodeo event will open to the public no earlier than 1:30 p.m. All event spectators and participants shall be off the subject property no later than 7:30 p.m. on the day of the event.
- m. There shall be no off-site parking. All parking shall remain on the subject parcel.
- n. Pursuant to Washoe County Building Code, all structures over 120 square feet require a building permit.
- o. There shall be no requirement to abide by the regulations in Washoe County Development Code, Section 110.410.25 *Design of Parking Standards* and Article 412, *Landscaping* due to being in a rural/agricultural environment and an arid high desert area.
- p. There shall be no overnight camping.
- q. The applicant shall have a minimum of five security guards on the premises at all times during Rodeo events.
- r. The applicant shall have at least one ambulance and two medical personnel on the subject parcel throughout Rodeo events.
- s. All vendors contracted to provide food and beverage services for the event shall obtain appropriate Washoe County business and intoxicating liquor licenses.
- t. Amplified noise from speakers and announcement systems associated with the event shall begin no earlier than 2:00 p.m. and shall stop no later than 7:00 p.m.
- u. The applicant shall be responsible for total cleanup of the event site.
- v. The applicant shall have cleanup crews collect trash along the access roads of Roadrunner Road and Ernie Lane after the last of the vehicles have departed the Rodeo events.
- w. The applicant shall immediately notify the Washoe County Sheriff's Office upon any sign of disturbance during Rodeo related events.
- x. This special use permit shall remain in effect until or unless it is revoked or is inactive for one year.

- y. 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 & Development Division.
- z. The applicant and any successors shall direct any potential purchaser/operator of the site and/or the special use permit to meet with the Planning & Development Division to review Conditions of Approval prior to the final sale of the site and/or the special use permit. Any subsequent purchaser/operator of the site and/or the special use permit shall notify the Planning & Development Division of the name, address, telephone number, and contact person of the new purchaser/operator within 30 days of the final sale.
- aa. This special use permit shall remain in effect as long as the business is in operation and maintains a valid business license.

### **Washoe County Department of Public Works**

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

**Contact Name – Leo Vesely, P.E., 775.325.8023, [ivesely@washoecounty.us](mailto:ivesely@washoecounty.us)**

- a. A portion of the parcel is shown on the FEMA Flood Insurance Rate Map as a 100 year flood zone. Manure shall be stored outside of the FEMA 100 year flood zone.
- b. Natural drainages shall not be impeded by the development and use of the parcel. Maintenance of natural drainage facilities is the responsibility of parcel owner.
- c. A grading permit shall be obtained if grading in excess of fifty (50) cubic yards is to be done. Any grading shall be in conformance with the Washoe County Code Article 438.

### **Washoe County Health District**

3. The following conditions are requirements of the Air Quality Management Division of the Washoe County Health District, which shall be responsible for determining compliance with these conditions. The District Board of Health has jurisdiction over all public health matters in the Health District. Any conditions set by the Washoe County Health District must be appealed to the District Board of Health.

**Contact Name – Charlene Albee, 775.784.7211, [calbee@washoecounty.us](mailto:calbee@washoecounty.us)**

- a. A water truck shall be available on site the day prior to through the day after all events.
  - b. Access roads, parking areas, arena areas, and any other travel areas must be watered as necessary to control the generation of fugitive dust emissions.
4. The following conditions are requirements of the Environmental Health Services Division of the Washoe County Health District, which shall be responsible for determining compliance with these conditions. The District Board of Health has jurisdiction over all public health matters in the Health District. Any conditions set by the Washoe County Health District must be appealed to the District Board of Health.

**Contact Name – Jim L. Shaffer, 775.328.2434, [jshaffer@washoecounty.us](mailto:jshaffer@washoecounty.us)**

- a. All manure generated by domestic animals from the outdoor arena, as well as the operation of the stables, shall be picked up and removed weekly (050.0150). The manure shall be stored in such a manner that there shall be no escape of odor, no attraction, harborage or breeding of vectors or vermin and no creation of nuisance (050.155). The emergence of flies will be eliminated thru the timely pickup and storage of manure from becoming an annoyance to adjacent residents.
- b. When the special use permit is issued an inspection of premises is required prior to the event that effective management practices of manure pick up and storage is in place.

**Truckee Meadows Fire Protection District**

5. The following conditions are requirements of the Truckee Meadows Fire Protection District, which shall be responsible for determining compliance with these conditions.

**Contact Name – Amy Ray, 775.326.6005, [aray@tmfpd.us](mailto:aray@tmfpd.us)**

- a. The access gate shall remain unlocked and accessible in the event of an emergency.
- b. Access to the event shall be maintained at all times for emergency response.
- c. Fire extinguishers are required at all event related cooking areas.
- d. The applicant shall contact the Truckee Meadows Fire Protection District each and every year so that the Truckee Meadows Fire Protection District can do an inspection within 10 days prior to the first Rodeo event of the calendar year.

**Washoe County Regional Animal Services**

6. The following conditions are requirements of Washoe County Regional Animal Services, which shall be responsible for determining compliance with these conditions.

**Contact Name – Bobby Smith, 775.353.8900, [rasmith@washoecounty.us](mailto:rasmith@washoecounty.us)**

- a. All events must comply with NRS Chapter 574 Animal Cruelty and Washoe County Code Chapter 55 relating to animals.
- b. There shall be a Large Animal Veterinarian plan in place to care for injured animals and the plan must be submitted to Washoe County Regional Animal Services for approval no later than 15 days prior to the first practice or Rodeo event.

**Washoe County Emergency Medical Services, a Division of Washoe County Health District**

7. The following conditions are requirements of Emergency Medical Services, a Division of the Washoe County Health District, which shall be responsible for determining compliance with these conditions. The District Board of Health has jurisdiction over all

public health matters in the Health District. Any conditions set by the Washoe County Health District must be appealed to the District Board of Health.

**Contact Name – Stacey Akurosawa, 775.328.2420, [sakurosawa@washoecounty.us](mailto:sakurosawa@washoecounty.us)**

**a. First Aid Station**

- (1) A First Aid Station staffed by at least one Emergency Medical Technician or a person with a higher skill level capable of providing emergency medical care within their prescribed scope of practice.
- (2) Hand washing facilities for the First Aid Station and Medical Personnel should be separate from general public facilities.
- (3) Handicapped accessible temporary restrooms or ADA-approved fixed facility restrooms should be available near the First Aid Station so that patients can access them.
- (4) Disposal plan for biological waste at First Aid Station
- (5) An Automatic External Defibrillator (AED) would need to be supplied at the First Aid Station
- (6) Distribution methods for the First Aid Station maps/information for participants and spectators and identification method for visibility of EMS Personnel.
- (7) Medical Records to be kept and provided to the Washoe County Health District EMS program within 30 days of the event should include:
  - (i) Number of patients treated on scene
  - (ii) Number of patients known to have been transported to a medical facility by private vehicle, ambulance, or other means
  - (iii) Listing of individual types of illness or injuries seen

**b. Patient Transportation**

- (1) A Dedicated Advanced Life Support (ALS) Ambulance staffed by a Paramedic and Intermediate EMS, or person with a higher skill level, and capable of providing transportation of patients, but which immediately respond back to the event. Co-location with the First Aid Station is desirable but the staffing is in addition to the required First Aid Station staff.
- (2) Ingress and Egress route(s) for EMS vehicles
- (3) Pre-planned landing area for a medical helicopter

**c. Other Requirements**

- (1) For each event, the name and contact information for the on-scene EMS Coordinator/Manager needs to be listed.

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

# EXHIBIT A



## Conditions of Approval

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Special Use Permit Case No. SB13-003

The project approved under Special Use Permit Case No: SB13-003 shall be carried out in accordance with the Conditions of Approval granted by the Board of Adjustment on April 4, 2013. 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 or to abide by all other generally applicable Codes.

**Unless otherwise specified**, 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 & Development 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 initiation of revocation procedures.

Operational Conditions are subject to review by the Planning & Development Division prior to the renewal of a business license each year. Failure to adhere to the Operational Conditions may result in the Planning & 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 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 District Health Department 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.

**THE FOLLOWING ARE OPERATIONAL CONDITIONS OF APPROVAL SET BY THE REVIEWING AGENCIES. THESE OPERATIONAL CONDITIONS SHALL BE REQUIRED FOR THE LIFE OF THE BUSINESS. 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 & Development Division, which shall be responsible for determining compliance with these conditions.

**Contact Name – Grace Sannazzaro, 775.328.3771, gsannazzaro@washoecounty.us**

- a. The applicant shall demonstrate substantial conformance to the plans approved as part of this special use permit. The Planning & Development Division shall determine compliance with this condition.
- b. 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 special use permit.
- c. Noncompliance with the conditions of approval shall be treated as a violation and may be grounds for the Planning and Development Division to take action in accordance with the Washoe County Development Code.
- d. There shall be no more than four one-day Rodeo events per calendar year and no more than four Rodeo related practice days per calendar year.
- e. Each Rodeo event and each practice day shall be for one day and shall operate between the hours of 2:00 p.m. and 7:00 p.m.
- f. There shall be no more than 200 people in attendance for each Rodeo Event. This shall include participants, vendors, and spectators.
- g. There shall be no more than 75 people in attendance for each practice day.
- h. The applicant shall submit an event calendar no later than April 15, 2013, to the Planning and Development Division, showing the exact dates and times of 2013



- Rodeo events and practice days for the Rodeo season of May, June, July and August.
- i. For the years following 2013, the applicant shall submit an events calendar on an annual basis no later than March 15<sup>th</sup> of each year to the Planning and Development Division, showing the exact dates and times of the current year's Rodeo events and practice days for the Rodeo season of May, June, July and August.
  - j. There shall be no amplified noise on practice days.
  - k. There shall be no more than 15 horses brought in for Rodeo events or practice days.
  - l. Gates to the Rodeo event will open to the public no earlier than 1:30 p.m. All event spectators and participants shall be off the subject property no later than 7:30 p.m. on the day of the event.
  - m. There shall be no off-site parking. All parking shall remain on the subject parcel.
  - n. Pursuant to Washoe County Building Code, all structures over 120 square feet require a building permit.
  - o. There shall be no requirement to abide by the regulations in Washoe County Development Code, Section 110.410.25 *Design of Parking Standards* and Article 412, *Landscaping* due to being in a rural/agricultural environment and an arid high desert area.
  - p. There shall be no overnight camping.
  - q. The applicant shall have a minimum of five security guards on the premises at all times during Rodeo events.
  - r. The applicant shall have at least one ambulance and two medical personnel on the subject parcel throughout Rodeo events.
  - s. All vendors contracted to provide food and beverage services for the event shall obtain appropriate Washoe County business and intoxicating liquor licenses.
  - t. Amplified noise from speakers and announcement systems associated with the event shall begin no earlier than 2:00 p.m. and shall stop no later than 7:00 p.m.
  - u. The applicant shall be responsible for total cleanup of the event site.
  - v. The applicant shall have cleanup crews collect trash along the access roads of Roadrunner Road and Ernie Lane after the last of the vehicles have departed the Rodeo events.
  - w. The applicant shall immediately notify the Washoe County Sheriff's Office upon any sign of disturbance during Rodeo related events.
  - x. This special use permit shall remain in effect until or unless it is revoked or is inactive for one year.

- y. 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 & Development Division.
- z. The applicant and any successors shall direct any potential purchaser/operator of the site and/or the special use permit to meet with the Planning & Development Division to review Conditions of Approval prior to the final sale of the site and/or the special use permit. Any subsequent purchaser/operator of the site and/or the special use permit shall notify the Planning & Development Division of the name, address, telephone number, and contact person of the new purchaser/operator within 30 days of the final sale.
- aa. This special use permit shall remain in effect as long as the business is in operation and maintains a valid business license.

### **Washoe County Department of Public Works**

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

**Contact Name – Leo Vesely, P.E., 775.325.8023, [ivesely@washoecounty.us](mailto:ivesely@washoecounty.us)**

- a. A portion of the parcel is shown on the FEMA Flood Insurance Rate Map as a 100 year flood zone. Manure shall be stored outside of the FEMA 100 year flood zone.
- b. Natural drainages shall not be impeded by the development and use of the parcel. Maintenance of natural drainage facilities is the responsibility of parcel owner.
- c. A grading permit shall be obtained if grading in excess of fifty (50) cubic yards is to be done. Any grading shall be in conformance with the Washoe County Code Article 438.

### **Washoe County Health District**

- 3. The following conditions are requirements of the Air Quality Management Division of the Washoe County Health District, which shall be responsible for determining compliance with these conditions. The District Board of Health has jurisdiction over all public health matters in the Health District. Any conditions set by the Washoe County Health District must be appealed to the District Board of Health.

**Contact Name – Charlene Albee, 775.784.7211, [calbee@washoecounty.us](mailto:calbee@washoecounty.us)**

- a. A water truck shall be available on site the day prior to through the day after all events.
  - b. Access roads, parking areas, arena areas, and any other travel areas must be watered as necessary to control the generation of fugitive dust emissions.
- 4. The following conditions are requirements of the Environmental Health Services Division of the Washoe County Health District, which shall be responsible for determining compliance with these conditions. The District Board of Health has jurisdiction over all public health matters in the Health District. Any conditions set by the Washoe County Health District must be appealed to the District Board of Health.

**Contact Name – Jim L. Shaffer, 775.328.2434, [jshaffer@washoecounty.us](mailto:jshaffer@washoecounty.us)**

- a. All manure generated by domestic animals from the outdoor arena, as well as the operation of the stables, shall be picked up and removed weekly (050.0150). The manure shall be stored in such a manner that there shall be no escape of odor, no attraction, harborage or breeding of vectors or vermin and no creation of nuisance (050.155). The emergence of flies will be eliminated thru the timely pickup and storage of manure from becoming an annoyance to adjacent residents.
- b. When the special use permit is issued an inspection of premises is required prior to the event that effective management practices of manure pick up and storage is in place.

**Truckee Meadows Fire Protection District**

5. The following conditions are requirements of the Truckee Meadows Fire Protection District, which shall be responsible for determining compliance with these conditions.

**Contact Name – Amy Ray, 775.326.6005, [aray@tmfpd.us](mailto:aray@tmfpd.us)**

- a. The access gate shall remain unlocked and accessible in the event of an emergency.
- b. Access to the event shall be maintained at all times for emergency response.
- c. Fire extinguishers are required at all event related cooking areas.
- d. The applicant shall contact the Truckee Meadows Fire Protection District each and every year so that the Truckee Meadows Fire Protection District can do an inspection within 10 days prior to the first Rodeo event of the calendar year.

**Washoe County Regional Animal Services**

6. The following conditions are requirements of Washoe County Regional Animal Services, which shall be responsible for determining compliance with these conditions.
  - a. All events must comply with NRS Chapter 574 Animal Cruelty and Washoe County Code Chapter 55 relating to animals.
  - b. There shall be a Large Animal Veterinarian plan in place to care for injured animals and the plan must be submitted to Washoe County Regional Animal Services for approval no later than 15 days prior to the first practice or Rodeo event.

**Contact Name – Bobby Smith, 775.353.8900, [rasmith@washoecounty.us](mailto:rasmith@washoecounty.us)**

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

Traditional  
Mexican  
Rodeo

May 25  
2012

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Event  
Plan

# Mexican Rodeo Event Plan

## 6505 Ernie Ln

### Reno, NV 89510

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#### Overview

Rodeo occupies a unique position in modern sports, having developed from an American culture that is rapidly changing. Rodeo is a window into the past while at the same time offers a unique and fully modern sport with an exciting and interesting atmosphere.

In the modern era, rodeo has continued to grow from its roots as a working ranch competition to a huge national sport. With the continued success, rodeo has seen growth in the number of associations at regional and state levels. Rodeo has also established itself at the high school and college level.

But, Mexican Rodeo is completely different. The origin of rodeo was in Mexico. Over the years we have seen continual growth in the industry. We want to provide a diverse atmosphere to locals all over Northern Nevada. Mexican Rodeo recognizes the demand for a traditional Mexican rodeo. With events such as;

- *Charreda* is the national sports of Mexico, it is a display and contest of roping and riding with origins tracing to the cattle ranching life and culture of colonial Mexico. The *charreada* itself consists of a number of scoring events staged in a particular order—nine for the men and one for the women. Two or more teams, called *asociaciones*, compete against each other. Teams can compete to become state, regional, and national champions. The competitors are judged by both style and execution.
- Team roping - which is the only true team event in Pro Rodeo, requires cooperation and close timing between the team members. The team consists of a header and a heeler - and don't forget their horses.

Team ropers start from a chute with a breakaway barrier. The steer gets a head start determined by the size of the arena. When the steer reaches the advantage point, the barrier is released and the ropers take off. The heeler trails slightly behind the header.

The header throws his lasso first and must make one of three catches on the steer - around both horns, around one horn and the head or around the neck. After this, the header turns the steer to the left and exposes its hind legs to the heeler. The heeler then attempts to rope both hind legs.

After both "charros" (cowboys) complete their tasks, the slack is gone from their ropes and both their horses face one another, then the clock stops.

- Bull riding- is one of the more exciting - and dangerous - rodeo events. A rider sits atop a 2,000 pound bull holding onto only a rope.

The rope is wrapped around the bull's chest, just behind the front legs. One end of the rope, called the tail, is threaded through a loop on the other end and tightened around the bull. The rider then wraps the tail around his hand, sometimes weaving it through his fingers to further secure his grip.

A bell attached to the rope excites the bull, causing it to buck harder, and acts as a weight that pulls the rope off the bull once the rider has released his grip.

Bull riding requires exceptional balance, upper body strength, flexibility and quick reflexes. Riders are not required to spur the bull, but it usually results in higher scores.

When the rider nods his head, the chute opens and the bull and rider explode into the arena, twisting and turning. The rider's goal is to stay atop the bull for eight seconds.

- Horse competition- is a judged exhibition of horses and ponies. Many different horse breeds and equestrian disciplines hold competitions worldwide, from local to the international levels.

Most horse shows run from one to three days, sometimes longer for major, all-breed events or national and international championships in a given discipline or breed.

Most shows consist of a series of different performances, called *classes*, wherein a group of horses with similar training or characteristics compete against one another for awards and, often, prize money

In traditional Mexican Rodeo, there is also a competition that focuses on the physique of the horse. Jockeys are required to race their horse for approximately 350-400 yards so judges can see the physique of the horse and the skill of the jockey.

- Horse training – we provide a large area in order for horse owners to train their horses to prepare them for competitions. Our ranch recognizes the importance of our performers and audiences horses. We provide a dependable, caring, and well maintained ranch where they can take care of their animals.

These event bring back tradition, unlike American Rodeo where riders emphasize speed, *charros* are primarily judged on their finesse and flourished with the rope. Collectively, the *charreadas* stand in marked contrast to the sport's elite past: during the 1930s, it was promoted as Mexican polo by wealthy urbanites displaced from their haciendas in the Mexican Revolution. The pageantry is an elaborate re-enactment of roundups on vast colonial estates, and the dazzling equine skills of revolution-era horsemen in mountain forests established the *charro* as a symbol of Mexico.

Both events spotlight bronco riding, bull riding and team roping, with a noticeable difference in style. Rodeos in the United States do not have riders in elaborate three-piece suits in the sweltering heat, or women riding sidesaddle in Gunsmoke crinolines. American rodeo regulations also do not decree the amount of starch required for women's petticoats (and forget mascara). Many *charros* are middle-aged men who struggle to hitch a richly embroidered leather belt around their paunches.

We also want to provide our competitors the ability to practice all they events so they develop high skills where they can possibly attend regional's in either Elko, Nevada and Nationals in California.

We recognize the risk of these entertaining activities that we have researched the best way to protect the safety of our performers and audiences.

This plan address the disposition of existing facilities, the land use and information regarding the provision of security, fire protection, water supply, water facilities, sanitation facilities, medical facilities, medical services, vehicle parking, vehicle access, traffic control, and SWOT analysis for various events Mexican Rodeo hopes to provide. Having a traditional Mexican rodeo is full of many opportunities that we hope to fulfill.

## **Business Profile**

Over the past 3 years Adalberto Ortega-Peralta has been running this ranch under a temporary permit. He has seen the benefit of keeping a traditional Mexican rodeo here in Northern Nevada.

Throughout the years he has established a great layout of the ranch. Refer to Appendix A. He continues to improve the land and has helped ranchers revisit their roots by allowing them to exercise their favorite activities such as Team roping, Bull riding, Horse competition, and Horse training.

They have also invested in various tools that help maintain this ranch a beautiful environment for all. The ranch now has their own water trucks that help irrigate the ranch for events and every day activities.

With great success over the last few years, Adalberto Ortega hopes to make this business a permanent one.

We hope to provide great quality for all customers as well as provide different services as we continue to grow.

The purpose of these events is to support our culture and non-profit organizations like the University, with special emphasis on the Hispanic population.

## **Setting & Conditions**

### **Setting**

The property with parcel number 076-200-10 and business and mailing address of 6505 Ernie Lane. Reno, NV 89510 is located in an unincorporated area of Washoe County, 15 mile north of Reno-Sparks area, west of Pyramid Lake Highway and off Winnemucca Rd. The parcel is a 40-acre site.

The nearest major freeway is Interstate 80 situated about 15 mile north of the site. Access to the site from east to west is via Pyramid Lake Highway and Winnemucca Ranch Rd. There are two main entrances and exits off of Ernie Lane, one for public parking and one for horse trailers. View Appendix A for map of parking.



The land is relatively flat. Structure and site improvements include a maintenance structure with eight portable bathrooms and four washbasins. The site also has a well which is surrounded by wooden base surrounded by compacted dirt.

Mexican Rodeo, with a spacious outdoor exhibit and concessions, would be a great resource for various livestock shows, rodeo, and space to market products.

We find these events to be very beneficial to the community and will be having various non-profit organizations attend and outreach the Hispanic community. Some of the organizations that we will like to outreach are: Hispanic Services of Nevada, Make a Wish Foundation and the University of Nevada, Reno.

**Washoe County Regional Animal Services Center**– located at 2825 Longley Lane, Reno NV is going to be there as well supporting animal rights. They have attended various Mexican Rodeos in the past and we are fortunate that they continue to participate.

## **Security and Fire Protection**

We value the safety of our customers and will be teaming up with Executive Security LLC, from Dayton, Nevada. With our estimation of a maximum number of 200 people, we have decided to contract 4 security guards, one security guard for every 50 people. There will also be one vehicle, labeled security on scene to help monitor the 40 acres. Below is Executive Security LLC. Contact information:

Executive Security LLC.

Owner: Anthony Cloke  
298 MontecristoDr.  
Dayton, Nevada 89403  
Phone: 775-246-4042  
Other: 702-686-1567

On top of having security throughout the event we will be having the supervision of Washoe County Sheriff's Department. Contacting the sheriff to see if they can make a few visits throughout the event will ensure everything is running smoothly.

We will be contacting the closet fire department to be prepared between the hours of the event in case of any emergency. Notify them will ensure that the fire department is alert and know the best route to take in case of an emergency.

Fire Extinguishers will also be available around the arena, bathrooms, and kitchen.

## **Water Supply and Facilities**

Water Supply is very crucial for our ranch mainly because our main road stretches approximately 2 miles is made up of gravel. During the summer this can cause a lot of dust since the ground is so dry. In order to prevent dust and accommodate to our neighbors we have purchased two water trucks that are now property of the ranch.

We plan on watering the gravel road approximately 30 minutes before the event starts and 20 minutes before the event ends in order to maintain the roads moist.

There will be 2000 gallons of water to irrigate the road. We also have a second truck that is specifically for irrigating the arenas. This truck contains 500 gallons of water. We want to ensure that dust is not an issue to our neighbors, performers, and audience.

As far as water facilities go, we have internal supplies of water for the kitchen and restroom.

## **Sanitation Facilities**

With the improvements that have been made to the ranch we now have internal water supplies for our kitchen and bathrooms. We will provide water, soap and paper towels for our guest so they are able to wash their hands after restroom usage and before eating.

Before and after an event Sani Hut Co. will be contracted to clean and sanitize all portable restrooms. Below is Sani Hut Co. contact information:

1325 East Greg Street  
Sparks, NV 89431  
Phone: (775) 358-6720

## **Medical Facilities and Services**

For medical facilities we will be contracting the services of REMSA with two paramedics, one ambulance will be present. We also have first aid kits onsite in case of any emergency.

As mentioned above we will also be in contact with the closet fire department. In case of any emergency they will also be able to help during the event.

## **Vehicle Parking Spaces and Traffic Control**

Parking is available for approximately 500 vehicles. Five acres are set aside for parking alone. As mentioned in the Setting and Conditions, there are two main entrances and exits off of Ernie Lane.

One is specifically for the public while the other is for horse trailers to enter and exit to maintain a safe environment for traffic. There will also be an employee in charge of direction traffic. Ernie lane will be divided in 2 so horse trailers won't interfere with public parking.

The gate will be closed at 2pm and will be closed during the remainder of the event. The gate will be reopened at 7pm. There will a person at the entrance at all times controlling the traffic when people leave the event.

Refer to Appendix A for outline of parking.

## **Communication System**

As mentioned in previous sections, we plan on communication to various outsiders in order to have a successful event. Keeping a good communication system between the fire department, REMSA, sanitation facilities, and even our neighbors is crucial to having successful events.

Throughout the event we will be using walkie-talkies to communicate between staff. Since employees will be delegated tasks within the property we want to assure that we are able to contact them to keep them informed of current situations and in case we need to contact an outside source we can do it in an effective and efficient way.

## **Cleanup and Rubbish Removal Plan and Costs Estimates**

We have two employees in charge of the rubbish removal within each arena. They are in charge of collecting any trash that they see on site. They will be located close to the arena to be able to maintain particular sections clean.

Cost should be significantly low because owner and employees will be taking care of the garbage removal. There will be roughly 30 water barrels that hold up to 50 gallons to collect garbage throughout the whole property.

We also hope to attain licenses to provide food and beverages to our guest. In doing so, we will follow all health department and regulations for food preparation and distribution.

If we can't attain a license for food and beverages we want to start the event using vendors. For Example, FreshMex is licensed for catering and can provide Mexican food like tacos, burritos etc. and drinks like water, sodas and beers.

**Estimated Budget for outside support**

<b>Service</b>	<b>Cost</b>
<b>Security</b>	<b>\$650.00</b>
<b>Ambulance</b>	<b>\$750</b>
<b>Fire protection</b>	<b>\$200</b>
<b>Total</b>	<b>\$1600.00</b>

## SWOT Analysis

<p><b>Strengths:</b></p>	<p><b>Weaknesses:</b></p>
<p>1. Excellent climate for year round Recreational riding (tourism?) 2. Many clubs that have like-minded individuals interested in trail riding 3. There is a big interest of diversity in the state of Nevada</p>	<p>1. There are many outdoor activities that compete with rodeo events and recreational activities 2. No targeted marketing campaigns to promote benefits of recreational horse 3. Many find activities to be dangerous</p>
<p><b>Opportunities:</b></p>	<p><b>Threats:</b></p>
<p>1. Groups collaborating to sponsor organized trail rides can promote the equine industry and possibly attract new participants 2. Partner with businesses to obtain club sponsorships in exchange for advertising</p>	<p>1. Location might be too far for some</p>

## Horse Farms & Facilities

<p><b>Strengths:</b></p>	<p><b>Weaknesses:</b></p>
<ul style="list-style-type: none"> <li>• Financial impact on local economy that horse farms create</li> <li>• Clean industry, Family oriented, active horse community</li> <li>• Produces a lot of income for NM, economic ripple effect on businesses; Alliances</li> </ul>	<ul style="list-style-type: none"> <li>• Price of land; Liability issues</li> <li>• Cost of use and maintenance</li> <li>• Horse people are very individualistic; <b>Competition</b> stronger than <b>cooperation</b> in industry</li> <li>• Not enough places to compete</li> <li>• Not developing new clients (lack farms with lessons for beginners)</li> </ul>
<p><b>Opportunities:</b></p>	<p><b>Threats:</b></p>
<ul style="list-style-type: none"> <li>• Great NM Expo facilities</li> <li>• Lobby for proactive legislation to support industry; Make Horse Council &amp; Racing the point groups</li> <li>• More youth involvement; Employment</li> </ul>	<ul style="list-style-type: none"> <li>• willingness to cooperate with horse groups &amp; not very user friendly</li> <li>• Animal rights groups; No input from equine industry in key commissions/committees/lobbying efforts</li> <li>• Insurance &amp; liability</li> </ul>

## Ranch Horse/Rodeo Industry

<b>Strengths:</b>	<b>Weaknesses:</b>
<p>History- both go hand in hand            Foundation of ranch horse breeding helps both;            Family heritage            Rodeo:            Scholarships (Rodeo); Ranch families (Show Pen); Family oriented/Family values sport</p>	<p>Lack of money/funding- economics; Travel, Distance            Less room/space to keep horses; We don't have a voice against those against us (animal rights)</p>
<b>Opportunities:</b>	<b>Threats:</b>
<p>National Versatility- SHOT, NM Stock Horse Events            4-H Rodeo 2 day events more in Roswell to cut down on traveling            Versatility is a growing interest because of competitive nature            Scholarships, Education!!!            Meet so many people, lifelong friendships            Value of ranch horses has not fallen because they are so versatile</p>	<p>Travel costs; Boarding?; Luxury items- 1st to be cut            Rural vs. urban, more people moving to cities; Segmentation of organizations</p>



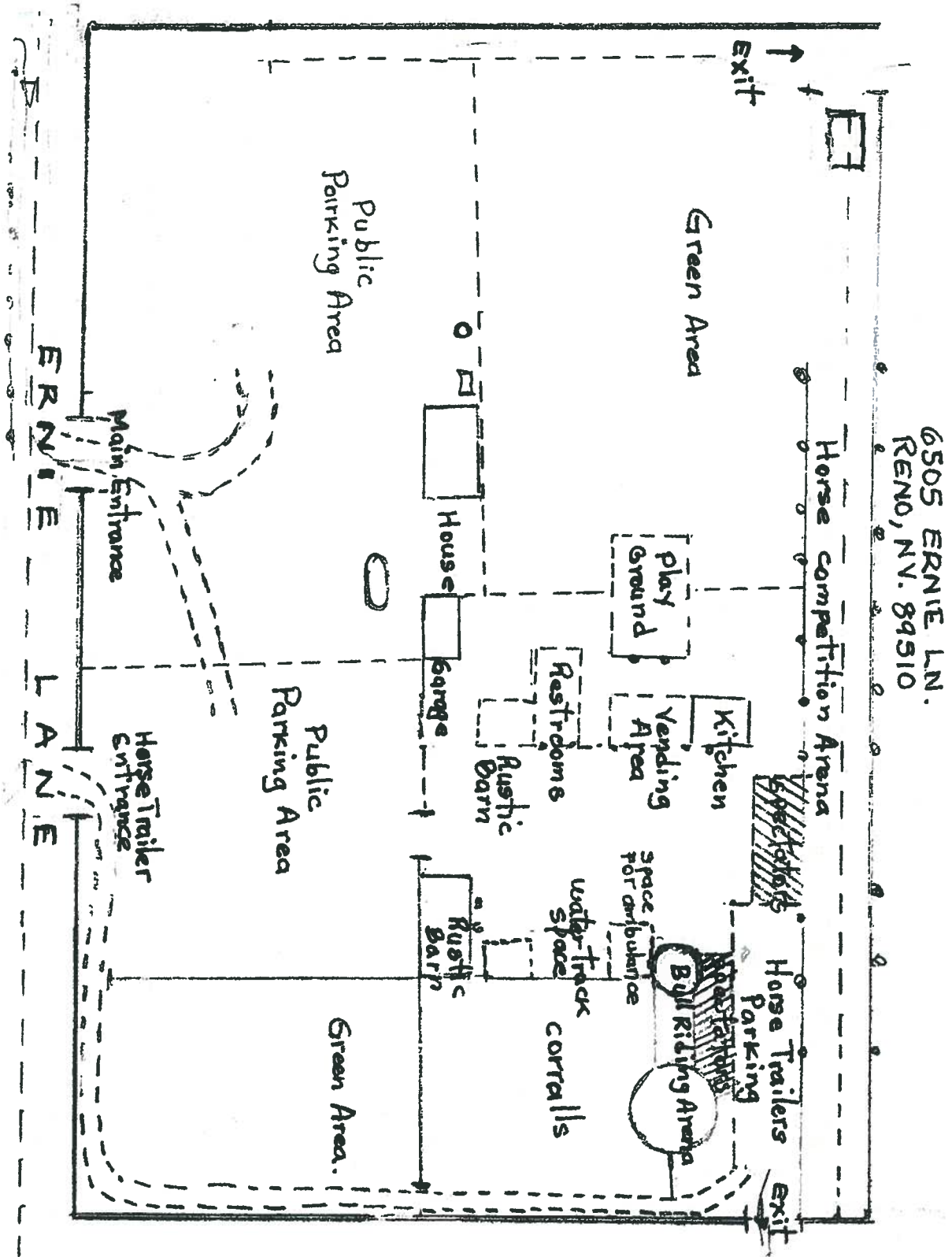
**Table 3 and 5: Shows & Competitions**

<p><b>Strengths:</b></p>	<p><b>Weaknesses:</b></p>
<ul style="list-style-type: none"> <li>• People interests &amp; ability; Provide strong learning</li> <li>• Enjoyable ; Good facilities &amp; great weather</li> <li>• Comradery; Partnerships; Space for Horses</li> <li>• Shows increase wealth of Industry (Highly Beneficial); Rural/local level—40 mile radius</li> <li>• Local association awards draw in exhibitors</li> </ul>	<ul style="list-style-type: none"> <li>• Number of facilities ; Limited knowledge of existing facilities</li> <li>• Climate hot or cold; Need more “show barns” or common facilities/stables</li> <li>• Expense (show fees too high, etc.)</li> <li>• Lack of communication/cooperation—disorganized elements of industry</li> <li>• Low number of youth; Involving youth; State Fair is not livestock friendly!</li> </ul>
<p><b>Opportunities:</b></p>	<p><b>Threats:</b></p>
<ul style="list-style-type: none"> <li>• Coaching/Training--tapping into amateur &amp; youth showers</li> <li>• Plenty of interest; Affordable clinics; Prove it’s possible</li> <li>• Network to reach possible audiences; Cheap shows provide opportunity for partnerships</li> <li>• Groups in industry working together to make improvements</li> </ul>	<ul style="list-style-type: none"> <li>• Elite attitudes disengage potential interested newcomers</li> <li>• The beast of showing is scary for rookies (overwhelmed &amp; intimidated)</li> <li>• Organizations against competitions; Perceived inequalities</li> <li>• Cost of travel; Economy</li> <li>• Diversity in backgrounds (poor vs. rich)</li> </ul>

**Table 4: Recreational Riding/Trails**

<p><b>Strengths:</b></p>	<p><b>Weaknesses:</b></p>
<ul style="list-style-type: none"> <li>• Good climate with good access to varied terrain</li> <li>• Good amount of land to provide for many riders</li> </ul>	<ul style="list-style-type: none"> <li>• Loss of expertise and mentoring; need a stronger voice in the legislature</li> <li>• Core interest in AQHA is more geared toward showing</li> <li>• Connecting people who want to trail ride with educated mentors and groups—the riders are isolated</li> <li>• from mentors and groups</li> </ul>
<p><b>Opportunities:</b></p>	<p><b>Threats:</b></p>
<ul style="list-style-type: none"> <li>• More cooperation among groups will benefit all</li> <li>• Riders need to ride more trails to keep them open (3 years to keep it open)</li> </ul>	<ul style="list-style-type: none"> <li>• State of economy; Lack of youth involvement</li> <li>• Loss of public lands—cut off by urban fencing &amp; bureaucracy with access permits</li> </ul>

Appendix A





**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 14, 2012  
TO: Grace Sannazzaro, Planning and Development Division  
FROM: Leo R. Vesely, P.E., Engineering and Capitol Projects Division  
SUBJECT: **SB13-003**  
**APN 076-200-10**  
**TRADITIONAL MEXICAN RODEO**

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I have reviewed the referenced special use permit and recommend the following conditions:

1. A portion of the parcel is shown on the FEMA Flood Insurance Rate Map as a 100 year flood zone. Manure shall be stored outside of the FEMA 100 year flood zone.
2. Natural drainages shall not be impeded by the development and use of the parcel. Maintenance of natural drainage facilities is the responsibility of parcel owner.
3. A grading permit shall be obtained if grading in excess of fifty (50) cubic yards is to be done. Any grading shall be in conformance with the Washoe County Code Article 438.

LRV/Irv

## EXHIBIT D

**From:** Albee, Charlene  
**Sent:** Wednesday, March 13, 2013 9:20 AM  
**To:** Sannazzaro, Grace  
**Subject:** RE: Traditional Mexican Rodeo Conditions

**Categories:** No Changes Made

Hi Grace,

Those are perfect. Basically, they have to control the dust before, during, and after the event.

Thanks for finding those for me.

*Charlene Albee*

Chief, Permitting & Enforcement Branch  
Air Quality Management Division  
Washoe County Health District  
1001 E. 9th Street #B171  
Reno, NV 89512

775.784.7211 Phone  
775.784.7225 FAX

**From:** Sannazzaro, Grace  
**Sent:** Wednesday, March 13, 2013 8:31 AM  
**To:** Albee, Charlene  
**Subject:** Traditional Mexican Rodeo Conditions

Hi Charlene,

I wanted to show you what I have for conditions from the previous application (see below). Thanks.

- a. A water truck shall be available on site the day prior to through the day after all events.
- b. Access roads, parking areas, arena areas, and any other travel areas must be watered as necessary to control the generation of fugitive dust emissions.

*Grace Sannazzaro, Planner*

*Washoe County Community Services Department  
Planning & Development Division  
Phone: 775-328-3771  
Email: [gsannazzaro@washoecounty.us](mailto:gsannazzaro@washoecounty.us)*



EXHIBIT E

# Washoe County Health District

ENVIRONMENTAL HEALTH SERVICES DIVISION



**Public Health**  
Prevent. Promote. Protect.

March 12, 2013

Washoe County  
Community development  
C/O Grace Sannazzaro  
1001 E. Ninth Street  
Reno, NV 89512

RECEIVED

MAR 12 2013

WASHOE COUNTY  
COMMUNITY DEVELOPMENT

Dear Grace,

After having reviewed the special use permit from the Traditional Mexican Rodeo to establish an equestrian facility to host Traditional Mexican rodeos (SB13-003), please be advised of the following conditions.

1. All manure generated by domestic animals from the outdoor arena as well as the operation of the stables shall be picked up and removed weekly (050.0150). The manure shall be stored in such a manner that there shall be no escape of odor no attraction, harborage or breeding of vectors or vermin and no creation of nuisance (050.155). The emergence of flies will be eliminated thru the timely pick up and storage of manure from becoming an annoyance to the adjacent residents.
2. When the special use permit is issued an inspection of premises is required prior to the event that effective management practices of manure pick up and storage is in place.

If there are any questions concerning the aforementioned vector-planning conditions as it relates to environmental health, please call me at 785-4599.

Sincerely

Handwritten signature of J. L. Shaffer in black ink.

J. L. Shaffer  
Planner Vector-Borne Diseases  
Environmental Health Division

Cc: Jeppson

## EXHIBIT F

**From:** Ray, Amy  
**Sent:** Tuesday, March 05, 2013 10:44 AM  
**To:** Sannazzaro, Grace  
**Subject:** RE: Conditions for SB13-003 Mexican Rodeo Special Use Permit

1. The access gate shall remain unlocked and accessible in the event of an emergency.
2. Access to the event shall be maintained at all times for emergency response.
3. Fire extinguishers are required at all cooking areas.

*Amy Ray  
Fire Marshal  
Truckee Meadows Fire Protection District  
1001 E. Ninth St., Bldg. D, Ste. 210  
Reno, NV 89512  
Office: 775-326-6005*

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**From:** Ray, Amy  
**Sent:** Friday, March 08, 2013 2:46 PM  
**To:** Sannazzaro, Grace  
**Subject:** RE: Conditions for SB13-003 Mexican Rodeo Special Use Permit

Please add:

*The applicant shall contact the TMFPD each and every year so that the TMFPD can do an inspection within 10 days prior to the event.*

*Amy Ray  
Fire Marshal  
Truckee Meadows Fire Protection District  
1001 E. Ninth St., Bldg. D, Ste. 210  
Reno, NV 89512  
Office: 775-326-6005*

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## EXHIBIT G

**From:** Palomino Valley GID [palvalgid@gmail.com]  
**Sent:** Thursday, March 14, 2013 4:12 PM  
**To:** Sannazzaro, Grace  
**Subject:** Agency Review: Traditional Mexican Rodeo, Special Use Permit #SB13-003

March 14, 2013

Grace Sannazzaro, Planner

Community Services Department  
Planning and Development Division  
Via email to: [gsannazzaro@washoecounty.us](mailto:gsannazzaro@washoecounty.us)

Re: Traditional Mexican Rodeo, Special Use Permit #SB13-003

Dear Ms. Sannazzaro,

The above referenced project will generate additional traffic on Roadrunner Road, most of which is maintained by the Palomino Valley General Improvement District (PVGID). Roadrunner Road is an untreated, dirt road, and proposed event traffic will result in dust generation potentially impacting adjacent residences.

In order to mitigate the impacts, the PVGID hereby requests the following conditions of approval be placed upon this project:

1. On event days, the proponents shall water Roadrunner Road and Ernie Lane before contestants and spectators arrive and re-water those roads just before their guests leave.
2. The proponents shall inform the PVGID of their event schedule so that the PVGID can make every effort to grade Roadrunner Road as soon as possible after each event.

Sincerely,  
Cathy Glatthar  
for Larry J. Johnson  
President



## EXHIBIT H

**From:** Smith, Robert A  
**Sent:** Wednesday, March 27, 2013 10:03 AM  
**To:** Sannazzaro, Grace  
**Subject:** RE: Mexican Rodeo

- A) All events must comply with NRS Chapter 574 Animal Cruelty and Washoe County Code Chapter 55 relating to animals.
- B) There shall be a large Animal Veterinarian plan in place to care for injured animals and the plan must be submitted to Washoe County Regional Animal Services for approval no later than 15 days prior to the first event.

Let me know if you need anything else.

*Bobby Smith*  
*Field Supervisor*  
Washoe County Sheriff Department

Regional Animal Services Division

## EXHIBIT I

**From:** Cella, John  
**Sent:** Tuesday, March 05, 2013 8:36 AM  
**To:** Sannazzaro, Grace  
**Subject:** SB13-003

Hi Grace,

Department of Water Resources (DWR) has "No Comments or Conditions" for the Mexican Rodeo special use permit.

John Cella  
Washoe County Community Services Dept.  
4930 Energy Way  
Reno, NV 89502-4106  
775-954-4656 office / 775-954-4610 fax

**Sannazzaro, Grace**

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**From:** Larry Chesney [chesneylarry1@gmail.com]  
**Sent:** Thursday, March 14, 2013 4:50 PM  
**To:** Sannazzaro, Grace  
**Subject:** Ortega Mexican Rodeo SB13-003

Grace:

Ortega has been a bad actor for some time. However the restrictions that were imposed on the Rodeo he held last year were met. As I remember they included the requirements for Security, Ambulance, Veterinarian, Water Truck and to keep the place clean and the noise at a manageable level. I in fact personally drove by the Rodeo twice and everything looked as the restrictions were being met.

I cannot send the CAB works sheet as Adobe wants me to subscribe for a fee to send it back to you.

Respectfully

Larry Chesney

Vice Chair Warm Springs CAB

# Washoe County Citizen Advisory Board CAB Member Worksheet



Citizen Advisory Board: WARM SPRINGS

Meeting Date (if applicable): N.A.

Topic or Project Name (include Case No. if applicable): DRTEGA SB 13-003

Please check the appropriate box:

My comments  were (or)  were not discussed during the meeting.

Identified issues and concerns:

See Attached sheets / Disc containing photos

Suggested alternatives and/or recommendations:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name HUGO ERZEL Date: 3/4/13  
(Please Print)

Signature: Hugo Erzell

This worksheet may be used as a tool to help you take notes during the public testimony and discussion on this topic/project. Your comments during the meeting will become part of the public record through the minutes and the CAB action memorandum. Your comments, and comments from other CAB members, will and shall not collectively constitute a position of the CAB as a whole.

If you would like this worksheet forwarded to your Commissioner, please include his/her name.  
Commissioner's Name: Bonnie Weber

Use additional pages, if necessary.

Please mail, fax or email completed worksheets to: Washoe County Manager's Office  
Attention: CAB Program  
Post Office Box 11130, Reno, NV 89520-0027  
Fax: 775.328.2037;  
Email: [cab@washoecounty.us](mailto:cab@washoecounty.us)

Cab Member Worksheet Attachment  
SB 13-003 – Ortega

Identified Issues and Concerns as well as suggested alternatives and recommendations

This CAB member lives within sight of and is affected by the applicants projects.

Several on-going issues remain with the continuation of the event which, this CAB member believes can be successfully rectified for the continuation of events at the proposed event site.

Item 5

This CAB member believes the estimate provided in the applicant's response to item 5 is low and should be revised appropriately upward, if pertinent.

Item 8

The applicant notes on item 8 of the application that the event mobilizes only 20 to 30 vehicles to any given event. This CAB member believes this estimate to be optimistic, in the least and believes the actual number of vehicles visiting the site during any given event to be significantly greater. The planner should note that the applicant states that he is expecting 150 to 200 spectators but only 25 vehicles. That's upward towards 8 people in each car and all cars are filled. This lends credence to past complaints by neighbors that this event is generating appreciably more traffic than the applicant is declaring.

This issue of more vehicles negatively combines with the applicant's response within item 14 of the application, that a 2000 gallon water truck is to be provided during the event to water the dirt roadways comprising the entirety of Road Runner Road and most of Ernie Lane. That's a lot of roadway for a small water truck. See comments on Item 14.

Item 13

The response given in item 13 of the application gives this CAB member specific reason for concern. In no event and under no circumstance, should the applicant be required to apply gravel to Road Runner Road. The nature of the soil surface of Road Runner Road makes this roadway conducive to development of a hard roadway surfaces as has been noted by experience by this CAB member (who also is a Civil Engineer) and the application of gravel onto this hard, sloped surface will result in a roadway surface susceptible to severe wash board – making the end result much worse than the current condition. This CAB member notes that the applicant has made reasonable effort throughout the last event season and, with thanks from the neighborhood, during the off season to drag the roadway surface smooth with a steel drag pulled behind his pickup. This drag was provided by this CAB member to the applicant for this use and the end result of its application has been quite satisfactory.

The applicant notes that there will be a vending area provided at the event. If alcohol is sold and served on site, or if alcohol is permitted to be brought to the event by the participants, this CAB member believes that the applicants resources would be more appropriately expended through the hiring of a Washoe County Sheriff's deputy to attend the event to ensure a safe environment under the consumption of alcohol rather than utilizing of precious resource on gravel for Road Runner Road in an effort which will ultimately damage the roadway rather than improve it.

#### Item 14

When one contemplates statements within the traffic engineer's reports, one comes to realize that both the applicant and the traffic engineer have no experience with respect to dust control on soil roadways. This CAB member has direct experience with roadway construction and dust control with years of past experience as an engineer and in construction as well as time served on the local GID board. A 2000 gallon water truck, while sounding quite large, is actually quite small. When water is properly applied to a soil roadway to control dust under the traffic as generated by this project, a 2000 gallon water truck is expired within a very short distance. The distance of soil roadway serving the project site is  $1 \frac{3}{4}$  miles or about 8000 feet. Hence, a 2000 gallon water truck, in of itself, is completely inadequate to control dust generated by significant short term traffic.

What makes the applicant's past efforts ineffective at dust control is not the equipment the applicant has employed, but rather the water supply available to the water truck, which is non-existent and the time interval over which the applicant attempts to apply water to the roadway to control dust. The applicant's engineer notes that the applicant intends to apply water for 20 minutes prior to vehicular departure from an event. The problem with this time interval is that it takes 2 minutes just to drive from the event site to the pavement at normal vehicle speeds. Now if you consider a water truck travelling at near-idle speeds while dropping its water load on the roadway, you can quickly realize that 20 minutes is enough time to drop only 1 load of water (2000 gallons) over several hundred yards of roadway (and the applicable distance of soil roadway comprises nearly 2100 yards – with the relevant distance affecting neighbors being about 1400 yards).

So the application time interval is completely inadequate, as is obvious. Secondly, the applicant has no (and never has had) a water storage means on the event site to replenish the water truck. What that means is that the water truck is not refilled during the course of an event or, at best, is refilled by a garden hose from the on-site well.

The traffic engineer failed to consider that the logistical means which is employed by the applicant is completely inadequate to serve the purpose which his letter states is adequate for the project – that is that there is enough water to control dust during the access and egress of the event. This is a failing of the traffic report and an indication of why all assertions of traffic report should be disregarded.

This CAB member is providing with this worksheet a computer disk which contains photographs of egress traffic from one event of this applicant which occurred last summer. A quick review of these photographs will reveal that the applicant's dust control efforts are deficient.

**A solution**, as proposed by this CAB member to this problem, is for Washoe County to mandate as a condition of permit approval the installation of an appropriately sized water tank or reservoir at the site, with pumping capacity to fill the intended water truck relatively quickly, to appropriately satisfy the actual demands of the water truck as it applies water to the roadway during the event. A water tank or reservoir representing 5 to 10 times the capacity of the water truck would be considered a minimum size by this CAB member. That would allow a minimum of 5 re-fillings of the water truck and appropriate timely application of water and wetting of the roadway. Given that the applicant does not fully utilize his domestic water right throughout the year, a portion of that water right could be applied to the water tank or reservoir to satisfy this purpose. The condition of approval should state that the water tank or reservoir should be filled to capacity the day before the intended event.

**In addition**, a condition of the permit should require the applicant to begin applying water a minimum of 2 hours before the beginning and conclusion of each event and that water should be preferentially applied on the southern  $\frac{3}{4}$  of Road Runner Road as that is where the bulk of

neighboring residences are. The applicant can use the 500 gallon water truck to control dust on Ernie Lane and the event site.

Signage, as noted by the traffic engineer is ineffective as enforcement is non-existent. Thus, Road Runner Road seems to become a 1 ½ mile stretch of dirt roadway in which many put the pedal to the metal and test the extreme speed limits of their vehicles under extreme road conditions. This CAB member notes that some have found that their vehicles are not so capable as roll-over accidents have happened on Road Runner Road as associated with traffic from the event.

Item 15

This CAB member wishes that either Washoe County or the Applicant expound on the meaning of the response given in item 15 of the application. It makes no sense.

Item 16

This CAB member agrees with the response in item 16 – landscaping for an event of this nature would be a waste of resource and meaningless and should not be required.

Finally, notwithstanding the above problems/concerns of this CAB member, I wish to provide my support for the proposed endeavor. The applicant has demonstrated in the past his willingness to work with the community through his efforts to reduce the impact of his event on neighboring parcels/residences. Through the permitting process, it is apparent that this event is becoming compatible with the neighboring area and should be approved with the conditions noted above as well as others.

This CAB member's only complaint regarding the applicant himself during past events is my inability to contact the applicant if a problem arises during the event. He doesn't answer his cell phone.

Sincerely,

A handwritten signature in cursive script, appearing to read "Hugo Eszelle".

**Sannazzaro, Grace**

**From:** Sharon Gustavson [sharon.gustavson@gmail.com]  
**Sent:** Monday, March 04, 2013 11:58 AM  
**To:** Sannazzaro, Grace  
**Cc:** Sharon Gustavson  
**Subject:** Hi Dear! Long time...

Hi Grace!! I have several citizen-comments about Alberto Ortega's request for Special Use Permit for his rodeos. Thanks in advance for your consideration in the matter of:

**Following is the information for: SB13-003**

**Case Title:** Special Use Permit Case No. SB13-003 – Mexican Rodeo

**Link to Application:** [http://www.washoecounty.us/comdev\\_files/bc/bc\\_boa\\_2013\\_cases/sb13003app.pdf](http://www.washoecounty.us/comdev_files/bc/bc_boa_2013_cases/sb13003app.pdf)

**Case Planner:** Grace Sannazzaro, Planner

**Phone:** 775.328.3771

**Email:** [gsannazzaro@washoecounty.us](mailto:gsannazzaro@washoecounty.us)

**Mailing Address:** Community Development Department, PO Box 11130, Reno, NV 89520

**HERE IS MY INPUT:**

1. Mr. Ortega has NEVER (in the almost decade since he did the work illegally) maintained the swale on the north side of his property, which effects the water delivery of the swale on my southern property side along with the integrity of his landfill in that area, which is comprised of debris and soil not compacted. The swale on his side has been full of debris, vegetation, and is partially caved in for a long time. Also, he has never flushed out the 250 feet of small pipe he put in when he illegally did that work on that ancient natural swale. Washoe County agreed to allow this work AFTER the fact, with the condition he comply with the details above; he hasn't followed through! His "work" has caused floods in that area. Also, that area on his property is where a heavy mechanical rodeo device is located and is exactly where all the horses and their riders stage their events. Without ensuring the area is safe and the ground is stable and the swale can allow free water flow, it is a health & safety issue. Along with that is the horrific dust caused by these events!!
2. Mr. Ortega needs to complete and reinforce (with addition strands and more length of barbed wire) the partially constructed fence at the gate (called the Mexican gate) that blocks off illegal access to his events by trespassing north onto four other properties (including mine) not owned by Mr. Ortega. The gate at this area of Road Runner Rd at Ernie and was placed by Mr. Ortega as compliance ordered in 2008 by WSV CAB and WC Sheriff (I reported) as a result of trespassing, vandalism, arson, alcohol use, littering, and loitering on private property to avoid paying the large amount of money charged for entering these gambling and drinking events, along with gun shooting and extremely loud music (thumping-loud bass rap beats and Mariachi) events held at these Mexican Rodeos that are staged long into the night. Mr. Ortega throws these big money gambling events (is the gambling legal?) for his 300 or so closest friends. These are legal issues regarding endangerment to my life and safety, and NV state law.
3. In the past, Mr. Ortega was required by the fire department to remove the quarter mile of fire hazard dry vegetative material that he has stored in berm form of about 6 feet high, which has been tinder dry since he illegally piled this flammable material there when stripping his property of vegetation over a decade ago. It expands the entire property line between his and my properties. He has made no attempt to abide by the legal requirement of WC fire agencies. This is a health and safety issue not only for me but also for the entire valley regarding a deliberate, extreme wildfire hazard.
4. A request: Can you get Mr. Ortega to pay to replace two road signs? I have witnessed (and reported to the Sheriff) both the stealing of the Road Runner Rd. sign as well as the destruction by repeated shotgun target

*Owned for 6 years  
since 12/22/2006*



practice of the Theodore Lane sign north of Ernie Rd. where my property is located by drunken "friends" of Mr. Ortega's--I witnessed both these incidents!!

NOTE: Just last month, the man who is supposedly "caretaking" Mr. Ortega's property since he moved away with his family, is an unknown character of questionable quality who has threatened me personally, and also destroyed the lock on the Mexican gate by deliberately vandalizing it by dousing it with super glue.

QUESTION: What assurances/provisions is Mr. Ortega prepared to make to ensure our safety from the unknown entities he has involved with him: any insurance, bonding, security demands on him during events and even when events are not being held?

## Sannazzaro, Grace

---

**From:** Sharon Gustavson [sharon.gustavson@gmail.com]  
**Sent:** Thursday, March 07, 2013 1:25 PM  
**To:** Sannazzaro, Grace; Whitney, Bill; Spinola, Dawn; Tone, Sarah M  
**Subject:** Special Use Permit Case No. SB13-003 - Mexican Rodeo

To Whom it may concern:

Further Comments upon careful review of Special Use Permit Case No. SB13-003 - Mexican Rodeo and upon discussing this situation previously with the Washoe County Sheriff's Office and former property owner "Mike" on Mr. Ortega's neighbor on parcel number 07620006 who was adversely affected by Mr. Ortega's "rodeo" and now the new owner will also be adversely affected.

**I seriously suggest you contact the new owners or that parcel during your review process in order to ensure there will be no law suits filed against Washoe County and the Ortega's in the event the county makes the drastic mistake of approving this special use permit.**

3-7-13 To whom it may concern:

My further comments upon careful review of Special Use Permit Case No. SB13-003 - Mexican Rodeo.

Upon discussing this situation previously with the Washoe County Sheriff's Office and former property owner "Mike," another neighbor of Mr. Ortega's, parcel number 07620006, I discovered that this family was also adversely affected by Mr. Ortega's "rodeos." And now the new owners will also be adversely affected.

**I seriously suggest you contact the new owners of that parcel to inform them of what they will face if this permit goes through. Please do this during your review process in order to ensure there will be no law suits filed against Washoe County and the Ortega's in the event the county makes the drastic mistake of approving this special use permit.**

On several occasions, I have had the opportunity to visit my property adjacent to Mr. Ortega's ranch when these so-called rodeos have been held. One time several years ago, I was out there during a racing event when I was accosted and threatened by several burly men blocking ingress/egress to my property and blocking my driveway with their large trucks. This ended with a visit by the WC Sheriff and eventually a property dispute that resulted in my defeating both Ortega and WC over access to my private property due to the protection of the Nevada Constitution, which both Ortega and WC had initially elected to deprive me of. At this same time, I was forced to endure a dozen or so grown men facing toward me all along the mutual property line urinating all at once. This activity has remained a constant occurrence at these events despite the port-o-pots placed. Those portable toilets, after events, are then simply tipped over to drain into the soil rather than having them flushed. Ortega says one thing and does another. This is just like what is currently going on, as events have not stopped throughout the years even though these events were not supposed to be held routinely, but they have been anyway. Also, the permit states there would be no additional building, but again the lack of veracity on Ortega's part is shown by continued building to current time and even during the current permitting process as it is being reviewed.

Another item of concern, is the fact that the first owner, who was the builder of the home on parcel # 07620006, Mike, told me he had to sell and move away due to the untenable conditions caused by the Ortega's racing, drinking, and gambling events called rodeos, along with all the public urination, horrific dust clouds, and wild, loud window-pane rattling "music" that goes on well into the night. Roll-over accidents from racing cars make visibility impossible for 6 to 10 hours each event. Ortega's lack of veracity is also evidenced by the fact he has never maintained his side of the swale as agreed to with WC, which he filled in with uncompacted debris that was done illegally, nor has he removed the quarter mile of flammable debris he piled along the fence line between our properties that possess an extreme fire hazard to the valley, which I have mentioned previously. Additionally, the number of vehicles and trailers, as well as the number of participants and spectators, are far

understated deliberately by Ortega, which further demonstrates continued dishonest representation, and his illegitimacy in writing this permit, which is Ortega's NORMAL way of "doing business!"

Please keep this information confidential, as any time I go out to my property when an event is going on or not, I fear for my safety. Thanks for your serious consideration of these ongoing issues.

## Sannazzaro, Grace

---

**From:** Sharon T [sharon.gustavson@gmail.com]  
**Sent:** Monday, March 11, 2013 10:14 AM  
**To:** Sannazzaro, Grace  
**Subject:** Re: Traditional Mexican Rodeo

Ok Grace, thank you, for telling me. This authorizes you to use all of my comments openly without constraints of confidentiality. I will continue to bear the risks.

The real issue is that Mr. Ortega cannot control large crowds! Small events are controllable but not large ones. Police presence might work but I believe once a permit for large groups might be granted, they will hold many more than just four per year without authorization or police/sheriff security. Then there is the issue of after events, when stragglers remain a threatening presence as an aftermath of those large, wild gatherings. Palomino Valley is a quiet ranching community that should not be turned into a circus environment.

Please feel free to use this and all my other comments publically. I speak from years of experience observing these wild gambling events.  
Thanks again, Sharon T

"Sannazzaro, Grace" <GSannazzaro@washoecounty.us> wrote:

>  
>Sharon,  
>I want to thank you for taking the time to email your comments and concerns about the proposed Traditional Mexican Rodeo that will be going before the Board of Adjustment in April.  
>Our legal counsel has advised that the County cannot keep public comment that is responding to a public hearing item confidential. All public comment is attached to the staff report and also brought up in the staff report. As it stands today, your comments cannot be considered or included with the staff report because of your request to keep the information confidential.  
>If you should change your mind, please send me an email authorizing your comments to be considered and added as an attachment with the staff report.  
>Sincerely,  
>Grace Sannazzaro, Planner  
>Washoe County Community Services Department Planning & Development  
>Division  
>Phone: 775-328-3771  
>Email: gsannazzaro@washoecounty.us

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>  
>From: Sharon Gustavson [sharon.gustavson@gmail.com]  
>Sent: Thursday, March 07, 2013 1:25 PM  
>To: Sannazzaro, Grace; Whitney, Bill; Spinola, Dawn; Tone, Sarah M  
>Subject: Special Use Permit Case No. SB13-003 - Mexican Rodeo

>  
>To Whom it may concern:  
>Further Comments upon careful review of Special Use Permit Case No. SB13-003 - Mexican Rodeo and upon discussing this situation previously with the Washoe County Sheriff's Office and former property owner "Mike" on Mr. Ortega's neighbor on parcel number 07620006 who was

adversely affected by Mr. Ortega's "rodeo" and now the new owner will also be adversely affected.

>I seriously suggest you contact the new owners or that parcel during your review process in order to ensure there will be no law suits filed against Washoe County and the Ortega's in the event the county makes the drastic mistake of approving this special use permit.

>

>3-7-13 To whom it may concern:

>My further comments upon careful review of Special Use Permit Case No. SB13-003 - Mexican Rodeo.

>Upon discussing this situation previously with the Washoe County Sheriff's Office and former property owner "Mike," another neighbor of Mr. Ortega's, parcel number 07620006, I discovered that this family was also adversely affected by Mr. Ortega's "rodeos." And now the new owners will also be adversely affected.

>I seriously suggest you contact the new owners of that parcel to inform them of what they will face if this permit goes through. Please do this during your review process in order to ensure there will be no law suits filed against Washoe County and the Ortega's in the event the county makes the drastic mistake of approving this special use permit.

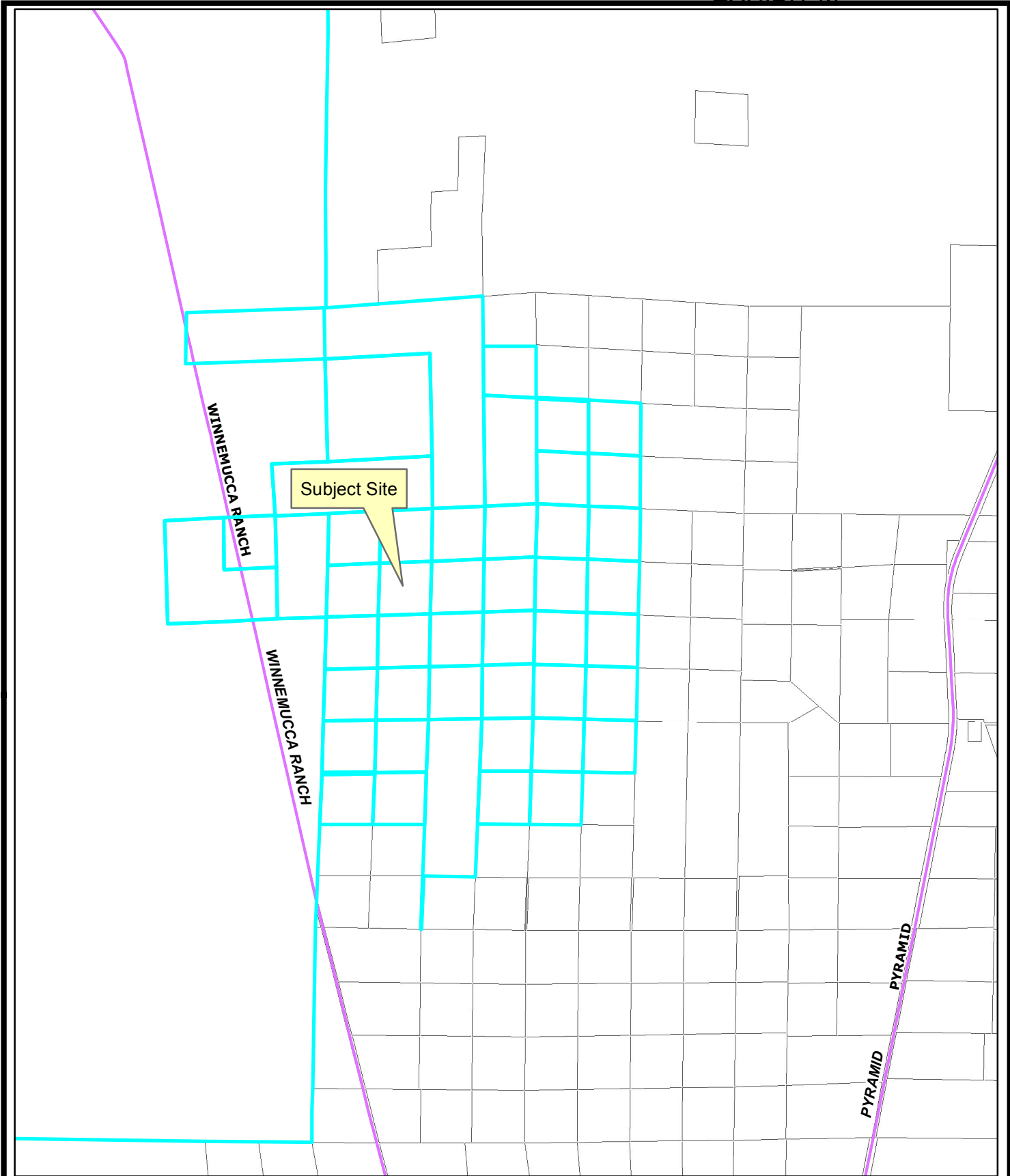
>On several occasions, I have had the opportunity to visit my property adjacent to Mr. Ortega's ranch when these so-called rodeos have been held. One time several years ago, I was out there during a racing event when I was accosted and threatened by several burly men blocking ingress/egress to my property and blocking my driveway with their large trucks. This ended with a visit by the WC Sheriff and eventually a property dispute that resulted in my defeating both Ortega and WC over access to my private property due to the protection of the Nevada Constitution, which both Ortega and WC had initially elected to deprive me of. At this same time, I was forced to endure a dozen or so grown men facing toward me all along the mutual property line urinating all at once. This activity has remained a constant occurrence at these events despite the port-o-pots placed. Those portable toilets, after events, are then simply tipped over to drain into the soil rather than having them flushed. Ortega says one thing and does another. This is just like what is currently going on, as events have not stopped throughout the years even though these events were not supposed to be held routinely, but they have been anyway. Also, the permit states there would be no additional building, but again the lack of veracity on Ortega's part is shown by continued building to current time and even during the current permitting process as it is being reviewed.

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Additionally, the number of vehicles and trailers, as well as the number of participants and spectators, are far understated deliberately by Ortega, which further demonstrates continued dishonest representation, and his illegitimacy in writing this permit, which is Ortega's NORMAL way of "doing business!"

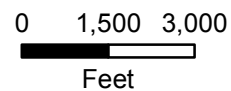
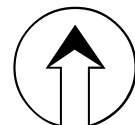
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**PUBLIC NOTICE MAP**  
 Special Use Permit Case No. SB13-003  
 Adalberto Ortega-Peralta  
 6505 Ernie Lane (Warm Springs Planning Area)  
 31 Separate Property Owners Noticed  
 Within 3,000 Feet of Subject Parcel

Source: Planning & Development



**Community Services  
 Department  
 Planning & Development  
 Division  
 WASHOE COUNTY  
 NEVADA**

Post Office Box 11130  
 Reno, Nevada 89520  
 (775) 328-3600



Date: February 2013

**ORIGINAL****SB13-003**

Staff Assigned Case No.:

**Washoe County Development Application**

Project Information			
Project Name (commercial/industrial projects only): <b>TRADITIONAL MEXICAN RODEO</b>			
Project Description: <b>HORSE COMPETITION, TEAM ROPING &amp; MEXICAN CHARREADA</b>			
Project Address: <b>6505 ERNIE LANE, RENO, NV. 89510</b>			
Project Area (acres or square feet): <b>5 ACRES</b>			
Location Information			
Project Location (with point of reference to major cross streets AND area locator):			
Assessor's Parcel No(s):	Parcel Acreage:	Assessor's Parcel No(s):	Parcel Acreage:
<b>076-200-10</b>	<b>40 ACRES</b>		
Section(s)/Township/Range:			
Indicate any previous Washoe County approvals associated with this application: Case Nos.			
Applicant Information			
Property Owner:		Professional Consultant:	
Name: <b>CLAUDIA ORTEGA</b>		Name: <b>STEWART TITLE CO.</b>	
Address: <b>6505 ERNIE LN</b>		Address: <b>376 E. Warm Springs Rd.</b>	
<b>RENO, NV. Zip: 89510</b>		<b>Las Vegas, NV. Zip: 89119</b>	
Phone: <b>(775) 335-6921</b> Fax:		Phone: <b>(702) 791-7000</b> Fax:	
Email:		Email:	
Cell:	Other:	Cell:	Other:
Contact Person: <b>ADALBERTO ORTEGA</b>		Contact Person:	
Applicant/Developer:		Other Persons to be Contacted:	
Name: <b>ADALBERTO ORTEGA - PERALTA</b>		Name: <b>SOLAEGUI ENGINEERS</b>	
Address: <b>6505 ERNIE LN.</b>		Address: <b>715 "H" street</b>	
<b>RENO, NV. Zip: 89510</b>		<b>SPARKS, NV. Zip: 89431</b>	
Phone: <b>(775) 722-3921</b> Fax:		Phone: Fax:	
Email:		Email:	
Cell:	Other:	Cell:	Other:
Contact Person: <b>CLAUDIA ORTEGA</b>		Contact Person:	
For Office Use Only			
Date Received:	Initial:	Planning Area:	
County Commission District:			
CAB(s):		Land Use Designation(s):	

## Special Use Permit Application for Stables Supplemental Information

(All required information may be separately attached)

Chapter 110 of the Washoe County Code is commonly known as the Development Code. Specific references to administrative permits may be found in Article 810, Special Use Permits.

1. What is the maximum number of horses to be boarded, both within stables and pastured?

*There is no boarding at the Ranch, the horses that come to compete, are only at the Ranch for the day of the event, horses come from nearby towns.*

2. What is the maximum number of horses owned maintained by the owner/operator of the project, both within stables and pastured?

*Owner of the Ranch does not have any horses, the day of the competition there are approximately 12-15 horses, food is not provided, each owner brings their own pasture. The Ranch only provides water for the animals.*

3. List any ancillary or additional uses proposed (e.g., tack and saddle sales, feed sales, veterinary services, etc.). Only those items that are requested may be permitted.

*At no cost the Ranch will provide a veterinary service authorized by Washoe County Animal Control, for all the horses in the competition.*



4. If additional activities are proposed, including training, events, competition, trail rides, fox hunts, breaking, roping, etc, only those items that are requested may be permitted. Clearly describe the number of each of the above activities which may occur, how many times per year and the number of expected participants for each activity.

We will have only 3 or 4 events a year, which will include: HORSE COMPETITION - TRAINING, ROPING, and possibly "MEXICAN CHARREADA". The number of participants will be about 20 people for event and 12 horses. Also we have for each event around 150-200 spectators

5. What currently developed portions of the property or existing structures are going to be used with this permit?

Approximately five Acres.

6. To what uses (e.g., restrooms, offices, managers living quarters, stable area, feed storage, etc.) will the barn be put and will the entire structure be allocated to those uses? (Provide floor plans with dimensions).

The Ranch has portable Restrooms, one for every 50 people, a playground area, vending area, no additional offices, no permanent employees.

7. Where are the living quarters for the operators of the stables and where will employees reside?

We don't have permanent employees, we only hire people the day of the event.

8. How many improved parking spaces, both on-site and off-site, are available or will be provided? (Please indicate on site plan.) Have you provided for horse trailer turnarounds?

The Ranch has space for more than 100 vehicles approximately 2.5 acres, but only 25-30 vehicles show up to the event.

9. What are the planned hours of operation?

The event will be held on Saturdays starting at 2:00 pm ending at 7:00 pm during the summer time.

10. What improvements (e.g. new structures including the square footage, roadway/driveway improvements, utilities, sanitation, water supply, drainage, parking, signs, etc.) will have to be constructed or installed and what is the projected time frame for the completion of each?

There are no improvements needed, we have had the events for about 3 years, each year with a temporary permit from the County, no need to build anything else.

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

We have no intention of building anything in addition to what the Ranch already has.

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

Based on my previous experience with the "Mexican Charrería", I have made the arrangements similar to the Mexican Rodeos.

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

If our project comes to consolidate as a stable business, we can help to fix the dirt road with gravel, it will help to improve the dust and benefit all the neighbors in the community.

14. What are the adverse impacts upon the surrounding community (including traffic, noise, odors, dust, groundwater contamination, flies, rats, mice, etc.) and what will you do to minimize the anticipated negative impacts or effects your project will have on adjacent properties?

We've had held the event for the past 3 years, we have not had any of the problems mentioned above. The only issue is the dusty road, but the Ranch has 2 water trucks, a 2000 gallons and a 500 gallon, the first one is used for the road and the second one to water the Arena.

15. Please describe operational parameters and/or voluntary conditions of approval to be imposed on the administrative permit to address community impacts.

I am willing to pick up the dispositions of the County considers adequate to help the environment and the Ecosystem on the Palomino Valley, to help improve the life of our neighbors.

16. What types of landscaping (e.g. shrubs, trees, fencing, painting scheme, etc.) are proposed? (Please indicate location on site plan.)

*Traditional Mexican Rodeo is considered a game farm, in accordance with Section 110.412.10 of the article 412 of the Washoe County code, it is exempt from the Landscaping Provision.*

17. What type of signs and lighting will be provided? On a separate sheet, show a depiction (height, width, construction materials, colors, illumination methods, lighting intensity, base landscaping, etc.) of each sign and the typical lighting standards. (Please indicate location of signs and lights on site plan.)

*The events will start at 2:00 p.m., ending at 7:00 pm during the Summer, there is no need for lighting, since the events will be held during the day.*

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

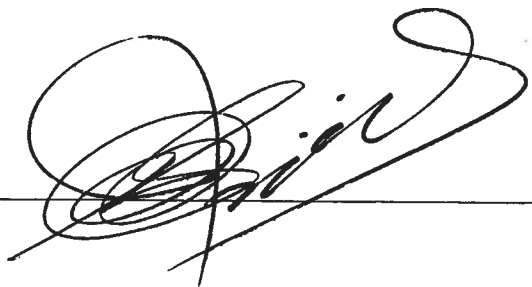
Yes  No

19. Community Sewer

Yes  No

Community Water

Yes  No



# HORSE competition Arena

Emergency Exit →

Emergency Exit

GREEN AREA

spectators

Horse trailer Parking

Vending Area

Playground

spectators

Restrooms

Riding Arena

well

Garage

House

corrals

hen house

PUBLIC PARKING AREA

GREEN AREA

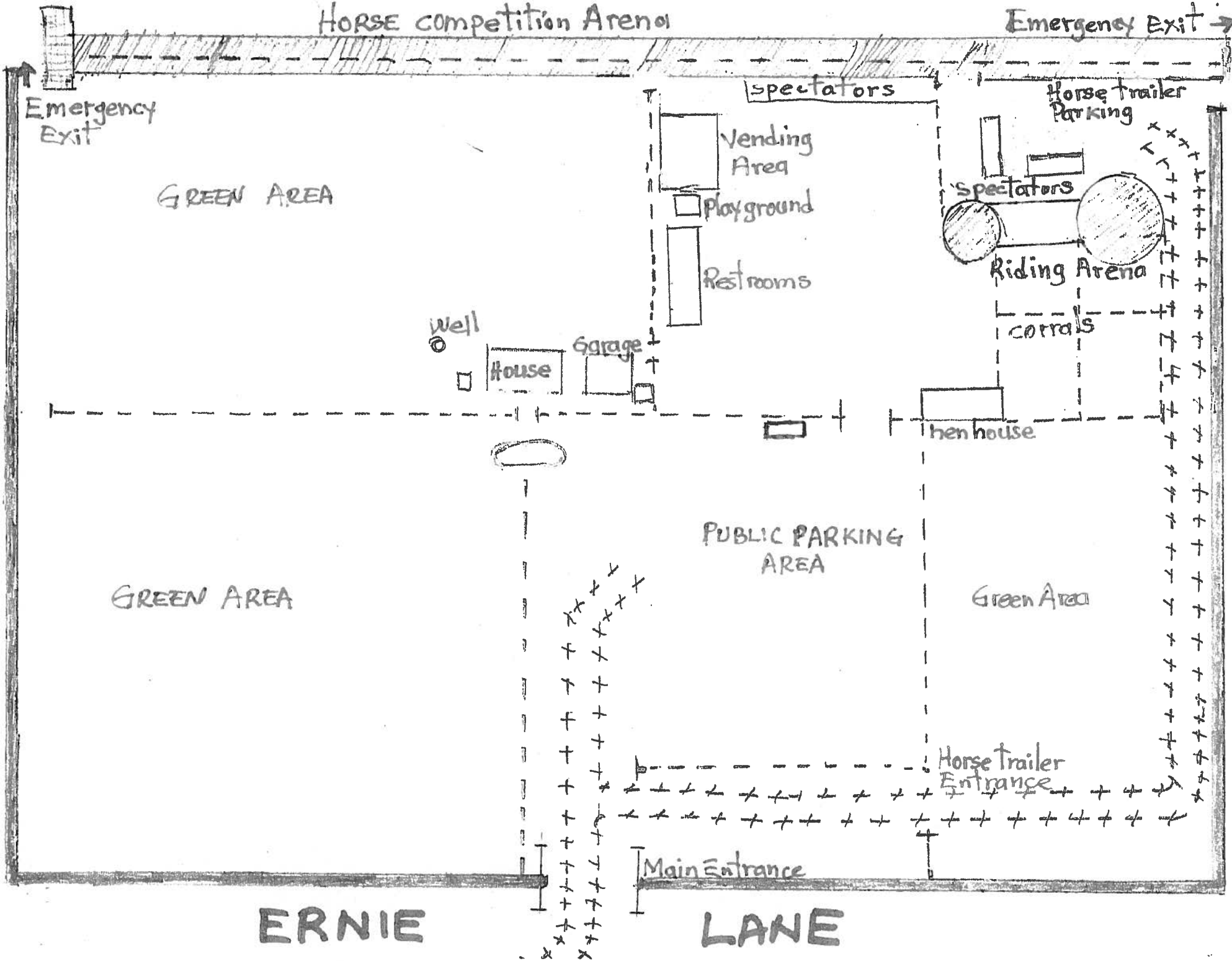
Green Area

Horse trailer Entrance

Main Entrance

ERNIE

LANE



SOLAEGUI  
ENGINEERS

February 15, 2013

Ms. Clara Lawson  
Washoe County Community Development  
P.O. Box 11130  
Reno, Nevada 89520

**Re: Traditional Mexican Rodeo, Special Events Plan**

Dear Clara:

This letter contains traffic engineering discussion regarding the proposed Traditional Mexican Rodeos planned for 6505 Ernie Lane in Palomino Valley. Two vicinity maps of the site are attached. Primary access to the property is provided via Pyramid Highway, Winnemucca Ranch Road, Road Runner Road and Ernie Lane. A site plan of the property is also attached. The plan shows the primary access, the separation of public parking and horse trailer parking and two emergency exits.

Three rodeo events are planned during the summer months. The project will not generate traffic on a regular daily basis. The three events will be on Saturdays in May, July and August. Arrival of participants and spectators is expected to begin around 2:00 PM with departure around 7:00 PM. We view these rodeos as three special events. Small information signs that read "Traditional Mexican Rodeo" are proposed along the access route to direct traffic to the site.

One rodeo was held last year. The event ran smoothly and the site functioned well. We understand an area resident had concern about dust control as the vehicles departed the property. The owner plans to water the off site dirt roads with a water truck 30 minutes prior to the start time and 20 minutes prior the end of the event to control dust. We understand that last year the owner placed two 25 mile per hour speed limit signs and a loose gravel warning sign on the off-site county dirt roads to limit speed and further control dust.

This project does not trigger the need for a full traffic study. We trust that this information will meet your requirements. Please call if you have any questions or comments.

Enclosures  
Letters/Mexican Rodeo

Very truly yours,  
SOLAEGUI ENGINEERS, LTD.  
Paul Solaequi, P.E.  
Civil  
2-15-13  
EXP 6-30-14



# Location Map - 6505 Ernie Ln

*Unincorporated Washoe County, Nevada*



Center For Regional Studies  
College of Business  
University of Nevada, Reno



**6505 Ernie Ln**



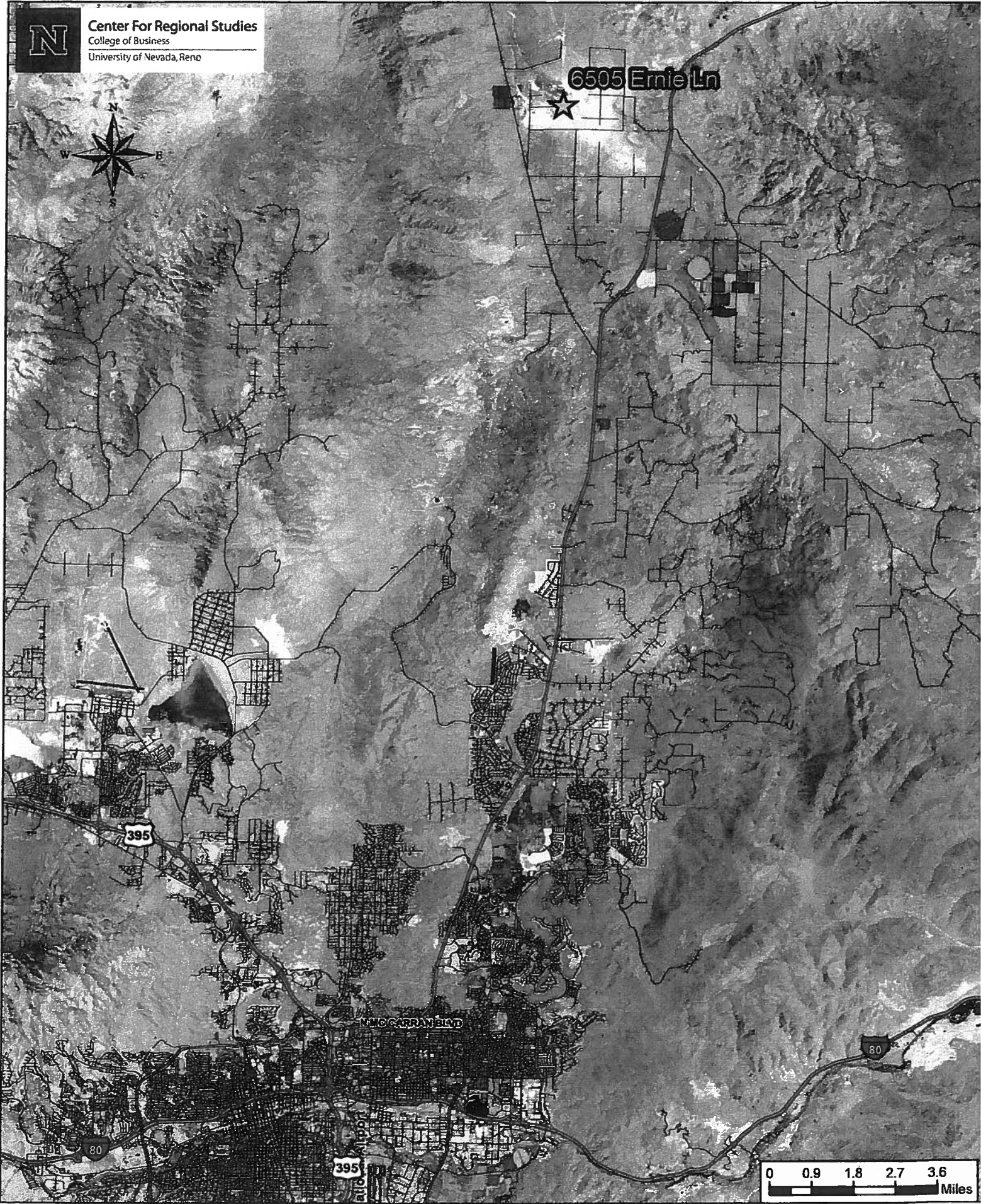
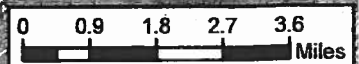
McCARRAN BLVD

395

80

395

80





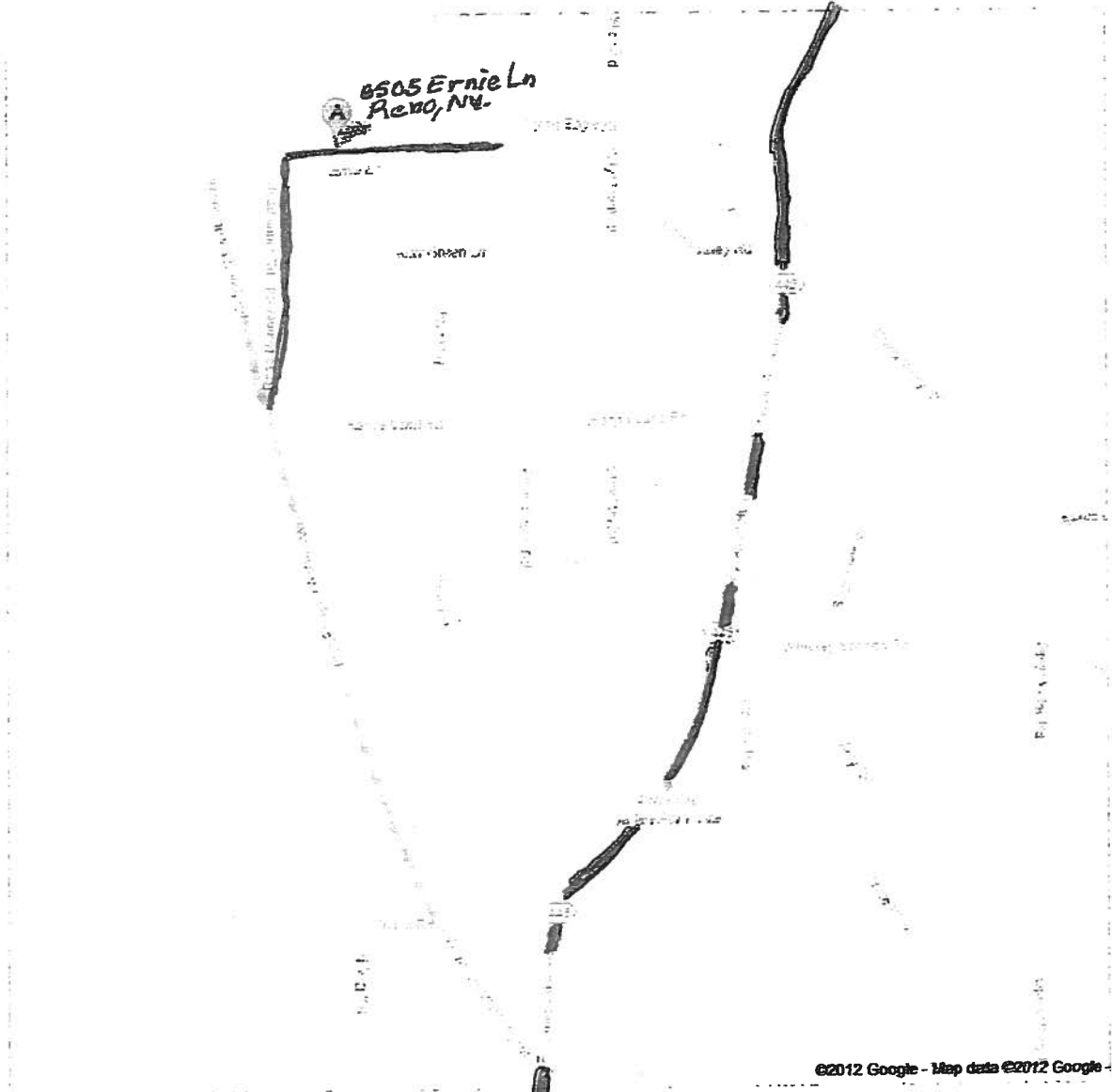
Station 17

Reno Fire Department

200 Evans Avenue  
P.O. Box 1900 Reno, NV 89505  
(775) 334-2300 (775) 334-3826 Fax

Ernie Ln  
NV 89510

Get Google Maps on your phone  
Text the word "GMAPS" to 466453



Pyramid Lake Rd.  
Winnemucca Ranch Rd.  
Road Runner Rd.  
Ernie Ln.



*PLM*  
STA 17 A SHIRT  
RELIEVED MAP OF  
EVENT LOCATION





# Community Development

Business License 328-3733



**OUTDOOR COMMUNITY EVENT LICENSE**

May 15, 2011

Adalberto Ortega-Peralta  
Outdoor Community Event Applicant  
Traditional Mexican Rodeo  
6505 Ernie Lane  
Reno, NV 89510

The applicant, Adalberto Ortega-Peralta, has met the conditions imposed by the Acting Director of the Washoe County Department of Community Development (to include paying applicable fees and deposits) within an administrative decision rendered on May 4, 2012, pursuant to the provisions of Washoe County Code, sections 25.263 to 25.305 inclusive.

This outdoor community event license is valid for the hours of 12:00 p.m. (noon) until 8:00 p.m. on May 26, 2012 (Saturday). The Traditional Mexican Rodeo event is licensed to be held at 6505 Ernie Lane, Reno, Nevada (Assessor's Parcel Number 076-200-10). The Outdoor Community Event License application, as submitted on April 5, 2012 and as modified by the attached General Conditions, will be followed for all event operations and locations.

All implementation and compliance plans as included within the event license application and as General Conditions for this license are hereby incorporated by reference and shall be posted on site for verification of the Outdoor Community Event business license requirements.

**THIS LICENSE MUST BE POSTED IN A CONSPICUOUS PLACE UPON THE PREMISES WHERE THE OUTDOOR COMMUNITY EVENT IS CONDUCTED.**

William Whitney  
Acting Director  
Washoe County Department of Community Development

May 15, 2012  
Date