



Community Development

"Dedicated to Excellence in Public Service"

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Washoe County Planning Commission

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AGENDA

MEETING OF

WASHOE COUNTY PLANNING COMMISSION

Washoe County Commission Chambers

1001 East Ninth Street, Reno, Nevada

Tuesday, December 5, 2006

THE FOLLOWING TIME LIMITS ARE TO BE OBSERVED:

15 minutes for staff presentation

15 minutes for applicant presentation

3 minutes for individual testimony

5 minutes for testimony from a representative of a group

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.

**** Please be prepared to provide a copy of exhibits displayed. ****

6:30 p.m. **DETERMINATION OF QUORUM**

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

APPROVAL OF MINUTES

November 9, 2006

Agendas and staff reports are posted to the Washoe County website at www.washoecounty.us/comdev/, on Friday, four days prior to the meeting. To access the agenda and staff reports, choose **Boards and Commissions**, click on the **Planning Commission**, then **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 Commission 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 Commission 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"

PUBLIC COMMENT (Limited to items not on this agenda; three-minute time limit, however the Commission 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 testimony on each agenda item.)

CONSENT ITEMS

- A. **APPROVAL OF CANCELLATION OF DECEMBER 19, 2006 PLANNING COMMISSION MEETING.** Staff Representative: Michael Harper, FAICP, 775.328.3604

PROJECT REVIEW ITEMS

- 6:30 p.m. 1. **PUBLIC HEARING: EXTENSION OF SPECIAL USE PERMIT CASE NO. SPW7-33-96 (GRANITE CONSTRUCTION COMPANY/JACKLING AGGREGATE PIT)** – To extend the approval of the Special Use Permit Case No. SPW7-33-96. The permit allows for the extraction and production of aggregate construction materials, and includes crushing equipment, an asphalt batch plant, and a concrete batch plant, as authorized in Section 110.304.30(a), Table 110.302.05.2, and Section 110.332.40(b) of the Washoe County Development Code. The project is located on the north and south side of Highland Ranch Parkway, approximately one mile west of Pyramid Lake Highway (SR445). The 386.87-acre parcel is designated General Rural (GR) in the Spanish Springs Area Plan, and is situated in a portion of Section 9, T20N, R20E, MDM, Washoe County, Nevada. The property is located in the Spanish Springs Citizen Advisory Board boundary and Washoe County Commission District No. 5. (APN 83-011-12, 13 and 15) Staff Representative: Paul Kelly, Planner, 775.328.3621

PLANNING ITEMS

OTHER ITEMS

CHAIR AND COMMISSION 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 Planning Commission Items

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.)

- a. 2007 Truckee Meadows Regional Plan update

ADJOURNMENT

Most decisions rendered by the Planning Commission are appealable to the Board of County Commissioners. If you disagree with the decision of the Planning Commission 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.

Staff Recommendation: **CONDITIONAL APPROVAL**

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

To: Washoe County Planning Commission

Re: Extension of Special Use Permit Case No. SPW7-33-96 (Granite Construction Company/Jackling Aggregate Pit)

Date: November 22, 2006

Prepared By: Paul Kelly, Planner

GENERAL INFORMATION SUMMARY

Applicant: Granite Construction Company/Jackling Aggregate Pit

Requested Action: To extend the approval of the Special Use Permit Case No. SPW7-33-96. The permit allows for the extraction and production of aggregate construction materials, and includes crushing equipment, an asphalt batch plant, and a concrete batch plant, as authorized in Section 110.304.30(a), Table 110.302.05.2, and Section 110.332.40(b) of the Washoe County Development Code. The project is located on the north and south side of Highland Ranch Parkway, approximately one mile west of Pyramid Lake Highway (SR445). The 386.87-acre parcel is designated General Rural (GR) in the Spanish Springs Area Plan, and is situated in a portion of Section 9, T20N, R20E, MDM, Washoe County, Nevada. The property is located in the Spanish Springs Citizen Advisory Board boundary and Washoe County Commission District No. 5. (APN 83-011-12, 13 and 15).

RECOMMENDATION / FINDINGS

Based upon the staff analysis, staff recommends approval of the extension request with the attached conditions and offers the following motion for your consideration:

I move that the Washoe County Planning Commission conditionally approve the extension of Special Use Permit Case No. SPW7-33-96 (Jackling/Granite Aggregate Pit), subject to the original conditions of approval in the Final Order dated December 4, 1996, having made the following findings:

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Comprehensive Plan and the Spanish 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 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; injurious to surrounding land uses and the environment in general; or detrimental to the character of the surrounding area as conditioned;
5. Special Review Considerations. That the Planning Commission considered the review elements as stated in Section 332.20(a)–(j) of the Development Code, listed below, and found that adequate provisions have been made to comply with these considerations:
 - (a) Conservation of topsoil;
 - (b) Protection of surface and subsurface water;
 - (c) Conservation of natural vegetation, wildlife habitats, and fisheries;
 - (d) Control of erosion;
 - (e) Control of drainage and sedimentation;
 - (f) Provision of visual and noise buffering;
 - (g) Accommodation of heavy traffic on roadways;
 - (h) Provision of restoration and/or reuse of the site;
 - (i) Provision of a bonding program commensurate with the total costs of requirements imposed; and
 - (j) Preservation of the recreation opportunities, air quality, archaeological resources, character of the area and other conditions as necessary.
6. Reclamation. That the proposed development will reclaim the site and all affected areas at the conclusion of the operation;
7. That the Planning Commissioners gave reasoned consideration to the information contained within the staff report and information received during the meeting.

ANALYSIS

The Special Use Permit for the Jackling/Granite Pit, located on the north and south sides of Highland Ranch Parkway, was renewed by the Washoe County Planning Commission on October 2, 2001, for a period of five years. By way of clarification, the two pits have different operators but were approved as one pit under one approval. The property owners and the operators of the pits are now requesting an extension of time (see attached letter and yearly report) for the two aggregate pits. This hearing will also provide for the required five-year review that is intended to ensure that both facilities are following the conditions set forth in the approval, and is compatible with the surrounding land uses. Although this land is within Sparks' Sphere of Influence, the County is processing this application as provided for under an inter-local government agreement. A copy of this application was sent to Sparks Department of Community Development on October 20, 2006; no comments were received from them.

Section 110.332.40(b) of the Development Code requires the following considerations for granting an extension of an aggregate pit:

The extension shall consider the required findings and special considerations for aggregate operations to ensure that the conditions of approval adequately provide for compatibility between aggregate operations and surrounding land uses.

The Granite portion of the operation is on the north side of Highland Ranch Parkway, and is in a bowl that serves to mitigate sound and site impacts to surrounding land uses. The Jackling portion along the road to the south has been intermittently mined each year and, of course, is visible to traffic, and was approved in 1981 under SP-23-81-W.



Looking North Across Highland Ranch Parkway

The Special Review Considerations are found in Section 110.332.20 and include conservation of topsoil; protection of surface and subsurface water; conservation of natural vegetation, wildlife habitats and fisheries; control of erosion, drainage, and sedimentation; provision of visual and noise buffering; accommodation of heavy traffic on roadways; provision of restoration and/or reuse of the site; provision of a bond for restoration; and the preservation of recreation opportunities, air quality, archaeological resources, character of the area, and other conditions as necessary. A search of the County's permit system showed that no complaints have been received by the Department regarding the pit's op-

eration. Staff would recommend the finding that these considerations have been complied with by Granite Construction as evidenced through their yearly reports showing that they have been meeting all their conditions for operating the facility. Staff believes that by their compliance with the conditions of their permits and their minimal impact to surrounding land uses provides sufficient justification to approve the extension request.



Looking Northwest Across Pyramid Highway

Spanish Springs Area Plan Considerations:

Land Resources – Mining

Goal Nine: Maintain the existing and future viability of aggregate mining operations in the Spanish Springs planning area.

Policies

SS.9.1 New development will not impair the ability to meet the conditions of a special use permit for aggregate mining.

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SS.9.2 The encroachment of industrial, commercial, and residential uses on aggregate facilities will not be grounds to limit or eliminate aggregate facilities.

SS.9.3 Sand and rock resources are currently being mined within the Spanish Springs Area Plan. These common minerals are among the most important in Nevada in terms of market value based on annual production, and [in filling] community needs for construction materials. The Spanish Springs Area Plan attempts to maintain the status quo regarding aggregate mining (aggregate facilities) and allows continued production of aggregates within the Spanish Springs Area Plan.

In reviewing the conditions and operations for this report, staff has one concern. Of the fifteen aggregate mining operations that are within the County's review jurisdiction, this is the only operation with a special use permit that has to be renewed. The owners of all other pits only have to go through the five year review process, wherein the Planning Commission has the opportunity to review the operation and conditions of approval, and to modify the conditions as needed to assure compatibility with surrounding land uses. In the interest of giving the permit holder the same entitlements as all other gravel pit operations in the County, and given Granite Construction's good record of operating this and other pits in the County, staff would recommend removal of the five-year renewal provision.

This recommendation is further reinforced by the Spanish Springs Area Plan Goal and Policies listed above for mining in the planning area, particularly Policy SS.9.3 that "...attempts to maintain the status quo regarding aggregate mining (aggregate facilities) and allows continued production of aggregates within the Spanish Springs Area Plan." Policy SS.9.2 states that encroachment of surrounding land uses "...will not be grounds to limit or eliminate aggregate facilities." The permit holders would still be subject to the 5-year review requirement to appear before the Planning Commission for a review of the operations, and to assure that the conditions of approval provide for compatibility with surrounding land uses to the extent possible.

The Engineering Division has requested modifications to their conditions to require an updated mining plan, an increase in the restoration bond to \$1,500 per disturbed acre, a detailed traffic analysis to determine whether acceleration/decelerations lanes should be required, and a current copy of the NDEP Stormwater Discharge Permit. These requirements have been included as Condition 12.

The Spanish Springs Citizens Advisory Board reviewed the extension at their meeting of November 8, 2006, and unanimously approved the recommendation for approval, with no concerns expressed by the Board or the audience.

APPLICABLE REGULATIONS

Washoe County Code Chapter 110

Attachments: Vicinity Map; Granite Letter of Compliance of July 5, 2006

Applicant: Granite Construction Company, Attn: Jim Grogan, P.O. Box 2087, Sparks, NV 89432-2087

Property Owners: Highlander Park LLC, 6281 Copper Ridge Road, Reno, NV 89519
Jackling Aggregates LLC, P.O. Box 4739, Sparks, NV 89432

xc: Blaine Cartlidge, Deputy D.A.; Engineering Division; Sparks Department of Community Development; Chair, Spanish Springs Citizens Advisory Board

**CONDITIONS FOR
SPECIAL USE PERMIT CASE NO. SPW7-33-96**

*****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 special use permit is the responsibility of the applicant, his 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 special use 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 they 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.

GENERAL CONDITIONS

1. All plans submitted for any required permit shall be in substantial compliance with the plans and documents approved and made a part of this special use permit to the satisfaction of the development review staff. A copy of the approved special use permit shall be attached to any application for a required permit.
2. During the period of operation, the applicant shall provide adequate on-site dust control in the pit area, on haul roads and for any material processing to the satisfaction of the District Health Department.
3. During the period of operation, all loads of material exiting the site shall be tarped or treated for dust or loose material, to the satisfaction of the District Health Department and Nevada Department of Transportation.
4. If explosives are to be used, the applicant shall develop a plan for use and notification of affected property owners to the satisfaction of the applicable fire protection agency.
5. During the period of operation, the applicant shall notify the Department of Community Development, any other agency from which approval to operate has been received, and any other applicable agencies of any temporary, seasonal, or permanent shutdown occurrences.

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6. The applicant shall submit a detailed, revised mining plan, to include adequate measures addressing safety and environmental concerns, including but not limited to storm drainage, stockpiling of topsoil, and erosion control, both during the operation and for the phased reclamation of the site upon cessation of mining for each phase of the operation to the satisfaction of the Engineering Division and the District Health Department. The Washoe-Storey Conservation District shall review the slope stabilization and the phased revegetation portion of the mining plan. Additionally, the County's Design Review Committee shall review and approve the reclamation phasing, recontouring, and revegetation plans prior to approval of the revised mining plan. Once the revised mining plan is approved, the applicant shall post an adequate financial assurance to the satisfaction of the County Engineer. The Engineering Division shall annually review the financial assurance and adjust its amount as deemed appropriate by that division upon approval of the Board of County Commissioners. The Engineering Division shall determine compliance with this condition.
7. During the period of operation, the applicants mining plan shall allow for and preserve the historic topographical drainage. In so complying, the applicant shall in no way increase drainage and/or runoff water to or from any adjacent property. The Engineering Division shall determine compliance with this condition.
8. The applicant and any successors shall direct any potential purchaser/operator of the site and/or the special use permit to meet with the Department of Community Development to review conditions of approval prior to the final sale of the site or other change of operator under the special use permit. Any subsequent purchaser/ operator of the site and/or the special use permit 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.
9. The applicant shall ensure that any financial assurances required by the provisions of this special use permit are maintained for the life of the project to the satisfaction of the Engineering Division. Should transfer of the site or the special use permit occur without the continuation of the financial assurances, this special use permit shall become null and void.
10. The applicant is prohibited from using more than two trailers per tractor to haul material in or out of the aggregate pit.
11. The five year extension condition for this permit is hereby removed. This in no way removes the requirement of adhering to all reporting, review, and operating requirements contained Article 332, Aggregate Facilities, of the Washoe County Development Code while under County review jurisdiction. Applicant shall adhere to all requirements imposed by the City of Sparks when they assume responsibility for aggregate pit reviews and approvals.
12. The following conditions shall be completed for both pits to the satisfaction of the County Engineer. All requirements shall be completed within three months of Planning Commission approval. A copy of the approved documents shall be submitted to the Department of Community Development.
 - a. The mining plan shall be resubmitted indicating all areas that have been restored, and the areas to be disturbed, over the next five years.
 - b. The financial assurances shall be recalculated on the total disturbed area at \$1,500 per acre.

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- c. Provide the Engineering Division with a copy of the NDEP Stormwater Discharge Permit for mining operations.
- d. A detailed traffic report shall be prepared by a registered engineer and shall address driveway locations and provide recommendations on acceleration/deceleration lanes.
- e. The proposed Construction Traffic Haul Route Plan shall be submitted to the Engineering Division for review and approval. Any existing or proposed roads that will be used as construction haul routes and are not designated truck routes must be evaluated by a geotechnical study to determine the existing structural section and its load capacity. If the pavement section is inadequate to support the proposed construction loadings, the roadway must be redesigned or reconstructed as needed to provide a 20-year design life in accordance with the AASHTO Interim Guide for Flexible Pavement. Interim pavement overlay may be required based on the damage done by the pit operations.