



Board of Adjustment Staff Report

Meeting Date: May 4, 2023

Agenda Item: 8A

AMENDMENT OF CONDITIONS CASE NUMBER:

WAC23-0002 (Black Rock 360) for WSUP21-0012

BRIEF SUMMARY OF REQUEST:

To amend conditions of approval for WSUP21-0012 to extend the time

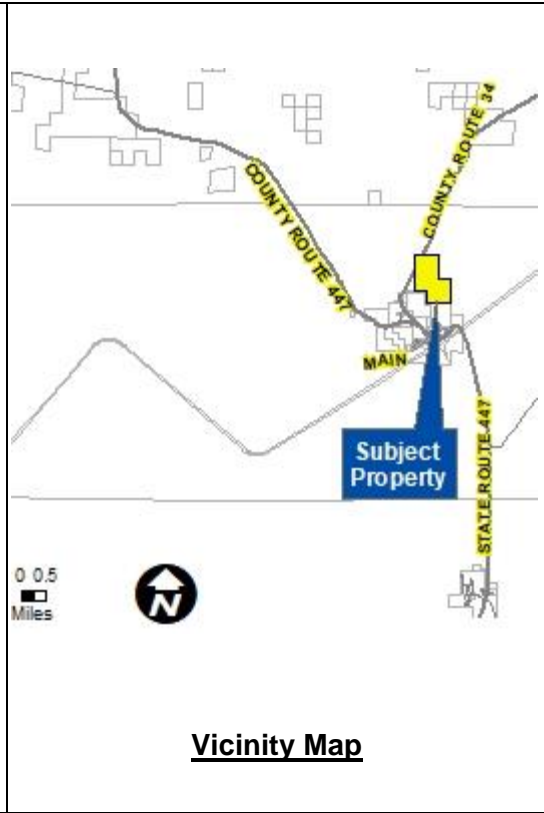
STAFF PLANNER:

Julee Olander, Planner
Phone Number: 775.328.3627
E-mail: jolander@washoecounty.gov

CASE DESCRIPTION

For hearing, discussion, and possible action to approve an amendment of conditions for Case Number WSUP21-0012, in order to amend the approved site plan and to extend the expiration date of the special use permit for an additional 3-years to meet the conditions from Washoe County Health District and NDEP, concerning water and wastewater management.

Applicant/ Owner:	Burning Man Project
Location:	550 State Route 34
APN:	071-150-01
Parcel Size:	360 acres
Master Plan:	Rural (R)
Regulatory Zone:	General Rural (GR)
Area Plan:	High Desert
Development Code:	Authorized in Article 810, Special Use Permits
Commission District:	5 – Commissioner Herman



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 Amendment of Conditions Case Number WAC23-0002 for Burning Man Project, 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 8)

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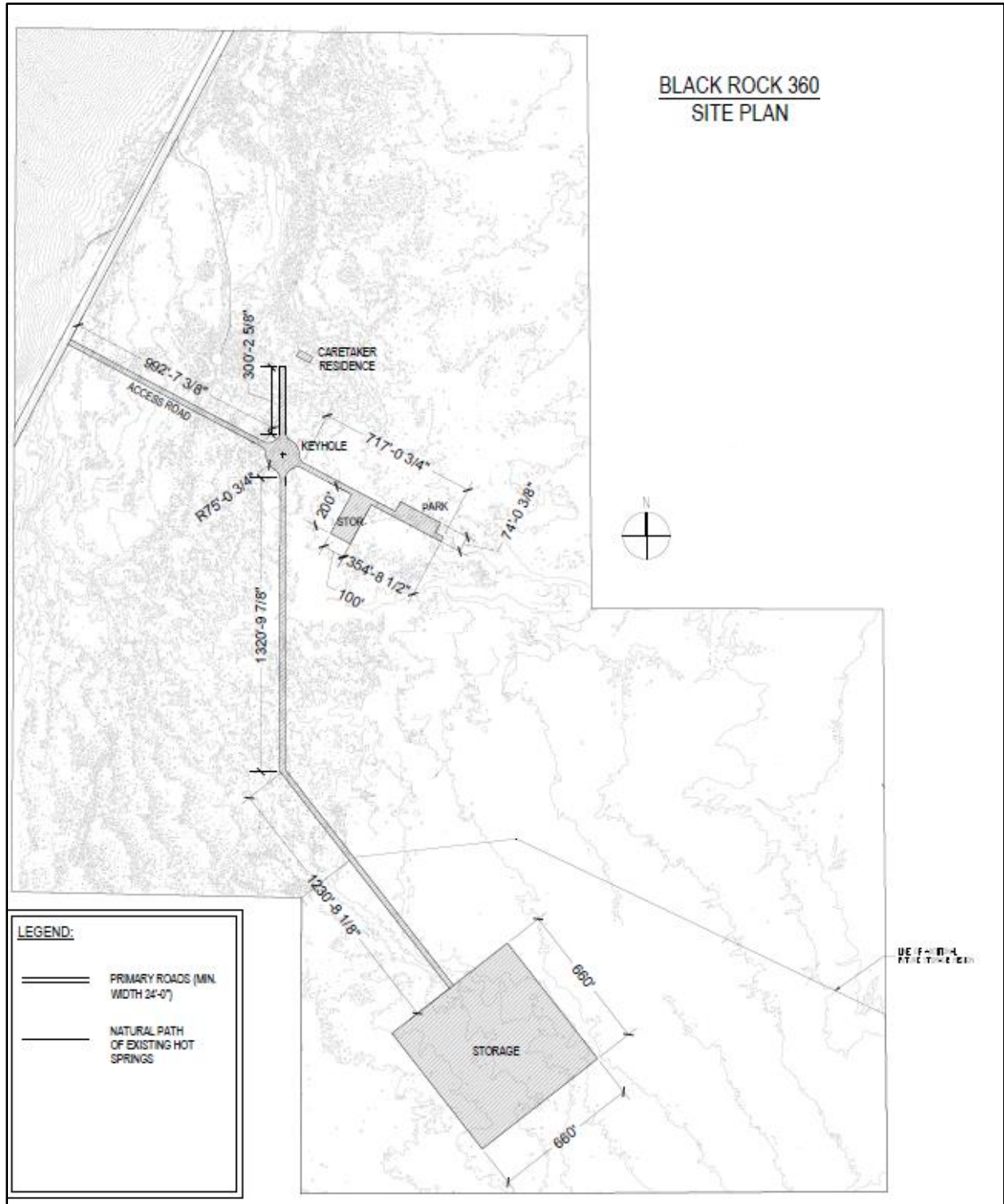
Amendment of Conditions

An amendment of conditions application is necessary in order to change a condition(s) of an approved discretionary permit, such as a special use permit, a variance, an abandonment of an easement or a tentative subdivision map. Some examples of why an amendment of conditions application is submitted are listed below:

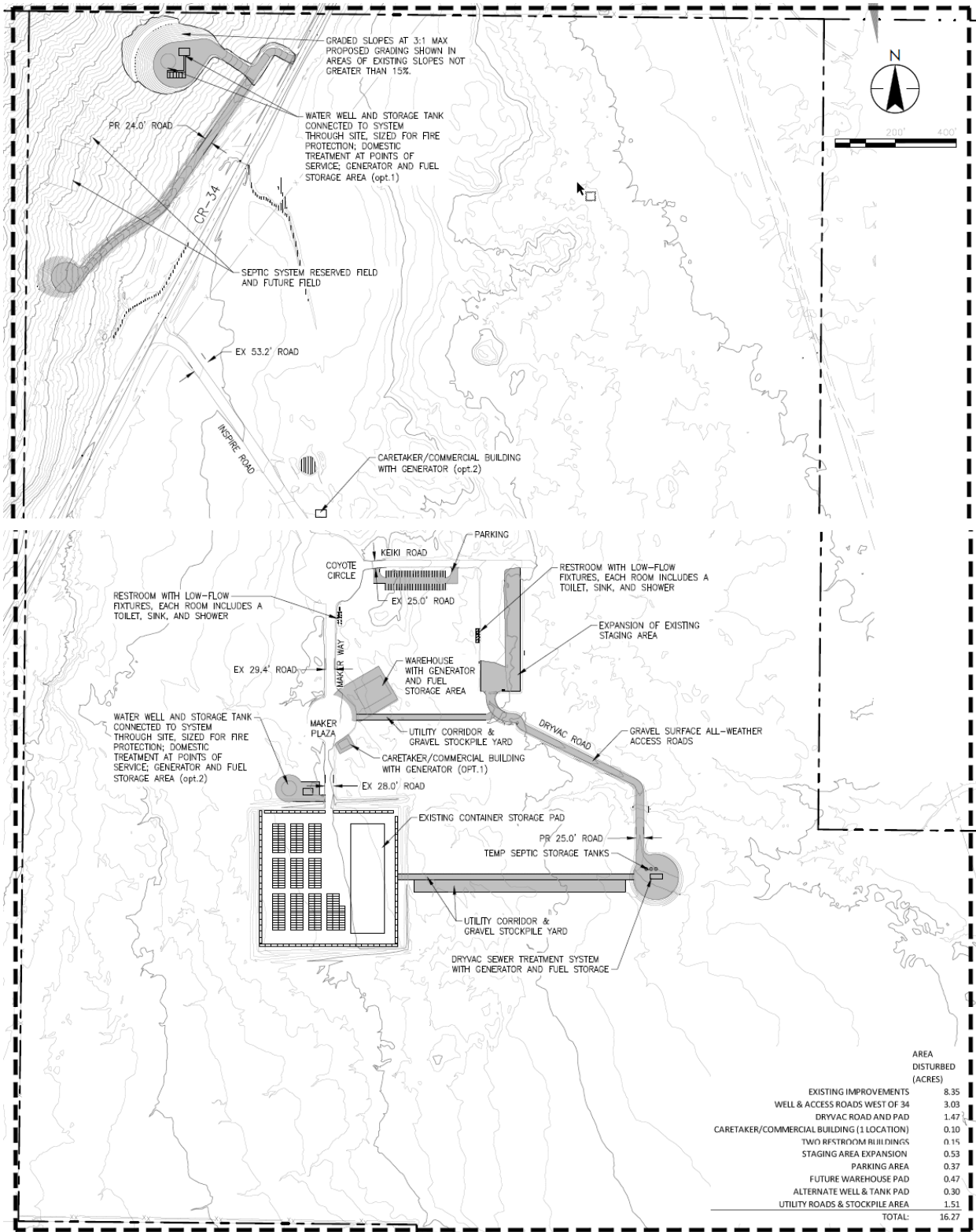
- Change in operating hours
- Physical expansion
- Extend the expiration date of the discretionary permit
- Extend the time to complete phases of the approved project

The amendment of conditions request is required to be heard by the same board that approved the original application and only the specific amendment may be discussed and considered for approval. The amendment of conditions application is processed in the same manner as the original discretionary permit application, including a public hearing, noticing, agency review and analysis, and satisfying the required findings. If the Board of Adjustment grants an approval of the amendment of conditions request, an amended action order is created along with amended conditions of approval.

The conditions of approval for Amendment of Conditions Case Number WAC23-0002 is attached to this staff report and will be included with the amended action order.



WSPU21-0012 Approved Site Plan



Updated Site Plan

Background and Evaluation of Amendment Request

On February 4, 2021 the Board of Adjustment approved WSUP21-0012 (Black Rock 360). The approval included the following:

“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 requested to vary landscaping, screening, paved parking and container adjacency standards. The applicant is also requested to approve a 5-acre annual expansion of the use over the next 4 years for a total of 30 acres of use area.”

The applicant is now requesting to amend the following conditions of approval:

- 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~~ **by May 4, 2026**. 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.

Staff Comment: The applicant is requesting an additional 3 years to ensure that adequate time is allowed for grading and Health District approvals. The Health District approvals are dependent on the review and approval of other agencies (i.e. NDEP, NV State Engineer, Gerlach GID, etc.). According to the applicant the additional 3-years will ensure adequate time for the review processes and review by outside agency comments.

- 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.

Staff Comment: The applicant is proposing modifications to the approved site plan and has submitted an updated site plan (See Updated Site Plan on page 4). The modification will allow for the water system and wastewater disposal system required by the Health District. The updated site plan is more detailed than the originally submitted site plan and provides more details concerning the grading of the site. The updated site plan shows the location 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. The updated site plan shows work that has been completed since the approval of WSUP21-0012 and the work that still needs to be completed. The updated site plan also lists the areas of disturbance with a total disturbance of 16 acres. The original request of WSUP21-0012 had a total disturbance of 18 acres.

The applicant request for the additional 3-years will also effect conditions 3.a & b. Conditions 3.a pertains to connecting to the water system and will require a submittal to the Health District in accordance with NAC 445A. Conditions 3.b addresses obtaining a permit for a commercial septic system with NDEP, Bureau of Water Pollution Control. The additional 3 years will ensure that there is adequate time to complete these conditions.

The applicant’s request for an additional 3 years will not change the overall approved WSUP21-0012. The applicant indicates that the time will just allow all the previously approved conditions to be met. Several departments added conditions that provide better explanations and address the required improvements needed on the site.

High Desert Area Plan

The subject parcel is located within the High Desert Area Plan. There are no other relevant policies related to amending a special use permit condition to extend the time permit is issued.

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
BLM - NV State Office	X			
Environmental Protection	X			
Washoe County Engineering & Capital Projects	X	X		Robert Wimer, rwimer@washoecounty.gov
Washoe County Land Development (All Apps)	X			
Washoe County Sewer	X			
Washoe County Water Rights Manager (All Apps)	X	X		Timber Weiss, tweiss@washoecounty.gov
WCHD Air Quality	X			
WCHD Environmental Health	X	X	X	Jim English, jenglish@washoecounty.gov
TMFPD	X	X	X	Brittany Lemon, blemon@tmfpd.us

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.

- (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: There are no policies or action programs within the High Desert Area Plan that conflict with the proposal to amend a special use permit condition to allow an additional 3-years to meet the conditions from Washoe County Health District and NDEP, concerning water and wastewater management. This request 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.

Staff Comment: The request to amend a special use permit conditions to allow an additional 3-years to meet the conditions and will not impact utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities are either

available or have been provided. The proposed 3-years extension will allow the applicant to better meet all improvements required on the site, including sanitation, water supply, and drainage.

- (c) 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 request is to amend a special use permit approved conditions, which already approved the site being physically suitable for an operable vehicle storage, inoperable vehicle storage, and light warehousing and storage use. The amendment of the special use permit is to allow an additional 3-years to meet the conditions from Washoe County Health District and NDEP, concerning water and wastewater management, which will not impact the site suitability.

- (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: The request to amend a special use permit conditions to allow an additional 3-years to meet the approved conditions and will not impact the public health, safety or welfare; be injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area. The amendment to allow an additional 3-years, concerning water and wastewater requirements will confirm that the public health, safety or welfare needs are met.

- (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 noticing distance for this application. Therefore, there is no effect on a military installation.

Recommendation

Those agencies which reviewed the application recommended conditions in support of approval of the Amendment of Conditions request. Therefore, after a thorough review and analysis, Amendment of Conditions Case Number WAC23-0002 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 Amendment of Conditions Case Number WAC23-0002 for Burning Man Project, 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 operable vehicle storage, inoperable vehicle storage, and light warehousing and storage use 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.

Appeal Process

Board of Adjustment action will be effective 10 calendar days after the written decision is filed with the Secretary to the Planning Commission and mailed to the applicant(s), 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 Planning Commission and mailed to the applicant(s).

Applicant/Owner: Burning Man Project
chef@burningman.org

Representatives: Christy Corporation
mike@christynv.com & lisa@christynv.com



Amended Conditions of Approval

Amendment of Conditions Case Number WAC23-0002 for
Special Use Permit Case Number WSUP21-0012

The project approved under Amendment of Conditions Case Number WAC23-0002 for Special Use Permit Case Number WSUP21-0012 shall be carried out in accordance with the Amended Conditions of Approval granted by the Board of Adjustment on May 4, 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 or to abide by all other generally applicable Codes, and neither these conditions nor the approval by the County of this project/use override or negate any other applicable restrictions on uses or development on the property.

Unless otherwise specified, all conditions related to the amendment of conditions approval regarding the Special Use Permit Case Number WSUP21-0012 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 amended conditions of approval related to the [Special Use Permit Case Number WSUP21-0012 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 amended conditions imposed regarding the approved [Special Use Permit Case Number WSUP21-0012 may result in the initiation of revocation procedures.

Washoe County reserves the right to review and revise the amended conditions of approval related to this Special Use Permit Case Number WSUP21-0012 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 – Julee Olander, Planner, 775.328.3627, jolander@washoecounty.gov

- a. **The applicant shall attach a copy of the action orders approving this project for WAC23-0002 AND WSUP21-0012 to all permits and applications (including building permits) applied for as part of this approval.**
- b. The applicant shall submit construction plans, with all information necessary for comprehensive review by Washoe County, and initial building permits shall be issued by May 4, 2026. 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.
- c. The application shall meet the amended site plan approved under Case Number WAC23-0002 on May 4, 2023.

Truckee Meadows Fire Protection District

2. 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 – Brittany Lemon, Fire Captain, 775.326.6079, blemon@tmfpd.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/>

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 – James English, 775.328.2434, jenglish@washoecounty.us

- a. The application will include site plans and proposed infrastructure. None of the proposed infrastructure has been reviewed and cannot be considered approved as this is only a time extension request.
- b. Until such time as permanent water and wastewater/sewage disposal systems are approved and installed no events or uses of the property can take place as noted in a letter sent on June 16, 2022 (See Exhibit B).
- c. All associated plans and permits must be routed to the WCHD for review and approval as associated with WAC23-0002 and WSUP21-0012

- d. WCHD will not allow the use of any holding tanks for the temporary or permanent storage of wastewater or sewage.

*** End of Amended Conditions ***



Date: March 20, 2023

To: Julee Olander, Planner

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

Re: Amendment of Conditions Case WAC23-0002 –for WSUP21-0012
APN: 071-150-01

GENERAL PROJECT DISCUSSION

Washoe County Engineering staff has reviewed the above referenced application. The Amendment of Conditions case is to approve an Amendment of Conditions to extend the approval of Special Use Permit Case Number WSUP21-0012 for three additional years, as well as to update the site plan to include temporary storage of excavated material, onsite commercial structure, estimated placement of water and wastewater treatment facilities, and miscellaneous minor updates. The Engineering and Capital Projects Division recommends approval with no 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.



QUALITY
PUBLIC SERVICE



INTEGRITY



EFFECTIVE
COMMUNICATION

From: [Lemon, Brittany](#)
To: [Olander, Julee](#)
Cc: [Way, Dale](#)
Subject: WAC23-0002 (Black Rock 360) for WSUP21-0012 Conditions of Approval
Date: Tuesday, March 21, 2023 7:56:02 AM
Attachments: [image001.png](#)

Good Morning Julee,

“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/>.

Thank you,

Brittany Lemon

Fire Captain - Fire Prevention | Truckee Meadows Fire & Rescue

blemon@tmfpd.us | Office: 775.326.6079 | Cell: 775.379.0584
3663 Barron Way, Reno, NV 89511



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

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

March 27, 2023

Washoe County Community Services
Planning and Development Division

RE: Black Rock 360; 071-150-01
Amendment of Conditions; WAC23-0002 for WSUP21-0012

Dear Washoe County Staff:

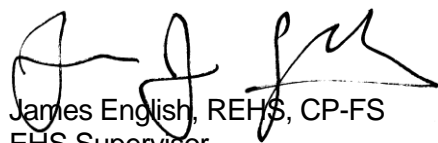
The following conditions are requirements of the Washoe County Health District, Environmental Health Services Division, which shall be responsible for determining compliance with these conditions.

Contact Name – James English - jenglish@washoecounty.us

- a) Condition #1: WCHD has reviewed the request for a time extension. WCHD has no objections to the approval of the time extension request. Please note the following conditions/comments listed below related to this application.
- b) Condition #2: The application has included site plans and proposed infrastructure. None of this proposed infrastructure has been reviewed or can be considered approved as this is only a time extension request.
- c) Condition #3: Until such time as permanent water and wastewater/sewage disposal systems are approved and installed no events or uses of the property can take place as noted in a letter sent on June 16, 2022, and attached to this administrative review in Accela.
- d) Condition #4: All associated plans and permits must be routed to the WCHD for review and approval as associated with WAC23-0002 and WSUP21-0012
- e) Condition #5: WCHD will not allow the use of any holding tanks for the temporary or permanent storage of wastewater or sewage.

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

Sincerely,



James English, REHS, CP-FS
EHS Supervisor
Environmental Health Services
Washoe County Health District

June 16, 2022

Kaitlyn McManus
Burning Man Organization
390 Main Street B319
Gerlach, NV 89412

RE: Burning Man 360 Special Event Conditions of Approval

Dear Ms. McManus:

This special events license has been reviewed by the Washoe County Health District (WCHD) and is conditionally approved on the following:

1. The event organizer will meet the requirements outlined as part of the Health Permit to Operate which will be sent under separate cover.
2. There must be a responsible person in charge at the event at all times to manage the camping and RV spaces and ensure all public health requirements listed below are addressed immediately and as outlined.
3. The event cannot use the "living boxes" at this time for the use of housing, renting or otherwise providing them to individuals for use or to gather in.
4. Potable water, portable toilets and servicing, and solid waste services must be provided as outlined in the operational plan submitted to the WCHD as part of the Health Permit to Operate Application.
5. The applicant agrees to make available 24 hours a day to all campers potable water. All water stored onsite must remain potable and have a chlorine residual which meets drinking water standards.
6. All solid wastes must be removed from each event within 24 hours of the event taking place. For the event in July, which is proposed to run from July 1st to July 9th, all solid wastes must be removed at least once during the event (once every 7 days) this event must also have covered dumpsters due to the duration of putrescible waste on site.
7. All portable toilets must be pumped out, cleaned and sanitized within 24 hours of each individual event ending and whenever necessary based on usage.
8. All handwashes must be continuously stocked with paper towels and soap.
9. Showers must have potable water and proper wastewater holding tanks. Showers must be cleaned at least once daily or as needed based on usage. Shower waste tanks must be pumped out within 24 hours of each individual event ending
10. Kitchen unit must be cleaned as outlined the plan provide with the Health Permit to Operate Application, this kitchen must have potable water and proper wastewater storage tanks. All tanks shall be emptied at the end of each event.

ENVIRONMENTAL HEALTH SERVICES

1001 East Ninth Street, Building B, Reno, Nevada 89512
775-328-2434 | Fax: 775-328-6176 | washoecounty.us/health

Serving Reno, Sparks and all of Washoe County, Nevada. Washoe County is an Equal Opportunity Employer.



Public Health
Prevent. Promote. Protect.

**WAC23-0002
EXHIBIT B**

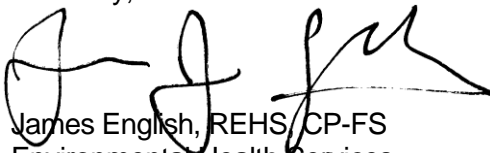
- a. There shall be no washing or cleaning of non-kitchen utensils or items in the kitchen sinks.
 - b. No non-organic kitchen wastes shall be washed down any of the kitchen tanks, examples or excluded wastes include but are not limited to hazardous wastes, paint wastes, OTC and prescription medications, or other chemicals not associated with the cleaning of the kitchen unit.
11. The application states there will be no generators on site, this license is not approved by WCHD for the use of diesel or gasoline generators.
 12. No hazardous wastes shall be stored on site at any events or left on site at the end of an event.
 13. Event must have hazardous response spill kits for the ability to manage and clean up any environmental spills caused by the campers at the event. These wastes must be segregated from the main waste streams and disposed of according to all applicable waste laws within 24 hours of each event ending.
 14. WCHD Air Quality Management Division has received the necessary dust control permit as required for any project resulting in the disturbance of ground of one acre or greater, the current permit expires in February of 2023. If there are any increases to the disturbed areas of the site beyond the existing permit scope a new permit must be applied for. The permit states no person may disturb the topsoil by removing, altering, or overlaying the ground cover through scraping, burning, excavating, storing of fill, application of palliative, or any other method on any real property unless reasonable precautions are taken to prevent generation of dust during both the active development phases and thereafter if the property is to remain unoccupied, unused, vacant or undeveloped.
 15. The event applicant agrees to WCHD conducting inspections unannounced at any time during any event outlined in the application.

Failure to meet all of the conditions outlined above will result in enforcement action by the WCHD which will begin with revoking the WCHD approval for this special event.

This letter also serves as official notice, this type of “temporary event associated with camping” will not be approved in 2023 as it was proposed this year. For the event to take place next year, improved roads must be in place with applicable dust control operations, onsite permitted potable water system and Nevada Division of Environmental Protection (NDEP) approved onsite sewage disposal system.

Please contact me at jenglish@washoecounty.gov with any questions or concerns you may have.

Sincerely,



James English, REHS/CP-FS
Environmental Health Services
Washoe County Health District

ec: Erin Dixon, EHS Director
Kelly Mullins, CSD Director
Accela Regional Permitting System

From: [Weiss, Timber A.](#)
To: [Olander, Julee](#)
Cc: [Behmaram, Vahid](#)
Subject: No water right comments for WAC23-0002
Date: Wednesday, March 29, 2023 2:47:21 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

No water right comments for WAC23-0002, extending the timeline for WSUP21-0012.

Thank you,



Timber Weiss, PE | Professional Engineer

Engineering & Capital Projects Division | Community Services Department

1001 E. 9th Street, Bldg A Reno, NV 89512

tweiss@washoecounty.gov | Office Voice Mail: 775.954.4626 or 775.433.0769

Visit us first online: www.washoecounty.us/csd

For additional information, email engineering@washoecounty.us or call 775.328.2040





WASHOE COUNTY

COMMUNITY SERVICES DEPARTMENT

Planning and Building

1001 EAST 9TH STREET
 RENO, NEVADA 89512-2845
 PHONE (775) 328-6100
 FAX (775) 328.6133

Board of Adjustment Action Order

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

Decision: Approval with Conditions

Decision Date: June 3, 2021

Mailing/Filing Date: June 8, 2021

Applicants: Burning Man Project

Assigned Planner: Dan Cahalane, Planner
 Washoe County Community Services Department
 Planning and Building Division

Phone: 775.328.3628

E-Mail: dcahalane@washoecounty.us

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

Notice is hereby given that the Washoe County Board of Adjustment granted approval with conditions for the above referenced case number based on the findings in accordance with Washoe County Development Code Article 810, Special Use Permit. If no appeals have been filed within 10 calendar days from the Mailing/Filing Date shown on this Action Order, the approval by the Washoe County Board of Adjustment is final. If filed, an appeal stays any further action on the decision until final resolution of the appeal. An appeal shall be filed in accordance with the provisions found in Article 912 of the Washoe County Development Code.

The action was based on the following 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;



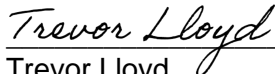
To: Burning Man Project
Subject: Special Use Permit Case Number WSUP21-0012
(Black Rock 360)
Date: June 8, 2021
Page 2 of 3

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.

This Action Order is issued subject to the attached conditions and Washoe County development standards. Please contact the planner assigned to your project at the above-referenced phone number within 7 days of receipt of this Order to review the steps necessary to satisfy the Conditions of Approval. Any business license, certificate of occupancy, or final approval shall not be issued until all of the Conditions of Approval are satisfied. Additionally, compliance shall be required with all federal, state, and local statutes, ordinances, and regulations applicable to the approved project.

This Action Order does not authorize grading or building without issuance of the necessary permits from the Washoe County Planning and Building Division.

Washoe County Community Services Department
Planning and Building Division



Trevor Lloyd
Secretary to the Board of Adjustment

TL/DC/df

Attachments: Conditions of Approval

Applicant: Burning Man Project
660 Alabama St.
San Francisco, CA 94110
chef@burningman.org

Representatives: Christy Corporation
1000 Kiley Pkwy.
Sparks, NV, 89436
mike@christynv.com

To: Burning Man Project
Subject: Special Use Permit Case Number WSUP21-0012
(Black Rock 360)
Date: June 8, 2021
Page 3 of 3

Action Order xc: Mike Large, District Attorney's Office; Keirsten Beck, Assessor's Office; Rigo Lopez, Assessor's Office; Tim Simpson, Utilities; Jen Heeran, Engineering and Capital Projects; Dale Way, Truckee Meadows Fire Protection District; Nevada Division of Environmental Protection, 901 South Stewart Street, Suite. 4001, Carson City, NV 89701-5249; Regional Transportation Commission; Truckee Meadows Regional Planning Agency; G/E Citizen Advisory Board



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

- 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.
- r. The business license will be obtained to for the new use.
- s. 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

- 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

- 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

- 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.

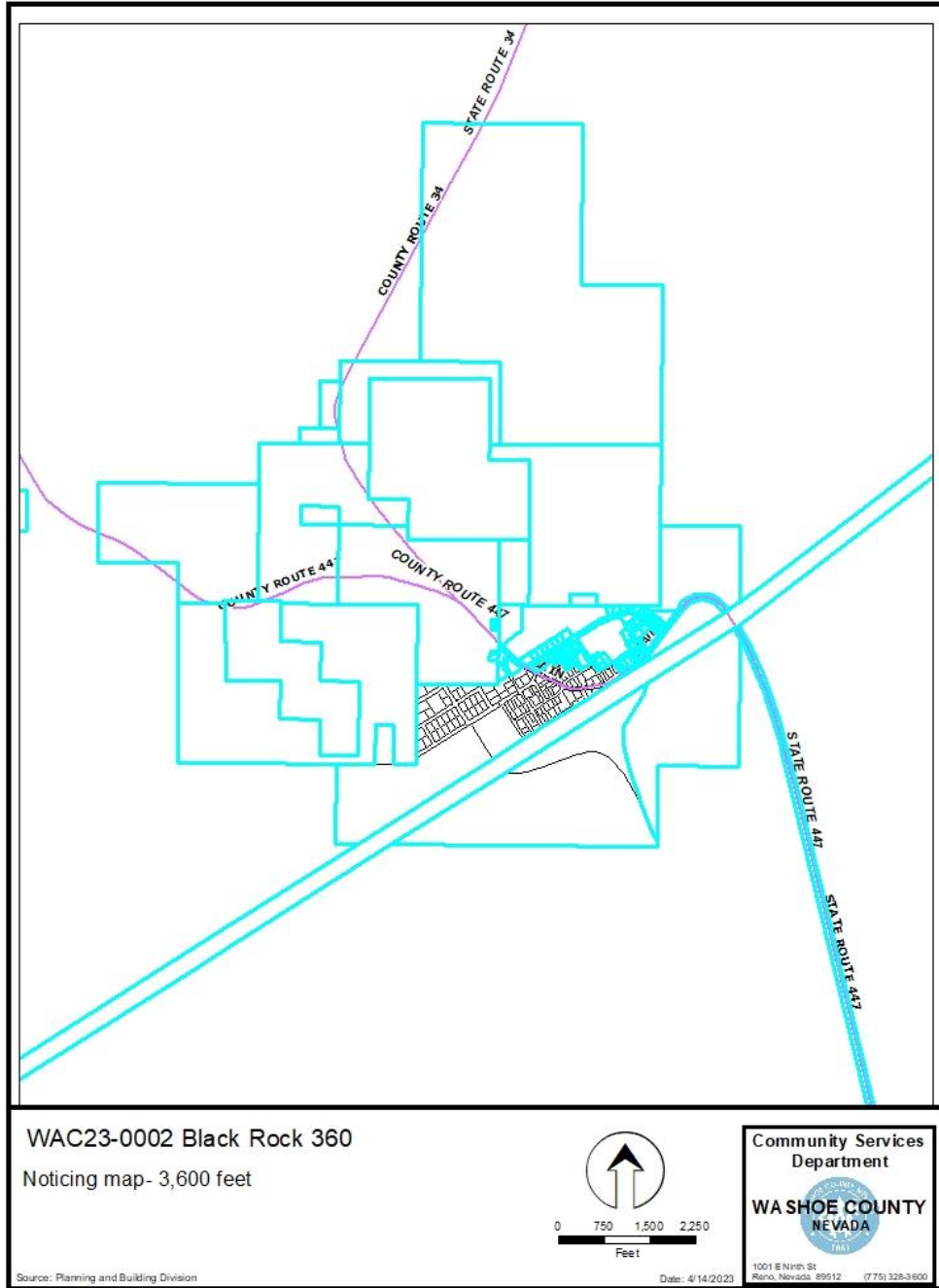
Contact Name – Julie McKinnon, jmckinnon@blm.gov

- 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 ***

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 500-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 3,600-foot radius of the subject property. A total of 37 separate property owners were noticed a minimum of 10 days prior to the public hearing date.



Public Notice Map

Amendment of Conditions Case Number WAC23-0002

April 3, 2023

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

Re: The 360 Amendment of Conditions (WAC23-0002)

Dear Julee,

The purpose of this letter is to provide an updated site plan in response to a further conversation we had with Fire. Additionally we are asking for one more slight change to the conditions. Each of the items is listed below with responses in **bold face** type.

- Update to the Updated Site Plan

Upon further conversations with Fire, they requested to see where the utility lines and hydrants in the area of the existing storage pad would be. We have updated the plan to show the two proposed fire hydrants and eliminated the proposed gravel stockpile yard to the south. Additionally we have added two utility corridors and gravel stockpile areas.

- Amend the Condition 1.h

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:

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)

This condition does not allow for optimal utilization of the storage pad and we request that the language be amended in order to allow the containers to be placed in an east-west or north-south orientation. This is not an increase in numbers of containers per grouping and the basic geometry of the groupings. The requested language change is as follows:

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:

1. Cargo container groupings shall not exceed dimensions of 65ft by 125ft (8 x 15 containers)
2. Cargo container groupings shall not exceed a total of 5,000 square feet in any single grouping.

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

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, 4th Floor
San Francisco, California 94110

Prepared by:

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

March 8, 2023

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Washoe County Development Application
Special Use Permit Application

Attachments:

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

THE 360 – SPECIAL USE PERMIT AMENDMENT

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.

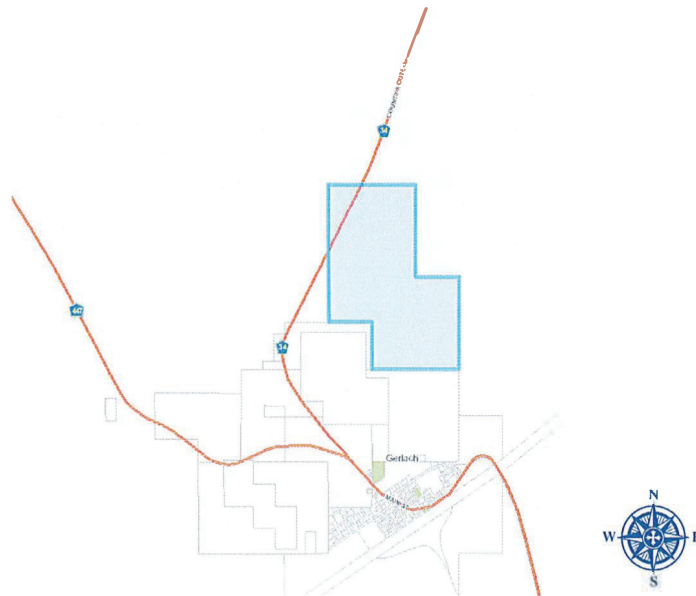


Figure 1 – Vicinity Map

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.

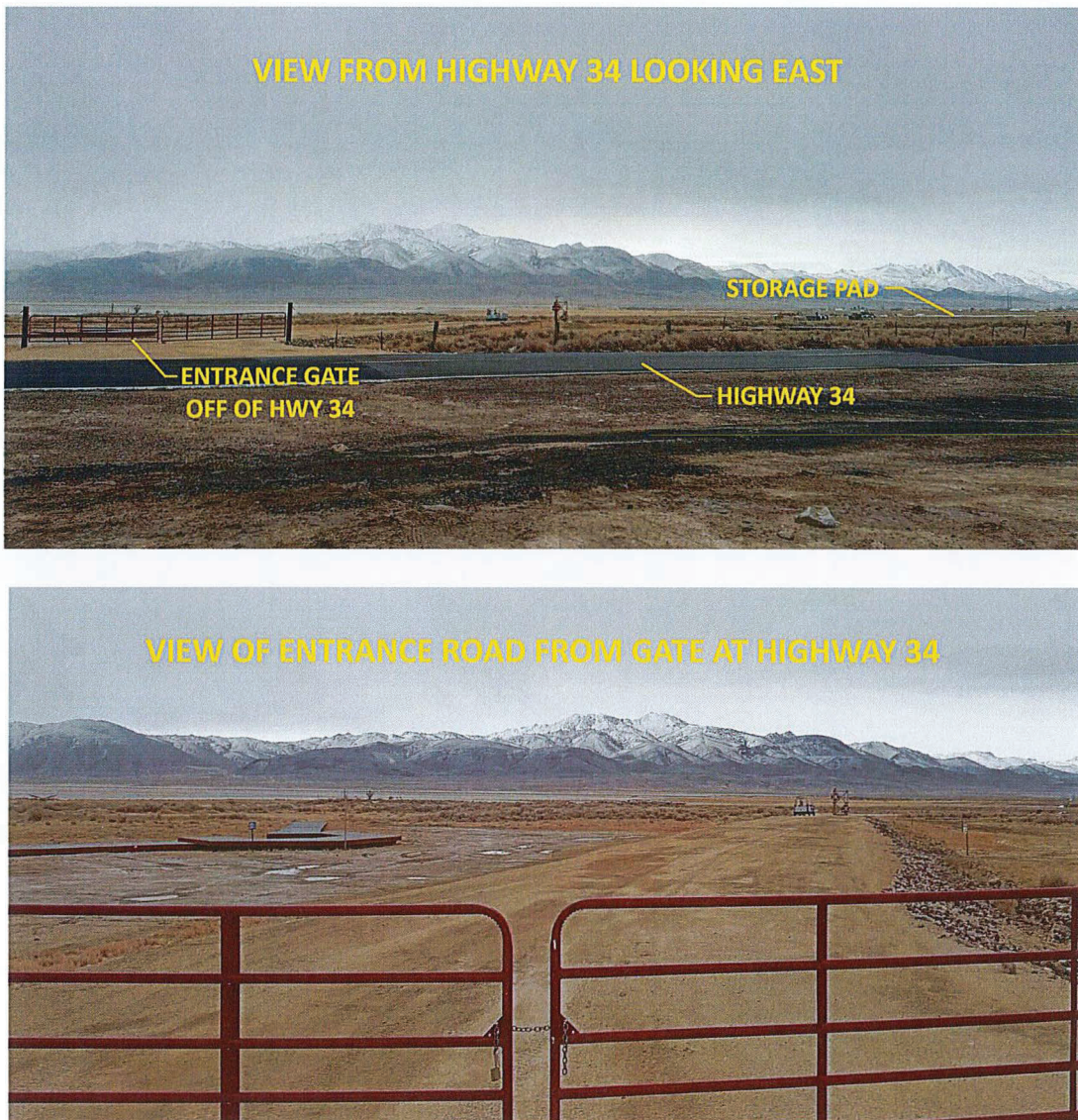


Figure 2 – Existing Conditions (East Side of Property)



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.

THE 360 – SPECIAL USE PERMIT AMENDMENT

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.

THE 360 – SPECIAL USE PERMIT AMENDMENT

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.

THE 360 – SPECIAL USE PERMIT AMENDMENT

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.

THE 360 – SPECIAL USE PERMIT AMENDMENT

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.

Project Information		Staff Assigned Case No.: _____	
Project Name: The 360			
Project Description: 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			
Applicant Information (attach additional sheets if necessary)			
Property Owner:		Professional Consultant:	
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	
Applicant/Developer:		Other Persons to be Contacted:	
Name: Same as Above		Name:	
Address:		Address:	
	Zip:		Zip:
Phone:	Fax:	Phone:	Fax:
Email:		Email:	
Cell:	Other:	Cell:	Other:
Contact Person:		Contact Person:	
For Office Use Only			
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