



# Community Development

*"Dedicated to Excellence in Public Service"*

Adrian P. Freund, AICP, Community Development Director  
Blaine Cartlidge, Legal Counsel



**Washoe County Board of Adjustment**  
Richard "R.J." Cieri, Chair  
Gary Feero, Vice Chair

Mary S. Harcinske  
Philip J. Horan  
Eric Scheetz

**AGENDA**  
**MEETING OF**  
**WASHOE COUNTY BOARD OF ADJUSTMENT**  
**Washoe County Commission Chambers**  
**1001 East Ninth Street, Reno, Nevada**  
**Thursday, 1:30 p.m., January 3, 2008**

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January 3, 2008

1:30 p.m. **DETERMINATION OF QUORUM**

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF AGENDA**

**APPROVAL OF MINUTES**

December 6, 2007

**PUBLIC COMMENT** (Limited to items not on this agenda; three-minute time limit, however the Board reserves the right to reduce this three-minute time limit, as well as limit the total time for public comment, if more than 10 people request to speak. The same applies to public comment on each agenda item.)

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*Agendas and staff reports are posted to the Washoe County website at [www.washoecounty.us/comdev/](http://www.washoecounty.us/comdev/), on Friday, six days prior to the meeting. To access the agenda and staff reports, choose **Boards and Commissions**, and click on **Board of Adjustment Agendas, Staff Reports, Minutes and Roster**.*

Notes: Items on the agenda without a time designation may not necessarily be considered in the order in which they appear. The Board may take action on any of the items listed.

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 the Washoe County Department of Community Development, at 328-3600, 24 hours prior to the meeting.

In accordance with NRS 241.020, this agenda closes three (3) days prior to the meeting date. Only items of interest and not requiring Board action may be added to the agenda within the three-day period. This agenda has been posted at the following locations: Washoe County Administration Building (1001 E. 9th Street), Washoe County Clerk's Office-Courthouse (Court and Virginia Streets), Washoe County Library (301 South Center Street), and Sparks Justice Court (630 Greenbrae Drive).

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***"Your Community Development Department"***

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

- a. Report on Previous Board of Adjustment Actions
- b. Discuss retroactive grading permits/special use permits/variances, requiring applicants for retroactive permits to provide the name and contractor license number of the contractor who did the initial work.

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

**CONSENT ITEMS**

**PROJECT REVIEW ITEMS**

- 1:30 p.m. 1. **PUBLIC HEARING: ADMINISTRATIVE PERMIT CASE NO. AP07-002 (ROCKLAND AGGREGATE PIT)** – To allow the installation and use of a recreational vehicle as a temporary watchman's quarters within the existing aggregate mining facility, as authorized by Section 110.310.35(d) of the Washoe County Development Code. **The subject parcel is located approximately 12.3 miles east of the Sparks city limits, and is on the north side of Interstate 80 at the Tracy Clark Interchange.** The ±405-acre property is zoned Industrial (I) and General Rural (GR) in the Truckee Canyon Area Plan, and is situated within Sections 26 and 27, T20N, R22E, MDM, Washoe County, Nevada. The property is located within the East Truckee Canyon Citizen Advisory Board boundary and in Washoe County Commission District No. 4. (APN 084-120-28)  
Staff Representative: Roger Pelham, Senior Planner, 775.328.3622

**OTHER ITEMS**

**ADJOURNMENT**



# Community Development

*"Dedicated to Excellence in Public Service"*

Adrian P. Freund, AICP, Community Development Director



Agenda Item No: 1 (1/3/2008)

Staff Recommendation: **CONDITIONAL APPROVAL**

**WASHOE COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT  
STAFF REPORT**

**To:** Washoe County Board of Adjustment

**Re:** Administrative Permit Case Number AP07-002 (Rock West, LLC. aka Rockland Aggregate Pit)

**Date:** December 24, 2007

**Prepared By:** Roger Pelham, Senior Planner

**GENERAL INFORMATION SUMMARY**

**Applicant:** Rock West, LLC.

**Requested Action:** To allow the installation and use of a recreational vehicle as a temporary watchman's quarters within the existing aggregate mining facility, as authorized by Section 110.310.35(d) of the Washoe County Development Code. **The subject parcel is located approximately 12.3 miles east of the Sparks city limits, and is on the north side of Interstate 80 at the Tracy Clark Interchange.** The ±405-acre property is zoned Industrial (I) and General Rural (GR) in the Truckee Canyon Area Plan, and is situated within Sections 26 and 27, T20N, R22E, MDM, Washoe County, Nevada. The property is located within the East Truckee Canyon Citizen Advisory Board boundary and in Washoe County Commission District No. 4. (APN 084-120-28)

**RECOMMENDATIONS / FINDINGS**

Based upon the staff analysis, comments received, and the site inspection, staff recommends approval of the request with conditions and offers the following motion for your consideration:

I move that the Washoe County Planning Commission conditionally approves Administrative Permit Case No. AP07-002 for Rock West LLC, having made the following 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 Comprehensive Plan and the applicable 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

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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 the type of development and for the intensity of the 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. Reasoned Consideration. That the Planning Commissioners/Board of Adjustment gave reasoned consideration to the information contained within the staff report and information received during the meeting.

<b>ANALYSIS</b>
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**Background:**

Approval of the aggregate mining operation was obtained in 2003. Conditions of approval were modified in 2007 to allow the facility to operate 24 hours a day, seven days a week. The applicant is requesting the placement of a recreational vehicle to function as a temporary watchman's quarters to allow staff to be on site during those times that the facility is not in operation to inhibit unauthorized access to the site. This is particularly important to prevent individuals with off-highway vehicles (dirt bikes and quads) from entering the facility to use the stockpiles of material as a recreational area. Further, the applicant has experienced vandalism to equipment, having a watchman on site would help to inhibit that activity. There are no residential uses nearby and the facility is substantially screened from Interstate 80, the nearest roadway.

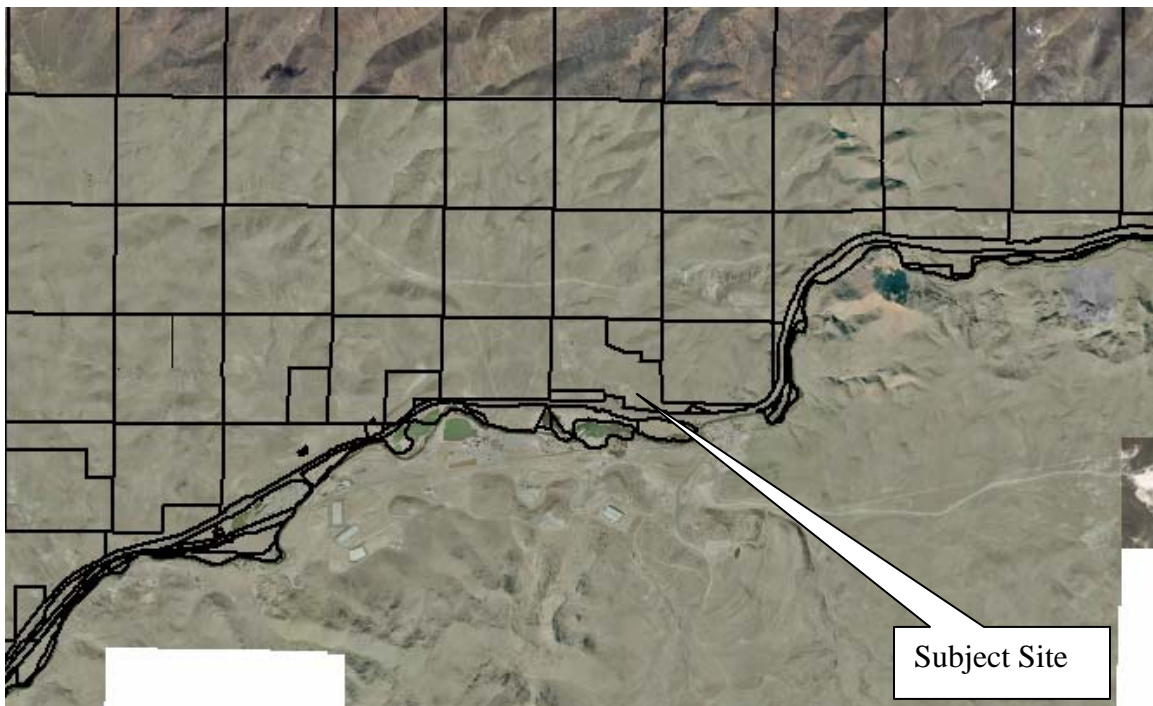
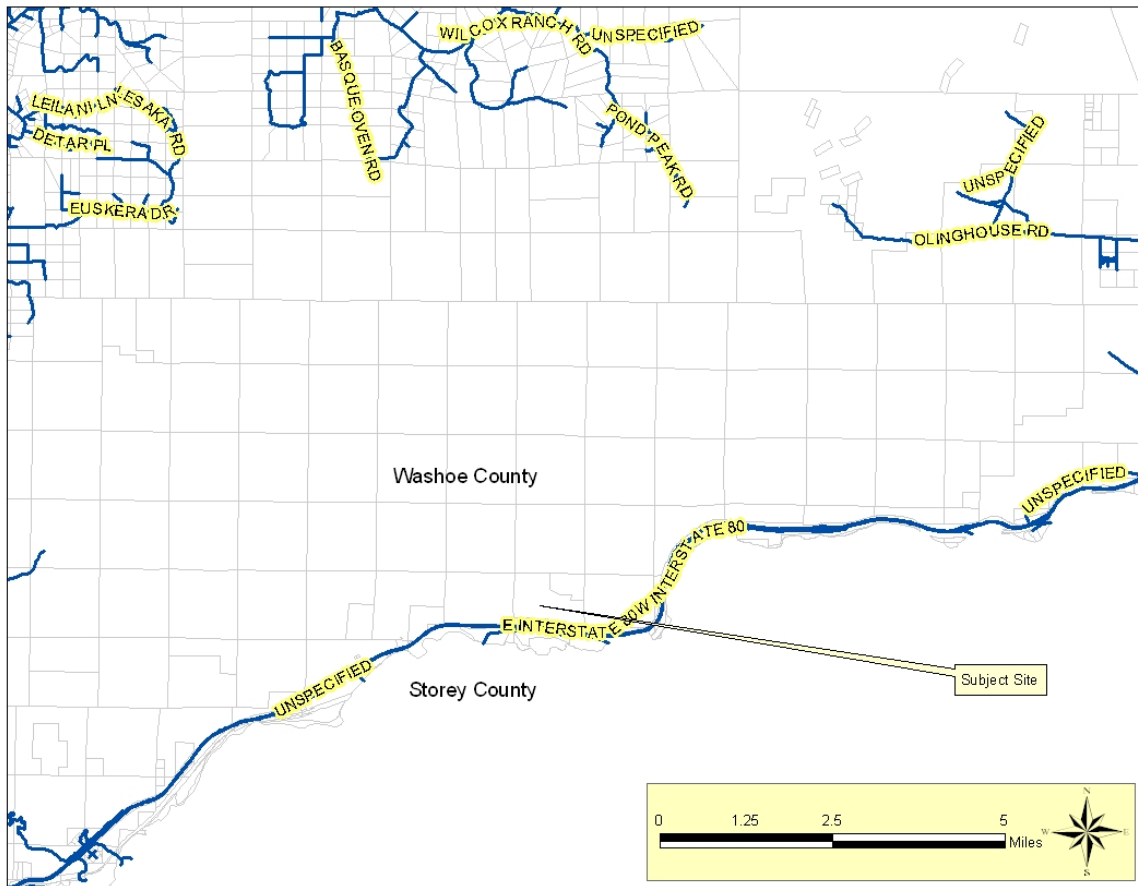
**Site Analysis:**

The site is over 400 acres currently being mined for aggregate materials. The proposed watchman's quarters would be completely screened from view from off-site.

**Impacts:**

It is the opinion of staff that there are negligible negative impacts associated with the addition of a temporary watchman's quarters, given the remote location and the industrial nature of the uses surrounding the subject site. Water and sanitary disposal for the watchman's quarters will be addressed by District Health Department regulations. The positive impacts may include increased security resulting in greater safety to the public.

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## LAND USE SUMMARY

### **Land Use Designations:**

The subject parcel has land use designations of Industrial and General Rural those designations are defined below.

**Section 110.106.100 Industrial Regulatory Zone.** The Industrial (I) Regulatory Zone is intended to create and preserve areas for high intensity activities such as manufacturing, warehousing, mining and construction. The Industrial designation is intended to create an environment in which industrial operations may be conducted with minimal impact on the natural environment and surrounding land uses. The minimum lot area for this regulatory zone is ten thousand (10,000) square feet, unless the provisions of Section 110.106.65(c) are met.

**Section 110.106.110 General Rural Regulatory Zone.** The General Rural (GR) Regulatory Zone is intended to identify areas that are: (1) remote and will have no or very low density development (i.e. 1 dwelling unit per 40 acres), (2) in transition from rural to suburban or urban densities on the urban fringe, and (3) remote but where unique developments may occur (e.g. destination resorts, conference centers, etc.). This regulatory zone identifies areas that may have one or more of the following characteristics:

- (a) **Floodplains.** The parcel or area is within the 100-year floodplain identified on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM) or, where these maps are unavailable, is within other potential floodplain areas identified by the Washoe County Department of Community Development.
- (b) **Potential Wetlands.** The parcel or area is within a "potential wetland area" as identified by the U.S. Army Corps of Engineers (COE) or, where COE maps are unavailable, is within other potential wetland areas identified by the Washoe County Department of Community Development.
- (c) **Slopes.** The parcel or area has moderate slopes (between 15 and 30 percent) or steep slopes (30 percent or steeper) based on interpretation of the topographic information on the USGS maps for Washoe County.
- (d) **Public Ownership.** The parcel or area is under public ownership.
- (e) **Remote Location Lacking Infrastructure.** The parcel or area is in a remote location that does not have public infrastructure adjacent to or near the site.

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**Land Use:**

The subject parcel is currently developed with an extensive aggregate mining operation, for which the temporary watchman's quarters are requested.

**Development Suitability Constraints:**

Inventoried development suitability constraints include slopes greater than 15%. Those areas correspond to the areas designated General Rural. The temporary watchman's quarters are proposed to be located within the industrial area.

**Parking Required and Parking Provided:**

One parking space is required for this use. The applicant has requested a Director's modification of this standard as the use is temporary and the watchman's quarters may move as mining on the site progresses.

**Landscaping Required and Landscaping Provided:**

10% of the area utilized by the temporary watchman's quarters is required to be landscaped in accordance with Article 412 of the Development Code. The applicant has requested a Director's modification of this standard as the use is temporary, well screened, and cannot be seen from any public roadway.

**AGENCY COMMENTS**

The amendment request was submitted to appropriate County agencies. No adverse comments or recommendations for denial were received.

**CITIZEN ADVISORY BOARD COMMENTS**

The East Truckee Canyon CAB did not hold a meeting during the time that this project might have been reviewed, thus there are no comments from the CAB. Individual CAB members were provided with the application and one provided an individual response, which indicated no comments or concerns.

**APPLICABLE REGULATIONS**

Nevada Revised Statutes Chapter 278; Washoe County Code Chapter 110.

h:\my documents\2007 cases\ap07-002\_rockland\ap07-002\_staff\_report.doc

Attachments: Conditions of Approval  
Site Plan

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xc: Property Owner: Rock West LLC. attn: Job Lazar, 1475 East Greg Street,  
Sparks, NV 89431

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**CONDITIONS FOR  
ADMINISTRATIVE PERMIT CASE NUMBER AP07-002  
(Rockland Aggregate Pit)  
(As recommended by Department of Community Development  
and attached to Staff Report dated December 24, 2007)**

**\*\*\*IMPORTANT—PLEASE READ\*\*\***

**UNLESS OTHERWISE SPECIFIED, ALL CONDITIONS MUST BE MET OR FINANCIAL ASSURANCES MUST BE PROVIDED TO SATISFY THE CONDITIONS PRIOR TO SUBMITTAL FOR A 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 ASSURANCES. 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 THIS ADMINISTRATIVE PERMIT IS THE RESPONSIBILITY OF THE APPLICANT, ITS SUCCESSOR IN INTEREST, AND ALL OWNERS, ASSIGNEES, AND OCCUPANTS OF THE PROPERTY AND THEIR SUCCESSORS IN INTEREST. FAILURE TO COMPLY WITH ANY CONDITIONS IMPOSED IN THE ISSUANCE OF THE ADMINISTRATIVE PERMIT MAY RESULT IN THE INSTITUTION OF REVOCATION PROCEDURES.**

**ANY OPERATIONS CONDITIONS ARE SUBJECT TO REVIEW BY THE DEPARTMENT OF COMMUNITY DEVELOPMENT PRIOR TO THE RENEWAL OF A BUSINESS LICENSE EACH YEAR. FAILURE TO ADHERE TO THE CONDITIONS MAY RESULT IN WITHHOLDING RENEWAL OF THE BUSINESS LICENSE UNTIL CONDITIONS ARE COMPLIED WITH TO THE SATISFACTION OF THE DEPARTMENT OF COMMUNITY DEVELOPMENT.**

**WASHOE COUNTY RESERVES THE RIGHT TO REVIEW AND REVISE THE CONDITIONS OF THIS APPROVAL SHOULD IT DETERMINE THAT A SUBSEQUENT LICENSE OR PERMIT ISSUED BY WASHOE COUNTY VIOLATES THE INTENT OF THIS APPROVAL.**

**FOR THE PURPOSES OF CONDITIONS IMPOSED BY WASHOE COUNTY, “MAY” IS PERMISSIVE AND “SHALL” OR “MUST” IS MANDATORY.**

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### **GENERAL CONDITIONS**

*NOTE: Washoe County shall maintain jurisdiction and oversight of this special use permit until such time as the City of Sparks exerts extraterritorial jurisdiction over the area. At that time, all aspects of this permit shall be under the jurisdiction of the City of Sparks.*

1. The applicant shall demonstrate conformance to the plans approved as part of this administrative permit. The Department of Community Development shall determine compliance with this condition.
2. The applicant shall complete installation of all facilities used to further the operation within two years from the date of approval by Washoe County. Should the applicant fail to complete installation within the specified time, the approval of this administrative permit shall be null and void. Compliance with this condition shall be determined by the Department of Community Development.
3. This administrative permit shall remain in effect as long as the aggregate mining business is in operation and maintains a valid business license.
4. This administrative permit shall remain in effect until or unless it is revoked or is inactive for one year.
5. Failure to comply with the conditions of approval shall render this approval null and void. Compliance with this condition shall be determined by the Department of Community Development.
6. A copy of the Final Order stating conditional approval of this administrative permit shall be attached to all applications for administrative permits issued by Washoe County.
7. The applicant shall present written verification, from the Washoe County District Health Department, to the Department of Community Development, that water and sanitary facilities for the proposed watchman's quarters are acceptable to that agency. The Department of Community Development shall determine compliance with this condition.
8. The applicant shall comply with all landscaping standards for the use as required by Article 412 of the Development Code, and all parking standards as required by Article 410, unless a Directors Modification of Standards is approved. The Department of Community Development shall determine compliance with this condition.
9. Prior to the issuance of any administrative permit issued by Washoe County, the applicant shall remove all off-premise signs (billboards) from the project site (APN: 084-120-28) and place a restrictive covenant on the property that prohibits the further erection of off-premise signs, with Washoe County made a part to the covenant. The District Attorney's Office and the Department of Community Development shall determine compliance with this condition.

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10. The applicant and any successors shall direct any potential purchaser/operator of the administrative permit to meet with the Department of Community Development to review conditions of approval prior to the final sale of the administrative permit. The subsequent purchaser/operator of the administrative shall notify the Department of Community Development of the name, address, telephone number, and contact person of the new purchaser/operator within 30 days of the final sale.
11. 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.

**\*\*\*END OF CONDITIONS OF APPROVAL\*\*\***

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