



Board of Adjustment Staff Report

Meeting Date: July 6, 2023

Agenda Item: 9D

SPECIAL USE PERMIT CASE NUMBER: WSUP23-0012 (United Site Services Storage Yard)

BRIEF SUMMARY OF REQUEST: To legalize the prior construction and operation of a facility for Storage of Operable Vehicles, Wholesale Storage and Distribution – Heavy and General Industrial - Heavy use types, and to eliminate all paving standards, landscape standards, screening standards, lighting standards and the requirement for commercial uses to operate from a commercial structure

STAFF PLANNER: Roger Pelham, MPA, Senior Planner
Phone Number: 775.328.3622
E-mail: rpelham@washoecounty.gov

CASE DESCRIPTION

For hearing, discussion, and possible action to approve a special use permit to legalize the prior construction and operation of a facility for Storage of Operable Vehicles, Wholesale Storage and Distribution – Heavy and General Industrial - Heavy use types, and to eliminate all paving standards, landscape standards, screening standards, lighting standards and the requirement for commercial uses to operate from a commercial structure.

Applicant: United Site Services of Nevada, Inc.
Property Owner: Jola G. Mott
Location: East of Highway 34, adjacent to the Black Rock Desert Playa, approximately 5 miles north of the town of Gerlach
APN: 071-180-29
Parcel Size: ± 360 acres
Master Plan: Rural
Regulatory Zone: General Rural
Area Plan: High Desert
Development Code: Authorized in Article 810, Special Use Permits
Commission District: 5 – Commissioner Herman



Vicinity Map

STAFF RECOMMENDATION

APPROVE

**PARTIAL APPROVAL 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 WSUP23-0012 for United Site Services, to allow the legal establishment of a facility for Storage of Operable Vehicles, Wholesale Storage and Distribution – Heavy and General Industrial - Heavy use types, and to allow the use of compacted road-base material for the storage area only, and to eliminate the required shrubs in the required landscape area, subject to all other generally-applicable requirements of the Development Code including, but not limited to, all other paving standards, all other landscape standards, screening standards, lighting standards and the requirement for commercial uses to operate from a commercial structure 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 18)

Staff Report Contents

Special Use Permit 4

Site Plan6

Project Evaluation..... 6

Area Plan Evaluation.....14

Reviewing Agencies.....16

Recommendation.....17

Motion.....18

Appeal Process.....18

Exhibits Contents

Conditions of ApprovalExhibit A

Agency Comments.....Exhibit B

Public Comment Letters..... Exhibit C

Public Notice Exhibit D

Project ApplicationExhibit E

Special Use Permit

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

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

The conditions of approval for Special Use Permit Case Number WSUP23-0012 are attached to this staff report and will be included with the action order, if approval is granted by Washoe County.

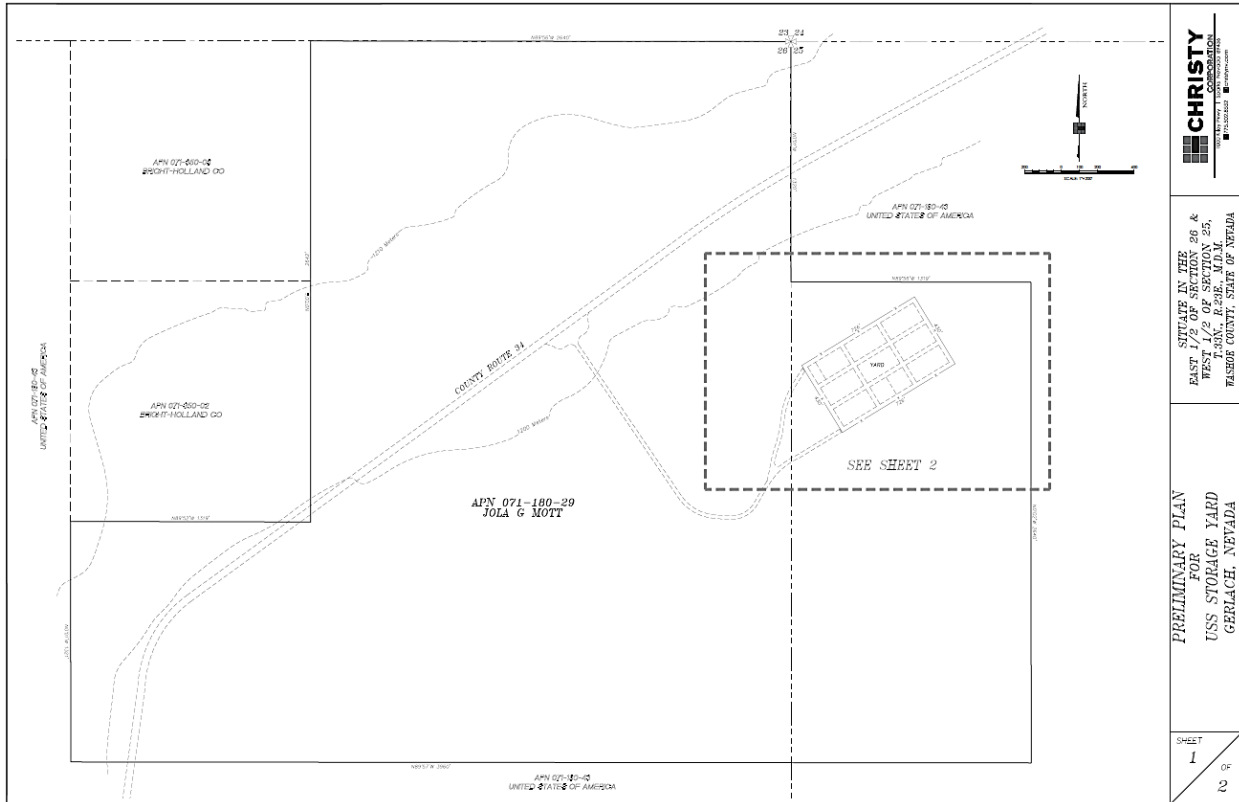
The subject property is designated as General Rural (GR). The proposed uses Storage of Operable Vehicles, Wholesale Storage and Distribution – Heavy and General Industrial - Heavy are permissible in the GR regulatory zone, under the High Desert Area Plan Modifiers subject to approval of a special use permit by Washoe County in accordance with WCC 110.206.10. 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
Eliminate requirement that all permanent commercial uses are required to operate from a commercial structure.	110.304.25
Eliminate all required landscaping and screening for commercial and industrial uses.	110.412.15, .20, .40, .45, 50, 55, 60, 65, 70, 75, 80
Eliminate all required paving of driveways, as well as parking, loading and maneuvering areas.	110.410.25

Existing Site Plan

The application materials include the following overall site plan of the existing developed area, in relation to the boundaries of the subject parcel of land.



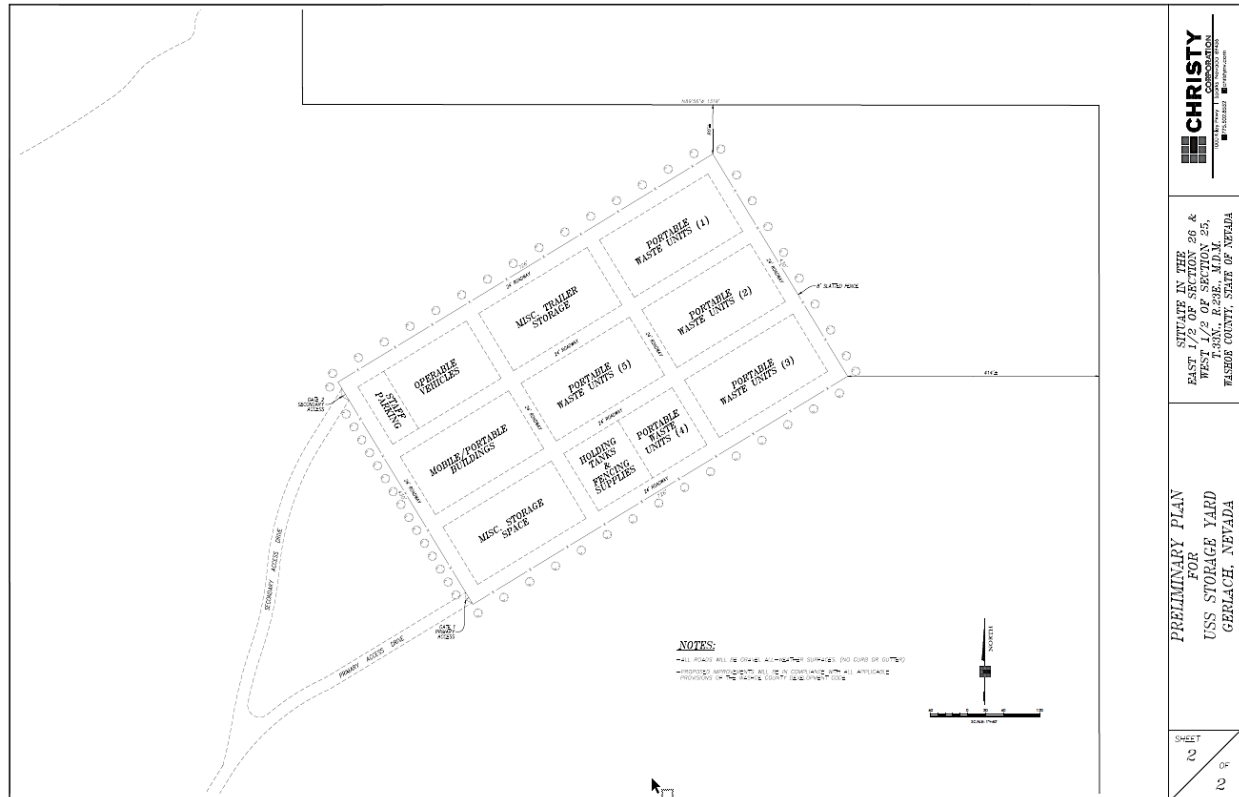
CHRISTY CORPORATION
 11111 S. RAYBURN BLVD., SUITE 100
 LAS VEGAS, NV 89148
 TEL: 702.735.1111 FAX: 702.735.1112

SITUATE IN THE
 EAST 1/2 OF SECTION 26 &
 WEST 1/2 OF SECTION 25,
 T4S, R30E, NEVADA COUNTY, STATE OF NEVADA

PRELIMINARY PLAN
 FOR
 USS STORAGE YARD
 GERLACH, NEVADA

SHEET
 1
 OF
 2

A more detailed site plan of the project site is also included. It follows:



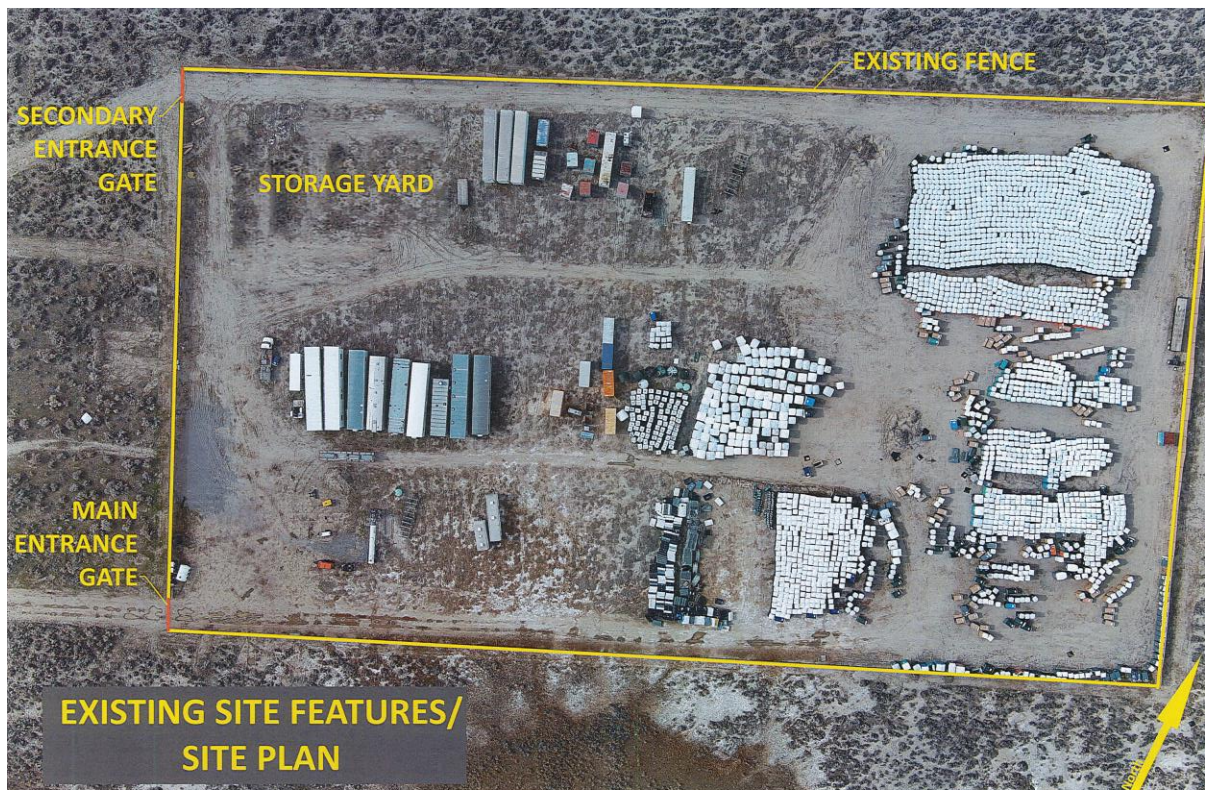
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 T4S, R30E, NEVADA COUNTY, STATE OF NEVADA

PRELIMINARY PLAN
 FOR
 USS STORAGE YARD
 GERLACH, NEVADA

SHEET
 2
 OF
 2

An overhead photo of the existing project site is also included. It follows:



Site Plan

Project Evaluation

Evaluation of the requested special use permit for several commercial and industrial uses is particularly difficult. In this case, the applicant has established the uses an indeterminate number of years ago and has been conducting commercial and industrial operations without a business license, without appropriate approvals, and without meeting any of the required development standards. It is particularly problematic to attempt to permit such development after-the-fact.

As the project area has been utilized for the past indeterminate number of years, substantial impact upon the surrounding area has been created. Among the impacts created are:

- The visual impact of the facility from State Route 34, a paved rural highway.
- The question of what has occurred with waste created by the commercial and industrial uses and the workers employed there.
- Possible leaking of petrochemicals from vehicles.
- Dust created by disturbed and un-stabilized areas.

The proposed special use permit (SUP) seeks approval of three use types: Storage of Operable Vehicles, Wholesale Storage and Distribution – Heavy and General Industrial - Heavy.

The definition of each use type and the specific activity requested, as described by the applicant, follow:

Automotive and Equipment. Automotive and equipment use type refers to establishments or places of business primarily engaged in automotive-related or heavy equipment sales or services. The following are automotive and equipment use types:

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.

Specific activities requested: Storage of operable vehicles within a storage yard. The vehicles will consist of commercial pumper trucks that will be winterized and stored for ten months of the year.

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:

Heavy. Heavy refers to distribution and handling of materials and equipment. Typical uses include monument sales, stone yards or open storage yards.

Specific activities requested: The site will be an open storage yard. The site will not be open to the public for access and will store items that include portable sanitation units (porto-pots), portable hand washing stations, restroom and kitchen trailers, water, grey and black water holding tanks, and temporary fencing. All equipment and holding tanks will be emptied and sanitized off-site before being returned for storage.

General Industrial. General industrial use type refers to the on-site production of goods other than those that are agricultural or extractive in nature, but excludes those uses classified under custom manufacturing and high technology use types. The following are general industrial use types:

Heavy. Heavy refers to production processes which should not be located near residential or commercial uses due to the intensive nature of the industrial activity and/or the scale of operation. These uses may be located near other manufacturing uses exhibiting similar characteristics although special control measures may be required for some extremely intensive operations to ensure compatibility with similar industrial uses. Typical uses include motor vehicle assembly, sawmills, textile dyeing, leather tanning, hazardous chemical production, petroleum refining, primary metal processing, storage of manufactured homes and production of explosives or propellants.

Specific activities requested: The site might store portable buildings that sit directly upon the ground. This would specifically address the portable building units that are not on chassis and as such, are not covered under operable vehicle rules and are classified under code as manufactured home storage.

Generally speaking, the High Desert Area Plan allows for many uses in the GR zone that would be inappropriate in any other area plan, as those uses are particularly intense and have the potential to create substantial negative impacts upon the surrounding area. It is for the mitigation of such impacts that the Washoe County Development Code contains standards for development.

Current photos of the existing facility follow:





Interior of existing site (looking westerly)



Interior of existing site (looking northwesterly)





The applicant has requested that all applicable development standards be waived, and that the facility be allowed to continue to operate in its current condition and configuration. The application materials state that the facility “is only accessed during a limited window from the end of July through early September.” However, the facility has been operated in such a manner that vehicles and materials are stored there throughout the year. Therefore, the impacts associated with the facility are, in fact, year-round. Likewise, while most of the commercial and industrial operations may take place during a relatively short period of time at this point, nothing prohibits operation of the facility year-round. Because this is a permanent facility and the operations are on-going for the foreseeable future, typical development standards are appropriate.

Concerns over the impact of the existing, unpermitted facility are not theoretical. Please see the public comments included with this staff report at Attachment C.

The application materials further state that, “new landscaping and shrubs are in sharp contrast to the natural landscape and result in greater visual impacts...” Staff disagrees with this statement. There are many trees, often in small groups throughout the High Desert Planning Area. Further, it is normal and traditional, in the area around the proposed facility, that trees are planted around developed areas such as farms and dwellings. Some such groupings of trees are on the same parcel of land as the proposed facility. For this reason, the requirement for landscaping to help to mitigate the visual impact upon the surrounding area, particularly the view from highway is essential. For this reason, a condition of approval has been recommended that, if approval of the requested SUP is granted, the applicant will be required to plant a mixture of evergreen and deciduous trees, one tree every 10 feet, around the sides of the proposed facility visible from the highway (north, south and west sides). All trees are required to be provided with permanent irrigation. Due to the distance from the rural highway it is appropriate to waive the requirement for shrubs to be planted in that area, rather that area is to be revegetated and irrigated for a period of not less than 3 years and as long after that as necessary to achieve revegetation equal to 70% of the adjacent, undisturbed area.

The following photos show other trees and large bushes on the subject site:



The applicant has erected a fence around the subject site. That fence is eight feet in height and is of dubious construction. Many of the fenceposts are leaning at odd angles. Photos of portion of the fence are included on pages 7 and 8 of this report. The fence provides little visual screening of the interior of the subject site. Open storage areas are required to be enclosed by a screening fence (WCC110.412.55). For this reason, a condition of approval has been recommended that, if approval is granted, the applicant be required to construct an eight-foot-tall chain-link fence with slats that provide 90% or greater visual screening, around the entirety of the project site. Additionally, the condition requires that the plans for the fence be stamped by an engineer licensed in the state of Nevada, to ensure that the construction is appropriate for the high winds, typical of the High Desert Planning Area.

Requirements for screening around facilities of this nature are necessary. In other cases, such as "Black Rock 360" the screening was conditioned to be by means of an earthen berm and by the appropriate location of cargo containers. The proposed conditions are consistent with the intent of the conditions on previous projects.

The current situation within the existing storage area includes many items, such as vehicles that are significantly taller than the existing fence. In another attempt to help to mitigate the visual impact of the facility, a condition of approval has been recommended to require that only items that are shorter than the screening fence be stored within 100 feet of the perimeter of the enclosure. All taller items must be stored in the interior of the enclosure. The current enclosure is approximately 725 feet in length and 425 feet in width. This leaves an area of 525 feet by 225 feet (approximately 2 $\frac{3}{4}$ acres) in the center of the facility for storage of items taller than the required screening fence.

The applicant is also requesting that all requirements for pavement be waived. The application materials state that aggregate base, “will be more than adequate and still accommodate the vehicles and equipment while keeping with the rural character of the area.” Staff disagrees with the applicant’s supposition on several levels. First, there is no information provided in the application materials from an engineer that would support the statement that aggregate base material is sufficient. Next, simply supporting vehicles and equipment is only one function of pavement. Pavement also serves to inhibit petrochemicals that may leak from vehicles and equipment from seeping into the environment. In other approved facilities of a nature similar to the proposed facility individual drip pans are conditioned to be placed under all vehicles to inhibit petrochemicals from leaking into the ground, given the scale of this project such a solution is not viable in the opinion of staff, as such pans are likely to simply be blown around by the very high winds that are common in this area, and not achieve the desired outcome. In addition, pavement limits dust created by vehicles and equipment. While a similar development further north of the subject site was granted approval to operate with road-base surfacing of driveways (approximately 20 years ago), the critical difference between the two is that the other facility is located well beyond the end of all paved roadways. This facility is located adjacent to a paved rural highway. Pavement of all driveways, parking, loading and maneuvering areas is appropriate. This is also consistent with similar projects which have been approved more recently such as Special Use Permit Case Number WSUP20-0027 (Copart Sub-Lot). In that case, as in this one, all driveways and maneuvering areas within the storage facility must be paved, but the areas where items, other than vehicles and equipment are stored, a compacted road base surface is permitted. No modification to generally applicable standards is recommended.

Overhead photos show that the location and configuration of the driveway areas used by the applicant have changed over the past indeterminate number of years. Note the area indicated in the yellow circle on the following photo.



Conditions of approval have been recommended to require that all areas disturbed by previous operations to be revegetated and provided with temporary irrigation until those areas have achieved 70% of the vegetation of the adjacent undisturbed areas. To inhibit further disturbance of areas outside of the proposed project area conditions of approval have been recommended to require a single entrance into the enclosed area and to require signage along the entirety of the proposed driveway stating that “All vehicles must remain on pavement only.”

The applicant has also requested that Washoe County waive the requirement that all permanent commercial uses are required to operate from a commercial structure. Staff recommends that this request be denied. A permanent commercial structure may be a modular structure that is constructed to appropriate standards, however, the most important reason that such a structure is required is to ensure that appropriate facilities are provided for workers and the public that may

be on the subject site. Such facilities include things such as restrooms that are compliant with the Americans with Disabilities Act (ADA) as well as ADA parking. While the applicant states that members of the public are not permitted on the subject site at this time, again, nothing prevents changes to their operation in the future. Further, construction or installation of a permanent commercial structure and related improvements in necessary for an affirmative finding for approval of a special use permit which requires 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.” It is not possible to make the required finding of fact, particularly regarding roadway improvements, sanitation and water supply, without permanent improvements being made to this otherwise unserved site.

In sum, the uses proposed by the applicant may be found to be compatible with the surrounding area when appropriate development standards are applied and appropriate restrictions are placed upon the operation to mitigate the impacts upon the surrounding area. Under these circumstances, only, is staff able to recommend approval of the requested uses.

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	Site development plans in the High Desert planning area must submit a plan for the control of noxious weeds. The plan should be developed through consultation with the Washoe County District Health Department, the University of Nevada Cooperative Extension, and/or the Washoe-Storey Conservation District. The control plan will be implemented on a voluntary compliance basis.	No plan for noxious weed control was submitted with the application.	Condition to require compliance is included with the recommended conditions of approval (# 1i)
HD2.8	All landscape designs will emphasize the use of native and low water requirement vegetation, with non-native and atypical vegetation integrated sparingly into any landscaped area.	No landscape plan was submitted with the application.	Conditions require compliance, including revegetation with native plants. is included with the recommended conditions of approval (# 1g & 1h)
HD2.10	The impact of development on adjacent land uses will be mitigated. The appropriate form of mitigation may include, but will not be limited to, open space buffering or parcel matching and should be determined through a process of community consultation and cooperation. Applicants shall be prepared to demonstrate how the project conforms to this policy	No mitigation plan was submitted with the application.	Conditions to require screening by fencing and planting trees are included with the recommended conditions of approval (# 1g & 1m)
HD 2.13	The approval of all special use permits and administrative permits must include	No discussion	Conditions to require screening by fencing and

	a finding that the community character as described in the Character Statement can be adequately conserved through mitigation of any identified potential negative impacts.	of this finding was included in the application.	planting trees are included with the recommended conditions of approval (# 1g & 1m), see discussion on following page of character statement.
HD10.3	The granting of special use permits in the High Desert planning area must be accompanied by a finding that no significant degradation of air quality will occur as a result of the permit. As necessary, conditions may be placed on special use permits to ensure no significant degradation of air quality will occur. The Department of Community Development will seek the advice and input of the Air Quality Division of the Washoe County Health District in the implementation of this policy.	No discussion of air quality was included in the application.	The Air Quality Management Division was provided with the application materials, but no comments were received. Requirement for pavement of parking, loading and maneuvering areas will reduce potential dust created by the proposed commercial and industrial uses. (# 1k)
HD11.1	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 reports were included in the application materials.	Conditions to require compliance is included with the recommended conditions of approval (# 1p)
HD16.4	Water rights shall be dedicated to Washoe County, in accordance with Article 422 of the Washoe County Development Code and the High Desert Area Plan, for all parcel maps and subdivision maps, as well as all new civic, commercial and industrial uses in all hydrographic basins; with the additional water rights dedication for all maps of divisions into large parcels within the Honey Lake Basin.	No information on water rights were included in the application materials.	Conditions of approval have been recommended by the Nevada State Engineers office and Washoe County Engineering to require appropriate dedication of water rights to support the proposed development.
HD16.5	Landscaping that makes use of drought tolerant plants and plants native to the high desert is encouraged.	No landscape plan was submitted with the application.	Conditions require compliance, including revegetation with native plants. is included with the recommended conditions of approval (# 1g & 1h)

A finding of consistency with the High Desert Area Plan Character Statement and that the character can be adequately conserved through mitigation of any identified potential negative impacts is required. The following statements are perhaps most relevant:

Outside of the communities of Gerlach and Empire there remain vast amounts of undeveloped or sparsely developed areas that are truly rural in nature. The planning area is characterized by spectacular mountain vistas, vast playas, abundant wildlife, and a prevalent feeling of openness.

And

The scenic value of the planning area is an important component of the High Desert community. Panoramic mountain and desert views dominate the view shed and provide a cohesiveness that defines the area’s visual character.

These character statements emphasize the paramount importance of visual mitigation of commercial and industrial facilities in this rural area. Upon imposition of the recommended conditions of approval included with this report, it is the opinion of staff that such a finding may be made in the affirmative.

Reviewing Agencies

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

Agencies	Sent to Review	Responded	Provided Conditions	Contact
Army Corps of Engineers	X			
Natural Resources Conservation Service	X			
US Postal Service	X			
BLM - Eagle Lake Field Office	X			
BLM - NV State Office	X	X		
BLM - US Fish & Wildlife	X			
BLM - Winnemucca Dist. Office	X			
Environmental Protection	X			
NDF - Endangered Species	X			
NDOT (Transportation)	X			
NDOW (Wildlife)	X			
NV Highway Patrol	X			
NV Water Resources	X	X		
Washoe County Building & Safety	X			
Washoe County GIS	X			
Washoe County Operations Division Director	X	X		Rich Thomsen rthomasen@washoecounty.gov, 775.328.2180
Washoe County Risk Management	X			
Washoe County Sewer	X			
Washoe County Traffic	X			
Washoe County Water Resource Planning	X	X	X	Timber Weiss, tweiss@washoecounty.gov
Washoe County Water Rights Manager (All Apps)	X			
WCOS Law Enforcement	X			
Washoe County Engineering & Capital Projects Director	X			
Washoe County Engineering (Land Development) (All Apps)	X	X	X	Rob Wimer, rwimer@washoecounty.gov
WCHD Air Quality	X			
WCHD EMS	X	X		Sabrina Brausel, sbrasuell@washoecounty.gov Cell: (775) 830-7118 Office: (775) 326-6043
WCHD Environmental Health	X			
TMFPD	X	X	X	Dale Way, dway@tmfpd.us; Brittany Lemon,
Nevada State Historic Preservation	X			

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*, and the High Desert Area Plan require 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 may be found to be in compliance with the required findings as follows.

- (a) **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 in the General Rural zone of the High Desert planning area, conditions of approval have been recommended to ensure compliance with area plan policies and to mitigate identified impacts.

- (b) **Improvements.** That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven.

Staff Comment: Conditions of approval have been recommended to ensure that adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, on this otherwise unserved location.

- (c) **Site Suitability.** That the site is physically suitable for an industrial storage and distribution facility and for the intensity of such a development.

Staff Comment: Staff believes, that with imposition of the recommended conditions of approval, that seek to mitigate the identified impacts created, that the site is suitable for the proposed uses.

- (d) **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 believes, that with imposition of the recommended conditions of approval, that seek to mitigate the identified impacts created, 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

- (e) **Effect on a Military Installation.** Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

Staff Comment: There is no military installation within the required notice area for this project.

- (f) **Compliance with Area Plan:** In accordance with High Desert Area Plan Policy HD2.13, the community character as described in the Character Statement can be adequately conserved through mitigation of any identified potential negative impacts.

Staff Comment: Conditions of approval have been recommended to conserve the community character as described in the Character Statement.

Recommendation

After a thorough analysis and review, Special Use Permit Case Number WSUP23-0012 is being recommended for approval with appropriate conditions, and generally subject to typical development standards. 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 WSUP23-0012 for United Site Services, to allow the legal establishment of a facility for Storage of Operable Vehicles, Wholesale Storage and Distribution – Heavy and General Industrial - Heavy use types, and to allow the use of compacted road-base material for the storage area only, and to eliminate the required shrubs in the required landscape area, subject to all other generally-applicable requirements of the Development Code including, but not limited to, all other paving standards, all other landscape standards, screening standards, lighting standards and the requirement for commercial uses to operate from a commercial structure, 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:

- (a) 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;
- (b) 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;
- (c) Site Suitability. That the site is physically suitable for an industrial storage and distribution facility, and for the intensity of such a development;
- (d) 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;
- (e) Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation; and
- (f) Compliance with Area Plan. In accordance with High Desert Area Plan Policy HD2.13, the community character as described in the Character Statement can be adequately conserved through mitigation of any identified potential negative impacts.

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/Developer: United Site Services of Nevada, Inc., Attn: Christine Wightman,
Christine.wightman@unitedsiteservices.com

Property Owner: Jola G. Mott
nevadasunset@yahoo.com

Representatives: Christy Corporation, LTD., Attn: Lisa Nash
Lisa@christynv.com



Conditions of Approval

Special Use Permit Case Number WSUP23-0012

The project approved under Special Use Permit Case Number WSUP23-0012 shall be carried out in accordance with the conditions of approval granted by the Board of Adjustment on July 6, 2023. 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

1001 E. Ninth St., Reno, NV 89512-2845

Telephone: 775.328.6100 – Fax: 775.328.6133

www.washoecounty.gov/csd/planning_and_development

**WSUP23-0012
EXHIBIT A**

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

Contact Name – Roger Pelham, Senior Planner, 775.328-3622, rpelham@washoecounty.gov

- 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 include a memorandum with the plans submitted. That memorandum shall list every condition of approval, shall provide a detailed narrative as to how each condition has been complied with, and the location of the details showing compliance with each condition within the plan set that has been submitted.**
- c. The applicant shall demonstrate substantial conformance to the plans approved as part of this special use permit.
- d. Unless otherwise specified in the conditions of approval all development shall comply with all requirements and standards of the Washoe County Development Code (WCDC).
- e. 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.
- f. 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.

- g. Prior to continuation of any commercial activity on the subject site the applicant shall obtain a business license for all uses on the subject site, from Washoe County.
- h. Construction activities shall be limited to the hours between 7am to 7pm, Monday through Saturday only. Any construction machinery activity or any noise associated with the construction activity are also limited to these hours.
- i. Prior to continuation of any commercial activity on the subject site, the construction plans shall include, and the applicant shall construct a gate at the entrance to the subject parcel of land from State Route 34 that meets all generally applicable Code provision for a gate/fence and shall meet required setback from property lines.
- j. Construction plans shall include only one entrance into the proposed industrial facility. That entrance shall be located at the southwest corner of the enclosure. All maneuvering of all vehicles and equipment shall take place only within the enclosure.
- k. Prior to continuation of any commercial activity on the subject site, the construction plans shall include, and the applicant shall plant a combination of evergreen and deciduous trees, one tree every 10 feet, around the northern, southern and western perimeter of the project site. The trees shall be planted outside of the required screening fence. All trees shall be provided with permanent irrigation in accordance with WCDC Article 412. All trees shall meet or exceed the minimum size / height requirements as specified at 110.412.60(h): All evergreen trees shall be at least seven (7) feet in height, as measured

from finish grade, at the time of planting, a minimum of four (4) species shall be planted. All deciduous trees shall be at least two (2) inch caliper per American Nursery Standards at the time of planting a minimum of four (4) species shall be planted.

- l. Prior to continuation of any commercial or industrial activity on the subject site, the construction plans shall include, and the applicant shall provide revegetation for all previously disturbed areas outside of the project site. All previously disturbed areas shall be provided with irrigation for a period of not less than three years and for as long as necessary until vegetation in the previously disturbed areas is at least 70% the density of the vegetation in the adjacent undisturbed areas. The applicant shall provide financial assurances to the Planning and Building Division in an amount equal to 120% of the total estimated cost of reclamation of all previously disturbed areas to be held until all previously disturbed areas are successfully revegetated.
- m. Prior to continuation of any commercial or industrial activity on the subject site, the applicant shall submit a plan for the control of noxious weeds. The plan should be developed through consultation with the Washoe County District Health Department, the University of Nevada Cooperative Extension, and/or the Washoe-Storey Conservation District.
- n. Prior to continuation of any commercial activity on the subject site, the construction plans shall include, and the applicant shall construct a driveway from the highway to the subject site. The driveway shall be a minimum of twenty (20) feet in width and shall be permanently stabilized with asphalt or concrete.
- o. Prior to continuation of any commercial activity on the subject site, the construction plans shall include, and the applicant shall construct all parking, loading and maneuvering areas within the project permanently stabilized with asphalt or concrete.
- p. Prior to continuation of any commercial activity on the subject site, the construction plans shall include, and the applicant shall install signage every 100 feet along the entirety of the driveway, outside of the fenced industrial area stating, "All vehicles and equipment must remain on pavement only." Each sign shall be at least 24" by 48" in size. Each sign shall be of durable construction and materials, such as metal. Posts shall be of metal and shall be set in concrete. No other copy is permitted on the required signage or signposts.
- q. Prior to continuation of any commercial activity on the subject site, the construction plans shall include, and the applicant shall construct a chain-link fence around the perimeter of the subject site. The fence shall be eight feet in height. The fence shall include slats that provide 90% visual obscurement or greater. The plans for the fence shall be stamped by an engineer, licensed in the State of Nevada, and shall be designed to withstand the very high winds that are common in the High Desert Planning Area. The screening fence shall be constructed in a professional and workmanlike manner. All posts shall be set vertically in the earth and must remain vertical for the life of the commercial and industrial uses.
- r. Prior to continuation of any commercial activity on the subject site, the construction plans shall include signage, one sign every 100 feet, along a line 100 feet in from the perimeter of the enclosure stating on both sides that, "only items shorter than the screening fence are allowed to be stored within 100 feet of the perimeter of the enclosure. All taller items must be stored in the interior of the enclosure." Each sign shall be at least 24" by 48" in size. Each sign shall be of durable construction and materials, such as metal. Posts shall be of metal and shall be set in concrete. No other copy is permitted on the required signage or signposts.

- s. Prior to continuation of any commercial activity on the subject site, the construction plans shall include, and the applicant shall construct or install a permanent commercial building within the area enclosed by the fence on the subject site. The permanent commercial building shall be served by permanent water and septic systems. The parking area for the permanent commercial building shall comply with all applicable standards of WDCD Article 410, Parking and Loading, Article 412, Landscaping and Article 414, Noise and Lighting, as well as any other generally applicable standards.
- t. Prior to continuation of any commercial activity on the subject site, in accordance with High Desert Area Plan Policy HD11.1, the construction plans shall 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.
- u. 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. The applicant shall obtain and maintain a business license in Washoe County.
 - iii. Failure to comply with any of the conditions of approval shall render this approval out of conformance and subject to revocation.
 - iv. 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.
 - v. This special use permit shall remain in effect as long as the business is in operation and maintains a valid business license.
 - vi. Only items shorter than the screening fence may be stored within 100 feet of the perimeter of the enclosure. All taller items must be stored in the interior of the enclosure.
 - vii. The applicant shall prohibit any parking, loading or maneuvering of any vehicle or any equipment on any area that is not permanently stabilized with asphalt or concrete.

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 – Timber Weiss, Licensed Engineer, 775.328.3600, tweiss@washoecounty.gov

- a. Prior to the approval of any building permit on this property, sufficient proof of water rights must be provided to Washoe County.

Contact Name – Robert Wimer, P.E. (775) 328-2059, rwimer@washoecounty.gov

- b. 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.
- c. 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.
- d. 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.
- e. Applicant shall indicate on the plans where exported materials will be taken and a grading permit shall be obtained for the import site.
- f. Exported materials shall not be sold without the proper business license.
- g. A grading bond of \$2,000/acre of disturbed area shall be provided to the Engineering Division prior to any grading.
- h. Cross-sections indicating cuts and fills shall be submitted when applying for a grading permit. Estimated total volumes shall be indicated.
- i. 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.
- j. The following note shall be added to the construction drawings; "All properties, regardless if they are located within or outside of a FEMA designated flood zone, may be subject to flooding. The property owner is required to maintain all drainage easements and natural drainages and not perform or allow unpermitted and unapproved modifications to the property that may have detrimental impacts to surrounding properties."

Contact Name – Mitchell Fink, P.E. (775) 328-2050, mfink@washoecounty.gov

- k. The applicant shall submit geotechnical recommendations for the material type and thickness for the proposed all-weather surface for the roadways and storage areas (if approved by the Board of Adjustment) to mitigate dust and track out onto County Road 34. The resultant material type and thickness indicated in the geotechnical recommendations shall be required.

Truckee Meadows Fire Protection District

- 3. The following condition is a requirement of the Truckee Meadows Fire Protection District, which shall be responsible for determining compliance with this condition.

Contact Name – Dale Way, Deputy Fire Chief, 775.326.6000, dway@tmfcpd.us

- a. This project shall meet and comply with all requirements of currently adopted TMFPD fire codes, ordinances, and standards at the time of construction to include infrastructure for fire apparatus access roads and water supply. <https://tmfpd.us/fire-code/>

*** End of Conditions ***



Date: April 25, 2023

To: Roger Pelham, Senior Planner

From: Robert Wimer, P.E., Licensed Engineer

Re: Special Use Permit for **United Site Services Storage Yard WSUP23-0012**
APN 071-180-29

GENERAL PROJECT DISCUSSION

Washoe County Engineering staff has reviewed the above referenced application. The Special Use Permit is for the construction of a storage yard and is located on approximately 7 acres approximately 5 miles north of Gerlach on County 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, LTD. 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: Robert Wimer, P.E. (775) 328-2059

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. Provide a construction haul route plan and address the construction traffic impacts to Washoe County maintained roadways for accessing the project site. With the haul route plan also include the proposed mitigations to these impacts to the satisfaction of the County Engineer.
5. Applicant shall indicate on the plans where exported materials will be taken and a grading permit shall be obtained for the import site.
6. Exported materials shall not be sold without the proper business license.
7. A grading bond of \$2,000/acre of disturbed area shall be provided to the Engineering Division prior to any grading.
8. Cross-sections indicating cuts and fills shall be submitted when applying for a grading permit. Estimated total volumes shall be indicated.
9. 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)

Contact Information: Robert Wimer, P.E. (775) 328-2059

1. The following note shall be added to the construction drawings; "All properties, regardless if they are located within or outside of a FEMA designated flood zone, may be subject to flooding. The property owner is required to maintain all drainage easements and natural drainages and not perform or allow unpermitted and unapproved modifications to the property that may have detrimental impacts to surrounding properties."

TRAFFIC AND ROADWAY (COUNTY CODE 110.436)

Contact Information: Mitchell Fink, P.E. (775) 328-2050

1. The applicant shall submit geotechnical recommendations for the material type and thickness for the proposed all-weather surface for the roadways and storage areas to mitigate dust and track out onto County Road 34. The resultant material type and thickness indicated in the geotechnical recommendations shall be required.

UTILITIES (County Code 422 & Sewer Ordinance)

Contact Information: Alexander Mayorga, P.E. (775) 328-2313

1. No utilities related conditions.

From: [Way, Dale](#)
To: [Pelham, Roger](#)
Cc: [Lemon, Brittany](#)
Subject: WSUP23-0012 (United Site Services Storage Yard) - Conditions of Approval
Date: Monday, May 15, 2023 9:06:33 AM

Roger,

“This project shall meet and comply with all requirements of currently adopted TMFPD fire codes, ordinances, and standards at the time of construction to include infrastructure for fire apparatus access roads and water supply.”

<https://tmfpd.us/fire-code/>.

This project is located in a High Hazard WUI Zone.

Thank you.

Dale Way

Deputy Fire Chief – Fire Prevention | Truckee Meadows Fire & Rescue

dway@tmfpd.us | Office: 775.326.6000

3663 Barron Wy, Reno, NV 89511



“Committed to excellence, service, and the protection of life and property in our community”

From: [Thomsen, Richard](#)
To: [Pelham, Roger](#)
Subject: Submitted May 2023 Application Review Memorandum I
Date: Wednesday, May 24, 2023 1:42:48 PM
Attachments: [Outlook-yq3onpps.png](#)
[Outlook-3ih2qzx0.png](#)
[Outlook-b4wmp1m4.png](#)
[Outlook-hq0ecmm1.png](#)
[Outlook-3t0fwoqp.png](#)

Roger,

Submitted May 2023 Application Review Memorandum I

Washoe County CSD/Operations/Roads has no comments and/or conditions for the Application Submitted.

#4 – Board of Adjustment – July 6, 2023

Thank you,



Rich Thomsen
Road Supervisor | Community Services Department
rthomsen@washoecounty.gov | Office: 775.328.2180
625 Mt. Rose Highway Incline Village NV 89451





WASHOE COUNTY
COMMUNITY SERVICES
INTEGRITY COMMUNICATION SERVICE

1001 E. 9th St.
Reno, NV 89512
Phone: (775) 328-3600
Fax: (775) 328-3699

April 24, 2023

TO: Roger Pelham, Senior Planner, CSD, Planning & Development Division
FROM: Timber Weiss, Licensed Engineer, CSD
SUBJECT: Special Use Permit Case Number WSUP23-0012 (United Site Services Storage Yard)

Project description:

The applicant is requesting to approve a special use permit to legalize the prior construction and operation of a facility for Operable Vehicle Storage, Wholesale Storage and Distribution – Heavy and General Industrial - Heavy use types, and to eliminate all paving standards, landscape standards, screening standards, lighting standards and the requirement for commercial uses to operate from a commercial structure

Location: East of Highway 34, adjacent to the Black Rock Desert Playa, approximately 5 miles north of the town of Gerlach, Assessor’s Parcel Number(s): 071-180-29

The Community Services Department (CSD) recommends approval of this project with the following Water Rights conditions:

There are no water rights appurtenant to this property. Drilling of a well and use of water from a well on this property requires an approved water right per NRS 533 and 534.

In order for water to be transported to the property, this property must be located within the approved place of use of an active water right.

Prior to the approval of any building permit on this property, sufficient proof of water rights must be provided to Washoe County.

Please contact the Nevada Division of Water Resources for water rights inquiries at 775-684-2800.



From: [Steve Shell](#)
To: [Pelham, Roger](#)
Subject: WSUP23-0012
Date: Thursday, May 18, 2023 9:17:15 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image006.png](#)
[image008.png](#)

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

The subject property has a well for the irrigation of 34.85 acres and being Permit 21115 and held in the name of Jola Guisasola Mott.

Any water used on the described lands should be provided by an established utility or under permit issued by the State Engineer's Office.

As of June 1, 2021, the Office of the State Engineer is open to the public. Please call 684-2800 upon arrival and a representative will come down to escort you to our office.

Steve Shell
Water Rights Specialist II
Department of Conservation and Natural Resources
Nevada Division of Water Resources
901 S. Stewart St., Suite 2002
Carson City, NV 89701
sshell@water.nv.gov
(O) 775-684-2836 | (F) 775-684-2811

From: [Program, EMS](#)
To: [Pelham, Roger](#)
Cc: [Program, EMS](#)
Subject: FW: May Agency Review Memo I - Special Use Permit Case Number WSUP23-0012 (United Site Services Storage Yard)
Date: Friday, May 19, 2023 7:32:04 AM
Attachments: [May Agency Review Memo I.pdf](#)
[Outlook-q1ttezsj.png](#)
[Outlook-tuawj5nl.png](#)
[Outlook-atvr0rf4.png](#)
[Outlook-x2qorts4.png](#)
[Outlook-q4sqj5e.png](#)
[image001.png](#)

Hello,

The EMS Program has reviewed the May Agency Review Memo I - Special Use Permit Case Number WSUP23-0012 (United Site Services Storage Yard) - and has no concerns or questions at this time based on the information provided.

Thank you,

Sabrina.

Sabrina Brasuell

Pronouns: she/her

EMS Coordinator | Epidemiology and Public Health Preparedness

Washoe County Health District

sbrasuell@washoecounty.gov | Cell: (775) 830-7118 | Office: (775) 326-6043

1001 E. Ninth St., Bldg. B. Reno, NV 89512

**WASHOE COUNTY
HEALTH DISTRICT**

ENHANCING QUALITY OF LIFE



BLM Inspection for Washoe County SUP
WSUP23-0012 United Site Services
4/24/2023

BLM went to verify United Site Services (USS) Special Use Permit (SUP) was all occurring on private land. After the inspection, it appears as if that is the case, USS port-a-potties are on private land.



Looking at the existing fence from Hwy 34 where there is fenced public
(Follow with Wes on fenced public)
(Dirt work is from Washoe Cnty maintaining their ROW)



GPS Pt 21 – beginning of fence corner at the NE corner of the fence segment

0439923, 4536414

From: Margery A Reynolds <margiereynolds@sbcglobal.net>
Sent: Friday, April 28, 2023 9:10 AM
To: Herman, Jeanne <JHerman@washoecounty.gov>
Cc: Dave Cooper <dcooper7@gmail.com>; Tina Walters <tinawalters@hotmail.com>; Elisabeth Gambrell <seagambrell@me.com>
Subject: Case # WSUP23-0012 United Site Services special use permit on 34

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

Hello Jeannie

I have received a notice about the application for the special use permit where the porta potties are on Hwy 34, thus legalizing the construction that has already happened.

It should be online at the .gov site per the notice I received, but I am not finding it listed.

Can you please send the link?

This project is setting a horrible precedent in the viewshed of the NCA. It is also along a corridor that some of us would like to see protected as a Scenic Byway. Everyone who visits the NCA will have to look at this hideous storage ****year-round**** - all for a temporary event lasting 10 days.

This is very out of character for the current High Desert Plan, as well.

Thanks in advance for finding the details of this Case number.

<https://washoecounty.gov/planning/applications/current-applications.php>

Margie Reynolds
Gerlach homeowner

From: [Kristy Evans](#)
To: [Pelham, Roger](#)
Subject: WSUP23-0012, United Site Services Storage Yard
Date: Thursday, May 25, 2023 3:03:47 PM
Attachments: [IMG_9231.HEIC](#)
[IMG_9229.HEIC](#)
[IMG_9227.HEIC](#)

[**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 Roger,

I am providing the following comments in regard to WSUP23-0012, United Site Services Storage Yard.

A special use permit for a storage yard directly adjacent to the Black Rock Desert - one of the defining scenic and recreational locations in the High Desert Area - is not consistent with the overarching principles of the High Desert Area Plan Character Statement, which states:

The planning area is characterized by spectacular mountain vistas, vast playas, abundant wildlife, and a prevalent feeling of openness. Residential and commercial opportunities in the area are founded on respecting and carrying forward this character.... The scenic value of the planning area is an important component of the High Desert community.

The viewshed along County Road 34, where you can see the vast expanse of the Black Rock Desert, situated between the Granite and Selenite Ranges with the Jackson Mountains in the distance, is of significant importance to the High Desert community and the many people who visit the area. It is of such importance, there are currently discussions of creating a new scenic byway along that stretch of road. This was brought up as a goal during the recent High Desert Planning Area community meeting (for the Master Plan revision) and a Citizen Advisory Board meeting. Staring at a storage yard of portable toilets while taking in spectacular mountain vistas and vast playas is not in keeping with the character of the area. It's unsightly and totally out of place.

We have had neighborhood and CAB meetings in the last year where developers have presented plans for storage yards, promising that they will be hardly visible due to mitigation measures. Unfortunately, this has turned out to be false. These yards of industrial items are clearly visible from the roads and from vista viewing points. They are in stark contrast to the wilderness that prevails.

As the High Desert Plan dictates:

HD.2.13 The approval of all special use permits and administrative permits must include a finding that the community character as described in the Character Statement can be adequately conserved through mitigation of any identified potential negative impacts.

The applicants state that "screening of the outdoor storage area ensures visual impacts are mitigated". Since the applicant built the yard without obtaining a permit, we know what it looks like. I would argue the negative impact has not been mitigated and the visual impacts are very much on display. These are pictures taken from County Road 34.





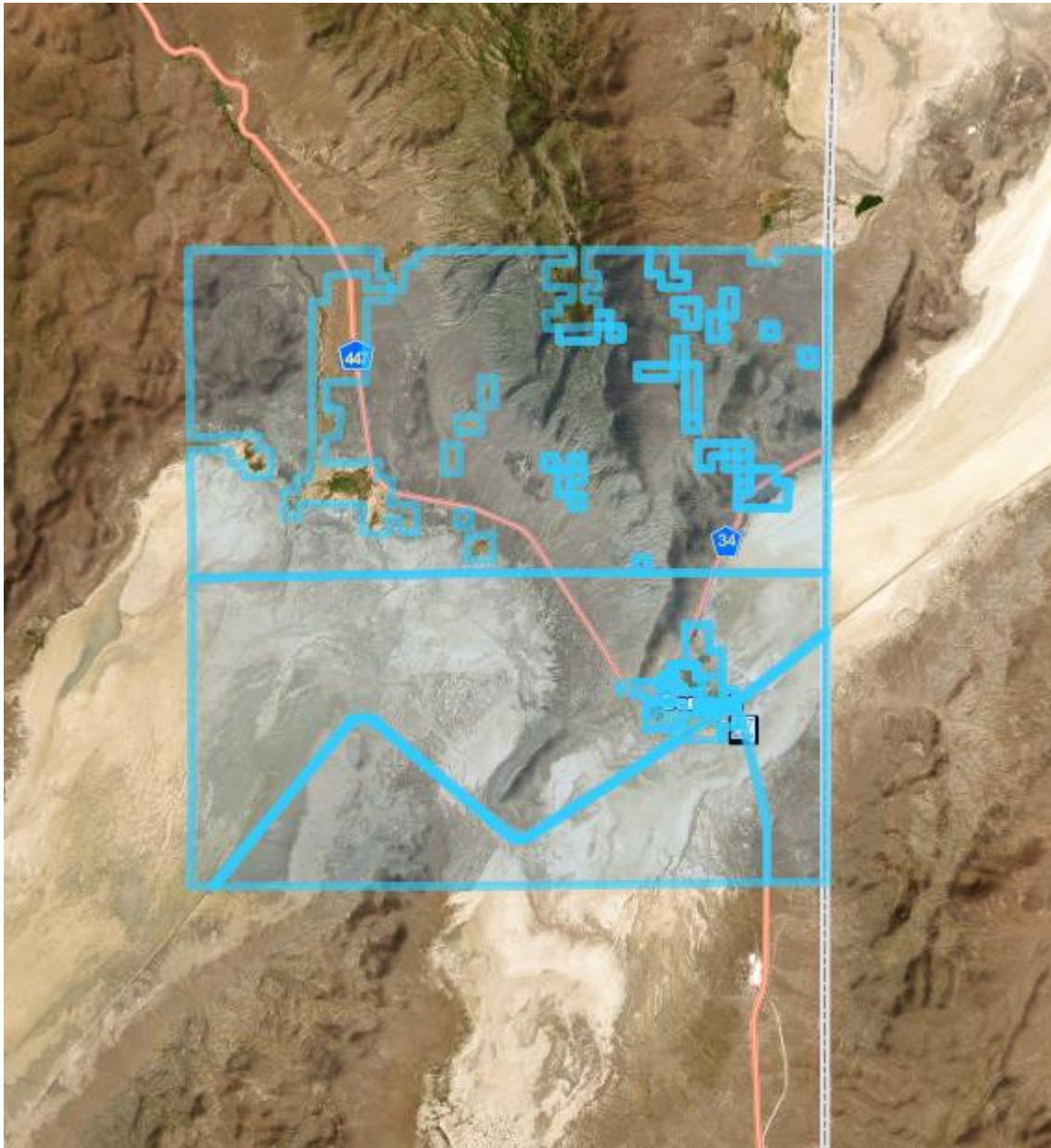
The High Desert Area around Gerlach is turning into a series of storage yards for a once a year event. While I understand there is a need to store items to be used for the event, surrounding Gerlach with industrial storage is not beneficial to the community. In fact, it specifically detracts from the "*scenic value of the planning area*". The Black Rock Station Specific Plan was approved in 2016 for large scale storage, how about focusing the storage yards in one area around that location? It has much less impact on the community to concentrate the industrial storage rather than having these storage yards scattered throughout the region. While I understand this is one application for a specific SUP, I ask the Board of Adjustment to take a broader view in their evaluation - there is clearly a desire for industrial storage of items related to the event, so please consider how this can be accomplished in a better holistic way instead of approving these piecemeal. Otherwise we will end up with the vast expanse of the desert being littered with them.

This is not the right location for this storage yard and I ask that the permit be denied and the applicants find a more suitable location.

Kristy

Public Notice

Washoe County Code requires that public notification for a special use permit must be mailed to a minimum of 30 separate property owners within a minimum 750-foot radius of the subject property a minimum of 10 days prior to the public hearing date. A notice setting forth the time, place, purpose of hearing, a description of the request and the land involved was sent within a 21,000-foot radius of the subject property. Owners of 120 properties were noticed a minimum of 10 days prior to the public hearing date.



Public Notice Map

Special Use Permit Case Number WSUP23-00012

USS Storage Yard

Special Use Permit



Prepared by:



April 10, 2023

USS Storage Yard

Special Use Permit Application

Prepared for:

United Site Services of Nevada, Inc.

118 Flanders Road

Westborough, MA 01581

Prepared by:

Christy Corporation, Ltd.

1000 Kiley Parkway

Sparks, Nevada 89436

(775) 502-8552

April 10, 2023

Table of Contents

Introduction	1
Project Location	1
Existing Conditions	2
Project Description/Request	4
Special Use Permit Findings	6

List of Figures:

Figure 1 – Vicinity Map.....	1
Figure 2 – Property Boundary Map.....	2
Figure 3 – Existing Conditions	3
Figure 4 – Existing Site Features/Site Plan.....	5

Appendices:

Washoe County Development Application
Special Use Permit Application

Attachments:

Existing Site Features/Site Plan

USS STORAGE YARD

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):
 - Operable Vehicle Storage
 - Wholesaling, Storage, and Distribution (Heavy)
 - General Industrial (Heavy)

Project Location

The USS Storage Yard consists of 7.0± acres located on a 360.0± acres property along the southeast side of County Route 34 north of Gerlach within the High Desert Area Plan. Specifically, the project site (APN # 071-180-29) lies approximately 5 miles north of Gerlach via County Route 34. Figure 1 (below) depicts the project location. Figure 2 (following page) depicts the property boundary and project location.

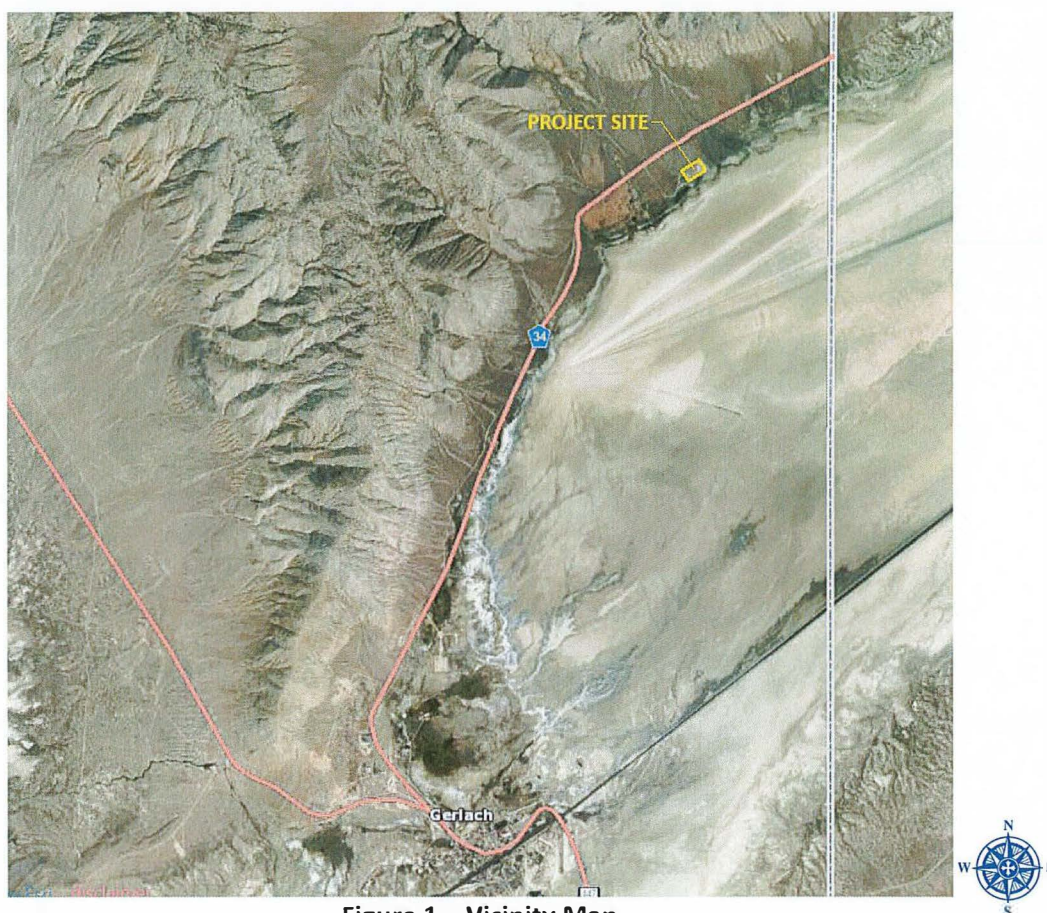


Figure 1 – Vicinity Map

USS STORAGE YARD

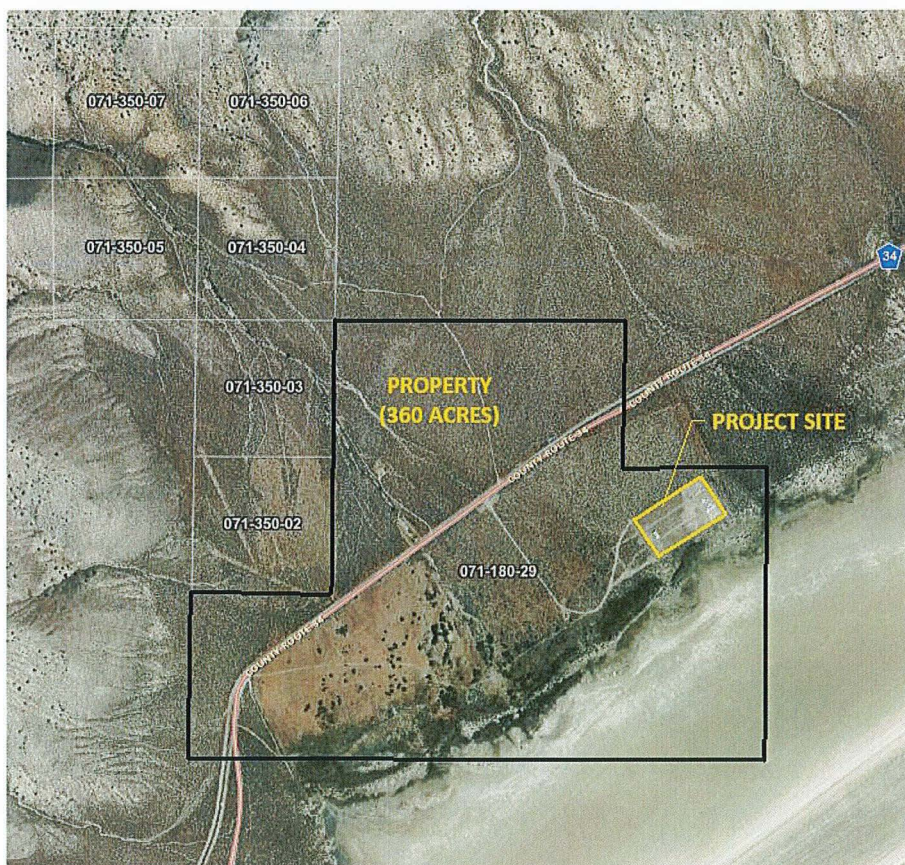


Figure 2 – Property Boundary Map

Existing Conditions

The 7-acre project site is currently an occupied storage yard surrounded by perimeter fencing. Access to the site is direct from County Route 34 and is located at the central portion of the property frontage. The site access also serves an existing, permitted wireless communications facility. The remainder of the 360-acre site is vacant and a portion to the southwest is utilized as grazing land.

Parcels adjoining the site are vacant and include terrain similar to that of the project site. All adjoining properties are zoned General Rural (GR). The majority of the surrounding parcels are public lands managed by the Bureau of Land Management (BLM) while two parcels adjacent and directly northwest of the site are privately owned.

The site generally slopes gradually from the northwest to the southeast, sloping gently down from the highway to the playa. The area subject to the Special Use Permit request included with this application is flat and includes native vegetation (sagebrush, rabbitbrush, etc.).

USS STORAGE YARD

Figure 3 (below) depicts the existing conditions of the property included with this Special Use Permit request.



Figure 3 – Existing Conditions

USS STORAGE YARD

Project Description/Request

This application includes a Special Use Permit (SUP) request to bring into compliance an outdoor storage yard at the project site. As defined by the Washoe County Development Code, the SUP will allow for operable vehicle storage, wholesaling, storage, and distribution (Heavy) and General Industrial (Heavy) 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 project area is 7.0± acres on a 360± acres site. The storage area is located in the eastern portion of the site and will consist of outdoor storage which would include portable sanitation units, trucks, restroom and kitchen trailers, and temporary fencing. The storage yard is not open to the public and is only being utilized as material, vehicle, and equipment storage for United Site Services (USS). Additionally, the site is only accessed during a limited window from the end of July through early September.

The project development is proposing to utilize a portable office building supplied with a potable water tank, and grey and black water tanks. United Site Services provides water and wastewater services as a part of their daily business operations in the Gerlach area and can guarantee maintenance and proper operation of the facility. This request is in place of a permanent commercial building supplied by a well and septic system as the property is not utilized as public storage and is only accessed during a short window during the summer.

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 the paving and landscaping 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. Screening/fencing consisting of 6-foot high slatted chain link fencing is in place at the perimeter of the storage area to screen all outdoor storage areas from outside of the property boundaries.

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

Figure 4 (following page) depicts the site plan of the storage yard, as previously described.

USS STORAGE YARD

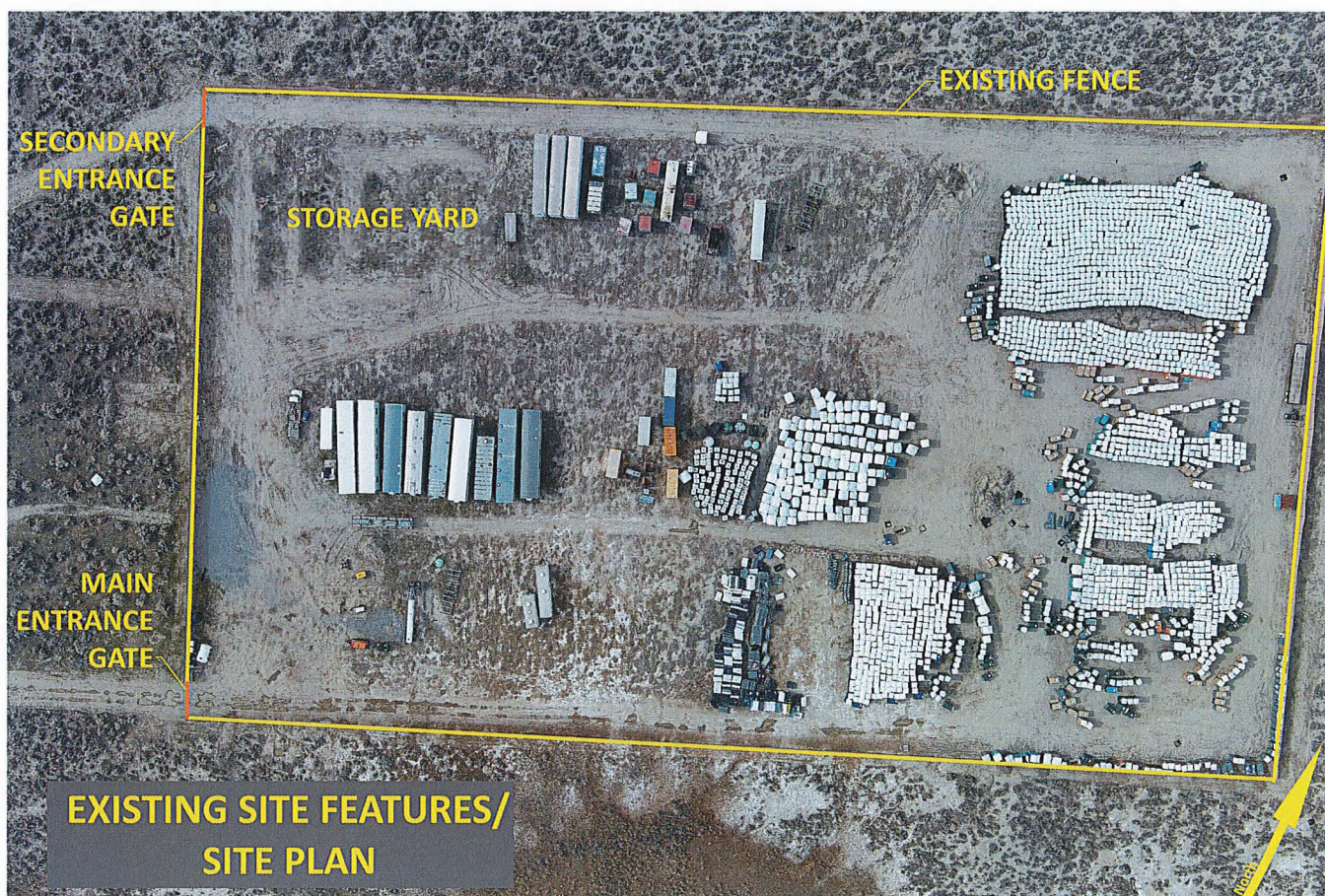


Figure 4 – Existing Site Features/Site Plan

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. The in-place fencing provides proper screening to blend in with the natural surroundings and ensures that visual impacts are mitigated.

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 operation.

Traffic generated by the project will be minimal. The Institute of Transportation Engineers (ITE) Trip Generation Manual provides trip generation rates for General Heavy Industrial (land use code 120). Based on the most conservative estimate of the full 7± acres developed, 47 average daily trips (ADT) with 14 am and 15 pm peak trips are expected. Traffic impacts generated by the project account for no more than 50% 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.

USS STORAGE YARD

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 outdoor storage uses are of a very low intensity and do not require utility connections or the need for potable water. The applicant will only utilize the site during a 6-week window and the site will only be accessed by staff to remove and replace the items being stored on-site. No grading is proposed for the site as it is relatively flat and no grade changes are being proposed.

Additionally, as the storage facility does not serve the public and is only utilized during a short window of time, the applicant is proposing to utilize a portable office building supplied with a potable water tank and grey and black water tanks. United Site Services provides these water and wastewater services as a part of their daily business operations in the Gerlach area.

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 includes slopes less than 2%. As the proposed uses have a low intensity, the site is suitable for storage.

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 outdoor storage use without public access is very low intensity and will not generate large amounts of onsite activity. The activity at the site will be limited to 6-week window during the summer. The project location and the use of suitable fencing to screen the outdoor storage area further ensures that negative impacts will not occur. Outdoor storage occurs throughout rural areas of the High Desert Area Plan and is not out of character with other properties in the Gerlach area.

APPENDICES

Community Services Department

Planning and Building

SPECIAL USE PERMIT

SPECIAL USE PERMIT FOR GRADING

APPLICATION



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

Telephone: 775.328.6100

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.

Project Information		Staff Assigned Case No.: _____	
Project Name: USS Storage Yard			
Project Description: The proposed project is an SUP to allow for the establishment of Operable Vehicle Storage, Wholesaling, Storage, and Distribution (Heavy) and General Industrial (Heavy) within the General Rural zone per section 110.206.10b of the Washoe County Development Code (High Desert Area Plan). The property will be utilized to store portable sanitation units, restroom trailers, trucks and temporary fencing materials.			
Project Address: County Route 34, 5 miles north of Gerlach			
Project Area (acres or square feet): 7 acres			
Project Location (with point of reference to major cross streets AND area locator): The site is located approximately 5 miles north of Gerlach on the south side of Highway 34.			
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:
071-180-29	360		
Indicate any previous Washoe County approvals associated with this application: Case No.(s).			
Applicant Information (attach additional sheets if necessary)			
Property Owner:		Professional Consultant:	
Name: Jola G. Mott		Name: Christy Corporation, LTD	
Address: PO Box 193		Address: 1000 Kiley Parkway	
Gerlach, NV	Zip: 89412	Sparks, NV	Zip: 89436
Phone:	Fax:	Phone: 775-502-8552	Fax:
Email: nevadasunset@yahoo.com		Email: Lisa@christynv.com	
Cell:	Other:	Cell: 908-763-6576	Other:
Contact Person: Jola Mott		Contact Person: Lisa Nash	
Applicant/Developer:		Other Persons to be Contacted:	
Name: United Site Services of Nevada, Inc.		Name:	
Address: 118 Flanders Road		Address:	
Westborough, MA	Zip: 01581		Zip:
Phone: 508-948-5840	Fax:	Phone:	Fax:
Email: Christine.wightman@unitedsiteservices.com		Email:	
Cell:	Other:	Cell:	Other:
Contact Person: Christine Wightman		Contact Person:	
For Office Use Only			
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 Operable Vehicle Storage, Wholesaling, Storage, and Distribution (Heavy) and General Industrial (Heavy) within the General Rural zone per section 110.206.10b of the Washoe County Development Code (High Desert Area Plan).

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 the attached site plan.

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

The project is in existence and phasing is not applicable.

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. Refer to the 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 operation is in existence.

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

The screening of the outdoor storage area ensures visual impacts are mitigated. This is addressed 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 the attached report and site plan for this information.

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 or Generators
c. Telephone Service	Cellular Service
d. LPG or Natural Gas Service	Granite Propane
e. Solid Waste Disposal Service	Gerlach GID
f. Cable Television Service	Various Providers
g. Water Service	Well

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	

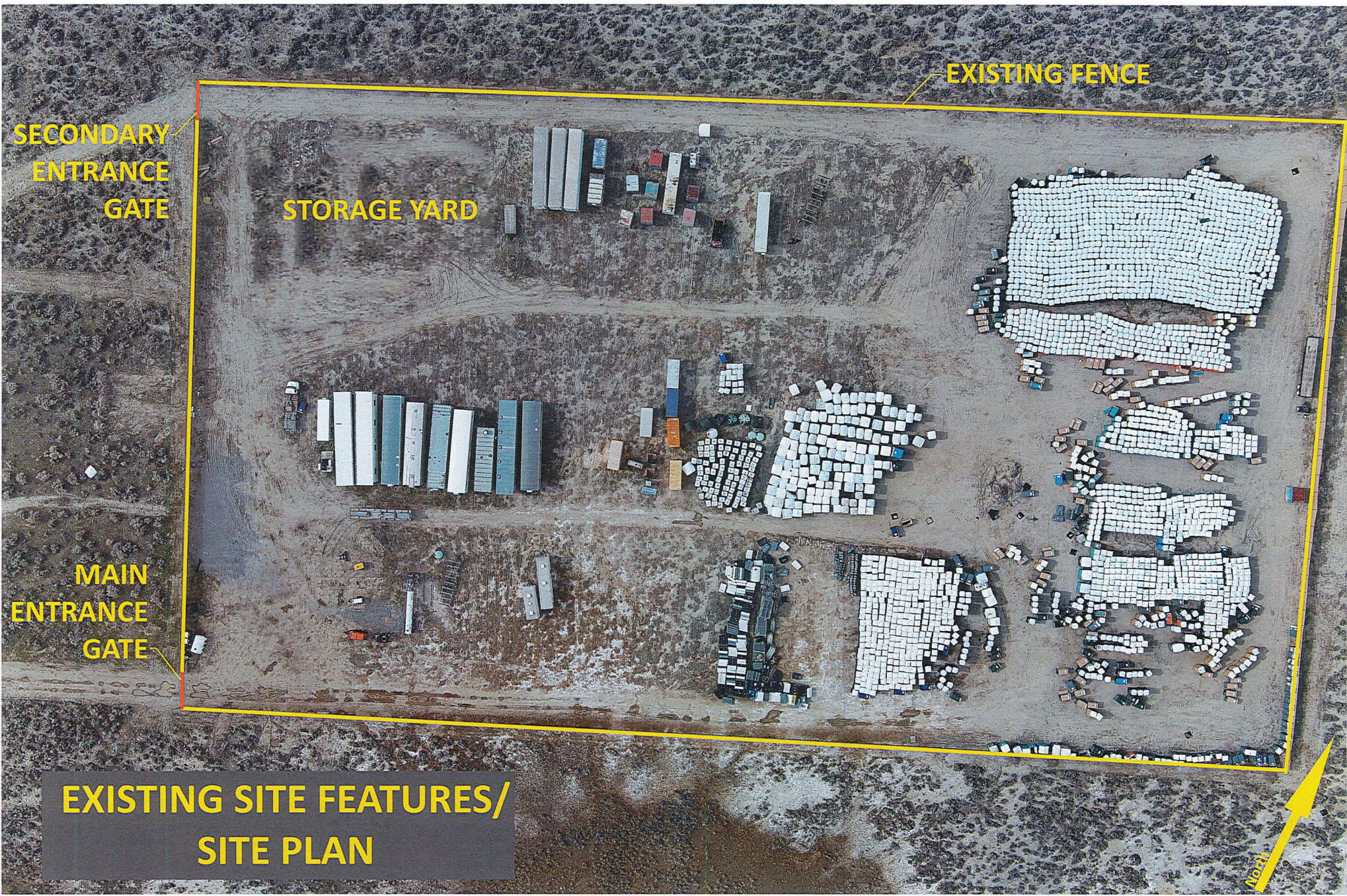
Title of those rights (as filed with the State Engineer in the Division of Water Resources of the Department of Conservation and Natural Resources).

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10. Community Services (provided and nearest facility):

a. Fire Station	Gerlach Fire
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 in Gerlach
g. Library	Washoe County Spanish Springs Branch
h. Citifare Bus Stop	Not Applicable

ATTACHMENTS



May 11, 2023

Roger Pelham
Washoe County Planning & Building Division
1001 E. Ninth Street, Building A
Reno, Nevada 89512

Re: The USS Storage Yard Special Use Permit (WSUP23-0012)

Dear Roger,

The purpose of this letter is to provide the additional information requested and a detailed site plan. Each of the items is listed below with responses in **bold face** type.

- Detailed description of the specific activities related to the use type Automotive and Equipment. Automotive and equipment use type refers to establishments or places of business primarily engaged in automotive-related or heavy equipment sales or services. The following are automotive and equipment use types:
 - 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.

Specific activities requested: Storage of operable vehicles within a storage yard. The vehicles will consist of commercial pumper trucks that will be winterized and stored for ten months of the year.

- Detailed description of the specific activities related to the use type 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:
 - Heavy. Heavy refers to distribution and handling of materials and equipment. Typical uses include monument sales, stone yards or open storage yards.

Specific activities requested: The site will be an open storage yard. The site will not be open to the public for access and will store items that include portable sanitation units (porto-pots), portable hand washing stations, restroom and kitchen trailers, water, grey and black water holding tanks, and temporary fencing. All equipment and holding tanks will be emptied and sanitized off-site before being returned for storage.

- Detailed description of the specific activities related to the use type General Industrial. General industrial use type refers to the on-site production of goods other than those that are agricultural or extractive in nature, but excludes those uses classified under custom manufacturing and high technology use types. The following are general industrial use types:
 - Heavy. Heavy refers to production processes which should not be located near residential or commercial uses due to the intensive nature of the industrial activity and/or the scale of operation. These uses may be located near other manufacturing uses exhibiting similar characteristics although special control measures may be required for some extremely intensive operations to ensure compatibility with similar industrial uses. Typical uses include motor vehicle assembly, sawmills, textile dyeing, leather tanning, hazardous chemical production, petroleum refining, primary metal processing, storage of manufactured homes and production of explosives or propellants.

Specific activities requested: The site might store portable buildings that sit directly upon the ground. This would specifically address the portable building units that are not on chassis and as such, are not covered under operable vehicle rules and are classified under code as manufactured home storage.

- Revised Site Plan with the requested details.

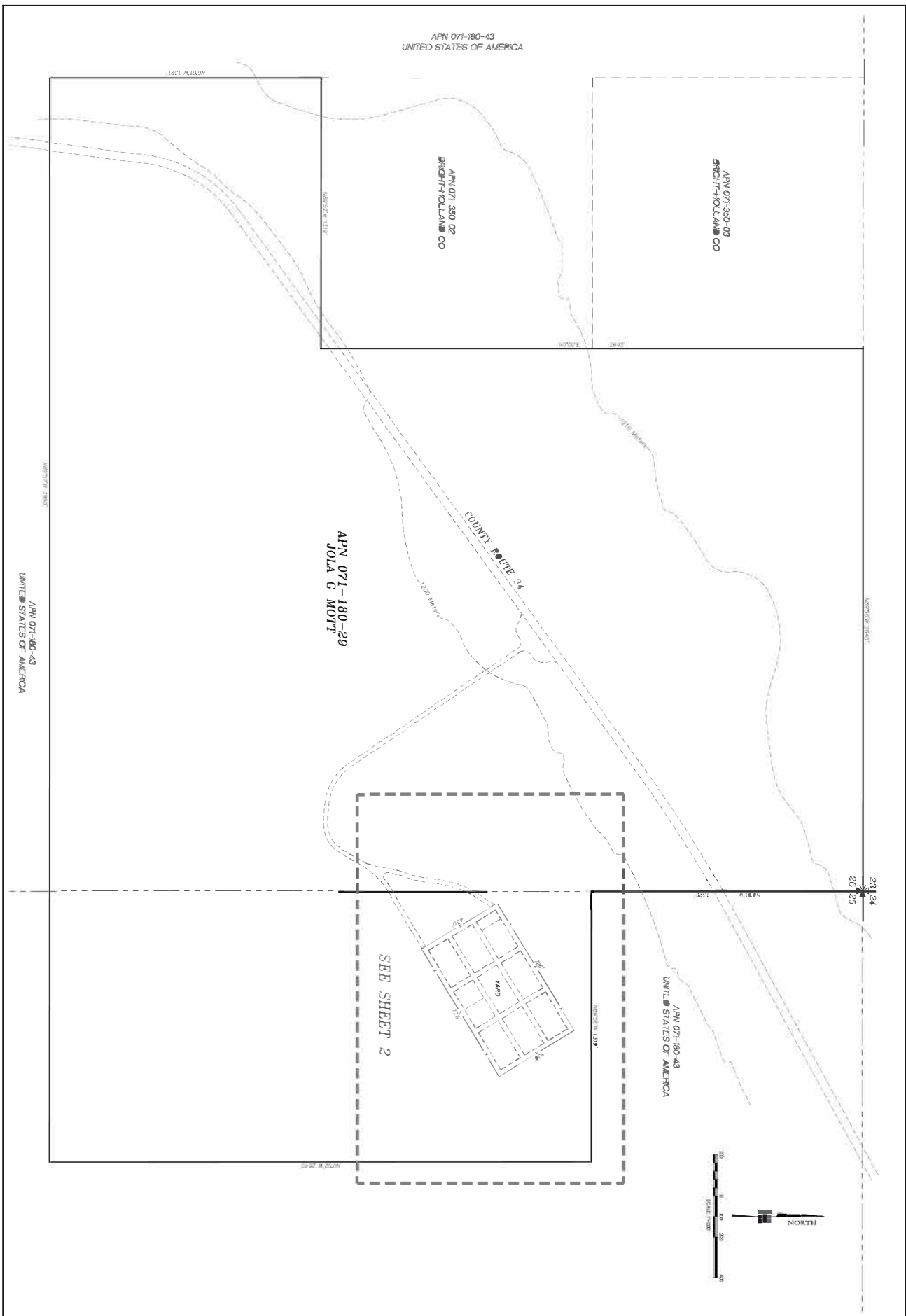
A vicinity plan and preliminary site plan are attached as requested.

We look forward to working with you as the project moves forward. Please do not hesitate to contact me at (908) 763-6576 with any questions or concerns. Thank you.

Sincerely,



Lisa Nash
Planner

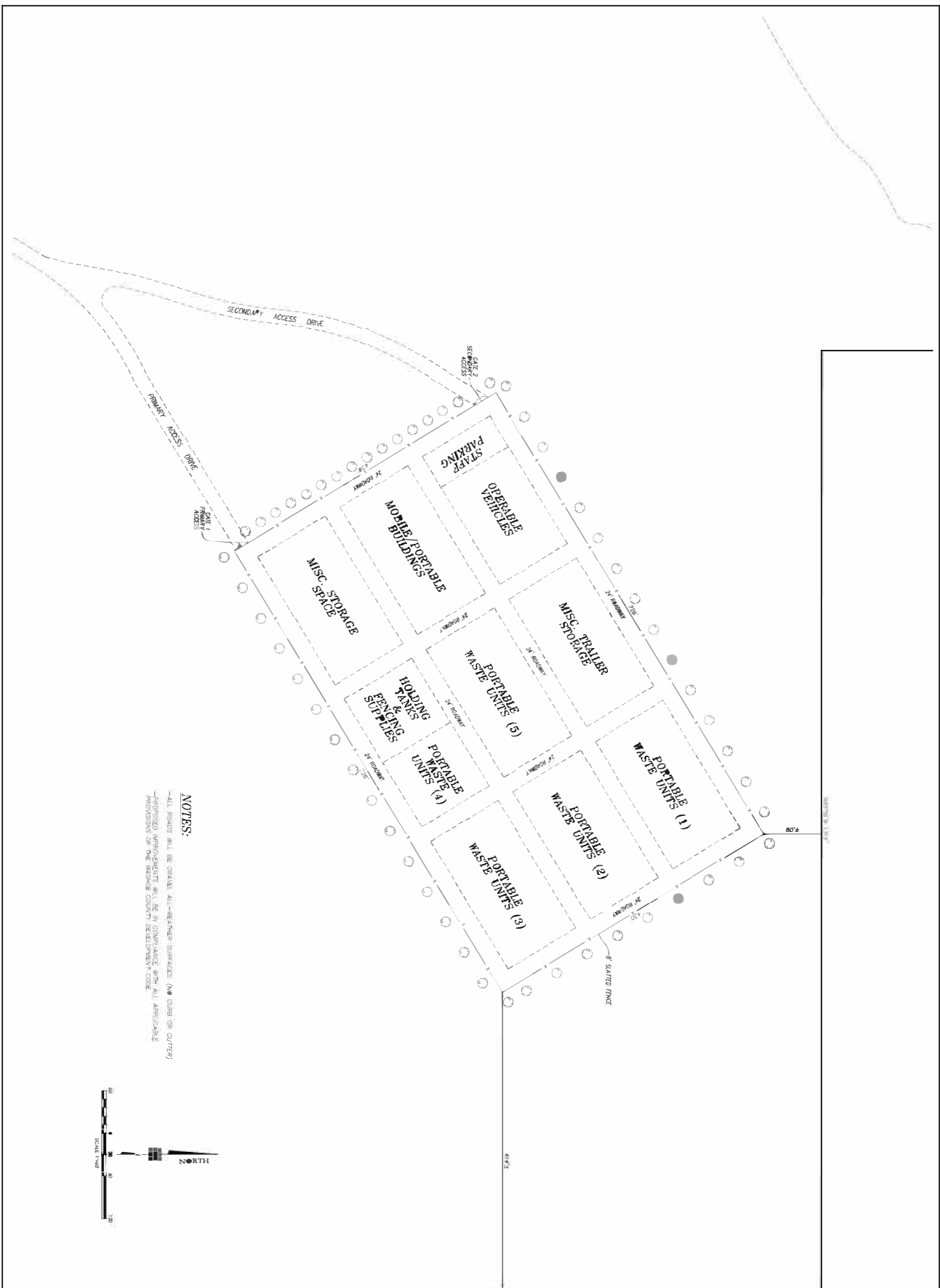


SHEET
1
OF
2

PRELIMINARY PLAN
FOR
USS STORAGE YARD
GERLACH, NEVADA

SITUATE IN THE
EAST 1/2 OF SECTION 26 &
WEST 1/2 OF SECTION 25,
T.33N., R.23E., M.D.M.
WASHOE COUNTY, STATE OF NEVADA

CHRISTY
CORPORATION
1000 Clev. Hwy. 1 Sparks, Nevada 89436
775.502.8552 christynv.com



NOTES:
 -ALL DIMENSIONS SHALL BE TAKEN ALL-REFERENCE DIMENSIONS (M) UNLESS OTHERWISE NOTED.
 -DIMENSIONS SHOWN ON THIS PLAN ARE FOR INFORMATION ONLY AND SHALL BE VERIFIED BY THE FIELD ENGINEER.
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PRELIMINARY PLAN
 FOR
 USS STORAGE YARD
 GERLACH, NEVADA

SITUATE IN THE
 EAST 1/2 OF SECTION 26 &
 WEST 1/2 OF SECTION 25,
 T.33N., R.23E., M.D.M.
 WASHOE COUNTY, STATE OF NEVADA

CHRISTY
 CORPORATION
 1000 Clay Pkwy 1 Sparks, Nevada 89436
 775.502.8552 christynv.com

**WSUP23-0012
 EXHIBIT E**

SHEET
 2
 OF
 2