

# The 360

## Special Use Permit Amendment



Prepared by:



March 8, 2023

# The 360

## Special Use Permit Amendment

**Prepared for:**

Burning Man Project  
660 Alabama Street, 4<sup>th</sup> Floor  
San Francisco, California 94110

**Prepared by:**

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1000 Kiley Parkway  
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(775) 502-8552

**March 8, 2023**



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SUP Site Plan Upgrade  
SUP Case Number WSUP21-0012  
Conditions of Approval WSUP21-0012

# THE 360 – SPECIAL USE PERMIT AMENDMENT

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## Introduction

This application includes the following request:

An **Amendment to Special Use Permit** case number WSUP21-0012 , allowing for the following conditions to be modified:

- Conditions 1.c, 3.a, and 3.b – A 3-year extension of time to implement Special Use Permit conditions, including those needed to satisfy the Washoe County District Health Department and Nevada Division of Environmental Protection (NDEP).
- Condition 2.a – Adoption of an updated site plan to include temporary storage of excavated material, onsite commercial structure, estimated placement of water and wastewater treatment facilities, and miscellaneous minor updates.

## Project Location

The 360 consists of 360± acres located along County Route 34 (CR-34) north of Gerlach within the High Desert Area Plan. Specifically, the project site (APN # 071-150-01) lies approximately ¾ of a mile north of Gerlach (as the crow flies) or 1.25 miles north via CR- 34. CR-34 bisects the property with approximately 21.5± acres located on the west side and 338.5± acres located on the east side of the roadway. Access to the site is via a roadway direct from CR-34 which is located at the central portion of CR-34’s traverse of the property. Figure 1 (below) depicts the project location. The property is adjacent to BLM land on all sides except the south, which abuts private property.

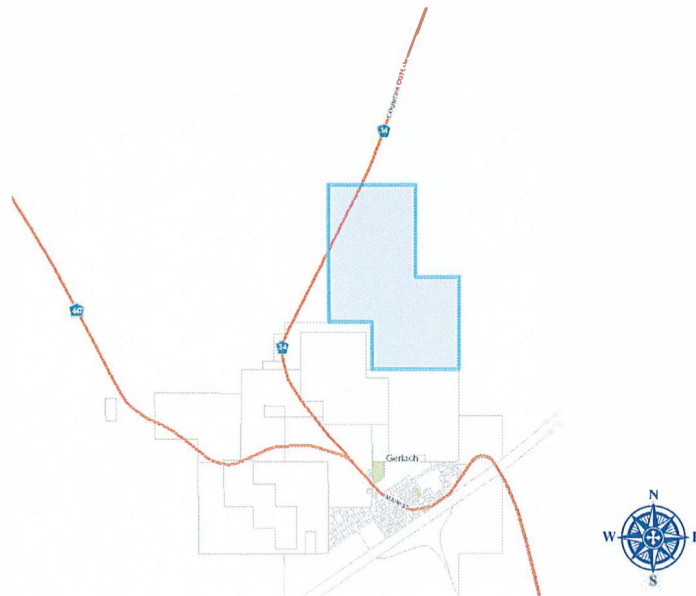


Figure 1 – Vicinity Map

## THE 360 – SPECIAL USE PERMIT AMENDMENT

### Existing Conditions

The project site is currently under development and includes 8.35± acres of grading/disturbance that is permitted under a previous grading permit. In addition to the grading, the permitted activities include fencing (utilizing containers as permitted in the SUP) and 4-foot berms with native landscaping/revegetation that have been installed around the container storage pad (as required under the previous conditions of approval).

Figure 2 (below) depicts the current condition of the property included with this SUP Amendment request, while Figure 3 (following page) depicts the west side of The 360 parcel.

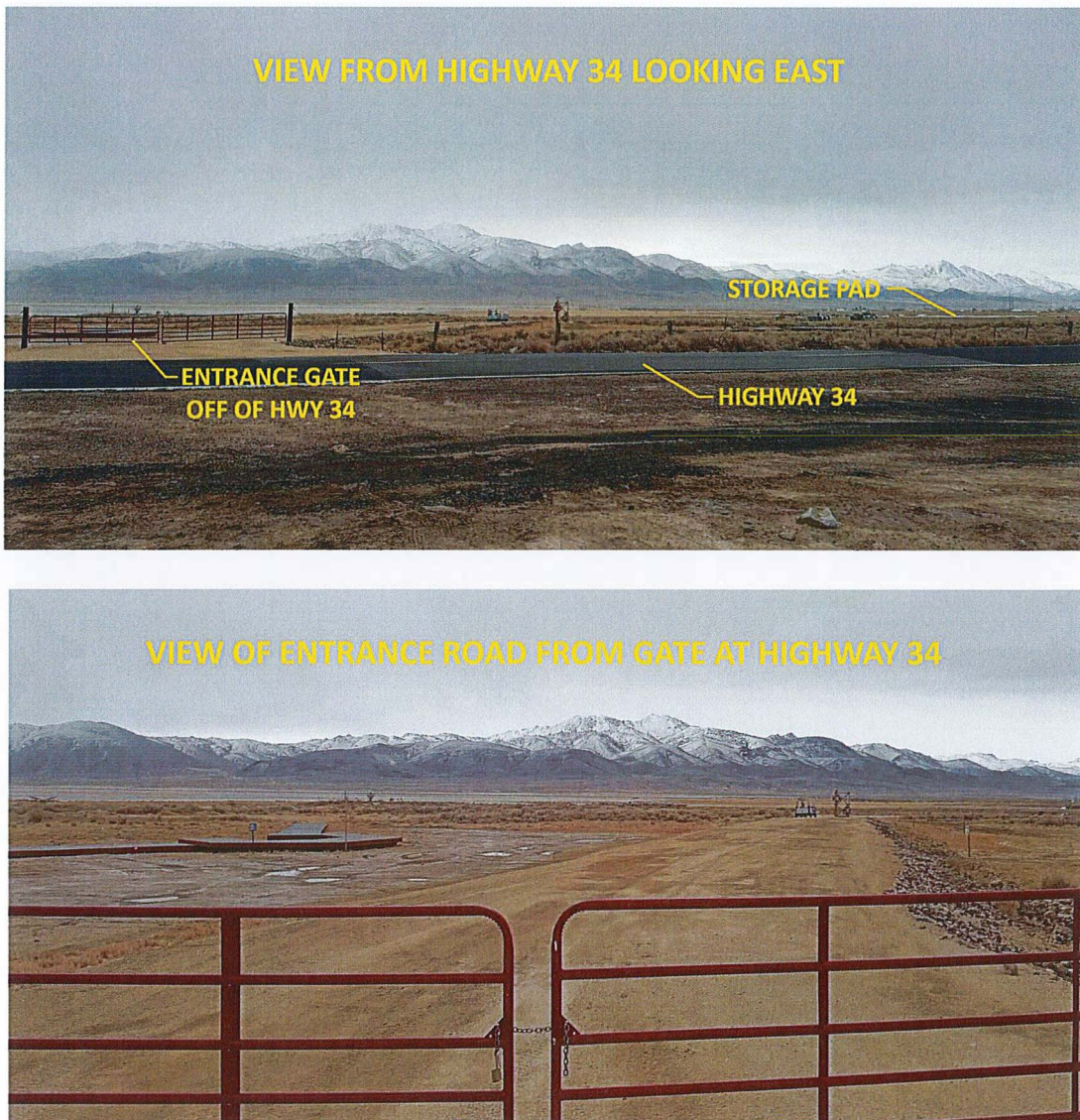


Figure 2 – Existing Conditions (East Side of Property)





Figure 3 – Existing Conditions (West Side of Property)

### Project Description/Request

This application includes an Amendment of Conditions associated with Special Use Permit (SUP) Case Number WSUP21-0012. The amendment includes a time extension request to fulfill conditions of approval for the existing SUP. Additionally, the request will allow for an updated site plan that includes grading associated with the onsite well and wastewater disposal system, as conditioned by the Health Department under the current SUP approval. The updated site plan also addresses the required commercial structure as well as temporary storage of material generated from onsite grading. For reference, the original SUP and conditions of approval are included as an attachment to this report.

The project applicant has been working to implement the previous SUP approval. To date, two grading permits have been issued and grading of 8.35± acres associated with the first stage of container storage use has been completed. The issued grading permits allow for up to 18 acres of disturbance/grading activities.

Below is a list of the SUP conditions proposed for amendment. Each condition included in this amendment is addressed in **bold face** type:

1.c The applicant shall submit construction plans, with all information necessary for comprehensive review by Washoe County, and initial building permits shall be issued within two years from the date of approval by Washoe County. The applicant shall complete construction within the time specified by the building permits. Compliance with this condition shall be determined by the Planning and Building Division.

**The applicant is requesting a time extension of an additional 3-years to meet the conditions of the current SUP. The current conditions of approval require additional grading and Health Department approvals. Since Health Department approvals are also contingent upon review and approval of outside agencies (i.e. NDEP, NV State Engineer, Gerlach GID, etc.), the requested 3-year time frame ensures adequate time for applicable review processes and to address outside agency comments.**



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2.a A complete set of construction improvement drawings, including an on-site grading plan, shall be submitted when applying for a building/grading permit. Grading shall comply with best management practices (BMP's) and shall include detailed plans for grading, site drainage, erosion control (including BMP locations and installation details), slope stabilization, and mosquito abatement. Placement or removal of any excavated materials shall be indicated on the grading plan. Silts shall be controlled on-site and not allowed onto adjacent property.

The requirements for a water system and wastewater disposal system implemented by the Health Department require a modification of the existing site plan. This includes grading and construction of a well pad, wastewater disposal system, and an on-site stockpile area for excavated materials that will be removed from the west side of the property to be reused at a later date.

Building/grading permits will be submitted for each item as required and the overall disturbance area will remain below the 18-acre threshold granted in the SUP. The table below depicts the grading expected with each improvement and is included on the attached site plan.

Table 1 – Disturbed Area Summary

Area Disturbed	Estimated Acres
Existing Improvements	8.35
Well and Access Roads West of CR-34	3.03
DryVac Road and Pad (Wastewater)	1.47
Caretaker/Commercial Building (1 location)	0.10
Two Restroom Buildings	0.15
Staging Area Expansion	0.53
Parking Area	0.37
Future Warehouse Pad	0.47
Gravel Stockpile Area	1.54
Total	16.00

The proposed SUP Site Plan Upgrade is included in Figure 4 (following page) and delineates the required installations and grading required to meet the current SUP conditions of approval. This plan includes two possible options for the location of the following items: commercial building/caretaker residence, well and water tank, and wastewater disposal system.

Grading work proposed to support these installations will take place in areas of existing slopes of 15% or less and proposed slopes will not be greater than 3:1. Material generated from grading on the west side of CR-34 will be used for development of the proposed roads and pads east of CR-34 to minimize import of fill to the site.







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3.a The site must either connect to the existing permitted water system or become an additional permitted system. This will require a Water Project submittal directly to the Health District in accordance with NAC 445A.

**To meet the requirements for a water system, activities will include drilling a well and installation of a storage tank and water lines. These activities are currently in progress and a grading permit was recently issued to allow for grading of an exploratory well pad. In order to meet this condition, additional time is required, and the activities are included on the SUP Site Plan Upgrade. If granted, the extension will ensure adequate time for the water system design, outside agency review processes, etc.**

**The upgraded site plan includes the locations of two options for the required well and tank.**

3.b. The site will be required to obtain permitting as a commercial septic system with NDEP, Bureau of Water Pollution Control.

**The conditioned requirements for a commercial septic/wastewater disposal system include field testing and application to NDEP. Based on State requirements and review times, a time extension is necessary. The timeline to complete the wastewater disposal system is dependent upon outside agencies and is beyond the applicant's (or County's) control. Discussions have been ongoing with the necessary agencies to obtain approvals and planning/permitting is in progress.**

**Additionally, a change in the language of the condition is requested to allow for a commercial septic system, wastewater disposal system or alternate approved by the NDEP and Health District.**

**The upgraded site plan includes the locations of two options for wastewater disposal: a DryVac wastewater disposal system subject to NDEP review and an alternative location for a septic system.**

### **Project Summary**

The requested amendments will not fundamentally alter the existing SUP approval. Rather, they allow additional time to address previous conditions of approval. Specifically, based on outside review and significant engineering/design of facilities previously conditioned, additional time is necessary. It is also important to note that the applicant has worked diligently to ensure that other conditions of the SUP have been implemented or are underway. Granting of this amendment request will not generate any new or unforeseen impacts. All relevant project impacts were previously analyzed under the current SUP and found to be properly mitigated. Impacts associated with the increased grading, as proposed with this amendment, can be conditioned (as necessary) to ensure full compliance with Washoe County Development Code requirements.

The current SUP, and this amendment, are the first steps in the ultimate development of The 360 property. The property is envisioned to include a mix of uses that both support the Burning Man event as well the general public through art and educational programs, camping/lodging opportunities, and more. It is anticipated that The 360 can serve to help diversify Gerlach's economy, become a driver of economic development, and create new employment opportunities for area residents.



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Implementation of this vision will require a close working relationship between Burning Man and Washoe County. The applicant is currently working with County staff to identify and define the permitting process for future expansion(s) of The 360 project. This may include new SUP's to address site specific uses or the development of a Specific Plan that will guide development of the property over the next 15-20 years.

### Special Use Permit Findings

In order to approve a Special Use Permit, the following findings must be made. Responses are provided in **bold face** type. The BOA has previously found the project to be in compliance with this finding. The requested amendments simply allow for site plan changes and increased time to address conditions previously imposed on the project.

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

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

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

**A driving component of this amendment request is to allow time for conditions required by the Health Department to be implemented, specifically those pertaining to water and wastewater treatment services. Since these facilities require review outside of the County's purview with often uncertain timelines, the requested amendments will ensure that all plans to address these conditions are complete and allow a reasonable timeline for review and implementation.**

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

**The portion of the site proposed for storage use (the west side of CR-34) is well suited for development and generally includes slopes less than 2%. Also, the site is located approximately ½ mile from CR-34 which greatly diminishes potential visual impacts within the immediate area. The western side of the property is well suited for a water storage tank and includes an elevation that will aid in the design of proper pressure zones at portions of the property proposed for development.**



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

**No negative impacts are anticipated with the granting of this SUP Amendment request. The storage use is very low intensity and will not generate large amounts of onsite activity. The project location and the use of containers to screen outdoor storage areas further ensure that negative impacts will not**

**occur. The use of storage containers and outdoor storage occurs throughout rural areas of the High Desert Area Plan and is not out of character with other properties in the project vicinity.**

As noted, the BOA has previously found the project to comply with applicable County policies and requirements. This amendment request will not fundamentally alter the existing SUP approval and simply ensures that the previous conditions and vision for the project are implemented.

# APPENDICES

## Washoe County Development Application

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

<b>Project Information</b>		Staff Assigned Case No.: _____	
Project Name: <b>The 360</b>			
<b>Project Description:</b> An Amendment to Special Use Permit case number WSUP21-0012, allowing for the following conditions to be modified: • Conditions 1.c, 3.a, and 3.b – A 3-year extension of time to implement Special Use Permit conditions, including those needed to satisfy the Washoe County District Health Department and Nevada Division of Environmental Protection (NDEP). • Condition 2.a – Adoption of an updated site plan to include temporary storage of excavated material, onsite commercial structure, estimated placement of water and wastewater treatment facilities, and miscellaneous minor updates.			
Project Address: 550 State Route 34, Washoe County, NV 89412			
Project Area (acres or square feet): 360.00 Acres			
Project Location (with point of reference to major cross streets AND area locator): East and west sides of County Route 34, approx. 1.25 miles north of Gerlach			
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:
071-150-01	360.00		
Indicate any previous Washoe County approvals associated with this application: Case No.(s). WSUP21-0012			
<b>Applicant Information</b> (attach additional sheets if necessary)			
<b>Property Owner:</b>		<b>Professional Consultant:</b>	
Name: Burning Man Project		Name: Christy Corporation, LTD	
Address: 660 Alabama St. 4th Floor		Address: 1000 Kiley Parkway	
San Francisco, CA	Zip: 94110	Sparks, NV	Zip: 89436
Phone: (775) 557-2200	Fax:	Phone: (775) 502-8552	Fax:
Email: kaitlyn.mcmanus@burningman.org		Email: mike@christynv.com	
Cell:	Other:	Cell: (775) 250-3455	Other:
Contact Person: Kaitlyn McManus		Contact Person: Mike Railey	
<b>Applicant/Developer:</b>		<b>Other Persons to be Contacted:</b>	
Name: Same as Above		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):	

Community Services Department

Planning and Building

**SPECIAL USE PERMIT**

(see page 7)

**SPECIAL USE PERMIT FOR GRADING**

(see page 9)

**SPECIAL USE PERMIT FOR STABLES**

(see page 12)

**APPLICATION**



Community Services Department  
Planning and Building  
1001 E. Ninth St., Bldg. A  
Reno, NV 89512-2845

Telephone: 775.328.6100



**Special Use Permit Application  
Supplemental Information**  
(All required information may be separately attached)

1. What is the project being requested?

An Amendment to Special Use Permit case number WSUP21-0012 , allowing for the following conditions to be modified:

- Conditions 1.c, 3.a, and 3.b – A 3-year extension of time to implement Special Use Permit conditions, including those needed to satisfy the Washoe County District Health Department and Nevada Division of Environmental Protection (NDEP).
- Condition 2.a – Adoption of an updated site plan to include temporary storage of excavated material, onsite commercial structure, estimated placement of water and wastewater treatment facilities, and miscellaneous minor updates.

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

Refer to attached plan.

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

The construction will be completed over a three year period. Refer to attached report for details.

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

The project area is relatively flat and unconstrained. The primary use is located away from adjoining properties and is screened as required by the existing SUP. Refer to the attached report for additional details.

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

The benefits for the amendment are the same as the existing SUP. No significant changes are proposed.

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

There are no additional negative impacts expected with the requested amendments. Refer to the attached report for details.

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

Refer to the attached report, approved SUP and upgraded site plan.

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

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

a. Sewer Service	Septic
b. Electrical Service	Solar and generators
c. Telephone Service	Cellular Service
d. LPG or Natural Gas Service	Granite Propane (future - not needed at this time)
e. Solid Waste Disposal Service	Gerlach GID
f. Cable Television Service	Various Providers
g. Water Service	Onsite Well and Tank

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

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

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

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10. Community Services (provided and nearest facility):

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

# **ATTACHMENTS**









# Board of Adjustment Staff Report

Meeting Date: June 3, 2021

Agenda Item: 8F

SPECIAL USE PERMIT CASE NUMBER: WSUP21-0012 (Black Rock 360)

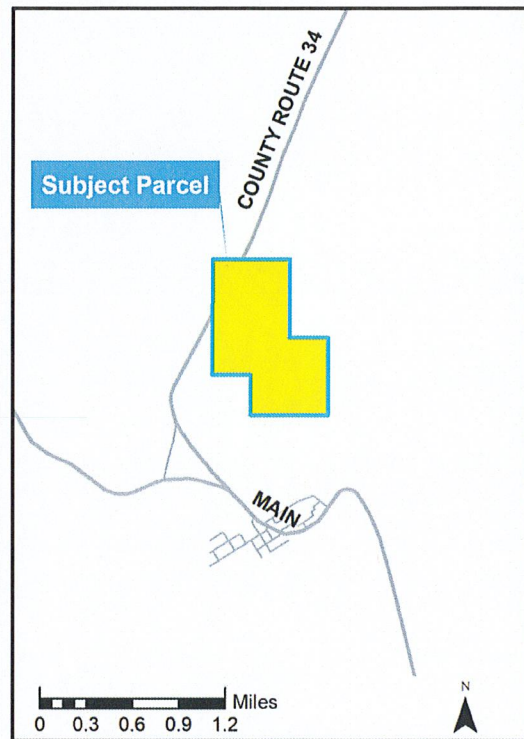
BRIEF SUMMARY OF REQUEST: Request to establish an inoperable vehicle storage, light wholesaling/storage/distribution use type and major grading permit

STAFF PLANNER: Planner's Name: Dan Cahalane  
Phone Number: 775.328.3628  
E-mail: [dcahalane@washoecounty.us](mailto:dcahalane@washoecounty.us)

### CASE DESCRIPTION

For hearing, discussion, and possible action to approve a special use permit for 30 acres of inoperable/operable vehicle storage, light wholesaling/storage/distribution use type and major grading for 18 acres of disturbance, 9,000cy of cut, and 20,000cy of fill. The applicant is requesting to vary landscaping, screening, paved parking and container adjacency standards. The applicant is also requesting to approve a 5-acre annual expansion of the use over the next 4 years for a total of 30 acres of use area.

Applicant/Property Owner: Burning Man Project  
Location: Approximately 3000ft north of downtown Gerlach  
APN: 071-150-01  
Parcel Size: 360 acres  
Master Plan: Rural  
Regulatory Zone: General Rural  
Area Plan: High Desert  
Citizen Advisory Board: Gerlach/Empire  
Development Code: Authorized in Article 206, 810  
Commission District: 5- Commissioner Herman



Vicinity Map

### STAFF RECOMMENDATION

APPROVE

**APPROVE WITH CONDITIONS**

DENY

### POSSIBLE MOTION

I move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Board of Adjustment approve with conditions Special Use Permit Case Number WSUP21-0012 for Black Rock 360, with the conditions included as Exhibit A to this matter, having made all five findings in accordance with Washoe County Code Section 110.810.30

*(Motion with Findings on Page 11)*

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Citizen Advisory Board Minutes/Response ..... Exhibit B

Engineering Memo ..... Exhibit C

Washoe County Health District Memo ..... Exhibit D

Air Quality Management Memo ..... Exhibit E

Bureau of Land Management Memo ..... Exhibit F

United States Army Corps of Engineering Memo ..... Exhibit G

Washoe County Water Resources Memo ..... Exhibit H

Public Notice ..... Exhibit I

Project Application ..... Exhibit J

**Special Use Permit Definition**

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

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

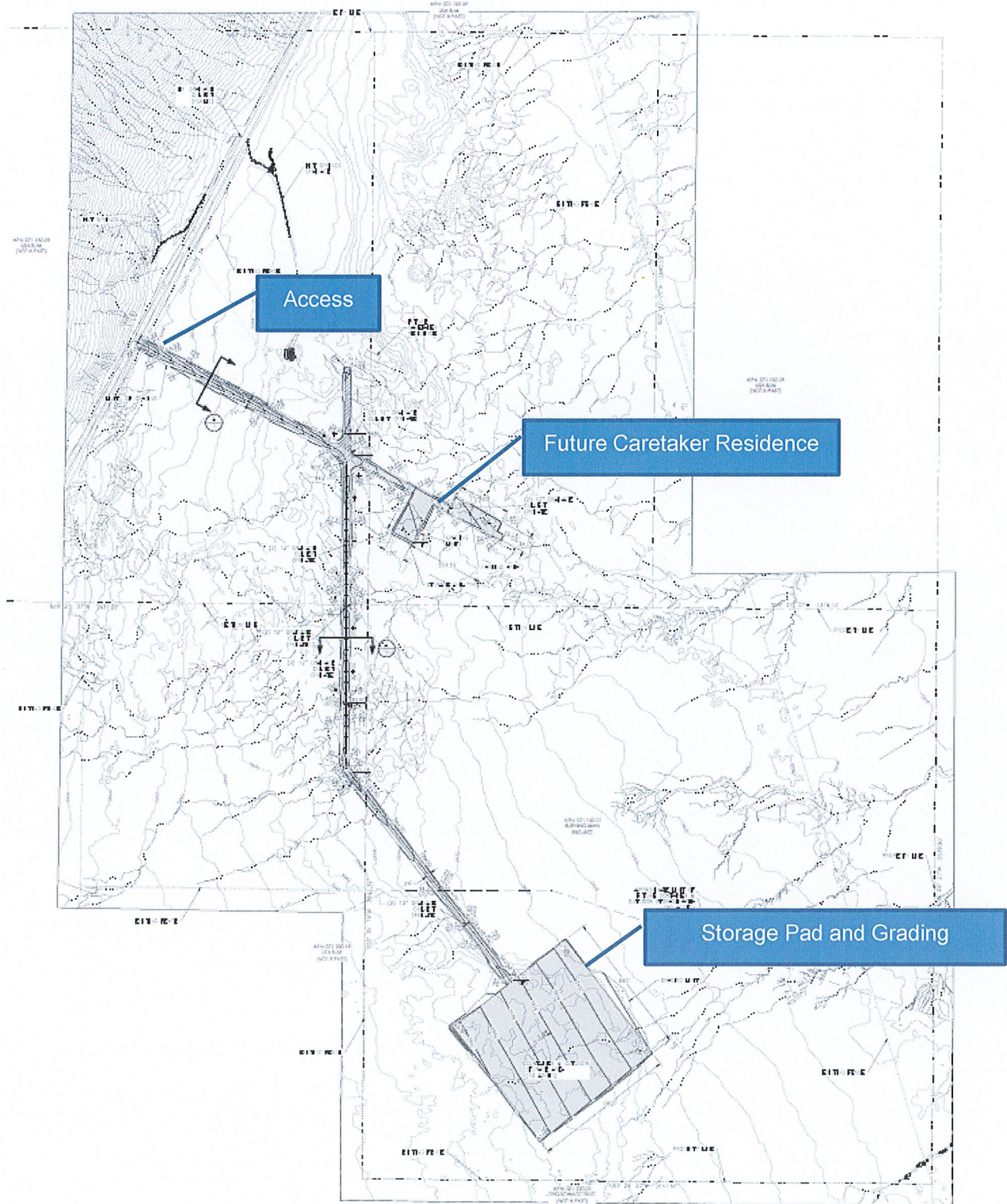
The conditions of approval for Special Use Permit Case Number WSUP21-0012 are attached to this staff report and will be included with the action order, if approved.

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

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

Variance(s) Requested	Relevant Code
Container adjacency standards	110.306.10g
Formal Landscaping requirements	110.412.40/45/55
Paving requirements	110.410.25





**Site Plan**

### **Project Evaluation**

The applicant is requesting to establish outdoor and container storage on an initial 10 acres of a 360 acre site just north of Gerlach. The proposed uses will range from operable vehicle storage, inoperable vehicle storage and light warehousing. The applicant would like to expand the use from 10 acres to 30 acres over the next 10 years. The applicant is requesting to expand the project from 10 acres by up to 5 acres per year over the next 4 years. The applicant has not provided a phasing plan or a plan outlining the full extent of the grading.

The applicant anticipates that shipping containers and trailers will range in length from 20-52ft and arranged in a single layer (not stacked). The facility is proposed to store both operable and inoperable vehicles as well as larger scale art pieces for the Burning Man festival. The applicant has proposed either painting containers a solid muted color or turning it into an "art fence."

### **Article 206 High Desert Area Plan Modifiers**

The proposed uses of operable vehicle storage, inoperable vehicle storage, and light wholesaling/storage/distribution are permissible in General Rural zones within the High Desert Area plan with the approval of a special use permit per WCC 110.206.10(b)2v,3iv/vii.

The applicant is also proposing a future caretaker's residence. This falls under the multi-use permanent employee housing which is allowed per 110.206.10(a)5i.

### **Article 302/304 Use Classification System**

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

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

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

*Wholesaling, Storage and Distribution. Wholesaling, **storage** and distribution use type refers to establishments or places of business primarily engaged in wholesaling, storage and bulk sale distribution including, but not limited to, **open-air handling of material and equipment** other than live animals and plants. The following are wholesaling, storage and distribution use types:*

*(1) Light. Light refers to wholesaling, **storage** and warehousing services within enclosed structures. Typical uses include wholesale distributors, storage warehouses, or moving and **storage firms**.*

These uses are normally not allowed in the General Rural regulatory zone, but the High Desert Area Plan Modifiers discussed in Article 206 take precedence. Staff also would like to note that semi-trailers are considered inoperable vehicle storage.

### **Article 306 Accessory Uses and Structures**

The applicant is requesting to place an unknown number of cargo containers on the subject parcel. Regulation of cargo containers falls under WCC 110.306.10(g), which requires that the



containers must be painted 1 solid color, are free of structural damage, groupings of no more than 4 containers separated by at least 20ft, and a 1 container per acre on parcels greater than 5 acres. This limits the number of containers to 360 total containers.

The applicant is requesting to vary the 4-container grouping requirement, as this would preclude the applicant from using the containers are screening. Staff supports waiving this standard with a replacement condition that containers may be in groupings of up to 5000sf with each grouping separated by at least 20ft as conditioned in exhibit A.

Staff recommends this standard as it conforms to the 5000sf sprinkler requirement and 20ft building separation that the International Fire Code requires.

Staff want to make it clear that semi-trailers are not equivalent to shipping containers and shall not be used for long term storage of items as they lack the structural requirements that shipping containers have.

Staff has also provided conditions of approval related to paint color, trailer storage, and maintenance in exhibit A.

**Article 340 Industrial Performance Standards**

The proposed facility meets all of the required planning standards outlined in division 400 as required per WCC 110.340.20 as discussed in detail below. The proposed facility does not exceed 80 peak hour trips as required per WCC 110.340.50. Staff forwarded the application to Truckee Meadows Fire Protection District, Washoe County Sheriff, and Washoe County District Health in regards to the public services and facilities requirements required under WCC 110.340.60.

Washoe County Health District provided conditions requiring connection to a permitted water system, obtaining a commercial septic, and specifically prohibiting the use of portable restrooms for a permanent use in exhibit A. The other agencies did not provide comment on this application.

**Article 406 Building Placement Standards**

The proposed structures will meet all General Rural Setbacks. The development area is well within the GR setbacks of:

	<b>General Rural</b>
<b>Front</b>	30ft
<b>Side</b>	50ft
<b>Rear</b>	30ft
<b>Height</b>	35ft

**Article 410 Parking**

The applicant is requesting to establish three uses within the context of this application. The parking requirements per WCC table 110.410.10.3&4 are outlined in the table below:

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

Staff calculates that the applicant will need to provide at least 1 space for employees during peak employment, 20 spaces and 1 handicapped parking space based on the 10 acre initial development. The applicant will be required to provide at least 61 spaces at the full 30 acre planned facility with 2 handicapped parking spaces required.

The applicant is also requesting to vary the paving standards for parking and maneuvering as required in WCC 110.410.25 as it does not fit the character of the High Desert by replacing asphalt concrete with an all-weather aggregate base surface. Staff agrees that paved parking does not match the character and has provided conditions of approval waiving the paved parking requirement in Exhibit A. However, staff has also provided conditions requiring that ground protectors be provided for all stored vehicles on site in Exhibit A.

### **Article 412 Landscaping**

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

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

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

The applicant is also requesting to vary the open space storage screening standards found in 110.412.55 by using storage containers as screens. Standard cargo containers are 8.5ft high, which provides a taller screen than the usual 6-8ft screening required for commercial or industrial uses. The proposed uses do not abut any residential uses and are located approximately a half mile from county route 34, and therefore meet the requirements requiring items to be stacked lower than the screening.

Screening materials within code are required to be one or a combination of dense plants, slatted chain link, decorative fencing, brick/block decorative walls or a wall of a material acceptable to the Director of Planning per WCC 110.412.55(f). Staff can make an argument that storage containers meet the opacity requirements under WCC 110.412.55(f).

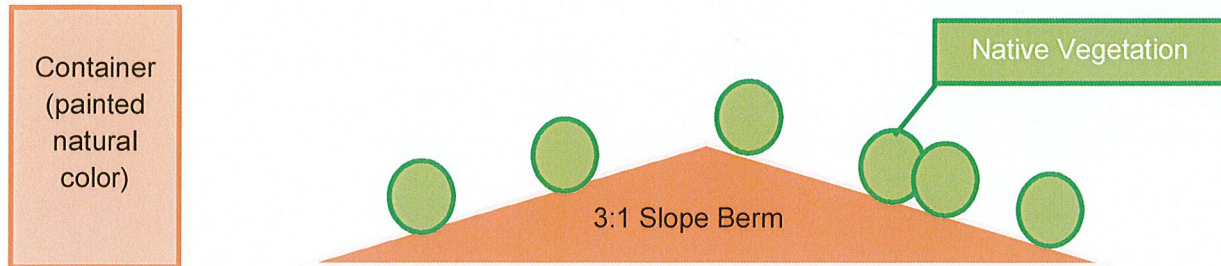
However, the Gerlach/Empire CAB provided strong feedback regarding the potential visual impacts of using cargo containers to screen the other outdoor storage, as there is a similar facility within Gerlach that is considered an eye sore. Historically, the Gerlach/Empire CAB has been opposed to slatted chain link fencing as it becomes very noisy in the wind.

Staff proposes a compromise between the two approaches by conditioning a 4ft tall 3:1 sloped revegetated berm surrounding the proposed storage area. This will cut the profile of the proposed containers from 8.5ft (or 9.5ft for a high cube) to 4.5ft. Fully grown native vegetation will break up the remaining 4.5ft profile of the containers along the skyline.

Staff also recommends that the grouping of said containers be oriented primarily along a north-south axis as this will reduce the visual bulk from the town of Gerlach to the south.

Staff has provided detailed conditions of approval implementing these proposed conditions in exhibit A.





**Article 438 Grading**

Applicant is requesting major grading for 18 acres of disturbance, 9,000cy of cut, and 20,000cy of fill. However, the applicant is requesting a 30-acre storage area phased over the next 4-10 years. Staff can only review the major grading that has been proposed in the application at this time, any additional grading seeking to expand the approved grading by more than 10% will require a new Special Use Permit.

Applicant is not requesting to vary any grading standards. Therefore, all of the provisions of Article 438 apply as summarized below:

Type of Regulation	Requirements			
	Front Yard	Side Yard	Rear Yard	Setback Envelope
Slopes	3:1	3:1	3:1	3:1
Difference from Natural Grade	10ft max			
Retaining Wall Height	4.5ft	6ft Res/8ft non res	6ft Res/8ft non res	10ft
Retaining Wall Terrace Widths	Min. 6ft	Min. 6ft	Min. 6ft	Min. 6ft
Retaining Wall Bench Widths	Min. 4ft	Min. 4ft	Min. 4ft	Min. 4ft
Intersection Angle	45 degrees	45 degrees	45 degrees	45 degrees
Transitions	Contoured	Contoured	Contoured	Contoured

Washoe County Engineering has provided conditions requiring a drainage report and detention of stormwaters on site. A drainage report may be required for a special use permit per 110.420.05(b) but the conditions required may impact final grading plans, especially in conjunction with the requirement to detain peak stormwater runoff on site. The applicant shall provide all conditioned finished grading plans prior to issuance of the final map.

**Area Plan Evaluation**

The subject parcel is located within the High Desert Area Plan. The following are the pertinent policies from the Area Plan:

**Relevant Area Plan Policies Reviewed**

Policy	Brief Policy Description	Complies	Condition of Approval
HD 2.2	Noxious weed plan required	No	Staff has required a noxious weed plan as a condition of approval in Exhibit A.
HD 2.3	CAB response letter required	Yes	Applicant has provided a CAB response letter
HD 2.5	Compliance with Dark Sky Standards	Yes	
HD 2.6	Street, security, and outdoor lighting should be powered by renewables	NA	



HD 2.8	Landscape designs shall emphasize the use of native and low water requirement vegetation	Yes	Applicant is requesting to vary landscaping standards.
HD 2.10	Impact of development on adjacent land uses will be mitigated	Yes	Staff has provided conditions of approval mitigating the screening issues identified by the Gerlach/Empire CAB in exhibit A.
HD 2.13	Finding that community character must be preserved	Yes	
HD 6.2	Slopes shall not exceed 3:1 slopes	Yes	
HD 6.4	Funds shall be set aside for revegetation with 80% reestablishment required prior to release of bonds	NA	Staff has provided conditions requiring a revegetation bond in exhibit A.
HD 8.5	Washoe County Parks review required for new residential and commercial properties	Yes	The application was routed to Washoe County Parks.
HD 10.3	Finding that no significant degradation of air quality will occur for a SUP	Yes	The application was routed to Air Quality Management who provided conditions in exhibit A.
HD 11.1	"Development proposals, with the exception of single family homes and uses accessory to single family homes within the High Desert planning area will include detailed soils and geo-technical studies sufficient to: a. Ensure structural integrity of roads and buildings. b. Provide adequate setbacks from potentially active faults or other hazards. c. Minimize erosion potential."	No	Washoe County Engineering provided conditions requiring a detailed hydrology/hydraulic report as a condition of approval.
HD 11.2	Development proposals in areas with identified geological hazards will follow the recommendations of any geo-technical study conducted pursuant to Policy HD.11.1	NA	See comment in HD 11.1
HD 12.1	NDOW to be contacted on projects exceeding 10 acres	Yes	
HD 19.3	Development proposals that impact any area designated "potential wetlands" on the Development Suitability map must conduct a wetlands delineation study and obtain Army Corps of Engineers certification of the proposed wetlands and comply with vector-borne diseases regulations.	Yes	Staff identified potential wetlands in the USFWS map on site. The USACE determined that the site does not be federal jurisdictional wetlands.

### **Gerlach Empire Citizen Advisory Board (GECAB)**

The proposed project was presented by the applicant's representative at the regularly scheduled Citizen Advisory Board meeting on May 13, 2021. The following summary reflects discussion on the following items:

- Potential for reduction of traffic
- Part of a larger vision
- Concerns of the shipping container wall
  - Art tends to be 20ft+
  - Impacts on the viewshed
- Number of containers



- New or old containers
  - Some new and old
- Impacts on local economy
- Traffic reduction
- Why do we need more containers?
- Art Wall
  - Some support for the art wall
- Support for a future maker space
- Removal of inoperable vehicle storage
  - Suggested by applicant
- Concerns about artists living in containers
  - Camping on site.
- Concerns about not focusing on downtown
- Access requirements

**Reviewing Agencies**

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

Agency	Sent to Review	Responded	Provided Conditions/ Comment	Contact
Army Corp of Engineers	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Jennifer Thomason <a href="mailto:Jennifer.c.thomason@usace.army.mil">Jennifer.c.thomason@usace.army.mil</a>
BLM – Winnemucca District Office	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Julie McKinnon <a href="mailto:jmckinnon@blm.gov">jmckinnon@blm.gov</a>
Nevada Dept of Env Protection	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Nevada Div. of Wildlife	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Washoe County Building & Safety	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Washoe County Parks & Open Spaces	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Washoe County Water Rights	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Vahid Behmaram <a href="mailto:vbehmaram@washoecounty.us">vbehmaram@washoecounty.us</a>
Washoe County Engineering	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Walt West PE <a href="mailto:wwest@washoecounty.us">wwest@washoecounty.us</a>
Washoe County Sheriff	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
WCHD – Air Quality	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Genine Rosa <a href="mailto:grosa@washoecounty.us">grosa@washoecounty.us</a>
WCHD – Environment Health	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Wes Rubio <a href="mailto:wrubio@washoecounty.us">wrubio@washoecounty.us</a>
Truckee Meadows Fire Protection District	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
RTC Washoe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Washoe Storey Conservation District	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Nevada Historic Preservation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

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

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

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

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

*Staff Comment:* The proposed uses are permissible with an approved special use permit in General Rural as outlined in the High Desert Area modifiers.

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:* There are adequate public facilities and drainage as conditioned by Washoe County Health District and Washoe County engineering.

3. Site Suitability. That the site is physically suitable for an operable vehicle storage, inoperable vehicle storage, and light warehousing and storage use and for the intensity of such a development.

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

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:* Staff has provided detailed conditions to mitigate the visual impacts identified by the Gerlach/Empire CAB that would be detrimental to the character of the surrounding High Desert. These conditions include waiving formal landscaping standards, varying screening standards, paint colors of proposed containers, and the massing of containers on the site.

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 affected by the proposed use.

### **Recommendation**

After a thorough analysis and review, Special Use Permit Case Number WSUP21-0012 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 with conditions Special Use Permit Case Number WSUP21-0012 for Black Rock 360,



with the conditions included as Exhibit A to this matter, having made all five findings in accordance with Washoe County Code Section 110.810.30:

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the High Desert 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 an operable vehicle storage, inoperable vehicle storage, and light warehousing and storage use 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.

### **Appeal Process**

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

Applicant: Burning Man Project  
660 Alabama St.  
San Francisco, CA 94110  
[chef@burningman.org](mailto:chef@burningman.org)

Representatives: Christy Corporation  
1000 Kiley Pkwy.  
Sparks, NV, 89436  
[mike@christynv.com](mailto:mike@christynv.com)



# Conditions of Approval

Special Use Permit Case Number WSUP21-0012

The project approved under Special Use Permit Case Number WSUP21-0012 shall be carried out in accordance with the conditions of approval granted by the Board of Adjustment on June 3, 2021. 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 special use permit shall be met or financial assurance must be provided to satisfy the conditions of approval prior to issuance of a grading or building permit. The agency responsible for determining compliance with a specific condition shall determine whether the condition must be fully completed or whether the applicant shall be offered the option of providing financial assurance. All agreements, easements, or other documentation required by these conditions shall have a copy filed with the County Engineer and the Planning and Building Division.

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

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

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

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

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

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

- **The DISTRICT BOARD OF HEALTH, through the Washoe County Health District, has jurisdiction over all public health matters in the Health District. Any conditions set by the Health District must be appealed to the District Board of Health.**

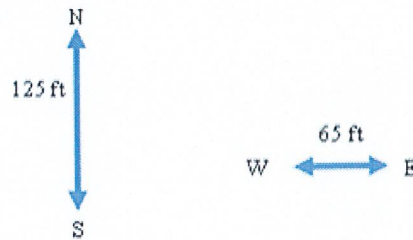
FOLLOWING ARE CONDITIONS OF APPROVAL REQUIRED BY THE REVIEWING AGENCIES. EACH CONDITION MUST BE MET TO THE SATISFACTION OF THE ISSUING AGENCY.

**Washoe County Planning and Building Division**

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

**Contact Name – Dan Cahalane, 775-328-3628, [dcahalane@washoecounty.us](mailto:dcahalane@washoecounty.us)**

- a. **The applicant shall attach a copy of the action order approving this project to all permits and applications (including building permits) applied for as part of this special use permit.**
- b. The applicant shall demonstrate substantial conformance to the plans approved as part of this special use permit. The Planning and Building Division shall determine compliance with this condition.
- c. The applicant shall submit construction plans, with all information necessary for comprehensive review by Washoe County, and initial building permits shall be issued within two years from the date of approval by Washoe County. The applicant shall complete construction within the time specified by the building permits. Compliance with this condition shall be determined by the Planning and Building Division.
- d. The proposed SUP allows for up to 30 acres of operable vehicle storage, inoperable vehicle storage, and light warehousing and storage use types
- e. The formal landscaping standards found in WCC 110.412.40a-d and WCC 110.412.45a-f shall be waived.
- f. Applicant shall provide a noxious weed plan in accordance with HD 2.2.
- g. The screening standards outlined in WCC 110.412.55 shall be varied to require the applicant to provide the following screening requirements around the entire storage area:
  - i. A 4ft berm, as measured from the cargo container pad base. This berm shall at a minimum:
    - 1. Have slopes of 3:1ft
    - 2. Be maintained with natural vegetation
- h. Cargo containers shall comply with the following placement, orientation, and color requirements to allow:
  - i. The cargo container grouping standards required per WCC 110.306.10(g) shall be varied to conform to the following standards: c
    - 1. Cargo container groupings shall not to exceed 125ft in the north-south axis (15 containers)
    - 2. Cargo container groupings shall not exceed 65ft in the east-west access (8 containers)



- ii. Cargo container groupings shall be separated by a minimum of 20ft. Cargo containers less than 20ft apart shall be considered part of a single grouping.



- iii. Cargo containers grouping shall be painted a single solid, muted color that blends in with the surrounding vegetation or topography in accordance with WCC 110.306.10(g)iii
- iv. Cargo containers shall be placed on pads to mitigate impacts to the ground
- i. Cargo containers shall be placed on pads or risers to avoid deterioration and soil contamination.
- j. No person shall be allowed to live within a cargo container.
- k. All vehicles stored on the site, operable or not, shall have ground protectors provided to mitigate any leakage.
- l. Applicant shall not use semi-trailers for long term storage of other materials wherein long term storage is more than 1 month.
- m. Parking standards shall be varied to require no paved parking or maneuvering areas in order to better fit the High Desert character. Applicant shall use aggregate base.
- n. Applicant shall secure all open storage areas using chain link fencing, cargo container walls, or a combination of the two.
- o. In conformance with High Desert Policy 6.4, prior to the issuance of grading permits, the applicant shall post a revegetation/reclamation bond for eighty percent (80%) of the total revegetation/reclamation costs.
- p. A note shall be placed on all construction drawings and grading plans stating:

NOTE

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

- q. The business license will be obtained to for the new use.
- r. The following **Operational Conditions** shall be required for the life of the business:
  - i. This special use permit shall remain in effect until or unless it is revoked or is inactive for one year.
  - ii. Failure to comply with any of the conditions of approval shall render this approval out of conformance and subject to revocation.
  - iii. The applicant and any successors shall direct any potential purchaser/operator of the site and/or the administrative permit to meet with Planning and Building to review conditions of approval prior to the final sale of the site and/or the administrative permit. Any subsequent purchaser/operator of the site and/or the administrative permit shall notify Planning and Building of the name, address, telephone number, and contact person of the new purchaser/operator within 30 days of the final sale.
  - iv. Use of heavy machinery is limited to the hours of 0800-1800 Monday-Saturday.
  - v. This special use permit shall remain in effect as long as the business is in operation and maintains a valid business license. The applicant is responsible for providing the following documentation with their annual business license renewal:
    - 1. Three copies of the planned layout of the cargo containers on a site plan

- a. These layout plans shall be distributed to Washoe County Planning, Truckee Meadows Fire Protection District, and Washoe County Code Enforcement.
2. Applicant shall submit photos proving that the shipping containers are meeting color requirements.

**Washoe County Engineering and Capital Projects**

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

**Contact Name – Walt West, PE [wwest@washoecounty.us](mailto:wwest@washoecounty.us)**

- a. A complete set of construction improvement drawings, including an on-site grading plan, shall be submitted when applying for a building/grading permit. Grading shall comply with best management practices (BMP's) and shall include detailed plans for grading, site drainage, erosion control (including BMP locations and installation details), slope stabilization, and mosquito abatement. Placement or removal of any excavated materials shall be indicated on the grading plan. Silts shall be controlled on-site and not allowed onto adjacent property.
- b. For construction areas larger than 1 acre, the developer shall obtain from the Nevada Division of Environmental Protection a Stormwater Discharge Permit or Waiver for construction and submit a copy to the Engineering Division prior to issuance of a grading permit.
- c. The developer shall complete and submit the Construction Permit Submittal Checklist and pay the Construction Stormwater Inspection Fee prior to obtaining a grading permit. The County Engineer shall determine compliance with this condition.
- d. Exported materials shall not be sold without the proper business license.
- e. A grading bond of \$2,000/acre of disturbed area shall be provided to the Engineering Division prior to any grading.
- f. Cross-sections indicating cuts and fills shall be submitted when applying for a grading permit. Estimated total volumes shall be indicated.
- g. All disturbed areas left undeveloped for more than 30 days shall be treated with a dust palliative. Disturbed areas left undeveloped for more than 45 days shall be revegetated. Methods and seed mix must be approved by the County Engineer with technical assistance from the Washoe-Storey Conservation District. The applicant shall submit a revegetation plan to the Washoe-Storey Conservation District for review.

**DRAINAGE (COUNTY CODE 110.416, 110.420, and 110.421)**

- h. A detailed hydrology/hydraulic report 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 pipe and ditch sizing calculations and a discussion of and mitigation measures for any impacts on existing offsite drainage facilities and properties.

**Washoe County Health District**

3. The following conditions are requirements of the Washoe County Health District, which shall be responsible for determining compliance with these conditions.

**Contact Name – Wes Rubio, [wrubio@washoecounty.us](mailto:wrubio@washoecounty.us)**

- a. The site must either connect to the existing permitted water system or become an additional permitted system. This will require a Water Project submittal directly to the Health District in accordance with NAC 445A.
- b. The site will be required to obtain permitting as a commercial septic system with NDEP, Bureau of Water Pollution Control.
- c. Portable restrooms will not be allowed as a permanent sewage disposal option for the site and are only allowed in conjunction with permitted temporary events. Therefore, a commercial septic system will be required based on the proposed use.

**Washoe County Air Quality Management**

4. The following conditions are requirements of Washoe County Air Quality Management, which shall be responsible for determining compliance with these conditions.

**Contact Name – Genine Rosa, [grosa@washoecounty.us](mailto:grosa@washoecounty.us)**

- a. Dust Control Permit will be required prior to breaking ground, failure to do so may result in enforcement action resulting in a Notice of Violation with associated fines

**Bureau of Land Management**

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

**Contact Name – Julie McKinnon, [jmckinnon@blm.gov](mailto:jmckinnon@blm.gov)**

- a. The Black Rock SUP proposal depicts the new access road and other proposed improvements, within the private land parcel 071-150-01, owned by Burning Man Project. If any action occurs on public lands, adjacent to the private land, a ROW or land use permit from the BLM may be necessary.
- b. BLM retained and interest in ditches and canals and all minerals associated with parcel 071-150-01.

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



# Washoe County Citizen Advisory Boards CAB Member Worksheet



Citizen Advisory Board: Gerlach

Meeting Date: 13 May 2021

Topic or Project Name (include Case No. if applicable): WSUP21-0012 Black Rock 360

Please check the appropriate box:

My comments  were (or)  were not discussed during the meeting.

Identified issues and concerns:

1. Removing the inclusion of inoperable vehicles.
2. Identifying a height restriction for Art Cars to be stored, many of them are taller than the proposed container screen.
3. Using mural on the containers that blends into the area not just a single color.
4. Art placement - what pieces, are they compatible with rural view, will they be accessible to the public, who is responsible for security and maintenance.
5. Operable Vehicles who will maintain and secure.

Suggested alternatives and/or recommendations:

- 1) All vehicles will be operable and ground protections taken for any leakage.
- 2) Art Cars that are taller than the container screen will be well maintained, Tarps are useless out here and should not be used.
- 3) The container screen can be painted with non-continuous desert colors and murals so that if they come back and are placed in different spaces it is not jarring. They should also be placed on pads or risers to avoid deterioration and soil contamination.

Name \_\_\_\_\_ Date: \_\_\_\_\_

(Please Print)

Signature: \_\_\_\_\_

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: Jeanne Herman

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 September 2010

**WSUP21-0012  
EXHIBIT B**

**Washoe County Development Code**  
**(Chapter 110 of the Washoe County Code)**  
**Definition of Applications**

Type of Application	Definition	Chapter/Article
<b>Parcel Maps; and Second or Subsequent Parcel Maps</b>	A parcel map is required for all minor subdivisions of four or fewer lots or common-interest units. If the application is subdividing a lot or lots created within five years from the creation of the original lot, a public notice card shall be sent to advisory boards indicating the review criteria and date and time of meeting.	110.606
<b>Tentative Subdivisions</b>	A tentative subdivision application is required for all proposed subdivisions of five or more lots and all common-interest units consisting of five or more units.	110.608
<b>Variances</b>	Standards within the Development Code may be varied (e.g. such as building height, setback requirements, landscape modifiers, etc.). Different standards apply in different land use designations. Typical requests are for lots with unique physical conditions that create a hardship (i.e. shape, topography, wetlands, public easements, etc.).	110.804
<b>Use Permits</b>	Civic, residential, commercial and industrial uses on a property may require a use permit. The type of use permit, if required, is noted on the <i>Table of Uses</i> in the <i>Development Code (110.302.05)</i> . <b>Administrative Permits</b> are approved by the Hearing Examiner and usually involve relatively small impacts from a use. A <b>Special Use Permit</b> may be required for a proposed project when the intensity or size of the project, traffic generation, noise, impact on public facilities or compatibility with surrounding uses or other impacts must be evaluated.	110.808 and 110.810
<b>Development Agreements</b>	Allows for any person having a legal or equitable interest in land to enter into an agreement with Washoe County concerning the development of that land.	110.814
<b>Development Code Amendment</b>	Provides a method for amending the Development Code.	110.818
<b>Master Plan Amendment</b>	Provides a method for amending the Master Plan (e.g. changes of land use).	110.820
<b>Regulatory Zone Amendment</b>	Provides a method for amending regulatory zone boundaries (i.e. zone changes).	110.821



# WASHOE COUNTY

## COMMUNITY SERVICES DEPARTMENT

### Engineering and Capital Projects

1001 EAST 9<sup>TH</sup> STREET  
RENO, NEVADA 89512  
PHONE (775) 328-3600  
FAX (775) 328.3699

Date: April 30, 2021

To: Dan Cahalane, Planner

From: Walter West, P.E., Licensed Engineer

Re: Special Use Permit for **Black Rock 360 WSUP21-0012**  
APN 071-150-01

#### GENERAL PROJECT DISCUSSION

Washoe County Engineering staff has reviewed the above referenced application. The Special Use Permit is for the construction to allow for storage of operable and inoperable vehicles and wholesaling, storage, and distribution within the High Desert Area Plan and is located on approximately 360 acres at approximately  $\frac{3}{4}$  of a mile north of Gerlach and is bisected by Route 34. The Engineering and Capital Projects Division recommends approval with the following comments and conditions of approval which supplement applicable County Code and are based upon our review of the site and the application prepared by Christy Corporation. The County Engineer shall determine compliance with the following conditions of approval.

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

#### GENERAL CONDITIONS

Contact Information: Walter West, P.E. (775) 328-2310

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. Silts shall be controlled on-site and not allowed onto adjacent property.
2. For construction areas larger than 1 acre, the developer shall obtain from the Nevada Division of Environmental Protection a Stormwater Discharge Permit or Waiver for construction and submit a copy to the Engineering Division prior to issuance of a grading permit.
3. The developer shall complete and submit the Construction Permit Submittal Checklist and pay the Construction Stormwater Inspection Fee prior to obtaining a grading permit. The County Engineer shall determine compliance with this condition.
4. Exported materials shall not be sold without the proper business license.
5. A grading bond of \$2,000/acre of disturbed area shall be provided to the Engineering Division prior to any grading.
6. Cross-sections indicating cuts and fills shall be submitted when applying for a grading permit. Estimated total volumes shall be indicated.
7. All disturbed areas left undeveloped for more than 30 days shall be treated with a dust palliative. Disturbed areas left undeveloped for more than 45 days shall be revegetated. Methods and seed mix must be approved by the County Engineer with technical assistance from the Washoe-Storey



INTEGRITY



EFFECTIVE  
COMMUNICATION



QUALITY  
PUBLIC SERVICE

**WSUP21-0012**  
**EXHIBIT C**



Subject: **Black Rock 360 WSUP21-0012**  
Date: 4/30/21  
Page: 2

Conservation District. The applicant shall submit a revegetation plan to the Washoe-Storey Conservation District for review.

**DRAINAGE (COUNTY CODE 110.416, 110.420, and 110.421)**

Contact Information: Walter West, P.E. (775) 328-2310

1. A detailed hydrology/hydraulic report 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 pipe and ditch sizing calculations and a discussion of and mitigation measures for any impacts on existing offsite drainage facilities and properties.

**TRAFFIC AND ROADWAY (COUNTY CODE 110.436)**

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

No Comment or conditions

**UTILITIES (County Code 422 & Sewer Ordinance)**

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

No comments or conditions

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

May 11, 2021

Washoe County Community Services  
Planning and Development Division  
PO Box 11130  
Reno, NV 89520-0027

RE: Black Rock 360; APN 071-150-01  
Special Use Permit; WSUP21-0012

Dear Washoe County Staff:

The following conditions are requirements of the Washoe County Health District, Environmental Health Division, which shall be responsible for determining compliance with these conditions.

**Contact Name – Wesley Rubio - wrubio@washoecounty.us**

- a) The site must either connect to the existing permitted water system or become an additional permitted system. This will require a Water Project submittal directly to the Health District in accordance with NAC 445A.
- b) The site will be required to obtain permitting as a commercial septic system with NDEP, Bureau of Water Pollution Control.
- c) Portable restrooms will not be allowed as a permanent sewage disposal option for the site and are only allowed in conjunction with permitted temporary events. Therefore, a commercial septic system will be required based on the proposed use.

If you have any questions or would like clarification regarding the foregoing, please contact Wesley Rubio, EHS Supervisor at wrubio@washoecounty.us regarding all Health District comments.

Sincerely,



Wesley Rubio, MPH, REHS  
EHS Supervisor  
Environmental Health  
Washoe County Health District



## Cahalane, Daniel

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**From:** Rosa, Genine  
**Sent:** Thursday, April 22, 2021 5:00 PM  
**To:** Cahalane, Daniel  
**Subject:** Agency Review Memo III

### **Special Use Permit Case Number WSUP21-0012 (Black Rock 360)**

Dust Control Permit will be required prior to breaking ground, failure to do so may result in enforcement action resulting in a Notice of Violation with associated fines. For Dust Control Permit questions call AQMD at 775-784-7200 or visit [www.OurCleanAir.com](http://www.OurCleanAir.com).

### **Genine Rosa**

Environmental Engineer II | Air Quality Management Division | Washoe County Health District  
[grosa@washoecounty.us](mailto:grosa@washoecounty.us) | O: (775) 784-7204 | C: (775) 420-9185 | 1001 E. Ninth St., Bldg. B, Reno, NV 89512

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

[www.OurCleanAir.com](http://www.OurCleanAir.com)

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





Black Rock 360 Special Use Permit (SUP) Application

Winnemucca District, Black Rock Field Office

Bureau of Land Management (BLM) Comment:

The Black Rock SUP proposal depicts the new access road and other proposed improvements, within the private land parcel 071-150-01, owned by Burning Man Project. If any action occurs on public lands, adjacent to the private land, a ROW or land use permit from the BLM may be necessary.

BLM retained and interest in ditches and canals and all minerals associated with parcel 071-150-01.

## Cahalane, Daniel

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**From:** Thomason, Jennifer C CIV USARMY CESPCK (USA) <Jennifer.C.Thomason@usace.army.mil>  
**Sent:** Thursday, April 29, 2021 9:56 AM  
**To:** Cahalane, Daniel  
**Subject:** Special Use Permit Case Number WSUP21-0012 (Black Rock 360)

[NOTICE: This message originated outside of Washoe County -- **DO NOT CLICK** on links or open attachments unless you are sure the content is safe.]

Hi Dan,

It appears that under our current regulations this site would not be federally jurisdictional however our office has not conducted an official jurisdictional determination. A jurisdictional determination is not federally required and project proponents are responsible for documentation and ensuring that they are complying with any applicable federal regulations. Please let me know if you need anything further.

Thanks,

Jennifer C. Thomason  
Senior Project Manager  
Nevada-Utah Regulatory Section  
300 Booth Street, Room 3050  
Reno, Nevada 89509

Ph: 775-784-5304

Cell: 775-686-9622- Primary number during COVID-19 Response

Regular Schedule Tuesday-Friday

\*\*\*In response to COVID-19, Regulatory Division staff are teleworking from home or other approved location. We will do our best to administer the Regulatory Program in an effective and efficient manner. Priority will be given to health and safety activities and essential infrastructure. Action on your permit application or other request may be delayed during this emergency. We appreciate your patience over the next several weeks.\*\*\*

Let us know how we're doing. Please complete the survey at:

<https://regulatory.ops.usace.army.mil/customer-service-survey/>



**WASHOE COUNTY**  
**COMMUNITY SERVICES**  
**INTEGRITY COMMUNICATION SERVICE**

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

April 19, 2021

TO: Dan Cahalane, Planner, CSD, Planning & Development Division  
FROM: Vahid Behmaram, Water Rights & Water Resources Consultant, CSD  
SUBJECT: Special Use Permit Case Number WSUP21-0012 (Black Rock 360)

**Project description:**

The applicant is proposing to approve inoperable vehicle storage, light wholesaling/storage/distribution/ and major grading for 18 acres of disturbance, 9,000cy of cut, and 20,000cy of fill. The applicant is requesting to vary landscaping and container adjacency standards.

*The Community Services Department (CSD) recommends approval of this project with the following Water Rights comments and/or conditions:*

**Comments:**

The application as requested does not indicate any development which will create any new water demand at its initial phases. The application is for storage purposes only; however the accompanying maps indicate a caretaker's residence. The parcel is currently entitled to a domestic well in support of a single family dwelling. This entitlement is sufficient to satisfy the domestic water demand of the caretaker's residence.

Future expansion and conversion of this residence to any use other than a single family dwelling and its domestic water demand to commercial nature will require adequate ground water rights in accordance with NRS and Washoe County Development Code, Article 422.

**Conditions:**

There are no conditions of approval for the current application.





**Community Services Department**  
 Planning & Building Division for the

I hereby certify that notices for the case number referenced below were delivered to the Washoe County Digital Communications for printing and distribution to mailroom for mailing pursuant to Nevada Revised Statutes, Chapter 278 and Washoe County Code Chapter 110.

**Washoe County Board of Adjustment**

1001 E. Ninth St., Bldg. A, Reno, NV 89511-2845

**Signature:** Lacey Kerfoot **Date:** 05/17/2021

**Mailing List for Case No.:** WSUP21-0012 (Black Rock 360); Daniel Cahalane

No.	APN	Name and Address of Addressee
1	7139103	SCOTT ARCINIEGAS 2012 W SAINT PAUL AVE APT 104 CHICAGO IL 60647
2	7125107	MICHAEL & STACEY BLACK PO BOX 246 GERLACH NV 89412
3	7124009	BLACK ROCK CITY PROPERTIES LLC 660 ALABAMA ST FL 4 ATTN RAYMOND ALLEN ESQ SAN FRANCISCO CA 94110
4	7126104	BRIGHT-HOLLAND CO 9190 DOUBLE DIAMOND PKWY STE 138 RENO NV 89521
5	7115001	BURNING MAN PROJECT 660 ALABAMA ST 4TH FLOOR ATTN DOUG ROBERTSON SAN FRANCISCO CA 94110
6	7128202	JOHN W & CINDY M CARTER PO BOX 226 GERLACH NV 89412
7	7128201	CARTER FAMILY TRUST PO BOX 203 GERLACH NV 89412
8	7125203	COOPER LIVING TRUST PO BOX 147 GERLACH NV 89412
9	7122004	WILLIAM B COURTNEY ET AL PO BOX 55 GERLACH NV 89412
10	7125301	CECIL COURTNEY ET AL PO BOX 55 GERLACH NV 89412
11	7125305	LENA M COURTNEY FAMILY TRUST PO BOX 55 GERLACH NV 89412
12	7125108	MICHAEL CURRY 2007 MARIAN AVE BERKELEY CA 94707
13	7126204	DEFORREST FAMILY LIVING TRUST PO BOX 9 GERLACH NV 89412
14	7122003	DPG SCHMIDT TRUST PO BOX 861 VIRGINIA CITY NV 89440
15	7126102	CHUCK DUFFY GENERAL DELIVERY GERLACH NV 89412
16	7139101	FARMHOUSE TRUST 507 W 6TH ST RENO NV 89503
17	7128105	FASCIO LIVING TRUST PO BOX 269 GERLACH NV 89412
18	7126404	GERLACH GENERAL IMPROVEMENT DIST PO BOX 209 GERLACH NV 89412
19	7126405	GERLACH GENERAL IMPROVEMENT DIST PO BOX 19 GERLACH NV 89412
20	7122009	GEORGIA V GOLDEN FAMILY TRUST GENERAL DELIVERY QUEEN CITY MO 63561
21	7131009	GOOCH FAMILY TRUST PO BOX 3 GERLACH NV 89412
22	7122006	GRANITE PROPANE INC PO BOX 600 SILVER SPRINGS NV 89429
23	7131004	ELWOOD D & WANDA S HEISS FAMILY TRUST PO BOX 285 GERLACH NV 89412
24	7126109	JACKSON FAMILY LTD PTSP PO BOX 214 GERLACH NV 89412
25	7131002	MARK KEESEE PO BOX 192 GERLACH NV 89412
26	7126103	BRANDON W MUNSON PO BOX 291 GERLACH NV 89412
27	7122005	PEREGRINE PROPERTIES LLC 1701 NEWPORT LN C/O DAVID JAMIESON RENO NV 89506
28	7126205	CHRIS PETRELL PO BOX 5 GERLACH NV 89412
29	7131005	MARGERY A REYNOLDS PO BOX 6832 TAHOE CITY CA 96145
30	7126203	SELMI 1990 FAMILY TRUST PO BOX 70 GERLACH NV 89412



**Community Services Department**  
 Planning & Building Division for the

I hereby certify that notices for the case number referenced below were delivered to the Washoe County Digital Communications for printing and distribution to mailroom for mailing pursuant to Nevada Revised Statutes, Chapter 278 and Washoe County Code Chapter 110.

**Washoe County Board of Adjustment**

1001 E. Ninth St., Bldg. A, Reno, NV 89511-2845

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

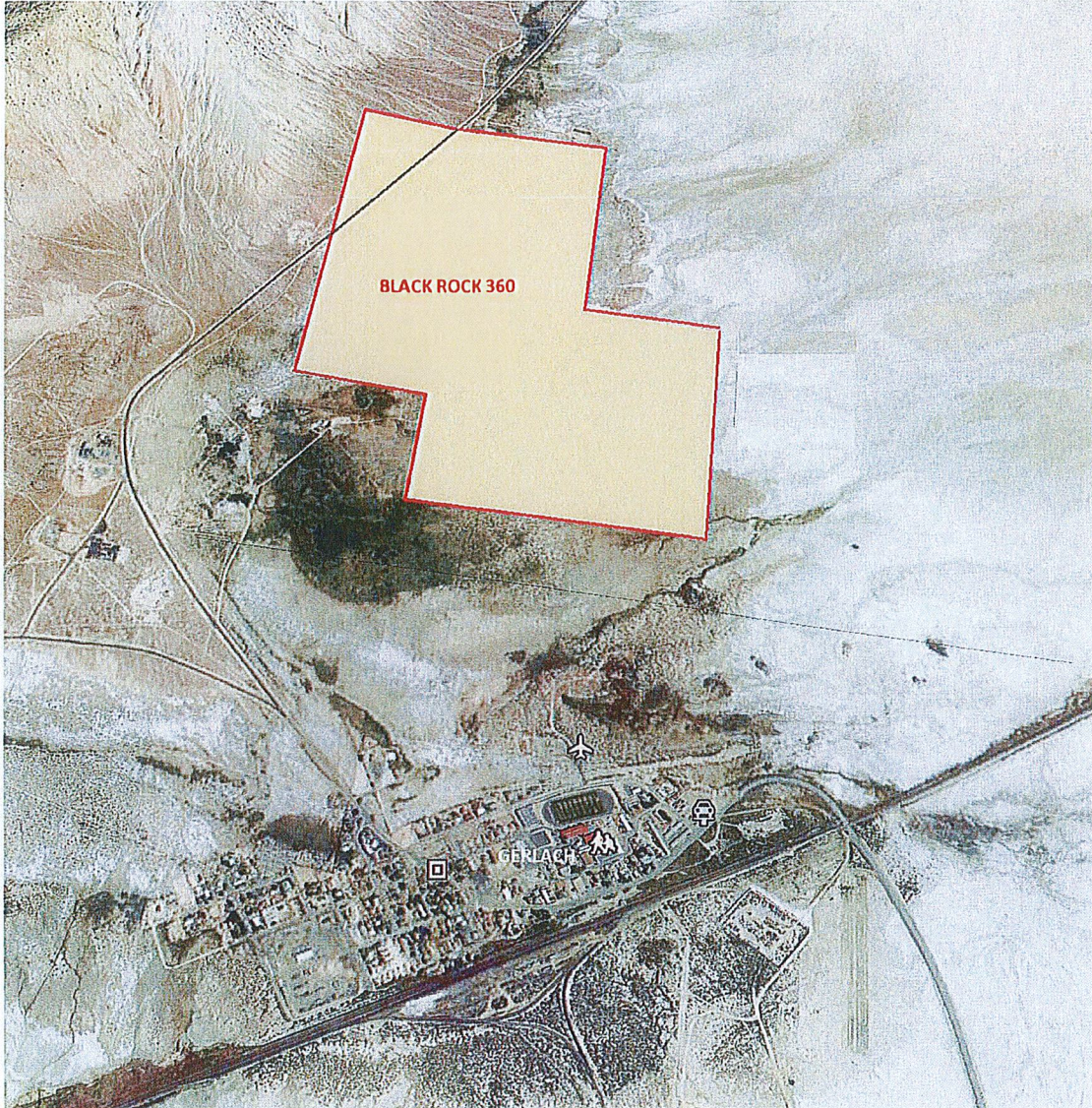
**Mailing List for Case No.: WSUP21-0012 (Black Rock 360); Daniel Cahalane**

31	7126110	DAONNE F SEQUEIRA TRUST 826 PONY EXPRESS TRL DAYTON NV 89403
32	7131006	BRIDGIT TAYLOR ET AL 3849 BEXLEY SQ RENO NV 89503
33	7122027	UNION PACIFIC RAILROAD COMPANY 1400 DOUGLAS ST STOP 1640 ATTN PROPERTY TAX DEPARTMENT OMAHA NE 68179
34	7122018	UNITED STATES OF AMERICA NONE RENO NV 0
35	7139102	RICHARD WALSH ET AL 475 DIABLO DR GERLACH NV 89412
36	7131010	TINA & JASON WALTERS PO BOX 247 GERLACH NV 89412
37	7122030	WASHOE COUNTY 1001 E 9TH ST BLDG A ATTN COMMUNITY SERVICES DEPT RENO NV 89512
38	7126305	WASHOE COUNTY SCHOOL DISTRICT BOARD PO BOX 30425 ATTN BUSINESS/CFO RENO NV 89520
39	7131003	JAMES A JR WATT 365 DIABLO DR GERLACH NV 89412
40	7126206	SHIRLEY L WHITECLIFF LIVING TRUST 535 E SUNSET BLVD GERLACH NV 89412



# BLACK ROCK 360

## SPECIAL USE PERMIT



Prepared by:



APRIL 8, 2021

WSUP21-0012  
EXHIBIT J



# **BLACK ROCK 360**

## **Special Use Permit Application**

**Prepared for:**

Burning Man Project  
660 Alabama Street, 4<sup>th</sup> Floor  
San Francisco, California 94110

**Prepared by:**

Christy Corporation, Ltd.  
1000 Kiley Parkway  
Sparks, Nevada 89436  
(775) 502-8552

**April 8, 2021**

# BLACK ROCK 360 – SPECIAL USE PERMIT

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### Appendices:

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

### Attachments:

Preliminary Site Plan  
Preliminary Grading and Drainage Plan  
Drainage Report

# BLACK ROCK 360 – SPECIAL USE PERMIT

## Introduction

This application includes the following request:

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

## Project Location

Black Rock 360 consists of 360± acres located along County Route 34 north of Gerlach within the High Desert Area Plan. Specifically, the project site (APN # 071-150-01) lies approximately ¾ of a mile north of Gerlach (as the crow flies) or 1.25 miles north via County Route 34. Route 34 bisects the property with approximately 21.5± acres located on the west side and 338.5± acres located on the east side of the roadway. Figure 1 (below) depicts the project location.

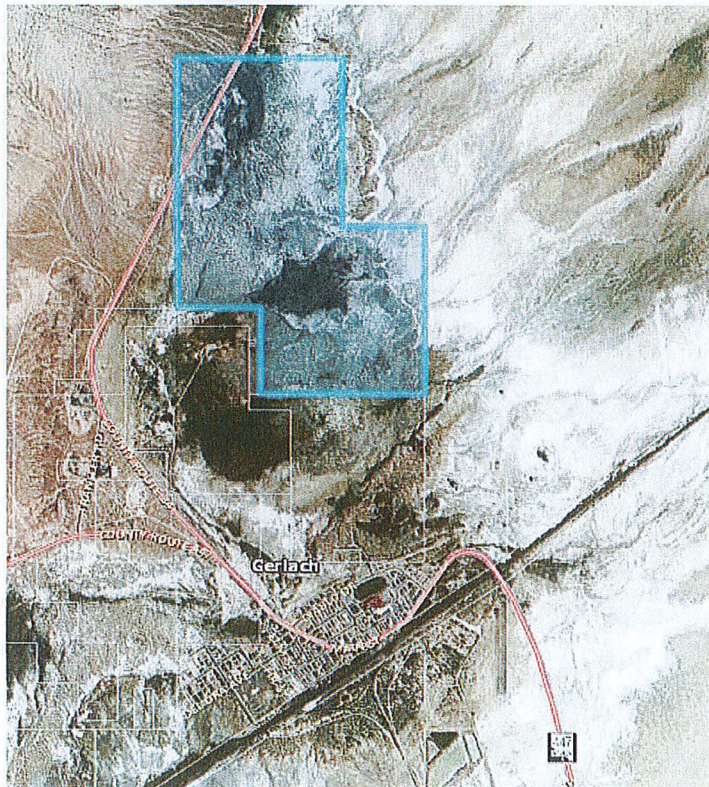


Figure 1 – Vicinity Map



## BLACK ROCK 360 – SPECIAL USE PERMIT

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### Existing Conditions

The project site is currently vacant and includes various unimproved roadways and perimeter fencing. Access to the site is direct from County Route 34 and is currently located at the central portion of the property.

Parcels that adjoin the site are generally vacant and include terrain similar to that of the project site. Property to the southwest includes a residential structure which is located approximately 620 feet south and 850 feet west of the southern project boundary. All adjoining properties (and those within the immediate vicinity) are zoned General Rural (GR). Parcels to the north, west, and east are public lands managed by the Bureau of Land Management (BLM) while property directly south of the site is privately owned.

The Black Rock 360 parcel includes topographic diversity. The western side of the site (west of Route 34) is characterized by steeper terrain as it climbs the Granite Range. Property east of the highway includes a gradual slope to the east as it approaches the Black Rock playa. A natural hot spring is located on the western portion of the site (west of Route 34). The area subject to the Special Use Permit request included with this application is flat and includes native vegetation (sagebrush, rabbitbrush, etc.).

Figure 2 (below) depicts the portion of the property included with this Special Use Permit request, while Figure 3 (following page) depicts the overall Black Rock 360 parcel.

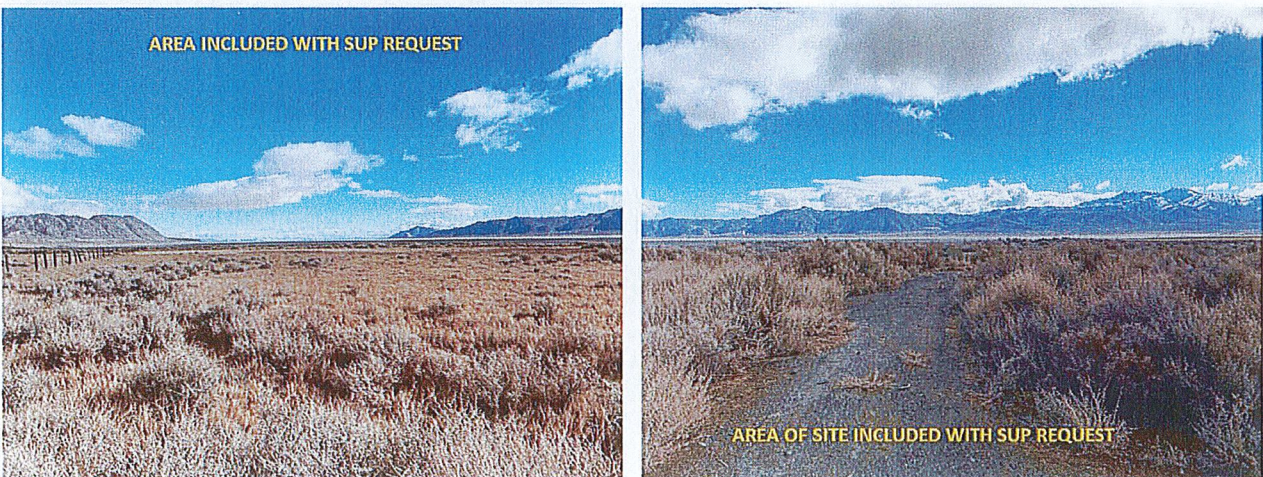


Figure 2 – Existing Conditions



# BLACK ROCK 360 – SPECIAL USE PERMIT

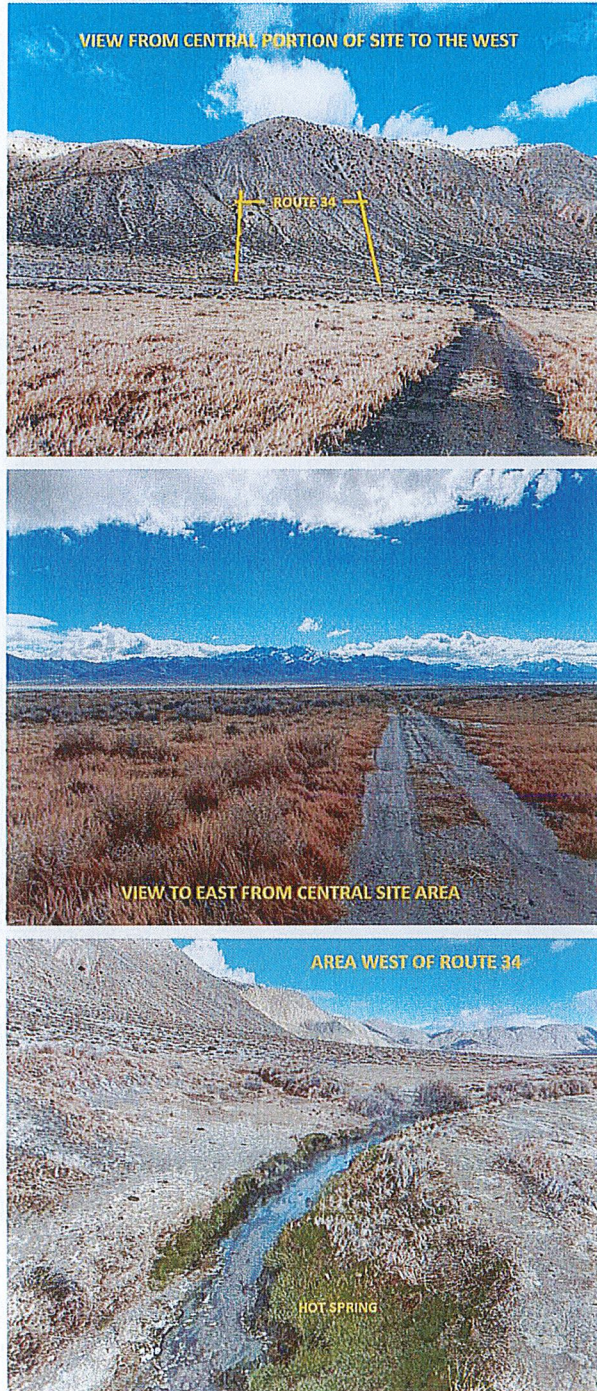


Figure 3 – Existing Conditions



## BLACK ROCK 360 – SPECIAL USE PERMIT

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### Project Description/Request

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

The proposed storage area is located at the southern portion of the site and will include storage both outdoors and within containers. The containers will vary in size but typically consist of shipping containers or trailers ranging from 20 to 52± feet in length and will be arranged in a single layer (no stacking). The containers provide storage for art projects and supplies that will be used in support of the Burning Man event.

In addition to the containers, outdoor storage will be provided to accommodate both operable and inoperable vehicles along with larger scale art pieces. Containers will be placed at the perimeter of the storage area to screen all outdoor storage areas from outside of the property boundaries. These containers will be painted to match and will include a natural earth tone color palette that blends with the surrounding high desert environment. As an alternative, the container screen could include future art installations such as a mural or “art fence.” It is envisioned that this would be coordinated as part of Washoe County’s Art Trail efforts which supports economic development initiatives within Gerlach and the surrounding area.

The use of containers to screen outdoor storage areas is highly effective as it essentially creates a wall around the site. This approach has been highly successful within the Black Rock Station Specific Plan located further north in the High Desert Area Plan in the Hualapai Valley. Figure 4 (following page) provides a visual example of how containers can be located along with photos of the Black Rock Station facility.

The proposed storage area will initially include 10 acres. It is requested that the storage area may increase over time as new uses are established at Black Rock 360. Like Black Rock 360 itself, expansion of storage uses would include a phased approach. It is requested within this SUP that a 5-year phasing plan be conditioned with the project. The first phase will consist of the 10-acre plan depicted herein. After the initial phase, it is proposed to allow expansion of the storage area by up to 5 acres per year, for the next four years, not to exceed 30 acres total with this SUP approval.

Should expansion beyond the 30 acres be necessary, an amendment to this SUP would have to occur, including new review by the Gerlach Citizens Advisory Board and the Board of Adjustment. As with all onsite improvements, all expansions shall be subject to applicable permits including the approval of grading plans, drainage analysis, etc.

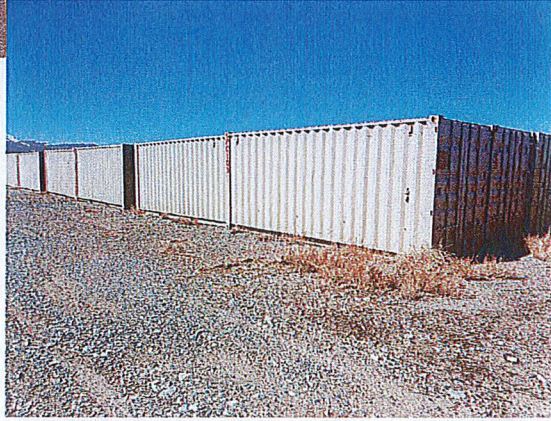
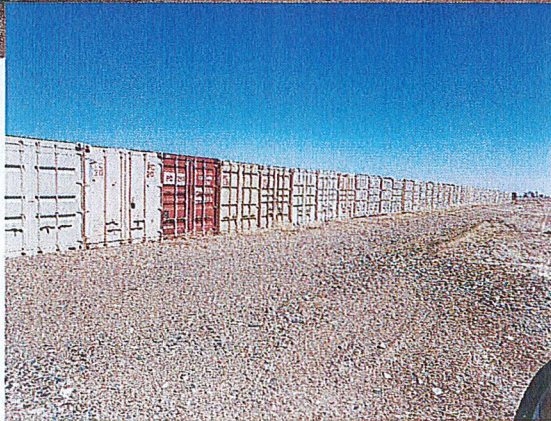


## BLACK ROCK 360 – SPECIAL USE PERMIT

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**Note: Containers to be painted in matching earth tones to blend with surroundings.**



**Figure 4 – Typical Container Screening**

With development of the storage use types, a new access road will be developed from Route 34 into the east side of the property. The road will be 24-feet in width and is the first phase backbone infrastructure that will service the overall Black Rock 360 property. Initially, the road will extend south to the storage area and will also extend eastward to provide access to a parking area that can be used by employees and visitors to the site.

The site plan includes provisions for a caretaker’s quarters. This would include a single residential dwelling unit that could be occupied by an onsite manager. Timing of this is dependent upon overall demand and activity associated with uses occurring onsite and is subject to improvements such as a well and septic system. Since a single family residence is permitted by right within the GR zone, the location is depicted to provide full transparency. Should the applicant proceed with construction of the home, it will be subject to applicable building permits and requirements established by the State of Nevada and Washoe County Health District related to well and septic systems. The storage uses proposed within Black Rock 360 do not require installation of a well and septic system. To ensure sanitary facilities for employees and guests, portable restrooms will be located onsite and will be located within the screened area to ensure they are visually hidden from outside of the project boundaries.



## BLACK ROCK 360 – SPECIAL USE PERMIT

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

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

Figure 5 (below) depicts the site plan as previously described.

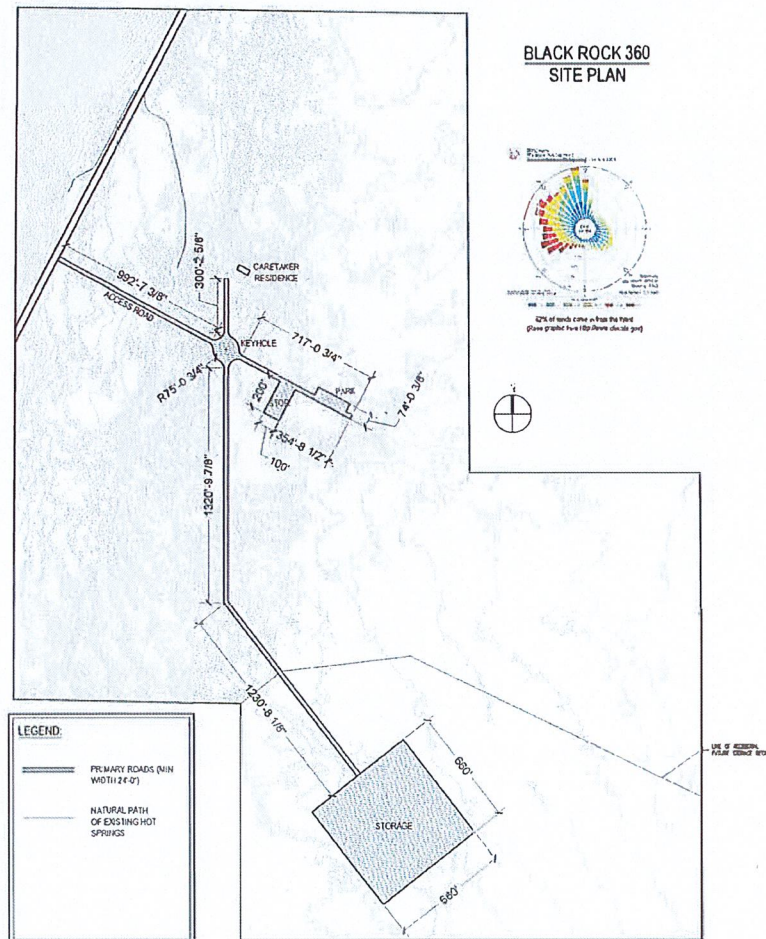


Figure 5 – Site Plan

## BLACK ROCK 360 – SPECIAL USE PERMIT

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The storage uses planned are of a very low intensity and are not anticipated to generate negative impacts to the surrounding area. The primary potential impact is visual. However, given that the storage area is approximately one-half mile from Route 34, visual impacts are greatly diminished. This, coupled with the fact that containers will be painted to blend with natural surroundings and will not be stacked, ensures that all visual impacts are properly mitigated. The containers will also ensure that all outside storage areas are fully screened.

Lighting of the facility is not planned at this time. The High Desert Area Plan strongly discourages lighting that results in spill-over and glare, reducing views of the nighttime skies. No light pollution will occur as a result of this proposal. Traffic generated by the project will be minimal. The Institute of Transportation Engineers (ITE) Trip Generation Manual provides trip generation rates for mini-warehouse/storage units (land use code 151). Based on the 10 acres proposed, 25 average daily trips (ADT) with 1 am and 3 pm peak trips are expected. However, it is very important to note that the ITE estimates relate to a commercial self-store operation. The Black Rock 360 facility is primarily private with limited outside patrons. Thus, trips will be even further reduced. Traffic impacts generated by the project account for approximately 1% of the volumes that would require a traffic impact analysis per Washoe County standards. The project will not impact the level of service on Route 34 or any roadways within the area.

### Special Use Permit Findings

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

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

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

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

The proposed storage uses are of a very low intensity and do not require utility connections or the need for potable water. Portable sanitation facilities can be located onsite and will be serviced regularly by an outside vendor at the expense of the applicant. The attached grading plan and drainage report address how drainage will be addressed, including onsite detention to ensure that predevelopment flows from the site are not increased as a result of this project.



## BLACK ROCK 360 – SPECIAL USE PERMIT

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

The portion of the site proposed for storage use is well suited for development and generally includes slopes less than 2%. Also, the site is located approximately ½ mile from Route 34 which greatly diminishes potential visual impacts within the immediate area.

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

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

# APPENDICES

## Washoe County Development Application

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

<b>Project Information</b>		Staff Assigned Case No.: _____	
Project Name: <b>Black Rock 360</b>			
Project Description: A SUP to allow for storage of operable and inoperable vehicles and wholesalinbg, storage, and distribution within the High Desert Area Plan.			
Project Address: East and west sides of County Route 34, approximately 1.25 miles north of Gerlach.			
Project Area (acres or square feet): <b>360 acres</b>			
Project Location (with point of reference to major cross streets <b>AND</b> area locator): The property is located approximately 3/4 of a mile north of Gerlach (as the crow flies) and is bisected by Route 34. Refer to attached vicinity map.			
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:
071-150-01	360 acres		
Indicate any previous Washoe County approvals associated with this application: Case No.(s).			
<b>Applicant Information</b> (attach additional sheets if necessary)			
<b>Property Owner:</b>		<b>Professional Consultant:</b>	
Name: Burning Man Project		Name: Christy Corporation, Ltd.	
Address: 660 Alabama St.		Address: 1000 Kiley Pkwy.	
San Francisco, CA	Zip: 94110	Sparks, NV	Zip: 89436
Phone: (206) 391-0131	Fax:	Phone: (775) 502-8552	Fax:
Email: chef@burningman.org		Email: mike@christynv.com	
Cell: Same as Above	Other:	Cell: (775) 250-3455	Other:
Contact Person: Matthew Kwatinetz		Contact Person: Mike Railey	
<b>Applicant/Developer:</b>		<b>Other Persons to be Contacted:</b>	
Name: Same as Above		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):	



**Special Use Permit Application  
Supplemental Information**  
(All required information may be separately attached)

1. What is the project being requested?

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

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

Refer to attached site plan and engineering drawings.

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

The project will include an initial phase of 10 acres with 4 additional phases of 5 acres, to occur within a 5-year timeline. Refer to attached report for details.

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

The project area is flat and unconstrained. The use is located away from adjoining properties and will be appropriately screened. Refer to attached report for a detailed analysis.

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

The project will provide for needed storage uses without impacting residents within the town of Gerlach. Refer to attached report for additional analysis.

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

The use of containers to screen all outdoor storage areas will occur to ensure that all visual impacts are properly mitigated. This is detailed in the attached report.

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

Refer to attached report and preliminary site plan.

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

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

a. Sewer Service	Septic (future - not needed at this time)
b. Electrical Service	Solar
c. Telephone Service	Cellular Service
d. LPG or Natural Gas Service	Granite Propane (future - not needed at this time)
e. Solid Waste Disposal Service	Gerlach GID
f. Cable Television Service	Various Providers
g. Water Service	Onsite Well (future - not needed at this time)

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

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

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

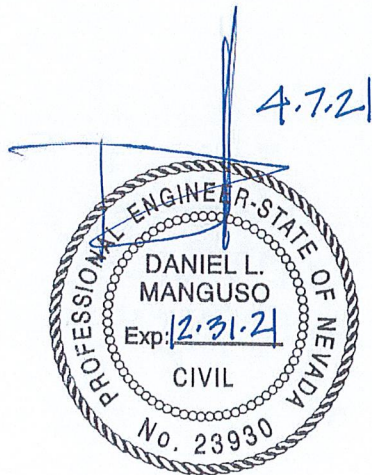
Not applicable at this time.
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10. Community Services (provided and nearest facility):

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

## PRELIMINARY DRAINAGE REPORT

### BURNING MAN PROJECT CONTAINER AND OUTDOOR STORAGE



Prepared for:  
Burning Man Project  
Attn: Doug Robertson  
660 Alabama Street 4<sup>th</sup> Floor  
San Francisco, CA 94110

Prepared by:  
Christy Corporation, Ltd.  
1000 Kiley Parkway  
Sparks, Nevada 89436

April 7, 2021





## PRELIMINARY DRAINAGE REPORT

### BURNING MAN PROJECT CONTAINER AND OUTDOOR STORAGE

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April 7, 2021

## Introduction

This report presents the results of a preliminary hydrology analysis for the Burning Man Project – Container and Outdoor Storage in Washoe County, NV. The project is part of Black Rock 360 which consists of 360± acres along County Route 34 north of Gerlach within the High Desert Area Plan. Specifically, the project site (APN # 071-150-01) lies approximately  $\frac{3}{4}$  of a mile north of Gerlach (as the crow flies) or 1.25 miles north via County Route 34. Route 34 bisects the property with approximately 21.5± acres located on the west side and 338.5± acres located on the east side of the roadway. Reference the attached vicinity map located in the appendix.

The current proposed improvements consist of a 10-acre storage area and a 24' wide aggregate base access road which will extend south from Route 34 to the storage area and will also extend eastward to provide access to a parking area for visitors to the site. The site plan also includes provisions for a caretaker's quarters.

The purpose of this report is to demonstrate that the preliminary drainage plan complies with the criteria set forth in Washoe County and meets sound design and engineering practices.

## References

NOAA Atlas 14 Point Precipitation Estimates (2013)  
USGS Web Soil Survey  
*Open-Channel Hydraulics* [Chow, 1959]  
*Truckee Meadows Regional Drainage Manual* - April 2009 (TMRDM)

## Existing Conditions

The project site is currently vacant and includes various unimproved roadways and perimeter fencing. Access to the site is direct from County Route 34 and is currently located at the central portion of the property. Parcels to the north, west, and east are public lands managed by the Bureau of Land Management (BLM).

The western side of the site (west of Route 34) is characterized by steeper terrain as it climbs the Granite Range. Property east of the highway includes a gradual slope to the east as it approaches the Black Rock playa. The native area of the currently proposed development is flat and includes native vegetation (sagebrush, rabbitbrush, etc.)

## Methodology

### Rational Method

Onsite runoff was determined using the Rational Method ( $Q=CiA$ ). As noted above, the site is currently undeveloped. Rational C coefficients for the both the proposed and existing conditions were chosen from the TMRDM Table 701 (Appendix). For the existing condition, the values corresponding to "Undeveloped Range" were used. The values chosen for the proposed base surface are 0.55 and 0.6 for the 5-year and 100-year storm events, respectively.

Times of concentration were determined using Standard Form 2 from the Truckee Meadows Regional Drainage Manual (Section 1500). Corresponding rainfall intensities were then determined using NOAA Atlas 14 (at [www.nws.noaa.gov/ohd/hdsc/](http://www.nws.noaa.gov/ohd/hdsc/)). Reference the Appendix for the times of concentration and rainfall intensities that were used to calculate the runoff. The NOAA precipitation data is also located in the Appendix.

### Outlet Erosion Control Protection

#### Basin Configuration

If the flow velocity at a culvert exceeds the maximum permissible velocity for the local soil or channel lining, channel protection is required. This protection usually consists of an erosion resistant reach, such as riprap, to provide a stable reach at the outlet in which the exit velocity is reduced to a velocity allowable in the downstream channel. The length of the outlet protection ( $L_a$ ) is determined using the following empirical relationships that were developed for the U.S Environmental Protection Agency (1976):



$$L_a = (1.8Q/D_0^{3/2}) + 7D_0 \text{ for } TW < D_0/2 \quad (\text{tmrdm 859})$$

Where,

$D_0$  = Maximum inside culvert width (ft) or diameter,

$Q$  = Pipe discharge (cfs)

$TW$  = Tailwater depth (ft)

Where there is no well-defined channel downstream of the apron, the width,  $W$ , of the outlet and of the apron (as shown in Figure 829) should be as follows:

$$W = 3D_0 + 0.4L_a \text{ for } TW \geq D_0/2 \quad (\text{tmrdm 861})$$

and

$$W = 3D_0 + L_a \text{ for } TW < D_0/2 \quad (\text{tmrdm 862})$$

The width of the apron at the culvert outlet should be at least 3 times the culvert width. Where there is a well-defined channel downstream of the apron, the bottom width of the apron should be at least equal to the bottom width of the channel and the lining should extend at least one foot above the tailwater elevation and at least two-thirds of the vertical conduit dimension above the invert. The side slopes should be 2:1 or flatter, and the bottom grade should be level.

#### Rock Size

The median stone diameter,  $d_{50}$  is determined from the following equation (ASCE, 1975):

$$d_{50} = .02Q^{4/3} / (TWD_0^{4/3}) \quad (\text{tmrdm 863})$$

### **Existing Hydrology**

The Black Rock 360 site consists of 360± acres of undeveloped land which generally drains from west to east toward the Black Rock Playa. A natural hot spring is located on the site (west of Route 34 and north of the proposed storage improvements). An alluvial fan from the Granite Range exists on the west side of Route 34. Runoff from this area drains to a cutoff ditch which runs south to north adjacent to Route 34. These flows are then collected by culvert which drains east underneath Route 34 and onto the site.

### **Proposed Hydrology**

Proposed flows will be similar to the historical drainage patterns. Drainage onto the site from west of Route 34 and the hot springs area at the north end of the site will not be disturbed.

With the construction of the aggregated base access road and storage area, sheet flow across the site from west to east will be disrupted. To facilitate a preliminary analysis on the impacts of disruption, the site was divided into 11 hydraulic basins. Reference the Hydraulic Basin Map in the Appendix. Basin's 7,8 and 11 were analyzed for both the existing and proposed conditions. The proposed condition results are depicted as 7A, 8A and 11A on Table 1 and Table 2 (Appendix).

A drainage swale will be placed along the south and west sides of the proposed access road to capture runoff from the west. Several culverts will be placed to capture and discharge flows to the east side of the road. Outlet protection consisting of a riprapped apron will be placed on the downstream end to provide outlet protection and to prevent erosion. Swales will also be placed around the storage pads to divert sheet flow to east.

A series of more detailed onsite basins will be created with the final development plans and corresponding hydrology report.

#### Detention



Detention of post development flows was not considered in the conceptual design of this project, based on the minimal increase and the lack of downstream infrastructure. Should detention be required with final design, infiltration and/or detention basins will be used to dissipate the peak flows of 7.04 cfs ( 5-year) and 8.6 cfs (100-year).

**Flood Hazard Areas**

FEMA’s Flood Insurance Rate Maps (FIRM), lists the site as Zone X (unshaded), an area of minimal flooding. Reference the FIRM in the appendix.

**Conclusion**

This report presents the findings of a preliminary drainage analysis of the Burning Man Project. Preliminary existing and proposed flows and flow paths have been calculated. The project is in conformance with Washoe County design requirements. Detailed calculations will be provided with the building permit application for the project.

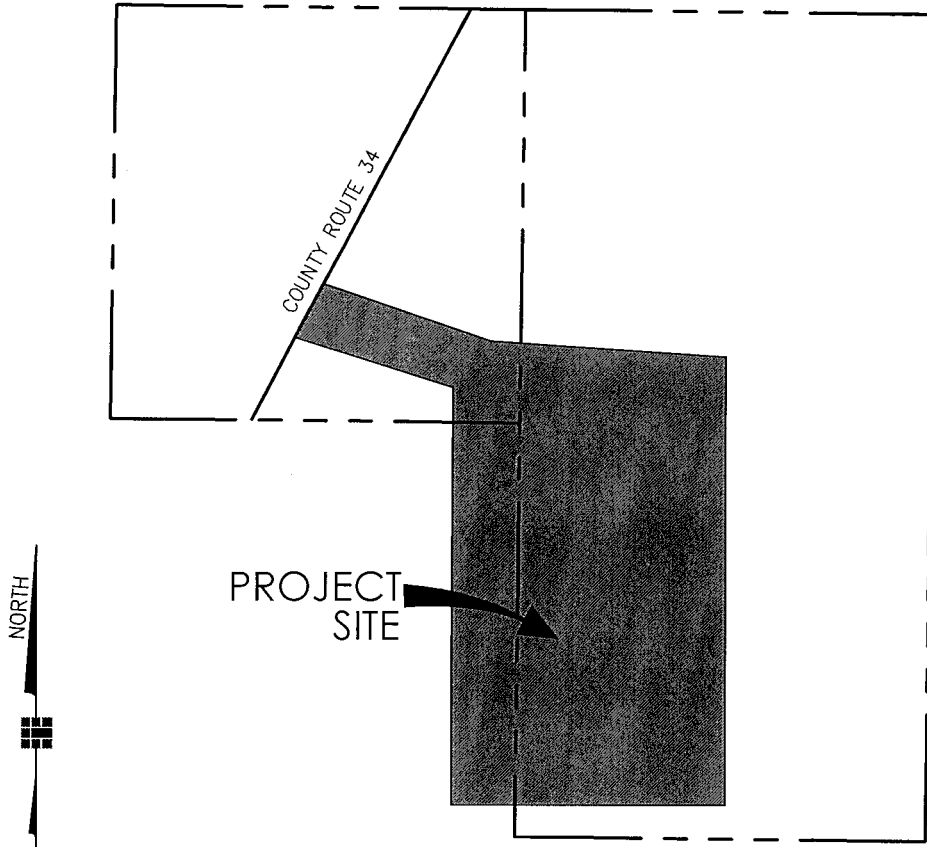
# APPENDIX

# VICINITY MAP

## *BURNING MAN PROJECT*

CONTAINER AND OUTDOOR STORAGE

APRIL 2021



# CHRISTY

CORPORATION

1000 Kiley Pkwy | Sparks Nevada 89436

☎ 775.502.8552

**WSUP21-0012**  
**EXHIBIT J**



**BASIN MAPS**



# Conditions of Approval

Special Use Permit Case Number WSUP21-0012

The project approved under Special Use Permit Case Number WSUP21-0012 shall be carried out in accordance with the conditions of approval granted by the Board of Adjustment on June 3, 2021. 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 special use permit shall be met or financial assurance must be provided to satisfy the conditions of approval prior to issuance of a grading or building permit. The agency responsible for determining compliance with a specific condition shall determine whether the condition must be fully completed or whether the applicant shall be offered the option of providing financial assurance. All agreements, easements, or other documentation required by these conditions shall have a copy filed with the County Engineer and the Planning and Building Division.

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

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

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

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

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

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

- **The DISTRICT BOARD OF HEALTH, through the Washoe County Health District, has jurisdiction over all public health matters in the Health District. Any conditions set by the Health District must be appealed to the District Board of Health.**

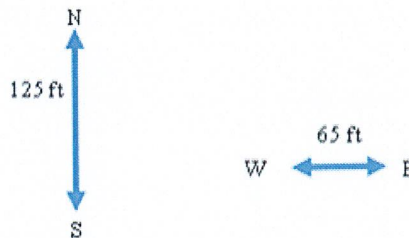
FOLLOWING ARE CONDITIONS OF APPROVAL REQUIRED BY THE REVIEWING AGENCIES. EACH CONDITION MUST BE MET TO THE SATISFACTION OF THE ISSUING AGENCY.

**Washoe County Planning and Building Division**

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

**Contact Name – Dan Cahalane, 775-328-3628, [dcahalane@washoecounty.us](mailto:dcahalane@washoecounty.us)**

- a. **The applicant shall attach a copy of the action order approving this project to all permits and applications (including building permits) applied for as part of this special use permit.**
- b. The applicant shall demonstrate substantial conformance to the plans approved as part of this special use permit. The Planning and Building Division shall determine compliance with this condition.
- c. The applicant shall submit construction plans, with all information necessary for comprehensive review by Washoe County, and initial building permits shall be issued within two years from the date of approval by Washoe County. The applicant shall complete construction within the time specified by the building permits. Compliance with this condition shall be determined by the Planning and Building Division.
- d. The proposed SUP allows for up to 30 acres of operable vehicle storage, inoperable vehicle storage, and light warehousing and storage use types
- e. The formal landscaping standards found in WCC 110.412.40a-d and WCC 110.412.45a-f shall be waived.
- f. Applicant shall provide a noxious weed plan in accordance with HD 2.2.
- g. The screening standards outlined in WCC 110.412.55 shall be varied to require the applicant to provide the following screening requirements around the entire storage area:
  - i. A 4ft berm, as measured from the cargo container pad base. This berm shall at a minimum:
    1. Have slopes of 3:1ft
    2. Be maintained with natural vegetation
- h. Cargo containers shall comply with the following placement, orientation, and color requirements to allow:
  - i. The cargo container grouping standards required per WCC 110.306.10(g) shall be varied to conform to the following standards: c
    1. Cargo container groupings shall not to exceed 125ft in the north-south axis (15 containers)
    2. Cargo container groupings shall not exceed 65ft in the east-west access (8 containers)



- ii. Cargo container groupings shall be separated by a minimum of 20ft. Cargo containers less than 20ft apart shall be considered part of a single grouping.



- iii. Cargo containers grouping shall be painted a single solid, muted color that blends in with the surrounding vegetation or topography in accordance with WCC 110.306.10(g)iii
- iv. Cargo containers shall be placed on pads to mitigate impacts to the ground
- i. Cargo containers shall be placed on pads or risers to avoid deterioration and soil contamination.
- j. No person shall be allowed to live within a cargo container.
- k. All vehicles stored on the site, operable or not, shall have ground protectors provided to mitigate any leakage.
- l. Applicant shall not use semi-trailers for long term storage of other materials wherein long term storage is more than 1 month.
- m. Parking standards shall be varied to require no paved parking or maneuvering areas in order to better fit the High Desert character. Applicant shall use aggregate base.
- n. Applicant shall secure all open storage areas using chain link fencing, cargo container walls, or a combination of the two.
- o. In conformance with High Desert Policy 6.4, prior to the issuance of grading permits, the applicant shall post a revegetation/reclamation bond for eighty percent (80%) of the total revegetation/reclamation costs.
- p. A note shall be placed on all construction drawings and grading plans stating:

NOTE

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

- q. The business license will be obtained to for the new use.
- r. The following **Operational Conditions** shall be required for the life of the business:
  - i. This special use permit shall remain in effect until or unless it is revoked or is inactive for one year.
  - ii. Failure to comply with any of the conditions of approval shall render this approval out of conformance and subject to revocation.
  - iii. The applicant and any successors shall direct any potential purchaser/operator of the site and/or the administrative permit to meet with Planning and Building to review conditions of approval prior to the final sale of the site and/or the administrative permit. Any subsequent purchaser/operator of the site and/or the administrative permit shall notify Planning and Building of the name, address, telephone number, and contact person of the new purchaser/operator within 30 days of the final sale.
  - iv. Use of heavy machinery is limited to the hours of 0800-1800 Monday-Saturday.
  - v. This special use permit shall remain in effect as long as the business is in operation and maintains a valid business license. The applicant is responsible for providing the following documentation with their annual business license renewal:
    - 1. Three copies of the planned layout of the cargo containers on a site plan

- a. These layout plans shall be distributed to Washoe County Planning, Truckee Meadows Fire Protection District, and Washoe County Code Enforcement.
2. Applicant shall submit photos proving that the shipping containers are meeting color requirements.

**Washoe County Engineering and Capital Projects**

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

**Contact Name – Walt West, PE [wwest@washoecounty.us](mailto:wwest@washoecounty.us)**

- a. A complete set of construction improvement drawings, including an on-site grading plan, shall be submitted when applying for a building/grading permit. Grading shall comply with best management practices (BMP's) and shall include detailed plans for grading, site drainage, erosion control (including BMP locations and installation details), slope stabilization, and mosquito abatement. Placement or removal of any excavated materials shall be indicated on the grading plan. Silts shall be controlled on-site and not allowed onto adjacent property.
- b. For construction areas larger than 1 acre, the developer shall obtain from the Nevada Division of Environmental Protection a Stormwater Discharge Permit or Waiver for construction and submit a copy to the Engineering Division prior to issuance of a grading permit.
- c. The developer shall complete and submit the Construction Permit Submittal Checklist and pay the Construction Stormwater Inspection Fee prior to obtaining a grading permit. The County Engineer shall determine compliance with this condition.
- d. Exported materials shall not be sold without the proper business license.
- e. A grading bond of \$2,000/acre of disturbed area shall be provided to the Engineering Division prior to any grading.
- f. Cross-sections indicating cuts and fills shall be submitted when applying for a grading permit. Estimated total volumes shall be indicated.
- g. All disturbed areas left undeveloped for more than 30 days shall be treated with a dust palliative. Disturbed areas left undeveloped for more than 45 days shall be revegetated. Methods and seed mix must be approved by the County Engineer with technical assistance from the Washoe-Storey Conservation District. The applicant shall submit a revegetation plan to the Washoe-Storey Conservation District for review.

**DRAINAGE (COUNTY CODE 110.416, 110.420, and 110.421)**

- h. A detailed hydrology/hydraulic report 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 pipe and ditch sizing calculations and a discussion of and mitigation measures for any impacts on existing offsite drainage facilities and properties.

**Washoe County Health District**

3. The following conditions are requirements of the Washoe County Health District, which shall be responsible for determining compliance with these conditions.

**Contact Name – Wes Rubio, [wrubio@washoecounty.us](mailto:wrubio@washoecounty.us)**

Washoe County Conditions of Approval

- a. The site must either connect to the existing permitted water system or become an additional permitted system. This will require a Water Project submittal directly to the Health District in accordance with NAC 445A.
- b. The site will be required to obtain permitting as a commercial septic system with NDEP, Bureau of Water Pollution Control.
- c. Portable restrooms will not be allowed as a permanent sewage disposal option for the site and are only allowed in conjunction with permitted temporary events. Therefore, a commercial septic system will be required based on the proposed use.

**Washoe County Air Quality Management**

4. The following conditions are requirements of Washoe County Air Quality Management, which shall be responsible for determining compliance with these conditions.

**Contact Name – Genine Rosa, [grosa@washoecounty.us](mailto:grosa@washoecounty.us)**

- a. Dust Control Permit will be required prior to breaking ground, failure to do so may result in enforcement action resulting in a Notice of Violation with associated fines

**Bureau of Land Management**

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

**Contact Name – Julie McKinnon, [jmckinnon@blm.gov](mailto:jmckinnon@blm.gov)**

- a. The Black Rock SUP proposal depicts the new access road and other proposed improvements, within the private land parcel 071-150-01, owned by Burning Man Project. If any action occurs on public lands, adjacent to the private land, a ROW or land use permit from the BLM may be necessary.
- b. BLM retained and interest in ditches and canals and all minerals associated with parcel 071-150-01.

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