



# Planning Commission Staff Report

Meeting Date: March 1, 2016

Subject: Regulatory Zone Amendment Case Number RZA15-009

Applicant(s): Black Rock City, LLC

**Agenda Item Number: 9A**

Proposed amendment: To amend the regulatory zone designation within the High Desert Area Plan from the General Rural Regulatory Zone to the Specific Plan Regulatory Zone

**Recommendation: Recommend Approval and authorize Chair to sign the resolution to amend the High Desert regulatory zone map and adopt the accompanying development standards handbook**

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**Description: Regulatory Zone Amendment Case Number RZA15-009 (Black Rock Station Specific Plan)** – Hearing, discussion, and possible action to adopt by resolution a Regulatory Zone Amendment and the accompanying Development Standards Handbook and authorize the Chair to sign the resolution. The regulatory zone amendment will change the current regulatory zone from General Rural to Specific Plan to establish a mix of Residential, Commercial and Industrial uses for the general purpose of creating a permanent base of operations for the annual Burning Man event held in neighboring Pershing County. The Development Standards Handbook establishes all necessary development standards and provides maps of the site design including the location of proposed uses. The adoption of the proposed regulatory zone and the Development Standards Handbook will supersede and include all previous Special Use Permits granted to the parcel including SB03-24 (Auto Repair), SW03-25 (Light Industrial Wood/Metal Fabrication), SW04-004 (Storage/Distribution), SW04-007 (Inoperable Vehicle Storage), SW04-008 Communication Facility/Commercial Antenna, and SB04-009 (Operable Vehicle Storage).

- Applicant: Black Rock City, LLC
- Property Owner: Black Rock City, LLC
- Location: 88 Jackson Lane, Gerlach, NV 89412
- Assessor's Parcel Number(s): 066-030-23

- Parcel Size: 200 Acres
- Master Plan Category: Rural (R)
- Regulatory Zone: General Rural (GR)
- Area Plan: High Desert
- Citizen Advisory Board: Inactive
- Development Code: Article 442, Specific Plan Standards  
And Procedures
- Commission District: 5 – Commissioner Herman
- Section/Township/Range: Section 30, T35N, R22E, MDM,  
Washoe County, NV

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**Explanation and Processing of a Regulatory Zone Amendment**

The following explains a Regulatory Zone Amendment, including its purpose and the review and evaluation process involved for an application with such a request. The analysis of the subject proposal can be found on Page 8.

The purpose of a Regulatory Zone Amendment (RZA) is to provide a method for amending the Regulatory Zone Maps of Washoe County. The Regulatory Zone Maps depict the Regulatory Zones (i.e. zoning) adopted for each property within the unincorporated area of Washoe County. The Regulatory Zones establish the uses and development standards applied to each property.

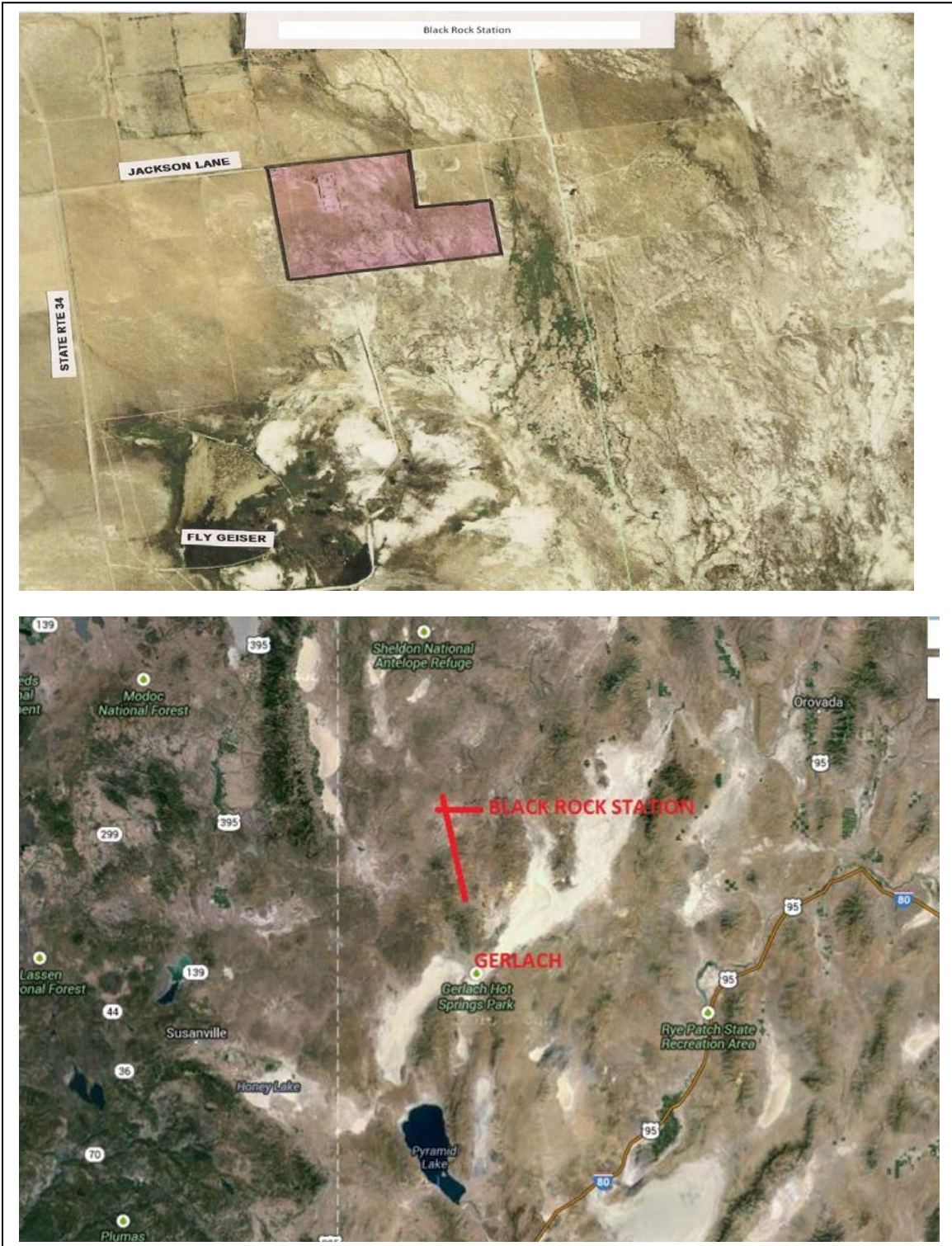
Regulatory zones are designed to implement and be consistent with the Master Plan by ensuring that the stability and character of the community will be preserved for those who live and work in the unincorporated areas of the County. A regulatory zone cannot be changed if it conflicts with the objectives or policies of the Master Plan, including area plans that further define policies for specific communities. The Master Plan is the blueprint for development within the unincorporated County. Pursuant to NRS 278, any action of the county relating to zoning must conform to the Washoe County Master Plan.

Evaluation of the proposed Regulatory Zone Amendment involves review for compliance with countywide policies found in Volume One of the Washoe County Master Plan and applicable area plan policies found in Volume Two of the Washoe County Master Plan. If the subject parcel(s) is within a Specific Plan, Joint Plan or Community Plan found in Volume Three of the Master Plan, then supplemental review shall be required to ensure compliance with the applicable plan. Additionally, the analysis includes review of the proposed amendment against the findings found in Article 821 of the Washoe County Development Code and any findings as set forth in the appropriate Area Plan.

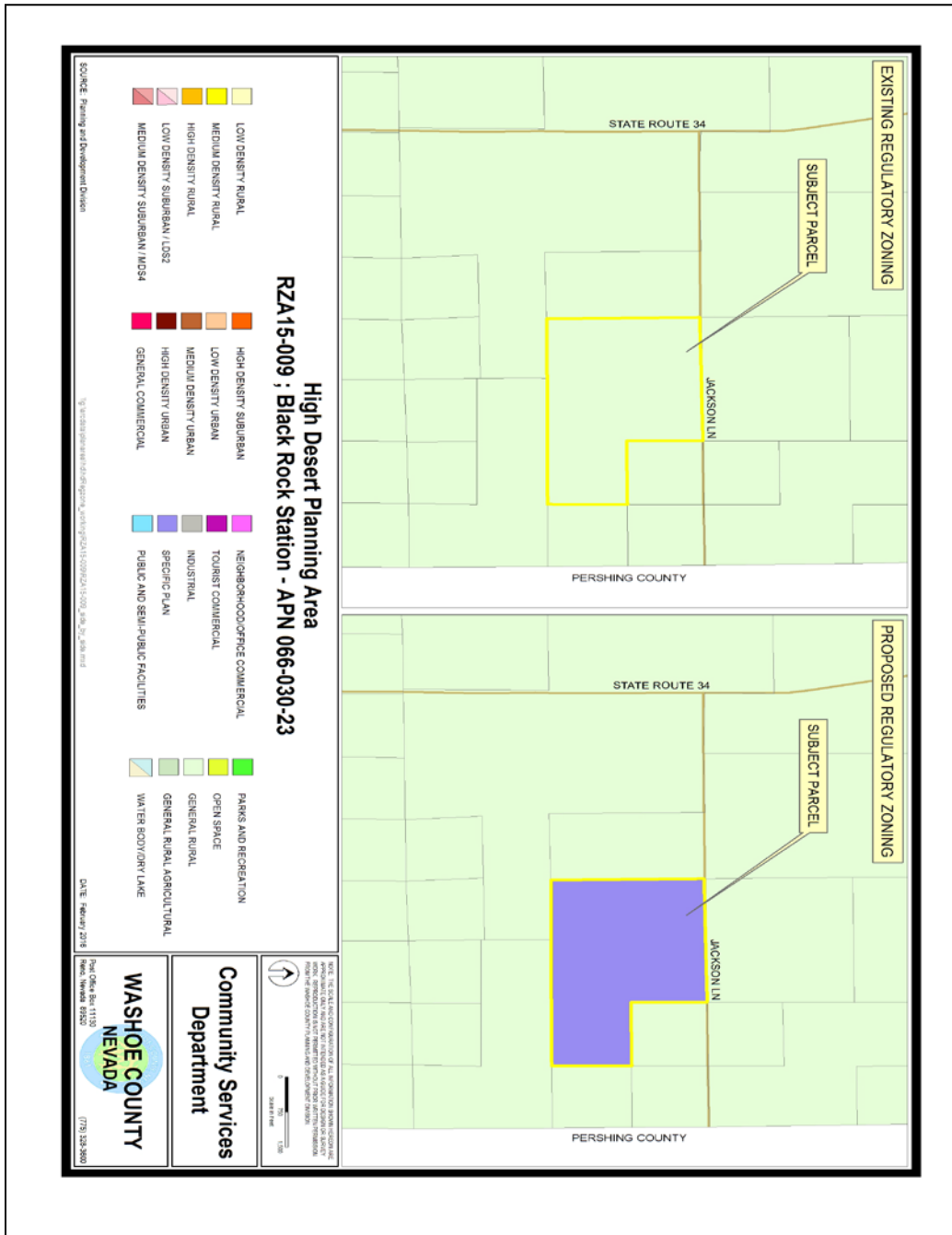
Requests to change a Regulatory Zone affecting a parcel of land or a portion of a parcel are processed under Article 821, Amendment of Regulatory Zone, of the Washoe County Development Code. Rezoning or reclassification of a lot or parcel from one Regulatory Zone to another requires action by both the Planning Commission and the Board of County Commissioners.

The Planning Commission may deny a Regulatory Zone Amendment, or it may recommend approval or modification of an amendment to the Board of County Commissioners. Upon an affirmative recommendation by the Planning Commission, the Board of County Commissioners is required to hold a public hearing which must be noticed pursuant to Section 110.821.20 of the Washoe County Development Code. Final action is taken by the Board of County Commissioners who may adopt, adopt with modifications, or deny the proposed amendment.





**Vicinity Maps**



**Side by Side Comparison**

**Existing Regulatory Zone Map & Proposed Regulatory Zone Map**



## **ANALYSIS**

### **Current Conditions**

The property known as “Black Rock Station” is a 200 acre Hualapai Valley parcel located approximately 20 miles north of Gerlach on Jackson Lane just east of the junction with SR. 34 in the High Desert Planning Area. The parcel has a current regulatory zone of General Rural with a Master Plan Category of Rural. At one unit per 40 acres, the current maximum residential density is five units. The parcel is surrounded by other large parcels with General Rural regulatory zoning. The primary land use in the area is ranching/agriculture and single family residential. The adjacent parcel to the east contains the only adjacent residential neighbor. While this parcel will likely be the one most impacted by the future development of Black Rock Station, the relatively flat topography in the Hualapai Valley area creates a sense of vast openness with vistas in all directions without the need to achieve higher elevation. This character of the area means that significant development of any site in the general vicinity would likely create a visual impact on most surrounding parcels. Other potential impacts are discussed more fully below.

The parcel is currently subject to six special use permits including SB03-24 (Auto Repair), SW03-25 (Light Industrial Wood/Metal Fabrication), SW04-004 (Storage/Distribution), SW04-007 (Inoperable Vehicle Storage), SW04-008 Communication Facility/Commercial Antenna, and SB04-009 (Operable Vehicle Storage). There is also one single family house currently on the parcel. The owner’s stated primary intent with this parcel is and has been to establish a base of operations for the pre- and post- staging activities needed to support the annual Burning Man event held in neighboring Pershing County. The Special Use Permits granted to the parcel have been necessary to establish the legal regulatory framework to pursue these activities. While some level of activity at the site occurs year round, there is a stark ramping up and ramping down of activities approximately two months before and after the Burning Man Event, which begins toward the end of August, ending on Labor Day. During this time, the intensity (number of people, hours worked, water and sewer requirements, number of trips on the roadway network) associated with the activities allowed by the various Special Use Permits is increased significantly.

### **Change of Conditions**

Conditions in the area are changing in two distinct ways. First, it is becoming clear that granting a series of Special Use Permits (SUPs) has been a haphazard process to establish the variety of uses the owner desires on the property. While one or two Special Use Permits are reasonable, six separate SUPs begins to creep toward a change of regulatory zone without the full review of appropriate agencies and of the community. It is also cumbersome for the owner to maintain the property in good standing with all of the separate conditions placed on it by six independent SUPs. Additionally, the community has felt frustrated by the process of granting a series of separate SUPs. It has required an ongoing perseverance over time and still has not provided it with a sense of stability and predictability that all communities want from their

community plans. The property owners have also been frustrated by a need to pursue so many different discretionary permits in a piecemeal fashion. The property owners have struggled to understand the county regulations surrounding its desired uses, and particularly what uses will require discretionary review.

Washoe County and its reviewing agencies have also been frustrated with the owners' piecemeal approach to gaining permission for activities on the property and the resulting lack of stability and predictability that should be the foundation of a community plan. So the first changed condition is simply a recognition that the path leading to the current state of affairs with multiple SUPs has been less than ideal, has been contrary to the positive spirit of community planning Washoe County wants to engender, and that a new path forward for this property should be pursued.

The second changed condition is that the property owners are now better able to understand their own needs for the property. As mentioned, the overall purpose of this site is to provide for the numerous activities necessary to support the annual Burning Man event. It is fair to say that the growth rate of this event over the past 10 years has been significant and the impacts of this growth have not been fully understood or appreciated by the owners or by Washoe County. This has made it difficult for the owners to anticipate the different land uses they will need in the future, as well as to plan for the intensity of those land uses. However, the last couple of years have seen a growing cooperation between the owners and the local government agencies responsible for regulating land use and their impacts. The increasing experience of the owners over time has led to a better understanding of their needs and a better ability to plan for those needs.

Additionally, in response to region wide requests for better planning tools, the county has incorporated standards and procedures for planned development that can facilitate a mix of widely varied uses on individual parcels. That incorporation occurred in 2015 with the inclusion of Article 422, Specific Plans Standards and Procedures, in the Development Code. The proposed Regulatory Zone amendment of Specific Plan will supersede all previous SUPs on the property and incorporate the uses they allowed into the required Specific Plan Development Standards Handbook. The mitigating conditions from the SUPs will be incorporated as development standards in the handbook when necessary. Additional and existing uses will be subject to comprehensive development standards that will supersede and replace the conditions of approval associated with previous SUPs.

The changed conditions can, therefore, be characterized as a recognition that serial SUPs at some point can become an inappropriate way to bring change to a community plan, the owners are now better able to identify future land uses, and the county has adopted new planning tools that can facilitate these uses in a manner that provides enhanced stability and predictability for the community, the owners and Washoe County.

### **Consistency with Master Plan and Regulatory Zone Map**

The subject parcel has a Master Plan Category of Rural. While this category does not support a proliferation of urban and suburban activities, it does support a broad range of industrial and commercial, civic and agricultural uses that range from low intensity to high intensity uses. The Land Use and Transportation Element of the Master Plan support the rational mix of uses on individual parcels as a way of promoting sustainability and economic development. While the mix of uses proposed for Black Rock Station is broad across categories, they remain limited within each of those categories. In other words, while the proposed Specific Plan allows for residential, commercial, civic, industrial and agricultural uses, it only allows a limited set of uses within each of those categories. The proposed mix of uses is compatible with the Rural Master Plan Category.

### **Desired Pattern of Growth**

The very nature of the annual Burning Man event is such that it must take place in a remote area. It is logical that an area devoted to the support of this event should be located in proximity to the event. There are no adequate urban or suburban areas near the event and therefore the only option for a reasonable support structure is also a remote area. By utilizing land nearby the event, it is anticipated that the overall impacts to regional facilities will be lessened and the growth rate of impacts on local facilities can be managed.

### **Compatible Land Uses**

Regulatory Zone Amendment requests would typically be reviewed for compatibility with surrounding land uses by reference to the Land Use Compatibility Matrix found in the Land Use and Transportation Element in Volume One of the Washoe County Master Plan. However, because of the unique nature of each Specific Plan regulatory zone, this method will not provide an adequate review of compatibility. The Black Rock Station Specific Plan is a unique concept in a unique area. This uniqueness results in some compatibility challenges that the accompanying Development Standards Handbook seeks to address.

The area itself is unique in two ways. First, it is remote and rural in ways unlike the vast majority of areas where we typically experience growth. The surrounding land uses are almost exclusively on very large lots and are associated with ranching or other forms of agriculture. The area is an expansive mostly flat valley that provides for impressive vistas from any location within it. Second, the area is home to some important natural and scenic resources. These resources not only provide a small but steady stream of tourists with great outdoor experiences, they perhaps more importantly provide the day to day backdrop to the area's residents and form a crucial part of the residents sense of place and their community character. These resources include the world famous Fly Geyser which can be seen from the subject property and adjacent properties, numerous scenic desert "flats," and the mountains that form the valley itself. These resources should be protected from damaging impacts, including those to their scenic quality.



The proposed uses for Black Rock Station may generate a number of impacts on the community that should be addressed. These impacts and the proposed mitigation are discussed below.

1. Increased traffic on SR. 34 and Jackson Lane. Increased traffic is expected in the area as Black Rock Station increases its activities in accordance with the phasing plan proposed for the development. However, it is difficult to fully anticipate the timing and amount of new traffic. This is due to the unique mix of uses and the inability to know the precise timing of development over time. Therefore, a traffic study conducted by a licensed Nevada traffic engineer will be required in years 3, 6, 9, and 12 following adoption of this plan. Any required mitigation, as determined by Washoe County following review of the study, will be constructed within 18 months of the submittal of the study. Washoe County shall review and identify any required mitigation measures within one month of receiving the study. In addition, at the request of either party, Washoe County and the owners will participate in annual traffic monitoring meetings intended to identify any mitigation that should be implemented in the intervening time between traffic studies. Requests for these meetings must be made at least one month in advance of the requested meeting time unless both parties agree to waive this requirement. Failure to implement required mitigation measures will result in a cessation of building permit issuance and or renewal of business licenses on the site. Only impacts directly related to activities on the subject parcel shall require mitigation.
2. Noise and light pollution. Many of the uses currently allowed throughout the area have the potential to generate excessive noise or light. Agricultural processing and security lighting are two common sources of noise and light. The specific concern at Black Rock Station is that the proposed list of uses may generate noise and light beyond what is normally anticipated for currently allowed uses, and during times of day that can increase the impact of the noise and light. Quiet nights and dark skies are a component of the desired community character and therefore negative impacts to these features must be mitigated. Standards in the proposed Development Standards Handbook require that activities generating outside noise such as amplified music and industrial activities cease at 10:00 p.m. Additionally, the plan restricts the use of neon lighting to two days per week ceasing at 10:00 p.m. on those days. Security light is restricted in height and must be down shielded. Other sources of light, including fires, headlights not needed for transportation safety, and art installations or holiday decoration must cease by 11:00 p.m. on Fridays and Saturdays and by 10:00 p.m. any other day.
3. Scenic degradation. While most of the uses currently allowed throughout the area can include the construction of significant buildings and fences, the concern with Black Rock Station is the proposed intensity of development and its potential impact on neighbors. At a distance, the developed site may not look substantially different from a ranch or agricultural operation, but the buildings, fences and other structures may have a significant impact on adjacent properties. To address this potential impact, the Development Standards Handbook includes design standards for buildings, fences and

art installations that will prevent the appearance of large monolithic masses and which prohibit visual obstruction of Fly Geyser for those properties that currently have unobstructed views of this resource.

4. Proliferation of individuals who may not understand or respect the importance of maintaining the rural character of the area. Workers, volunteers, and visitors to Black Rock Station arrive from far and wide. For many of these individuals, traveling to the remote high desert is a meaningful experience in their lives. It provides them with valuable respite from their normal routine, which is often urban in character. The majority of these individuals respect and value the same character that the permanent residents of the community value and that have been discussed here: dark skies, quiet nights, scenic beauty, etc. However, it is also the case that from time to time some of these individuals do not understand and respect the importance of these qualities to the community. Unfortunately seemingly minor incidents of disrespect can result in major impacts to the positive relationship the owners and the community are seeking to develop. Therefore, the plan requires the owners to develop a “code of conduct” that addresses, at a minimum, trespassing, use of illegal drugs, excessive alcohol consumption, noise and light pollution, reckless driving, and damage to fences marking property boundaries. This code of conduct must be posted at a minimum of three prominent locations throughout the site. Anyone who will be occupying the site for 12 hours or more on any given day must be presented with a copy of this code. It is understood that a code of conduct cannot prevent all inappropriate behavior, but will represent a good faith effort on the part of the owners to recognize and mitigate the potential for unfortunate incidents that could undermine the relationship between the owners and adjacent property owners.

### **Availability of Facilities**

There are currently sufficient facilities to support all current activities on site, including those permitted by the six SUPs. However, as development occurs there will likely be a need for increased road, water, and sewer capacity to support new uses. The approach the plan takes to roads and traffic was discussed above in (#1). Currently the site is served by an individual well and individual small septic systems. As water requirements increase with the arrival of new uses and increased uses, it will be necessary to acquire additional water resources to serve the site. Likewise, it is unlikely the Washoe County Health District and the State of Nevada will permit a series of individual septic systems to serve new uses, particularly because of the industrial and commercial character of these uses. In order to address the likely need for these increased resources and facilities, the plan requires that as activities increase on the site, adequate resources to support those activities will be provided. It is also likely that the ultimate answer to the provision of these facilities and resources will require the creation of single sewer and water facilities with the capacity to serve all or large segments of the evolving land use needs. Some facilities may need to be oversized, or engineered to be expandable as development increases. Washoe County will not issue building permits for development that does not have adequate sewer and water facilities to support the new development.



### **High Desert Area Plan Assessment**

The High Desert Area Plan is a component of the Washoe County Master Plan. The High Desert Area modifiers are a component (Article 206) of the Washoe County Code Chapter 110, the Development Code. Both of these documents contain numerous goals, policies and regulations that shape and support the proposed Black Rock Station Specific Plan. Each of these documents promotes uses in the rural area of the High Desert and together they allow for industrial zoning, permanent and temporary employee housing, community centers, lodging services, company towns, and a range of other residential, civic, commercial, agricultural and industrial uses. The High Desert Area Plan also requires significant attention be paid to the potential impacts of these uses. The proposed Development Standards Handbook is specifically written to address the relevant policies and goals found in the High Desert Area Plan, particularly those concerned with adequate facilities and resources, impacts to adjacent and nearby properties, and natural and scenic resources. While the Area Plan, including the "Character Statement", and the modifiers clearly anticipate the future development of a broad range of uses such as those proposed by the specific plan, they also require that the impacts of these uses be addressed and mitigated. In order to prevent the perception that certain goals and policies have been handpicked for this staff report, the full text of each document is attached as Exhibit D.

### **Development Suitability within the High Desert Area Plan**

The Development Constraints/Suitability Map contained in the High Desert Area Plan identifies Black Rock Station as "unconstrained."

### **Citizen Advisory Board (CAB)**

The High Desert Area Citizens Advisory Board was not active during the time this application was being processed and reviewed. Staff has however visited the area and met with community members throughout a day. Staff also attended a community Q&A session following a regularly scheduled Gerlach GID meeting. The concerns raised were increased traffic, light and noise pollution, safety services including fire police and EMS, degradation of scenic resources, and availability of water and sewer resources. These issues are addressed in the Development Standards Handbook.

### **Public Notice**

Notice for Regulatory Zone Amendments must be given in accordance with the provisions of Nevada Revised Statutes 278.260, as amended.

Owners of all real property to be noticed are owners identified on the latest County Assessor's ownership maps and records. Such notice is complied with when notice is sent to the last known addresses of such real property owners as identified in the latest County Assessor's records. Any person who attends the public hearing is considered to be legally noticed unless those

persons can provide evidence that they were not notified according to the provisions of Section 110.821.20 of the Washoe County Development Code.

A minimum of 30 property owners within 750 feet of the area to which the proposed amendment pertains must be noticed by mail at least 10 days before the public hearing date. Notice must also be given in a newspaper of general circulation within Washoe County at least 10 days before the public hearing date. The public hearing for this item was advertised in the Reno Gazette Journal on Friday, February 19, 2016.

Noticing for this proposal: Thirty-eight property owners within one mile of the subject parcel(s) were noticed by mail not less than 10 days before the public hearing. The noticing map is provided as Exhibit A.

### **Agency Comments**

The proposed amendment was submitted to the following agencies for review and comment.

- Bureau of Land Management
- Truckee Meadows Fire Protection District
- NV Energy
- State of Nevada Water Resources
- Washoe-Storey Conservation District
- Regional Transportation Commission
- Gerlach General Improvement District
- Washoe County Building and Safety Division
- Washoe County Engineering and Capital Projects Division
- Washoe County Sheriff
- Washoe County Health District

Comments were received from Washoe County Engineering and Capital Projects Division, Washoe County Health District, and Truckee Meadows Fire Protection District.

- Washoe County Engineering and Capital Projects Division submitted comments regarding the need for ongoing traffic studies to capture how increased activity will impact the roadways.

- Washoe County Health District submitted comments requiring development on site to meet all state and local regulations regarding water and sewer capacity and facilities. Vector control submitted comments regarding the need for a vector control plan to include rodents and mosquitos.
- Truckee Meadows Fire Protection District submitted comments regarding the need for a fire and emergency medical services plan.

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

Washoe County Code Section 110.821.15 requires that all of the following findings be made to the satisfaction of the Washoe County Planning Commission before recommending approval to the Board of County Commissioners. Staff has completed an analysis of the Regulatory Zone Amendment application and has determined that the proposal is in compliance with the required findings as follows.

1. Consistency with Master Plan. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan and the Regulatory Zone Map.

*Staff Comment: The development standards handbook that regulates development in the specific plan has been written to specifically respond to the policies of the master plan. The master plan, in particular the High Desert Area Plan, anticipates the types of uses proposed by this amendment.*

2. Compatible Land Uses. The proposed amendment will provide for land uses compatible with (existing or planned) adjacent land uses, and will not adversely impact the public health, safety or welfare.

*Staff Comment: Most of the more intense uses that result in local impacts have already been approved with Special Use Permits. All proposed uses for this site, those currently allowed and those that would be allowed following this amendment, will create some impact on nearby property. The plan seeks to mitigate those impacts to the highest degree possible.*

3. Response to Changed Conditions. The proposed amendment responds to changed conditions or further studies that have occurred since the plan was adopted by the Board of County Commissioners, and the requested amendment represents a more desirable utilization of land.

*Staff Comment: The proposed amendment responds to a recognition that the use of the SUP process to approve additional land uses on the site is no longer the best mechanism to meet the needs of the public, the owners, or Washoe County. The owners have gained enough experience to anticipate the types of activities that may be needed on the property in the future. Washoe County has adopted a*

*new planning tool (Specific Plans) that will allow for a more stable and predictable planning process that will meet the needs of all parties involved.*

4. Availability of Facilities. There are or are planned to be adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed amendment.

*Staff Comment: There are currently enough resources and facilities to support the existing development on the site. The amendment will require that facilities and resources are developed reasonably concurrent or prior to any development that will rely upon them.*

5. Master Plan Policies and Action Programs. The proposed amendment will not adversely affect the implementation of the policies and action programs of the Washoe County Master Plan.

*Staff Comment: Staff has not identified any Master Plan policies and action programs that would be negatively impacted by this proposed amendment.*

6. Desired Pattern of Growth. The proposed amendment will promote the desired pattern for the orderly physical growth of the County and guides development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services.

*Staff Comment: The purpose of the proposed amendment is to facilitate the activities necessary to support the annual Burning Man event. It is reasonable to locate such a facility in proximity to the event itself. The chosen property, "Black Rock Station," is located in an unconstrained area according the Development Constraints/Suitability Map contained in the High Desert Area Plan. The owners will be responsible for providing the facilities necessary to support the activities proposed in the amendment.*

## **Recommendation**

Those agencies which reviewed the application provided commentary in support of approval of the project. Therefore, after a thorough analysis and review, it is recommended that the proposed Regulatory Zone Amendment and the accompanying Development Standards Handbook be recommended for approval to the Board of County Commissioners and the Chair be authorized to sign the resolution. The following motion is provided for your 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 Planning Commission recommends

approval of the proposed Regulatory Zone Amendment and the accompanying Development Standards Handbook and to authorize the Chair to sign the resolution, having made all of the following findings in accordance with Washoe County Code Section 110.821.15.

1. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan and the Regulatory Zone Map.
2. The proposed amendment will provide for land uses compatible with (existing or planned) adjacent land uses, and will not adversely impact the public health, safety or welfare.
3. The proposed amendment responds to changed conditions or further studies that have occurred since the plan was adopted by the Board of County Commissioners, and the requested amendment represents a more desirable utilization of land.
4. There are or are planned to be adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed amendment.
5. The proposed amendment will not adversely affect the implementation of the policies and action programs of the Washoe County Master Plan.
6. The proposed amendment will promote the desired pattern for the orderly physical growth of the County and guides development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services.

### **Appeal Process**

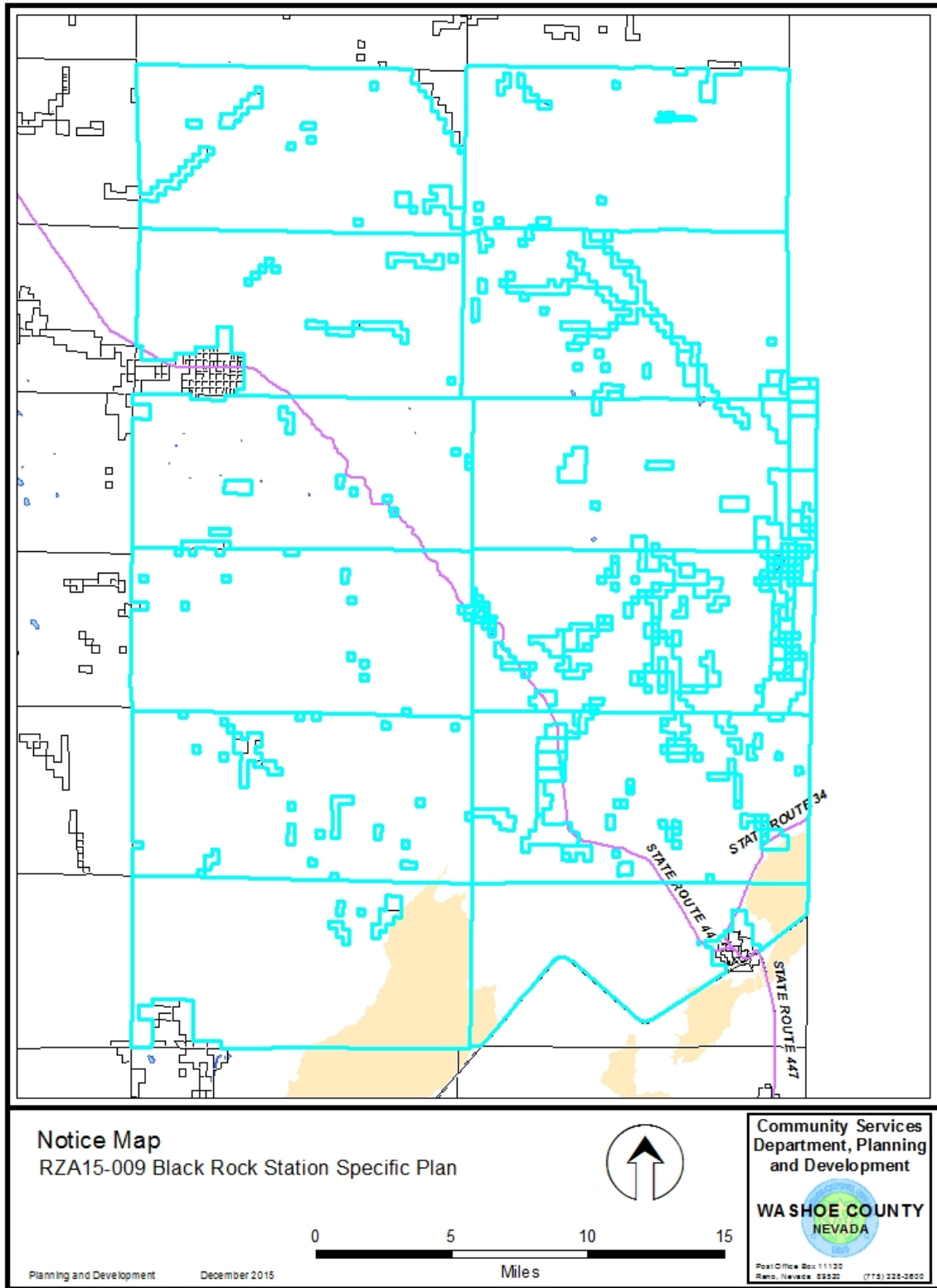
Planning Commission action will be effective 10 calendar days after the written decision is filed with the Secretary to the Planning Commission and mailed to the original applicant, unless the action is appealed to the Washoe County Board of County Commissioners, in which case the outcome of the appeal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

xc:

Applicant/Property Owner: Black Rock, LLC, 660 Alabama Street, San Francisco, CA 94110

Consultant: Rubicon Design Group, 100 California Ave., Suite 202, Reno, NV 89509

Noticing Map – RZA15-009



## **Public Comments/Correspondence**

Staff engaged in numerous discussions with community members during the review of this plan. However, staff did not receive much correspondence from community members. However, Mr. Ron Cole, the property owner immediately adjacent to the east boundary line of Black Rock Station engaged in a series of e-mail communications with staff. With Mr. Cole's permission, staff has agreed to condense the essence of his concerns as reflected in those e-mails here. Mr. Cole's concerns generally mirror those of the broader community. The following is a list of concerns raised by Mr. Cole.

1. The availability of water and sewer facilities.
2. Light and noise pollution.
3. Obstruction of Mr. Cole's scenic vistas.
4. Too many people occupying the site at certain times resulting in incompatible intensities of use.
5. Trespassing and property destruction.
6. Irreparable damage to the area's isolated rural character.
7. Roadway damage from excessive trucks and large vehicles on SR34 and Jackson Lane.
8. Increased wildfire risk.
9. Adequate emergency services including police, fire and medical services.

**Engineering and Capital Projects – Clara Lawson, PE, PTOE, Licensed Engineer:**

1. It is recommended as condition of approval that a traffic analysis be submitted with the first phase of the project unless waived by the Engineering Division. Updates shall be submitted every 3 years as needed. The applicant shall be required to implement mitigation measures recommended by the traffic analysis.

**Truckee Meadows Fired Protection District – Amy Ray, Fire Marshal TMFPD.**

1. I will not approve this plan that is contained in the package. They have many issues to address and there is no approved emergency plan between us and them. How do you want this written up? I can do a list of corrections or just deny the plan/RZA until they meet with us and provide a plan that we will accept.

**Washoe County District Health Department – James English, Environmental Health Specialists Supervisor; J.L. Shafer, Program Coordinator, Vector-Borne Diseases Program**

1. Further development as proposed in the Regulatory Zone Amendment will require a Water Project submittal as outlined in NAC 445A.
2. The proposed development will impact the requirements of the existing water system and will require a possible change in the classification and permitting including applicable permitting requirements based on the proposed uses in the Regulatory Zone Amendment.
3. Future development will require the approval of the Nevada Division of Environmental Protection (NDEP) for a septic design or potential package sewage disposal system to meet the needs of sewage disposal on the property.
4. No additional connections to the existing onsite sewage disposal system may be made on the subject property without approval by this agency.
5. All future building plans and proposals will require a letter from NDEP outlining the onsite sewage disposal system is adequate for the proposed development.
6. A storm water management plan will be required for the proposed development.
7. All proposed tourist facilities, campgrounds, labor camps, barracks, recreational vehicle facilities and commercial operations will need to meet the plan review and permitting requirements of the current applicable State of Nevada and recorded Washoe County District Board of Health (WCDBoH) regulations.



8. Any proposed composting facility shall meet the current recorded regulations of the Washoe County District Board of Health Regulations Governing Solid Waste Management.
9. Any location of a second single family dwelling on the property will be confined to the ability to site a second onsite sewage disposal system on the property including a reserve septic field.
10. A plan must be developed and approved by this Division for the management of hazardous and universal wastes for the proposed development. This plan must include emergency response plans and mitigation plans for any spills.
11. The proposed development must obtain will serve letter from Waste Management for garbage service.
12. There is an agricultural component to the specific plan that will include raising crops/animals. The Health District will only support sprinkler irrigation as opposed to flood irrigation for crop growing (Health Regulations Governing the Prevention of Vector-Borne Diseases 040.038).
13. A composting facility is being proposed to collect and store organic matter and manure to be used for the Community Farm. The Vector-Borne Diseases Program will require an inspection of the premises to ensure that effective management practices of manure pick up and storage is in place to eliminate the emergence of flies (Health Regulations Governing the Prevention of Vector-Borne Diseases 040.069).
14. The residential component as described in the document includes permanent and temporary housing. With Hanta virus endemic in the Gerlach area, the Health District will not support housing such as barracks. Modular units, temporary housing or free standing cabins will require a raised foundation (Health Regulations Governing the Prevention of Vector-Borne Diseases 040.070). The Vector-Borne Diseases Program will require inspections of this housing.
15. Hantavirus is endemic in Nevada. Unoccupied buildings, vehicles, structures, trailers, compost piles, and debris piles are commonly colonized by rodents. Human cases of Hantavirus typically occur in rural areas when individuals disturb structures and other areas which have been colonized by rodents. To prevent human exposure to Hantavirus and other rodent-borne diseases at the Black Rock LLC site; the Health District requires a rodent control plan as a condition of approval (Health District Regulations Governing the Prevention of Vector Borne Diseases 040.081). At a minimum, the rodent control plan must include the following elements:
  - a. An annual contract with a licensed pest control person covering: quarterly inspections and exterminations. Monthly inspections and exterminations are preferred.
  - b. Training and educational materials on Hantavirus must be provided to facility staff, residents, volunteers, and visitors. A training log must be kept which must include: the names of individuals who have received training, dates of training, and the signatures of individuals who have received training.
  - c. Site specific cleaning and decontamination procedures must be developed.
  - d. Personal protective equipment (PPE) must be provided to any individual who may be exposed to rodents or rodent droppings.

- e. A copy of the pest control contract, pest inspection reports, cleaning/decontamination procedures, and the training log must be sent to the Health District by January 30<sup>th</sup> of each calendar year.
- 16. When new industrial space exceeds 2000 sq. ft. a water reservoir will be built with this provision. The constructing of these reservoirs, ponds or water impoundments shall be built to the Vector-Borne Diseases Program standards (Health Regulations Governing the Prevention of Vector-Borne Diseases 040.032).
- 17. The use of personal storage facilities will require architectural design standards whereby items such as tires are not exposed to weather conditions such as rain events (Health Regulations Governing the Prevention of Vector-Borne Diseases 040.070).
- 18. The Washoe County Health District's Vector-Borne Diseases Program provides disease surveillance as well as other support for the Gerlach area. As of July 1, 2013 the Health District no longer funds the two annual helicopter operations for mosquito control. A service agreement will need to be in place by Black Rock Station, the Gerlach General Improvement District and Washoe County Health District whereby Black Rock Station provides funding for mosquito treatment service levels for the wetlands and geothermal hot springs associated with this 200 acre project as well as the associated wetland areas in close proximity that will affect the annual Burning Man event.
- 19. If Black Rock Station establishes a Special Assessment District (SAD), the Washoe County Health District's Vector-Borne Diseases Program will require an assessment set aside by the SAD whereby public health vector services are provided to the permanent base operation community and Annual Burning Man event.
- 20. Prior to the sign off of the building plans the above detail designs are required on the plans and a scheduled compliance inspection with the Vector-Borne Diseases Program is required for the above condition(s).

## **High Desert Area Plan Text:**

### **Introduction**

The High Desert Area Plan responds to a citizen-based desire to identify, implement and preserve the community character that has evolved throughout the High Desert area over time.

Upon direction from the Washoe County Planning Commission, the Department of Community Development worked to identify the distinguishing characteristics of the High Desert communities. The result of this effort is the development of a comprehensive vision for the High Desert planning area that identifies separate community character areas and establishes the existing and desired future character of each of these areas. The High Desert Area Plan implements and preserves this community vision and character.

The purpose of the High Desert Area Plan is to act as a guide for the Board of County Commissioners, the Washoe County Planning Commission, and the community on matters of growth and development within the High Desert planning area. The plan outlines the existing pattern of development and provides a guide for growth. The plan guides growth by recognizing critical conservation areas, establishing existing and future land use and transportation patterns, and identifying current and future public services and facilities needs. This plan was prepared to carry out Nevada Revised Statutes, Sections 278.150 to 278.230, inclusive, and other related sections.

In 2008, the High Desert Area Plan upholds the mission of the Board of County Commissioners as well. The Washoe County Development Code will be amended as necessary to ensure the implementation and preservation of the vision and character described in this Area Plan.

### **Vision**

Through cooperation with the Washoe County Board of County Commissioners and the Washoe County Planning Commission, the communities of the High Desert planning area will maintain and apply objective standards and criteria that serve to manage growth and development in a manner that:

Respects the heritage of the area by encouraging architectural and site design standards that are responsive to this heritage;

Respects private property rights;

Provides a range of housing opportunities;

Provides ample open space and recreational opportunities;

Promotes the educational and scientific opportunities inherent in the area's natural history and rural character;

Addresses the conservation of natural, scenic and cultural resources;

Ensures that infrastructure is coincident with development and appropriate in scale and character to the community character articulated below; and,

Coordinates resource availability with the construction of infrastructure through the implementation of facilities and resources plans.

The primary vision of this plan is to maintain, preserve, and facilitate the planning area's desired character. The Washoe County Planning Commission will consider an update to this plan every five years in order to ensure that the planning area's desired character is appropriately addressed

over time. Management guidelines and policies for private, commercial, residential and public lands will be implemented in a fashion that respects the rights of wildlife, residents, land owners and business owners; herein identified as the major stakeholders in this essential planning document.

### **Character Statement**

The High Desert planning area comprises the northern two thirds of Washoe County. The planning area is bounded on the north by the Oregon-Nevada state line, on the south by the North Valleys planning area and the Pyramid Lake Indian Reservation boundary, on the west by the California-Nevada state line, and on the east by the Pershing and Humboldt-Washoe county line. It includes the communities of Gerlach and Empire. The planning area is approximately 4,408 square miles in size.

Most residents of the High Desert planning area reside in the communities of Gerlach and Empire. These communities are the focal points for long-term residential development in the planning area. Gerlach consists primarily of high density suburban residential development interspersed with small amounts of medium density suburban residential development, mainly on the fringes of the town. Future development in Gerlach should match existing high density suburban land use in the already developed center of town and transition to medium density suburban land use along the periphery of town. Residents of the area have expressed a desire for the possibility for residents to live and work in a downtown mixed-use community. The Downtown Gerlach Overlay District has been identified in order to facilitate economic development, promote tourism, enable community character, and assist in the preservation of historic structures. This Overlay District will focus on design and community coherence rather than density.

Empire consists of a mix of high density and medium density suburban residential development owned by U.S. Gypsum and in support of extraction operations. Land uses in Empire also consist of General Commercial along Highway 447 and Industrial.

Mixed-use areas that are specifically designed to promote neighborhood are a component of the area's character that is just beginning to evolve as of the adoption of this plan. They contribute to a sense of place that is founded in the quality of life that comes with neighborhood scale commerce and environmental and community responsibility. The location and nature of commercial and mixed-use development must be carefully managed. Washoe County encourages and promotes a mix of uses in Gerlach that will provide quality residential and commercial services tailored to the growing needs of local residents and visitors to the High Desert area.

Included in the long range vision for the High Desert planning area is the promotion of affordable housing through a variety of housing options. The Gerlach/Empire Citizen Advisory Board has acknowledged that the planning area is an appropriate location for all types of site-built and fabricated housing. There is a strong desire in this community to improve the aesthetic appearance of the planning area without incurring excessive on-site development costs.

No additional subdivisions or expansion beyond the boundaries shown on the Character Management Plan map is recommended for either Gerlach or Empire. Countywide policies state that growth and development should be consistent with available resources and that intensification of land use occur in and around existing urban areas where there can be an orderly extension of public services and facilities. Any expansion of the utility service area shall be accompanied by a facility plan and finance mechanism. Residential development associated with short-term industrial and commercial uses, such as alternative energy production and the annual Burning Man event may be acceptable provided the development does not require community facilities or services and it satisfies applicable health and safety requirements.

The High Desert Area Plan recognizes the cultural and economic impacts of the annual Burning Man event. This unique use occurs within the planning area, creating economic opportunities for the towns of Gerlach and Empire as well as a significant employment base. Burning Man is a key

factor for economic development within the planning area as well as a provider of cultural and artistic opportunities that are showcased on an international level.

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. Residential and commercial opportunities in the area are founded on respecting and carrying forward this character. In fact, these unique and sensitive habitats provide paralleled educational, scientific, and recreational opportunities, making the area an attractive place in which to work and live. The recreational, educational, scientific, and lifestyle opportunities afforded by the natural resources of the High Desert planning area contribute greatly to the area's character and to its quality of life. Issues involving habitat and access to public land predominate. Growth in the planning area is to be managed in such a way as to minimize negative impacts on the area's character, particularly those impacts related to light, air, and water pollution; public health; wildlife and wildlife habitat; and the blending of new development with any existing development. The High Desert Area Plan is intended to serve as a guide for growth and development while protecting the area's unique natural resources as well as its scenic and rural heritage.

In the rural character areas, large contiguous public land holdings by the Bureau of Land Management (BLM) support this underlying character. Washoe County and the BLM have successfully worked together to improve wilderness access. These lands are used by residents throughout Washoe County as well as local residents. Ready access to these areas adds to a proliferation of outdoor recreational opportunities. The pressure on these public lands to accommodate all of the various uses and users will require an ongoing effort to effectively manage these important areas to prevent degradation of the resources they contain, to mitigate potential negative impacts on residents, and to lessen the burdens placed on public services such as EMS.

Private land within the High Desert planning area that contains a natural or man made feature of unique and significant interest may be considered for more intense development (not to exceed one dwelling unit per five acres) when a development agreement is approved and the unique feature is protected and preserved for public enjoyment.

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. The juxtaposition of diverse landscapes provides striking and unique views. State Highway 447, as it passes through the High Desert planning area, provides views of rugged mountain terrain offset by wide expanses of desert floor. Contrasts of color and elevation make these mountains and deserts an important visual resource. Scenic resources of the High Desert planning area include many natural heritage sites as inventoried in the Nevada Natural Heritage Plan. Additionally, Down Redwood fossil sites are found in Duck Flat, Forty-nine Camp and the George Lund Petrified Forest. Geothermal areas in the planning area include Wards Hot Springs, Gerlach Hot Springs and San Emidio Desert Hot Springs. These sites have both recreational and scenic appeal.

The High Desert planning area is composed of a number of unique habitats that provide for a diverse population of wildlife and plants. Mule deer, pronghorn antelope, California bighorn sheep, and wild horses can be found in this region. The federal list of threatened and endangered species indicates that the endangered Peregrine falcon and Southern bald eagle occur in the planning area as well. Wildlife habitat and migratory routes are a key component of the area's character. In 2006, The Nevada Natural Heritage Program ranked Wall Canyon and Fly Geysers as "Highest Priority Conservation Sites." These sites are characterized as currently requiring protection in order to conserve a significant assemblage of at-risk species and to prevent the loss of one or more species in the immediate future. Due to the High Desert's sensitive environmental conditions, it is essential to protect the natural balance that has evolved in the area over time. Careful stewardship of this rich natural environment is fundamental to maintaining and preserving this valuable component of the High Desert area character.

In all of the planning area's character areas, future development activities are to be conducted in such a manner as to maintain open space and provide connections to existing and planned recreational areas. Whenever feasible, grading is to complement the original contours of the landscape and minimize disruption to the natural topography. Assertions that this type of grading is not feasible are strongly questioned and before alternatives are permitted, feasibility is reviewed by all applicable agencies within Washoe County. Clustering residential development, without increasing density, is encouraged in this area. This serves to reduce the visual impact of development, preserve as much open space as possible, and decrease the cost of building and maintaining required infrastructure.

The threat of periodic natural hazards including floods, avalanche, earthquake, vector-borne disease outbreaks, and wildland fires is a danger in much of the planning area. Washoe County works in close collaboration with other agencies to reduce these threats through the application of development standards and practices and through education programs.

Throughout the High Desert planning area many residents rely on domestic wells for water service. Drinking water for Gerlach is sourced from two springs on the western slope of the Granite Mountains, the Garden and Railroad Springs. Uranium concentrations in these springs have been found to be several times the maximum limit established by the U.S. Environmental Protection Agency. In 2006, the Gerlach General Improvement District, which provides water service to approximately 127 residential and commercial properties in Gerlach, has responded to this issue by installing an ion exchange water treatment facility for the removal of uranium from the water supply. Consequently, the price of water service is relatively expensive for many Gerlach residents. Development in the planning area is to meet the strict sustainability requirements of the Regional Water Management Plan. New development activities are to be planned and conducted in such a manner as to enhance water recharge, fully utilize treated wastewater, and minimize the amount of water required for landscaping and amenities.

Infrastructure has been identified as a priority for the Gerlach area. A comprehensive study of infrastructure needs and the development of an infrastructure program would be appropriate.

Though most residents report that they enjoy living in Gerlach and are satisfied with the lifestyle afforded to them by the High Desert planning area, they do have a number of concerns:

More local-serving commercial businesses are needed to support the residents of Gerlach.

Tourism does not often contribute to the local economy. More opportunities for tourism related businesses would help to resolve this issue. Eco-tourism is desired.

More effective weed abatement measures are needed due to the increased incidence of invasive species.

Historic buildings are dilapidated. Although the desire to preserve historic buildings in Gerlach is evident, the funds to do so are not.

The fragile desert ecology needs to be protected as it is becoming increasingly more popular with recreational users.

Medical services are insufficient, as the medical clinic is staffed only part time.

Utilities are disproportionately expensive as many residences are highly energy inefficient and drinking water requires treatment for high levels of uranium.

Opportunities are needed for young people who would like to live and work in the Gerlach area after graduation from high school.

It is often said in the High Desert area, "Where the pavement ends, the West begins." Residents are proud of their Western heritage and often describe the character of their community in terms of its seclusion, natural beauty, clean air, and independence. An unusual balance exists here between old and new. The High Desert planning area sits at the crossroads of railroad/mining tradition and a more recent Burning Man inspired culture brought about by the increasing popularity of the annual event.

EXHIBIT D  
High Desert Area Plan Text and High Desert Modifiers Text  
RZA15-009

Due to the planning area's unique location, its key natural assets, and its ability to contribute to the sustainability goals of the Land Use and Transportation Element, the High Desert planning area's valuable character is to be carefully managed and preserved through the thoughtful and deliberate pursuit of the following goals and policies.

## Vision and Character Management

### Land Use

**Goal One: The pattern of land use designations and the specific allowed land uses in the High Desert Area Plan will implement the Land Use and Transportation Element of the Washoe County Master Plan, and the community character described in the Character Statement.**

#### Policies

- HD.1.1 The High Desert Character Management Plan map shall identify the Gerlach Suburban Character Management Area (GSCMA), the Empire Suburban Character Management Area (ESCMA), the Squaw Valley Reservoir Rural Character Management Area (SVRRCMA), and the High Desert Rural Character Management Area (HDRCMA).
- HD.1.2 Policy Growth Level: In order to manage the conservation of the High Desert planning area's distinctive character, future amendments to this plan which seek to intensify growth opportunities will be carefully reviewed by the community and staff for their potential impact to the sustainable management of the area's natural resources, including but not limited to water and wildlife habitat. The resource management policies and procedures articulated in this plan must ensure that all growth in the High Desert planning area occurs within the limits of sustainable resource management.
- HD.1.3 The following Regulatory Zones are permitted within the Gerlach Suburban Character Management Area (GSCMA):
- a. General Commercial (GC).
  - b. Tourist Commercial (TC).
  - c. Neighborhood Commercial (NC).
  - d. High Density Suburban (HDS).
  - e. Medium Density Suburban (MDS).
  - f. Parks and Recreation (PR).
  - g. Public/Semi-Public Facilities (PSP).
  - h. Downtown Gerlach Overlay District.
  - i. Industrial (I).
  - j. General Rural (GR).
- HD.1.4 The following Regulatory Zones are permitted within the Empire Suburban Character Management Area (ESCMA):
- a. General Commercial (GC).
  - b. Industrial (I).
  - c. High Density Suburban (HDS).
  - d. Medium Density Suburban (MDS).
  - e. Low Density Suburban (LDS).
  - f. Parks and Recreation (PR).
  - g. Public/Semi-Public Facilities (PSP).



- HD.1.5 The following Regulatory Zones are permitted within the High Desert Rural Character Management Area (HDRCA):
- a. General Rural (GR).
  - b. Medium Density Rural (MDR).
  - c. Low Density Rural (LDR).
  - d. Parks and Recreation (PR).
  - e. Public/Semi-Public Facilities (PSP).
  - f. Open Space (OS).
  - g. Industrial (I).
- HD.1.6 Squaw Valley Reservoir Rural Character Management Area: This private land containing a feature of unique and significant interest may be considered for more intense development (not to exceed one dwelling unit per 5 acres) when a development agreement is approved and the unique feature is protected and preserved for public enjoyment. This development agreement may include without limitation the following:
- a. Opportunities for residential development of mixed housing types.
  - b. Opportunities for local serving non-residential uses.
  - c. Opportunities for enhancement of tourism.
  - d. Development will be sited to blend with the surrounding developed and open space lands.
  - e. Development will minimize and mitigate its impacts on key resources.
  - f. Development will be compatible with and enhance the scenic quality of the High Desert planning area.
  - g. Development will promote the sustainable development goals of Washoe County.
  - h. Development will contribute to the community character, promote neighborhood, and create a sense of place founded in the quality of life that comes with environmental and community responsibility.
  - i. Development will provide for public access to its feature of unique and significant interest.
- HD.1.7 Temporary residential development associated with short-term commercial uses, such as the annual Burning Man event, may be acceptable with a special use permit provided the development does not require community facilities or services and it satisfies applicable health and safety requirements as stipulated by the Washoe County District Health Department and the Department of Community Development to ensure compliance with federal, state, and local health regulations.
- HD.1.8 This plan shall be interpreted to ensure that all existing entitlements as of the adoption of this plan are fully recognized.

**Goal Two: Common Development Standards in the High Desert planning area. Establish development guidelines that will implement the Land Use and Transportation Element of the Washoe County Master Plan and preserve the community character commonly found within the High Desert planning area.**

**Policies**

- HD.2.1 When feasible, given utility access constraints, grading for residential purposes after the date of final adoption of this plan will:
- a. Minimize disruption to natural topography.
  - b. Utilize natural contours and slopes as specified in the Washoe County Development Code.
  - c. Complement the natural characteristics of the landscape.
  - d. Preserve existing vegetation and ground coverage to minimize erosion.
  - e. Minimize cuts and fills. Cut and fill slopes greater than eight (8) feet in height are prohibited. Grade changes greater than eight (8) feet in height shall be stabilized using one or more engineered retaining wall. Wall colors shall blend with the adjacent undisturbed hillside.
  - f. Large construction activities that support the development of new subdivisions or commercial and civic projects shall stabilize areas not developed within 60 days and shall be required to obtain a dust control permit.
- 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.
- HD.2.3 Applicants required to present their items to the Citizen Advisory Board (CAB) must submit a statement to staff regarding how the final proposal responds to the community input received from the CAB.
- HD.2.4 During review of tentative maps and other development proposals, staff will review the adequacy of the minimum standards established under this plan; and upon a finding that a standard is inadequate to implement these goals, may recommend to the Planning Commission other similar standards as necessary to implement the relevant goal. Said similar standards may include, but are not limited to, perimeter parcel matching and alternative construction materials.
- HD.2.5 Any lighting proposed must show how it is consistent with current best practice “dark-sky” standards. In subdivisions established after the date of final adoption of this plan the use of street lights will be minimized.
- HD.2.6 Street lights, security lights, and other outdoor lighting should be powered by solar or other renewable energy sources whenever possible. Proposals to utilize traditional energy sources must explain why alternative sources are not possible.
- HD.2.7 Whenever feasible, new homes, commercial buildings, and public facilities should be located in a manner that facilitates the immediate use of, or future conversion to, renewable energy technologies. This includes home orientation to solar and wind exposure and geothermal resources. Proposals to orient buildings inconsistent with this goal must explain why it is not feasible to do so.
- HD.2.8 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.
- HD.2.9 Prior to their incorporation into the Development Code, the standards established in policies HD.2.1-HD.2.15 will be implemented through tentative map conditions, improvements plans, CC&Rs, deed restrictions, or other methods deemed as appropriate by the Director of Community Development. When appropriate,

Washoe County staff shall establish the implementation measures as conditions of tentative map approval.

- HD.2.10 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.
- HD.2.11 Development activities should be designed to support the efficient use of infrastructure and the conservation of recharge areas, habitat, and open vistas.
- HD.2.12 Proposals for special use permits to establish non-residential uses in a residential regulatory zone will be subject to a Public Health Impact Review (PHIR), to be conducted jointly by Community Development staff and Washoe County District Health Department Staff. The specific content and methodology of the PHIR will be determined by the Washoe County District Health Department with the cooperation of the Washoe County Community Development Department, on a case-by-case basis.
- 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.
- HD.2.14 Washoe County is working with regional partners to ensure that the County's Development Code reflects best practices for wildland fire prevention and management for development activities in the wildland/suburban interface. Prior to the amendment of the Development Code to incorporate the relevant codes and practices, applicants for any discretionary approval must show how their project will manage the potential threat of wildland fire. Plans that propose the use of defensible space must include a maintenance plan for that space that demonstrates how that area will be maintained and managed for the life of the project.
- HD.2.15 Consistent with the Goals and Policies of the Land Use and Transportation Element, Common Open Space Development practices should be utilized for all densities equal to or greater than one unit per acre. Landowners who seek to create new parcels but choose not to utilize common open space practices should be able to demonstrate how habitat, recharge areas, and open space will be preserved.

**Goal Three: Manage the location, intensity and mix of uses for Commercial Regulatory Zones in a manner that implements the goals and policies of the Washoe County Land Use and Transportation Element, ensures the unique character of the High Desert planning area is preserved and improved, and realizes the desire of the community to support opportunities for the promotion of local tourism.**

**Policies**

- HD.3.1 Commercial and mixed-use development proposals will be consistent with the Goals and Policies of the Washoe County Land Use and Transportation Element.
- HD.3.2 The Washoe County Development Code will further incorporate and describe this overlay district within the Gerlach Community Character Management Area. See Appendix A – Downtown Gerlach Overlay District.

Downtown Gerlach Overlay District Development Criteria:

1. To promote a sense of neighborhood, to promote the functional and aesthetic integration of commercial uses with the community, and to promote the efficient use of resources and

- infrastructure in the High Desert planning area, commercial development proposals should include a residential component, or be closely integrated with nearby residential development. In order to facilitate this policy, special use permits to establish residential uses in commercial regulatory zones will not be required in the Downtown Gerlach Overlay District. The Development Code shall be amended to allow residential uses on parcels designated General Commercial in the Downtown Gerlach Overlay District.
2. Commercial and mixed-use development proposals must show how the unique character of the Gerlach Community will be preserved or improved, and must be consistent with all Goals and Policies and Development Code provisions relating to the High Desert planning area.
  3. Residential properties located within the boundaries of this overlay district shall be allowed Neighborhood Commercial uses without the requirement of a special use permit.
  4. Site development plans, including landscape plans, must be reviewed by Department of Community Development staff for consistency with the standards and guidelines established under this goal.
  5. A consistent architectural style shall be used to unify these parcels. This unifying style should recognize the unique character of the Gerlach community. Building materials shall be chosen for their ability to blend with the landscape and should emphasize the use of wood, stone, stucco or related materials.
  6. The view of the property shall create a sense of place that is scenic, compatible with the local environment, and establishes a safe and welcoming neighborhood atmosphere.
  7. Prior to their incorporation into the Development Code, the policies established under Goal Three will be implemented through development agreements, tentative map conditions, improvements plans, CC&Rs, deed restrictions, or other methods deemed as appropriate by the Director of Community Development. When appropriate, Washoe County staff shall establish the implementation measures as conditions of tentative map and site plan approval.

## Transportation

**Goal Four: The regional and local transportation system in the High Desert planning area will be a safe and efficient system providing access to commercial services, public lands and recreational opportunities and efficient connections to the greater region. Policies set forth under this goal are intended to implement the goals and policies set forth in the Land Use and Transportation Element. The system will contribute to the preservation and implementation of the community character as described in the High Desert Vision and Character Statement and to preserving and enhancing scenic and recreational areas for visitors to enjoy.**

### Policies

- HD.4.1 Washoe County will work with the RTC and neighboring jurisdictions to ensure that the mitigation of potential development impacts in neighboring jurisdictions and planning areas is consistent with the intent of Goal Four above.
- HD.4.2 The necessary right-of-way and intersection requirements identified in the Regional Transportation Plan will be protected through dedication, setback or other method deemed adequate and appropriate by the Regional Transportation Commission and Washoe County.
- HD.4.3 Washoe County will ensure that the details of all new road construction that implements the adopted Regional Transportation Plan will be subject to a comprehensive public review and comment process.
- HD.4.4 Washoe County will work with the Regional Transportation Commission to ensure that the design of all road improvements identified in the RTC Regional

Transportation Plan provide for the safe intersection of any trail or proposed trail identified on the Recreational Opportunities Plan map.

## Resources

**Goal Five: Resources key to the preservation and implementation of the character described in the Character Statement will be protected and, where possible, enhanced.**

### Policies

- HD.5.1 Washoe County will continue to pursue opportunities for the public acquisition of lands in the High Desert planning area that contain key resources necessary for the long term preservation and enhancement of the area's character.
- HD.5.2 Washoe County will cooperate with other agencies, institutions, and local residents to ensure that recreational, educational and scientific activities based on the area's key resources will be supported and encouraged, particularly where those activities contribute to the character of the local community and are beneficial to the broader region. The County will explore alternative funding sources for acquisition, maintenance and operation.

## Scenic/Recreational/Cultural Resources

**Goal Six: Maintain open vistas and minimize the visual impact of hillside development in a manner that implements the community character described above.**

### Policies

- HD.6.1 The Washoe County Departments of Community Development and Public Works will establish and oversee compliance with design standards for grading that minimize the visual impact of all residential and non-residential hillside development, including road cuts and driveways. See Policy HD.2.1 regarding grading under Goal Two.
- HD.6.2 The grading design standards referred to in HD.6.1 are intended to, at a minimum, ensure that disturbed areas shall be finished, fill slopes will not exceed a 3:1 slope, and that hillside grading will establish an undulating naturalistic appearance by creating varying curvilinear contours.
- HD.6.3 When necessary to mitigate the impact of road cuts, driveways and similar features on prominent hillsides, staff may require the installation of landscaping that will significantly soften the visual impact within three years of installation. Maintenance plans for these landscaped areas may be required.
- HD.6.4 County will review its revegetation policy, require additional funds be set aside for revegetation, and mandate eighty percent (80%) reestablishment of vegetation prior to release of the bonds.

**Goal Seven: Public and private development will respect the value of cultural and historic resources in the community.**

### Policies

- HD.7.1 Prior to the approval of master plan amendments, tentative maps, or public-initiated capital improvements in the High Desert planning area, the Nevada State Historic Preservation Office will be contacted and, if the department requests, an appropriate archaeological investigation will be conducted.

- HD.7.2 Washoe County will cooperate and participate with state, federal and Native American agencies in the planning and conservation activities of those agencies related to cultural and historic resources.
- HD.7.3 Washoe County will pursue funding opportunities for the identification, conservation, and interpretation of natural, cultural and historic resources. Displays may be provided at parks and trailheads to provide the public with pertinent information regarding these resources. Interpretive displays will take into consideration current best practices for archaeological preservation.

**Goal Eight: The High Desert planning area will contain an extensive system of trails that integrates other recreational facilities and public lands; and contributes to the preservation and implementation of the community character.**

**Policies**

- HD.8.1 Updates to the Parks District Master Plan for the High Desert planning area will look to this goal and the following policies for direction.
- HD.8.2 New trails will be designed to accommodate multiple uses including equestrian, pedestrian and bicycle traffic, unless severe technical, environmental, or economic hardships warrant consideration of a more limited use.
- HD.8.3 Trails that provide links to the facilities listed in Goal Eight should receive priority for funding, planning, and construction.
- HD.8.4 Parking will be provided at all trailheads unless technical or safety issues prevent the construction of parking facilities or it is determined that the parking facility cannot be adequately screened or buffered from adjacent residential properties. Points of access other than trailheads may be depicted on the Recreational Opportunities Plan map but do not require parking facilities.
- HD.8.5 As new residential and commercial properties develop in the High Desert planning area, the Washoe County Department of Regional Parks and Open Space will review development proposals for potential trail connections and request any necessary trail easements.
- HD.8.6 Access to existing trails will be protected and improved whenever possible. During the process of development review, the Washoe County Departments of Community Development and Regional Parks and Open Space will request dedication of property and/or easements when appropriate trail alignments have been identified that link significant nodes within the High Desert planning area or connect existing trails or otherwise implement Goal Eight. Proposed trail easements must be field checked to determine if the slope and landscape will allow the construction of the trail. The location of driveways, drain covers, or other utilities shall not impede the trail construction or pose a hazard to the user.
- HD.8.7 Development proposals and population trends will be evaluated on their impact to an established community standard of seven acres of Neighborhood/Community Park per 1,000 residents. When warranted, the Washoe County Department of Regional Parks and Open Space will request the dedication of an appropriate amount of community park acreage as property develops within the planning area.

**Goal Nine: Washoe County will cooperate with state and federal agencies in the management of public lands in the planning area.**

**Policies**

- HD.9.1 Washoe County recognizes a growing pressure on public lands brought on by an increasing demand for outdoor recreational activities. Washoe County will work with the BLM to ensure that Management Plans for federal lands in the planning area consider the growing impact of recreational activities on residents of the area.
- HD.9.2 Washoe County will cooperate with the community and with other local agencies to explore establishing new funding sources and to enlist volunteers to help in the maintenance and operation of local recreation facilities.

**Natural Resources**

**Air Resources**

**Goal Ten: The High Desert planning area will maintain or exceed federal, state and local carbon monoxide, ambient particulates (pm10, pm2.5) and ozone air quality standards. The vistas of the surrounding ridges and more distant mountain ranges will not be obstructed by man-made pollutants.**

**Policies**

- HD.10.1 Washoe County will ensure that the Regional Transportation Commission gives significant consideration to issues of air quality in the creation of any regional transportation plan that may have the ability to positively or negatively impact air quality in the High Desert planning area.
- HD.10.2 Development in the High Desert planning area will comply with all local, state and federal standards regarding air quality.
- HD.10.3 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.

**Land Resources**

**Goal Eleven: The built environment will minimize the destructive potential of any identified natural hazard, including but not limited to wildland fires, earthquakes and land slides. (See Goal Fifteen for flood related policies.)**

**Policies**

- HD.11.1 Development proposals, with the exception of single family homes and uses accessory to single family homes within the High Desert planning area will include detailed soils and geo-technical studies sufficient to:
- a. Ensure structural integrity of roads and buildings.
  - b. Provide adequate setbacks from potentially active faults or other hazards.
  - c. Minimize erosion potential.

- HD.11.2 Development proposals in areas with identified geological hazards will follow the recommendations of any geo-technical study conducted pursuant to Policy HD.11.1
- HD.11.3 Washoe County is working with regional partners to ensure that the county's Development Code reflects best practices for wildland fire prevention and management for development activities in the wildland suburban interface. Prior to the amendment of the Development Code to incorporate the relevant codes and practices, applicants for any discretionary approval must show how their project will manage the potential threat of wildland fire. Plans that propose the use of defensible space must include a maintenance plan for that space that demonstrates how that area will be maintained and managed for the life of the project.

**Goal Twelve: Public and private development will respect the value of wildlife and wildlife habitat to the community.**

**Policies**

- HD.12.1 Prior to the approval of master plan amendments, tentative maps, public initiated capital improvements, or any project impacting 10 or more acres in the High Desert planning area, the Nevada Department of Wildlife will be contacted and given an opportunity to provide conservation, preservation, or other wildlife and habitat management input to the project.
- HD.12.2 Any development that has the potential to negatively impact an established wildlife migration route or critical habitat, including but not limited to traditional mule deer migration routes, deer winter range, federally classified Threatened and Endangered Species and their associated habitat must demonstrate how that project will protect the integrity of the migration route or habitat.

**Goal Thirteen: Mining in the High Desert planning area will be compatible with existing residential, agricultural, ranching and educational uses.**

**Policies**

- HD.13.1 Mining activities in the High Desert planning area must be adequately screened and/or buffered from residential and educational land uses and from roadways designated arterials or highways on the High Desert Streets and Highways System Plan map.
- HD.13.2 Proposals for mining activities will be subject to a Public Health Impact Review (PHIR), to be conducted jointly by Community Development Staff and Washoe County District Health Department Staff. The specific content and methodology of the PHIR will be determined by the Washoe County District Health Department with the cooperation of the Washoe County Community Development Department, on a case-by-case basis.

**Goal Fourteen: The use, extraction and development of geothermal, wind, and solar resources will be managed in a sustainable and compatible way that protects both the resource and the surrounding land uses of the High Desert Rural Character Management Area.**

**Policies**

- HD.14.1 Washoe County will promote geothermal development, except where mitigation measures will not protect the existing air and water quality standards.



- HD.14.2 Washoe County will apply adequate standards to govern all phases of geothermal exploration and development, including the restoration of all such areas once the resource becomes nonproductive.
- a. The Washoe County Department of Community Development, in conjunction with existing or newly created public and private agencies and individuals will identify and document standards for use of geothermal resources, disposal of any resulting waste, and reclamation of geothermal sites. Until such standards are available, the Washoe County Department of Community Development will review all proposals for geothermal resource development to encourage full use of the potential and to ensure that adverse environmental impacts are avoided.
  - b. The Washoe County Department of Community Development will require the developer of geothermal resources to comply with local, state, and federal laws and regulations governing the disposal of geothermal fluids. Before approval is given for resource development, a disposal plan must be submitted to and approved by the Washoe County Board of County Commissioners.
- HD.14.3 Washoe County will encourage the development of wind energy collection and production infrastructure.
- HD.14.4 Proposals for wind turbines shall address, through appropriate design, the unique High Desert Rural Character Management Area character.
- HD.14.5 Proposals for wind energy development shall address significant impacts caused by wind turbine wake effects upon existing and approved downwind wind turbines.
- HD.14.6 Other renewable resources such as solar generators, energy storage, distributed generation and cogeneration should complement wind energy uses. Limited industrial and commercial uses, serviced by alternative energy, where appropriate and consistent with existing residential uses, should develop within portions of existing and future wind parks.
- HD.14.7 Where feasible, orientation of all structures shall maximize the use of passive solar energy. Site orientation should be consistent with visual impact policies.

### **Water Resources – Flooding**

**Goal Fifteen: Personal and economic losses associated with flooding will be minimized. Development in the High Desert planning area will mitigate any increase in flood peak, flood stage, flood velocity, and volume of runoff to ensure that the flood hazard to existing developed properties is not exacerbated.**

#### **Policies**

- HD.15.1 Development within the High Desert planning area will conform to Regional Water Plan Policy 3.1.c, "Flood Plain Storage Outside the Truckee River Watershed," as well as locally specific flood control requirements as adopted by Washoe County.
- HD.15.2 Development in the High Desert planning area will be protected from damage caused by a one percent chance flood event, either by elevation above or avoidance of the regulatory floodplain. Washoe County will utilize the best available data to identify the extent of the one percent chance floodplain.
- HD.15.3 Washoe County will work to ensure that the action of one property owner does not adversely impact the properties and rights of other property owners, as

measured by increased flood peaks, flood stage, flood velocity, volume of runoff, erosion, and sedimentation.

### **Water Resources – Supply**

**Goal Sixteen: Water resources will be supplied to land uses in the High Desert planning area according to the best principles/practices of sustainable resource development. Whenever possible, future water supply systems will be designed to avoid or mitigate unreasonable impact on existing municipal and domestic systems.**

#### **Policies**

- HD.16.1      Development proposals must be consistent with Regional Water Plan Policies:  
                  1.3.b, "Protection and Enhancement of Groundwater Recharge";  
                  1.3.d, "Water Resources and Land Use";  
                  1.3.e, "Water Resource Commitments"; and  
                  1.3.g, "Groundwater Resource Development and Management of Water Quality."
- HD.16.2      Tentative subdivision maps will be approved for development after the infrastructure and resource needs of that development have been evaluated by the Department of Water Resources and found consistent with all applicable water and wastewater resources and facilities plans.
- HD.16.3      Washoe County will ensure that water projects in the High Desert planning area identify social, economic, and environmental impacts and address mitigation measures for the transfer of water rights.
- HD.16.4      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.
- HD.16.5      Landscaping that makes use of drought tolerant plants and plants native to the high desert is encouraged.
- HD.16.6      The use of Low Impact Development (LID) design concepts to minimize storm water runoff is encouraged.

### **Water Resources – Quality**

**Goal Seventeen: The quality of water from the High Desert Hydrographic Basins will be protected from further degradation resulting from human activities.**

#### **Policies**

- HD.17.1      The Washoe County Department of Water Resources will implement and maintain a Wellhead Protection Plan for Washoe County's municipal well facilities in the High Desert Hydrographic basins and encourage other purveyors to develop and implement plans for the protection of groundwater resources.
- HD.17.2      The use of new production wells for future development must not create water quality degradation at existing production and domestic wells.

**Goal Eighteen: Watershed protection and groundwater recharge will be prime considerations towards future development activities.**

**Policies**

- HD.18.1 Natural groundwater recharge areas will be protected from development when possible. When planned development does impose on natural recharge areas, mitigation measures will be taken.
- HD.18.2 The use of curb and gutter will be minimized. The use of Best Management Practices is encouraged to promote groundwater recharge, minimize land disturbance, control erosion, and decrease the incidence of public health insect nuisances.

**Goal Nineteen: Maintain and enhance the value of wetlands and their associated habitats for their groundwater recharge, aesthetic, environmental, educational, recreational, stormwater runoff and flood control purposes. Washoe County will act to ensure the best possible balance between these wetland area uses.**

**Policies**

- HD.19.1 All development will meet or exceed the standards for wetland development and impact established by state and federal agencies responsible for wetlands management.
- HD.19.2 Land use proposals that include wetlands areas must demonstrate how they are consistent with Goal Nineteen.
- HD.19.3 Development proposals that impact any area designated “potential wetlands” on the Development Suitability map must conduct a wetlands delineation study and obtain Army Corps of Engineers certification of the proposed wetlands and comply with vector-borne diseases regulations.
- HD.19.4 Washoe County will work with state, federal, and private agencies to support the development and implementation of programs and initiatives that are consistent with Goal Nineteen.

**Water Resources – Service/Wastewater**

**Goal Twenty: Water resources and wastewater treatment and disposal will be provided to residential and non-residential uses in a manner that implements and preserves the community character as described in the High Desert Vision and Character Statement.**

**Policies**

- HD.20.1 Tentative subdivision maps will not be approved for any development until the infrastructure and resource needs of that development have been evaluated by Washoe County and found consistent with all applicable water and wastewater resources and facilities plans.
- HD.20.2 Washoe County will encourage alternative wastewater treatment technologies that are demonstrated to release effluent of improved quality, providing protection against further degradation of surface and groundwater quality and contributing to groundwater recharge. These technologies should not contribute to the incidence of vector-borne diseases by ponding water longer than any seven day period between the months of April and October.
- HD.20.3 Washoe County will evaluate any proposal for community wastewater treatment facilities for its impact on water quality. Appropriate mitigation will be required for any identified potential negative impacts to water quality.

- HD.20.4 Developments served by on-site sewage disposal systems must comply with current regulations, protect surface and groundwater from contamination, and prevent the spread of disease with regard to sewage disposal and water quality and supply.
- HD.20.5 The use of treated effluent for construction dust control purposes is encouraged.

## Plan Maintenance

**Goal Twenty-one: Amendments to the High Desert Area Plan will be for the purpose of further implementing the Vision and Character Statement, or to respond to new or changing circumstances. Amendments will conform to the High Desert Vision and Character Statement. Amendments will be reviewed against a set of criteria and thresholds that are measures of the impact on, or progress toward, the Vision and Character.**

## High Desert Modifiers Text:

# HIGH DESERT AREA

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### Sections:

|            |  |
|------------|--|
| 110.206.00 | <b>Purpose</b>   |
| 110.206.05 | <b>Mobile Home and Manufactured Home Placement Standards, Development Standards and Design Standards</b> |
| 110.206.10 | <b>General Rural Regulatory Zone Area Modifier</b>   |

**Section 110.206.00 Purpose.** The purpose of this article, Article 206, High Desert Area, is to set forth special regulations to supplement the general regulations set forth in Article 202, Area Plan General Regulations, and to implement the High Desert Area Plan contained in Volume Two of the Master Plan and the other applicable plan elements contained in Volume One of the Master Plan.

*[Amended by Ord. 1447, provisions eff. 9/9/10.]*

**Section 110.206.05 Mobile Home and Manufactured Home Placement Standards, Development Standards and Design Standards.** Mobile home and manufactured home placement standards, development standards and design standards in the High Desert planning area shall be regulated by the following provisions, and are exempt from the provisions of Article 312, Fabricated Housing:

- (a) **Placement Standards.** Mobile homes and manufactured homes may be placed on any residential regulatory zone parcel in the High Desert planning area, including any Trailer (TR) Overlay zone in effect prior to May 26, 1993 with the

exception of TR parcels that have the current regulatory zones of either General Commercial, Neighborhood Commercial/Office, Tourist Commercial, Industrial, Open Space, Parks and Recreation, or Public/Semi-Public Facility. Mobile homes and manufactured homes may also be placed on any General Rural Regulatory Zone parcel in the High Desert planning area.

- (b) Development Standards. All new placements of mobile homes and manufactured homes, including set-ups and installations, shall comply with the following development standards:
- (1) Density and Intensity Standards. Mobile homes and manufactured homes shall be subject to the maximum number of units allowed per acre, site coverage and height of structures as set forth in Article 402, Density/Intensity Standards, for the regulatory zone in which they are located.
  - (2) Lot Standards. Mobile homes and manufactured homes shall be subject to the minimum and maximum size of lots and the minimum average lot width as set forth in Article 404, Lot Standards, for the regulatory zone in which they are located.
  - (3) Building Placement Standards. Mobile homes and manufactured homes shall be subject to the building setbacks and yard requirements as set forth in Article 406, Building Placement Standards, for the regulatory zone in which they are located.
  - (4) Parking. Properties on which mobile homes and manufactured homes are placed shall contain at least two (2) off-street parking spaces. These parking spaces do not have to be located in an enclosed garage or carport.
  - (5) Skirting. Complete perimeter solid skirting, of a material and color complimentary to the mobile home or manufactured home, shall be provided from the bottom of the mobile home or manufactured home to the ground surface within sixty (60) days of the set-up date. The exterior covering of the mobile home or manufactured home can be used to satisfy the skirting requirement, except that, when a solid concrete or masonry perimeter foundation is used, the exterior covering material need not extend below the top of the foundation.
  - (6) Foundations. The foundation system must be safe and secure and must comply with the manufacturer's set-up instructions or a federal agency's (HUD/FHA, VA, FNMA or FmHA) approved mobile home and manufactured home foundation system. The foundation system must be set so that the height at the perimeter does not exceed a maximum of thirty-six (36) inches as measured from the bottom of the frame (e.g. support I-beam) to the surrounding finished grade, with at least one (1) section of the perimeter not exceeding sixteen (16) inches in height. The transportation hitch and wheels must be removed from the mobile home or manufactured home within sixty (60) days of occupancy, and the equipment must be either physically removed from the parcel or stored under the unit and be completely concealed by the skirting.

- (7) Flood Areas. Mobile homes and manufactured homes located in flood hazard areas or limited flooding areas shall comply with the requirements of Article 416, Flood Hazards.
- (c) Design Standards. All new placements of mobile homes and manufactured homes, including set-ups and installations, shall comply with the following appearance standards to ensure aesthetic compatibility with development in the High Desert planning area:
- (1) Exterior Siding. Exterior siding of the mobile home or manufactured home shall be made of a non-reflective material.
- (2) Roofing Material. The roof of the mobile home or manufactured home shall be constructed of non-reflective materials. Tarps, cloth or other temporary weatherproofing material shall not be allowed as a permanent roof.

*[Added by Ord. 875, provisions eff. 8/3/93. Amended by Ord. 939, provisions eff. 11/1/95; Ord. 1023, provisions eff. 7/1/98.]*

**Section 110.206.10 General Rural Regulatory Zone Area Modifier.** In addition to the regulations of the General Rural Regulatory Zone described in Article 106, Regulatory Zones, and the allowed uses described in Article 302, Allowed Uses, the following regulation modifiers shall apply in the High Desert planning area:

- (a) Allowed Uses:
- (1) Residential Use Types:
- (i) Family residential - attached accessory dwelling;
  - (ii) Family residential - detached accessory dwelling;
  - (iii) Manufactured home parks; and
  - (iv) Group home.
- (2) Civic Use Types:
- (i) Administrative services;
  - (ii) Child care - family daycare;
  - (iii) Community center;
  - (iv) Convalescent services; and
  - (v) Postal services.
- (3) Commercial Use Types:
- (i) Administrative offices;
  - (ii) Animal sales and services - veterinary services, agricultural;

- (iii) Animal sales and services - veterinary services, pets;
  - (iv) Commercial educational services;
  - (v) Commercial recreation - commercial campground facilities;
  - (vi) Lodging services - bed and breakfast inns;
  - (vii) Medical services;
  - (viii) Nursery sales - retail;
  - (ix) Personal services;
  - (x) Personal storage;
  - (xi) Recycle center - remote collection facility;
  - (xii) Repair services, consumer; and
  - (xiii) Retail sales - convenience.
- (4) Agricultural Use Types:
- (i) Agricultural processing;
  - (ii) Agricultural sales; and
  - (iii) Produce sales.
- (5) Multi-Uses:
- (i) Company towns, bunkhouse and permanent employee housing;
  - (ii) Livestock camps; and
  - (iii) Railroad camps, highway camps and temporary employee housing.
- (b) Requiring a Board of Adjustment Approved Special Use Permit Subject to the Provisions of Article 810, Special Use Permits:
- (1) Civic Use Types:
- (i) Hospital services.
- (2) Commercial Use Types:
- (i) Adult entertainment;
  - (ii) Automotive and equipment - automotive repair;
  - (iii) Automotive and equipment - cleaning;

- (iv) Automotive and equipment - equipment repair and sales;
- (v) Automotive and equipment - storage of operable vehicles;
- (vi) Automotive and equipment – truck stops;
- (vii) Commercial centers – neighborhood centers;
- (viii) Commercial recreation - indoor entertainment;
- (ix) Commercial recreation - indoor sports and recreation;
- (x) Commercial recreation – limited gaming facilities;
- (xi) Construction sales and services;
- (xii) Eating and drinking establishments - convenience;
- (xiii) Eating and drinking establishments - full service;
- (xiv) Liquor sales – off-premises;
- (xv) Liquor sales – on-premises;
- (xvi) Retail sales - specialty stores;
- (xvii) Recycle center – full service recycle center;
- (xviii) Recycle center – residential hazardous substance recycle center;
- (xix) Secondhand sales; and
- (xx) Transportation services.

(3) Multi-Uses:

- (i) Private air strips and glider ports.

(4) Industrial Use Types:

- (i) General industrial – heavy;
- (ii) General industrial – intermediate;
- (iii) General industrial – limited;
- (iv) Inoperable vehicle storage;
- (v) Laundry services;
- (vi) Salvage yards;
- (vii) Wholesaling, storage and distribution – heavy; and;



(viii) Wholesaling, storage and distribution – light.

(5) Agricultural Use Types:

(i) Animal slaughtering, commercial.

*[Added by Ord. 916, provisions eff. retro. to 5/26/93, amended by Ord. 1378, provisions eff. 8/1/08; Ord. 1485, provisions eff. 3/27/12.]*





**RESOLUTION of the Washoe County Planning Commission**

**Recommending Adoption of Regulatory Zone Amendment Case Number RZA15-009 and  
the Amended High Desert Regulatory Zone Map and the Accompanying Black Rock  
Specific Plan Development Standards Handbook**

Resolution Number 16-04

**WHEREAS**

- A. Regulatory Zone Amendment Case Number RZA15-009 came before the Washoe County Planning Commission for a duly noticed public hearing on March 1, 2016; and
- B. The Washoe County Planning Commission heard input from both staff and the public regarding the proposed Regulatory Zone Amendment; and
- C. The Washoe County Planning Commission gave reasoned consideration to the information it has received regarding the proposed Regulatory Zone Amendment; and
- D. Pursuant to Washoe County Code Section 110.821.15(d), , the Washoe County Planning Commission made the following findings necessary to support its recommendation for adoption of the proposed Regulatory Zone Amendment, Case Number RZA15-009:
  1. Consistency with Master Plan. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan and the Regulatory Zone map;
  2. Compatible Land Uses. The proposed amendment will provide for land use compatible with (existing or planned) adjacent land uses, and will not adversely impact the public health, safety or welfare;
  3. Response to Change Conditions. The proposed amendment responds to changed conditions or further studies that have occurred since the plan was adopted by the Board of County Commissioners, and the requested amendment represents a more desirable utilization of land;
  4. Availability of Facilities. There are adequate transportation, recreation, utility and other facilities to accommodate the uses and densities permitted by the proposed Regulatory Zone Amendment;

5. Master Plan Policies and Action Programs. The proposed amendment will not adversely affect the implementation of the policies and action programs of the Washoe County Master Plan;
6. Desired Pattern of Growth. The proposed amendment will promote the desired pattern for the orderly physical growth of the County and guides development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services, and

**Now, therefore, be it resolved** that pursuant to Washoe County Code Section 110.821.15(c) and (d):

1. The Washoe County Planning Commission does hereby recommend APPROVAL of Regulatory Zone Amendment Case Number RZA15-009 and the amended High Desert Regulatory Zone map as contained in Exhibit A to this resolution and the Black Rock Station Specific Plan Development Standards Handbook as contained in Exhibit B to this resolution, changing the current regulatory zone on the subject property at 88 Jackson Lane (APN 066-030-23) from General Rural (GR) to Specific Plan (SP); and,
2. A report describing this amendment and the discussion of it at this public hearing, this recommendation, and the vote on the recommendation be forwarded to the Washoe County Board of County Commissioners.

ADOPTED on March 1, 2016

WASHOE COUNTY PLANNING COMMISSION

ATTEST:

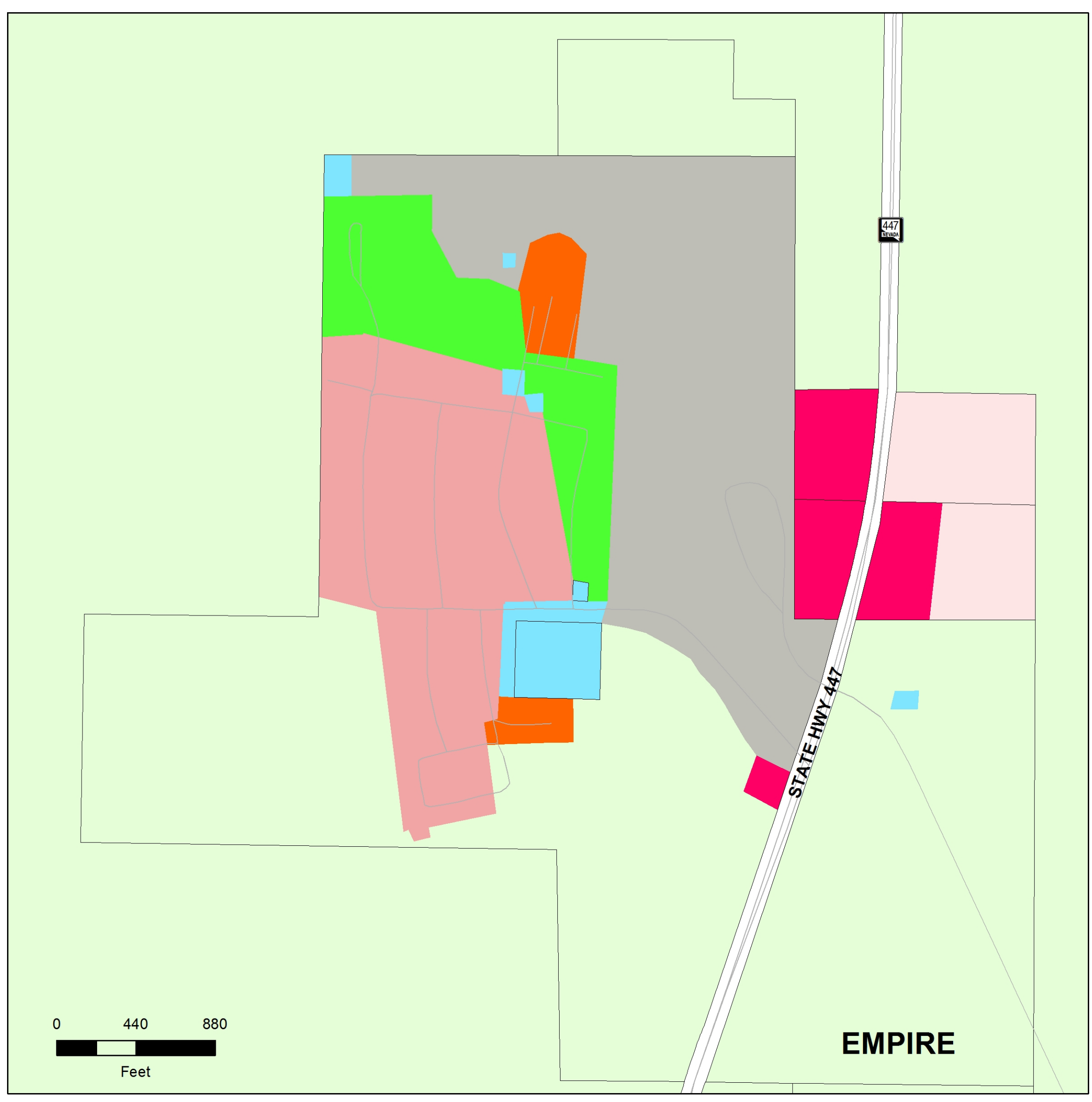
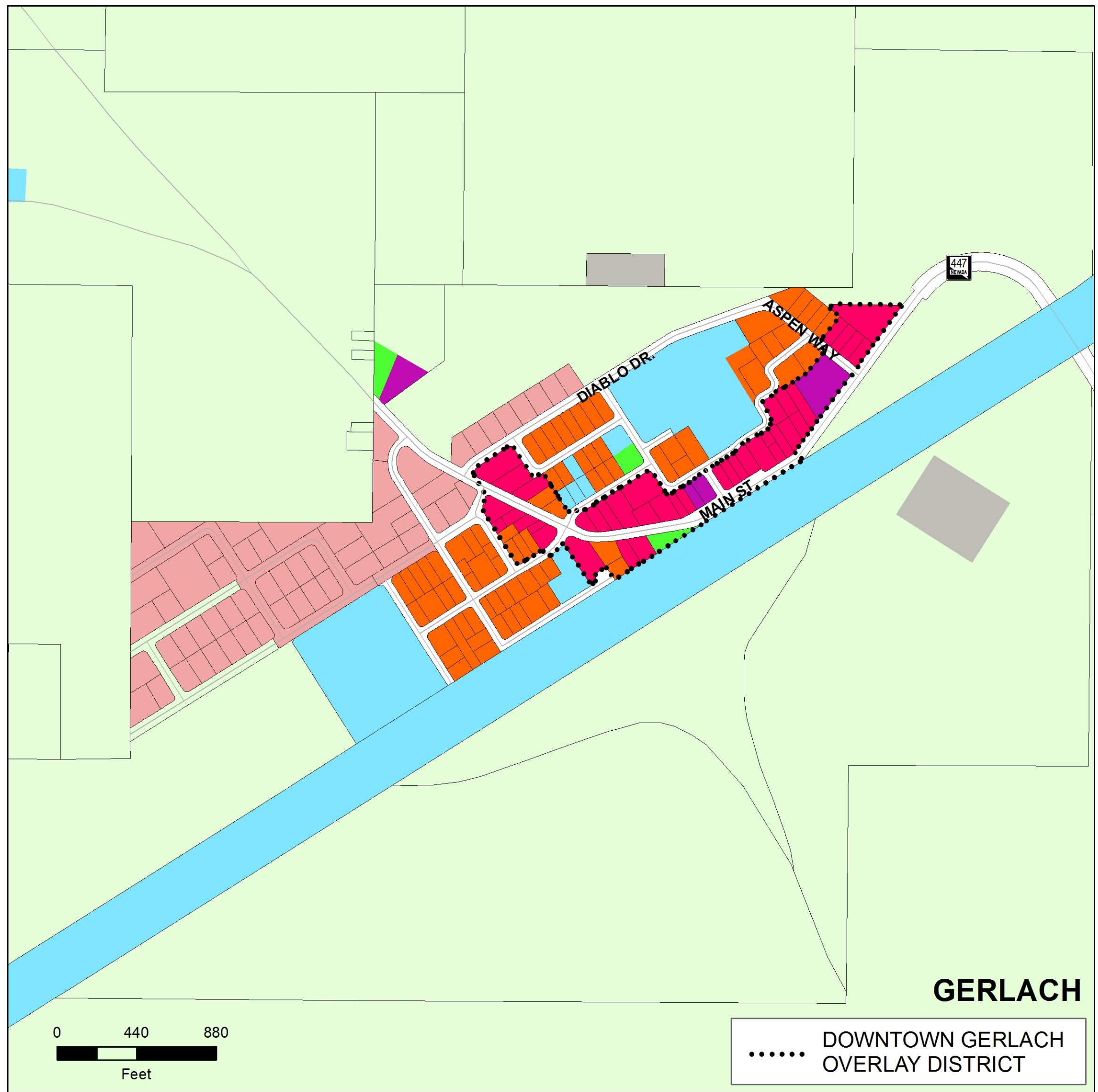
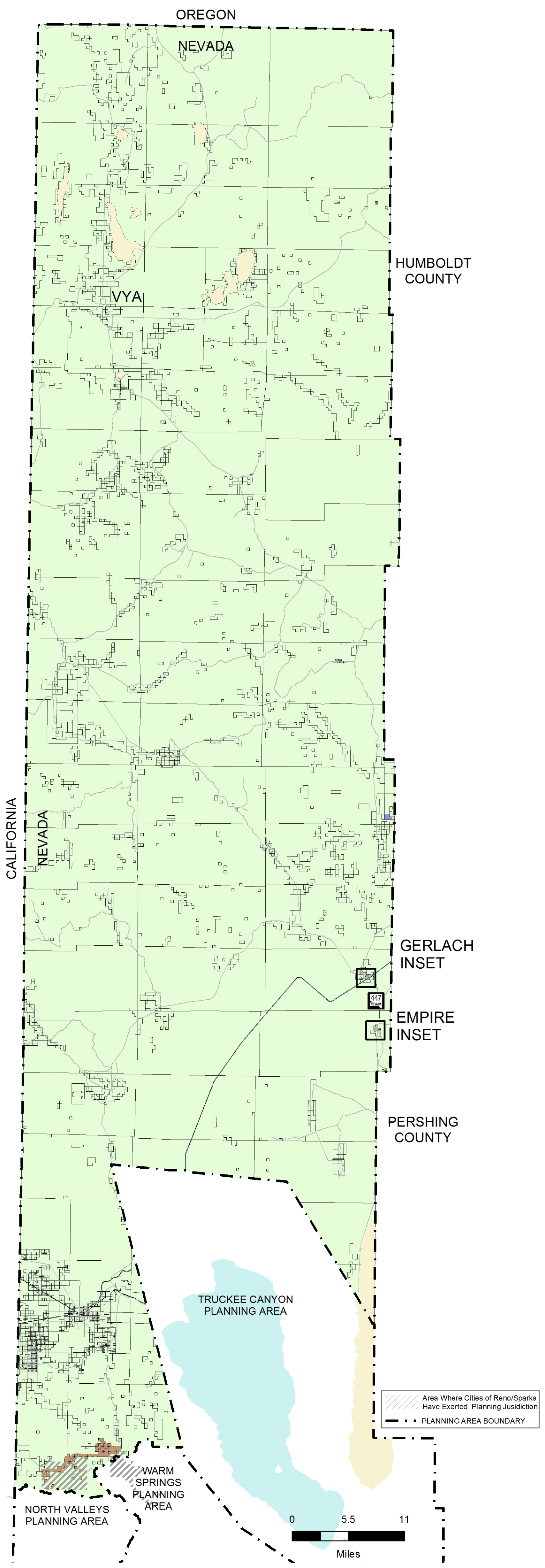
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Carl R. Webb, Jr., AICP, Secretary

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James Barnes, Chair





## HIGH DESERT REGULATORY ZONE MAP

- |  |                           |  |                                |  |                                   |
|--|---------------------------|--|--------------------------------|--|-----------------------------------|
|  | LOW DENSITY RURAL         |  | HIGH DENSITY SUBURBAN          |  | INDUSTRIAL                        |
|  | MEDIUM DENSITY RURAL      |  | LOW DENSITY URBAN              |  | PUBLIC AND SEMI-PUBLIC FACILITIES |
|  | HIGH DENSITY RURAL        |  | MEDIUM DENSITY URBAN           |  | PARKS AND RECREATION              |
|  | LOW DENSITY SUBURBAN      |  | HIGH DENSITY URBAN             |  | OPEN SPACE                        |
|  | LOW DENSITY SUBURBAN 2    |  | GENERAL COMMERCIAL             |  | GENERAL RURAL                     |
|  | MEDIUM DENSITY SUBURBAN   |  | NEIGHBORHOOD COMMERCIAL/OFFICE |  | GENERAL RURAL AGRICULTURAL        |
|  | MEDIUM DENSITY SUBURBAN 4 |  | TOURIST COMMERCIAL             |  | DRY LAKE/WATER BODY               |

NOTE: THE SCALE AND CONFIGURATION OF ALL INFORMATION SHOWN HEREON ARE APPROXIMATE ONLY AND ARE NOT INTENDED AS A GUIDE FOR DESIGN OR SURVEY WORK. REPRODUCTION IS NOT PERMITTED WITHOUT PRIOR WRITTEN PERMISSION FROM THE WASHOE COUNTY PLANNING AND DEVELOPMENT DIVISION.

CERTIFICATION: THIS DOCUMENT HAS BEEN REVIEWED AND APPROVED AS AN ACCURATE REPRESENTATION OF THE ADOPTED ZONING MAPS OF WASHOE COUNTY, NEVADA, BY THE WASHOE COUNTY PLANNING AND DEVELOPMENT DIVISION.

DATE \_\_\_\_\_ DIRECTOR \_\_\_\_\_

**Community Services Department**

**WASHOE COUNTY NEVADA**

Post Office Box 11130  
Reno, Nevada 89520 (775) 328-3600



# Black Rock Station Specific Plan

Development Standards  
Handbook

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## BLACK ROCK STATION SPECIFIC PLAN DEVELOPMENT STANDARDS HANDBOOK

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# Section 1.0 Introduction

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This document is the Development Standards Handbook for the Specific Plan known as Black Rock Station. Black Rock Station is a 200 acre parcel owned and operated by Black Rock City, LLC. The subject parcel is intended to support Black Rock City LLC's current and future regional activities, particularly the annual event commonly referred to as "Burning Man." This Development Standards Handbook is consistent with the standards and content contained in Washoe County Development Code Article 442 Specific Plan Policies and Procedures, and in generally applicable elements of the Washoe County Code. Adoption and implementation of this Specific Plan shall be consistent with NRS 278 and 278A. The development standards and procedures contained in this handbook will form the regulatory framework for the development of the Black Rock Station Specific Plan. For standards and procedures not addressed in this handbook, the standards and procedures of the Washoe County Development Code will be applied.

### 1.1 Project Location

Black Rock Station is located in the High Desert planning area on the south side of Jackson Lane, approximately 4,000 feet from the intersection of State Route 34 and Jackson Lane in Hualapai Valley. The subject parcel is addressed as 88 Jackson Lane and consists of 200 acres. APN: 066-030-23. Figure 1 depicts the property, while Figure 2 provides an overall context map depicting the Hualapai Valley.



## BLACK ROCK STATION SPECIFIC PLAN DEVELOPMENT STANDARDS HANDBOOK



Figure 1 – Vicinity Map





## BLACK ROCK STATION SPECIFIC PLAN DEVELOPMENT STANDARDS HANDBOOK



Figure 2 – Regional Context Map



## **BLACK ROCK STATION SPECIFIC PLAN DEVELOPMENT STANDARDS HANDBOOK**

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### **1.2 Purpose of a Specific Plan**

A Specific Plan is a planning and regulatory mechanism that allows implementation of the master plan by requiring or permitting large scale planning in order to protect the natural environment, have compatible uses, conserve energy, achieve coherent and diverse development and ensure that roads and other infrastructure are adequate to serve the development. Additionally, this plan is designed to provide the flexibility that Black Rock City, LLC needs to support its evolving activities while also providing Washoe County and surrounding property owners with assurances on the overall magnitude and intensity of development. A stated purpose of a Specific Plan is to allow for flexibility of design. This is directly stated in in Section 110.442.00 of the Washoe County Development Code– “Flexibility of Development is a prime directive of the Specific Plan Regulatory Zone.” Once approved, this Plan and this Development Standards Handbook shall supersede all existing Special Use Permits and their conditions of approval.

### **1.3 Project Purpose**

Over the years, Black Rock City LLC’s activities have increased from the single annual “Burning Man” festival around Labor Day weekend to a year-round presence in the Gerlach area. Various uses are needed on the subject parcel to support not only the annual Burning Man festival but other Burning Man-related activities as well. Some of the uses on the subject parcel will include employee housing, food service, and industrial yards. Many of the uses and activities on the subject parcel will be active year-round, such as industrial storage, agricultural projects and art fabrication. Some of the uses will occur only during a portion of the year.

### **1.4 Potential Land Uses**

Potential uses for this parcel may include tourist facilities, campgrounds, alternative energy, and agriculture. With this in mind, the Specific Plan is intended to set limits, guidelines and assurances that these uses can be accomplished with minimal impact to the surrounding area.

The annual Burning Man festival (generally held during Labor Day week) has long been the focus of Black Rock Station. However, one factor influencing this Specific Plan is the recognition that Burning Man-related events have the ability to occur throughout the year. This Plan is designed to facilitate and manage any new events or activities that may be based on the Black Rock Station site. For example, many Burning Man participants have developed an appreciation for the High Desert area and are interested in year-round visits. One aspect of this Plan is a provision to develop a non-profit conference center with guest cabins on a portion of the site. Such an operation could theoretically operate all year and could include special events such as educational speakers or art exhibitions.

For clarification, “the annual festival” refers to the existing Burning Man gathering. Emergency services and infrastructure needs for this gathering have been in place for many years and are managed by



## **BLACK ROCK STATION SPECIFIC PLAN DEVELOPMENT STANDARDS HANDBOOK**

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agreements between Black Rock City, LLC and various service providers. While the uses and development described here are distinct from the annual festival; the primary purpose of Black Rock Station Specific Plan is to provide support to the festival in the form of industrial space, vehicle maintenance, and housing space.

### **1.5 Owner/Developer**

Black Rock City, LLC is the owner of the property and the operator of the annual Burning Man event. This agreement shall apply to Black Rock City, LLC and any successors and assigns. The term “owner/developer” shall be used for the remainder of this document.

### **1.6 Compatibility with Surrounding Uses and Regulatory Zones**

The Black Rock Station Specific Plan is a unique concept in a unique area. This uniqueness results in some compatibility challenges that this Development Standards Handbook seeks to address. The area itself is unique in two ways. First, it is more remote and rural than the vast majority of areas where development in the region typically occurs. The surrounding land uses are almost exclusively on very large lots and are associated with ranching or other forms of agriculture. The area is an expansive, mostly flat valley that provides for impressive vistas from any location within it. Second, the area is home to some important natural and scenic resources. These resources not only provide a small but steady stream of tourists with great outdoor experiences, they perhaps more importantly provide the day to day backdrop to the area’s residents and form a crucial part of the residents sense of place and their community character. These resources include the world famous Fly Geyser which can be seen from the subject property and adjacent properties, numerous scenic desert “flats,” and the mountains that form the valley itself. These resources should be protected from damaging impacts, including those to their scenic quality.

In general, this Specific Plan strives for compatibility with the surrounding area through the use of generous setbacks and the clustering of development within the property, by restricting the hours excessive light and noise may occur, and by requiring that facilities and resources be in place that are commensurate with development. The design intentionally locates the lowest intensity uses (small scale agriculture and open space) to the east where the property adjoins an existing residential site. Uses within the site are arranged so as to minimize road construction and site disturbance. Buffering is required where appropriate to shield the industrial type uses, but innovative buffering methods are required due to the likelihood that trees would be difficult to keep alive, and berms and fencing may negatively impact scenic vistas. Specific buffering, landscaping and screening requirements are discussed in more detail in section 3 of this document.



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# Section 2.0 Allowed Uses and their Locations within the Plan

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Black Rock Station is designed so that allowed uses are segregated and grouped according to broad use types. The plan identifies separate sections for Residential, Industrial, Commercial, Civic, and Agricultural uses, as well as an area identified for future expansion through the regulatory zone amendment process. Some allowed uses within the Black Rock Station Specific Plan do not occur in the Washoe County Development Code table of uses and therefore are defined herein. All other uses have the definition afforded them in the Washoe County Development Code. This section of the Development Standards Handbook lists all allowed uses for each use type, provides definitions of certain terms for those uses not found in the Washoe County Development Code, and provides a graphic representation of where those uses are allowed to occur on site. Definitions included herein shall be construed consistently with definitions set forth in the Washoe County Development Code. Uses not identified in this handbook are prohibited.

## 2.1 Definitions of Uses

### 2.1.1 General Definitions

**Permanent structure:** any structure that is built and remains within the Specific Plan area for 90 days or longer.

**Temporary Structure:** any structure that is built and remains within the Specific Plan area for less 90 days.

**Staff:** employees or representatives of owner/developer.

**Short-term Use:** a use in existence for not more than 90 days in a calendar year.

**Temporary Housing:** RVs, cargo container living units, modular units and mobile homes that shall not be inhabited for more than 90 days in any calendar year. (Note that storage of these units while not inhabited is allowed and is covered under Commercial Uses).

**Volunteers:** workers who may inhabit/utilize the site as part of official owner/developer functions but who are not formal employees.

### 2.1.2 Residential Use Definitions





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Residential Uses at Black Rock Station are intended to provide short-term housing for owner/developer staff and volunteers, permanent housing for owner/developer employees involved in the management of activities, and for guests attending events and vacationing.

**Barracks (Short-term Housing)**: permanent structures designed to provide short-term residency for volunteers and employees of owner/developer.

**Cargo Container Living Units**: sleeping quarters made from converted cargo containers, designed to provide short-term housing for employees/volunteers of owner/developer. The placement and use of these units requires a Washoe County building permit. Therefore, these units will be allowed upon adoption by the Washoe County Building and Safety Division of applicable building codes.

**Employee Campground**: outdoor area designed to accommodate travel trailers and RVs, designed to provide short-term housing for employees/volunteers of owner/developer.

**Modular Units**: portable pre-fabricated housing units designed to provide short-term housing for employees/volunteers of owner/developer.

**Recreational Vehicles**: vehicles constructed specifically to serve as self-contained camp dwellings containing sleeping and cooking facilities. Units within this category shall possess a state-issued vehicle registration and may be driven/towed on public rights-of-way (i.e. motorhome or travel trailer).

**Single Family Housing**: any permanent single family dwelling. This Specific Plan area is limited to a maximum of 2 single family dwellings plus one accessory dwelling for each of the primary dwellings. Accessory dwellings shall be no larger than 1000 square feet.

**Art Installations**: individual installations of sculpture or art that is suitable for outdoor display and intended to accompany an allowed use. Such installations shall be located within the Specific Plan property in accordance commonly accepted best practice engineering safety standards. The owners will ensure potentially dangerous installations are constructed according to appropriate standards, similar to how the owners review the safety of installations constructed at the annual event off the property. An example of an art installation would be a sculpture placed within an existing landscape area. Art installations shall be subject to the same lighting restrictions as the rest of the property.

**Art Park**: a park area exclusively designated for the outdoor display of artwork as well as basic park amenities such as walking paths, benches, etc. All art within an Art Park shall be displayed and maintained as the art was in its original condition, and shall be used as an outdoor art display area only. All art within the Art Park shall be weatherproof, so as not to deteriorate from the original condition. All deteriorating art shall be promptly removed from the Art Park. The Art Park shall not be used as a storage area. Art Park lighting may include the use of neon. However, blinking, flashing and/or animated signs/lights shall be prohibited. Lighting shall be restricted to Fridays and Saturdays and shall not extend



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past 10:00 p.m.

**Communication Facility:** antennas and tower-mounted equipment used to provide communication services at Black Rock Station and the surrounding area.

**Community Farm:** an agricultural area at which invited participants may conduct activities related to vegetable production and animal rearing on a modest scale not requiring heavy equipment and not generating significant noise or waste products. Management of animal or vegetable waste products will comply with all local and state regulations. Retail and wholesale trade of products produced on the community farm is subject to all state and local regulations.

**Landscape Art:** individual installations of sculpture, murals or other types of art suitable for use as a screening or buffering tool and used in place of typical materials such as trees and fences.

**Commercial Storage (indoor):** the storage of materials related to on-site uses or off site activities of the owner/developer in either mini-storage type buildings or cargo containers. Such materials may be owned by owner/developer or by customers of owner/developer.

**Commercial Storage (outdoor):** the storage of materials related to owner/developer activities, in outdoor areas. Such materials may be owned by owner/developer or by customers of owner/developer.

**Composting:** facility designed to collect and store natural organic waste matter for the purpose of creating soil and soil amendments for agricultural purposes. Composting activities will comply with all local and state regulations regarding composting.

**Commercial Campground:** a campground built to accommodate paying customers or temporary workers affiliated with Burning Man activities.

**Inoperable Vehicle Storage:** the orderly storage of inoperable vehicles used in the production of owner/developer activities. Inoperable vehicles are vehicles that are not state registered.

**Operable Vehicle Storage:** the orderly storage of operable vehicles used in the production of owner/developer activities. Operable vehicles are vehicles that are state registered.

**Recreational Vehicle Storage:** the orderly storage of recreational vehicles used in the production of owner/developer activities. 'Recreational vehicle' means a vehicular-type unit primarily designed as temporary living quarters for travel, recreational or camping use, which may be self-propelled, mounted upon, or drawn by, a motor vehicle. The term includes a recreational park trailer (per NRS 482.101).

**Detached Accessory Structures:** structures to support primary uses, primarily as defined in Washoe County Code Section 110.306.10. Detached accessory structures commonly include storage sheds, pump houses, etc.



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### 2.2 Standards Not Addressed

Any development standards not specifically addressed in this Specific Plan shall be subject to the requirements set forth in the Washoe County Development Code and/or High Desert Area Plan. For the purposes of Black Rock Station, the General Rural zoning standards shall be applied.

### 2.3 Land Use

The following sections provide a map of the location and configuration of each area, describe the specific use types allowed in the area and any development standards applied to those uses, and provides a general description of the area. Figures 3 through 11 show the property divided into sections based on land use types. Each Figure is accompanied by a description of the area, and development standards to be applied to uses within each area.

Ratio of residential to non-residential development: Of the 200 acres within the Plan, approximately 25+/- acres are designated for residential uses. The remaining 175 acres are non-residential, including industrial, commercial, agricultural and civic. The project is therefore 15% residential and 85% non-residential, by acreage.

### 2.4 Overall View of Site

Figure 3 shows the individual areas of this plan. Individual areas are labeled and bordered. Note that all areas of the property fall within one of these individual areas. More intense uses are grouped near the existing developed portion of the site while less intense uses are located at the property edges. In particular, attention has been placed on separating the adjacent residential use to the East from any intense use.

### 2.5 Industrial Area

The Industrial Area is located internal to the site and has no boundaries coincident with the property boundaries. This area will receive the majority of the screening and buffering applied to the site. These requirements are shown on Figure 4 in Section Four of this document. The following are the allowed uses within the Industrial Area.

**Uses with specific development standards:**

**Commercial Storage** (indoor and outdoor) Indoor commercial storage includes the storage of materials used in the production of owner/developer events, in either mini-storage type buildings or cargo containers. Use of the storage space is to be limited to participants in owner/developer events. The



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intent of providing storage is to reduce the need to transport materials to and from the site each year. The facility is to be managed by owner/developer staff that will control access and provide security and maintenance. Commercial Storage must remain within the Industrial area. If Commercial Storage is desired in an area other than Industrial as identified on the site plan, an amendment to the Specific Plan shall be required.

**Inoperable Vehicle Storage** shall remain within the screened Industrial area. If storage of Inoperable Vehicles is desired in an area other than Industrial as identified on the site plan, an amendment to the Specific Plan shall be required. Maximum screening, as shown on Figure 4 and pursuant to Section 3 of this Specific Plan, shall be constructed surrounding this use type.

**Operable Vehicle Storage** must remain within the screened Industrial area. If storage of Operable Vehicles is desired in an area other than Industrial as identified on the site plan, an amendment to the Specific Plan shall be required. Maximum screening, as shown on Figure 4 and pursuant to Section 3 of this Specific Plan, shall be constructed surrounding this use type.

**Recreational Vehicle Storage** must remain within the screened Industrial area. If storage of Recreational Vehicles is desired in an area other than Industrial as identified on the site plan, an amendment to the Specific Plan shall be required. Maximum screening, as shown on Figure 4 and pursuant to Section 3 of this Specific Plan, shall be constructed surrounding this use type.

**Art Installations** Such installations shall be constructed in accordance commonly accepted best practice engineering safety standards. The owners will ensure potentially dangerous installations are constructed according to appropriate standards, similar to how the owners review the safety of installations constructed at the annual event off the property. An example of an art installation would be a sculpture placed within an existing landscape area. Art installations shall be subject to the same lighting restrictions as the primary property use.

**Art Park** is an allowed use in this area Plan and is envisioned within or adjacent to the existing landscaped site to the southeast of the main entrance from Jackson Lane. All art within the Art Park shall be displayed and maintained as the art was in its original condition, and shall be used as an outdoor art display area only. All art within the Art Park shall be weatherproof, so as not to deteriorate from the original condition. All deteriorating art shall be promptly removed from the Art Park. The Art Park shall not be used as a storage area. Art Park lighting may include the use of neon. However, blinking, flashing and/or animated signs/lights shall be prohibited. Lighting shall be restricted to Fridays and Saturdays and shall not extend past 10:00 p.m.

**Communication Facility** There shall be a maximum of two Communication Facilities within the Specific Plan area. The maximum height of all antennas and towers shall be 100 feet and all antennas, towers, and other equipment shall be neutral in color.

**Administrative Office** is allowed in all areas. If the use is established in an area and located in a stand-alone building it shall be within one of the conceptually located footprints found on Figure 4.





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**Composting** is allowed but is restricted to the composting of materials generated on site or at the annual event off site. The importation of materials for composting from any site other than the annual event is prohibited.

***Uses subject to the development standards of the Washoe County Development Code:***

**Community Farm**

**Custom manufacturing**

**Renewable Energy Production**

**Limited and Intermediate General Industrial**

**High Technology Industry**

**Salvage Yard**

**Heavy and Light Wholesale and Distribution**

**Safety Services**

**Automotive repair**

**Equipment repair**

## 2.6 Residential Area

Figure 5 shows the residential use area. The residential area is located in the northwest portion of the site. It contains both permanent and short term housing. Minimal to moderate screening and buffering is required for this area, as depicted on Figure 5. Figure 5 also indicates the approximate footprints of the structures constructed for these uses. Applications for building permits must show substantial conformity to these building placement locations. The Specific Plan area is limited to a maximum of 2 single family dwellings, plus one accessory dwelling for each of the primary dwellings. Accessory dwellings shall be no larger 1100 square feet.

The following are the allowed uses within the Residential Area.

***Uses with specific development standards:***

**Single Family Dwelling** Single family dwellings shall not exceed a total 5,000 square feet. Any



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architectural style maintaining a single family appearance is acceptable. A manufactured home shall be allowed provided it maintains a single family appearance. Landscaping, including landscape art, as generally depicted in Figure 5, is required to be shown on any building permit application and installed prior to a certificate of occupancy.

**Employee Campground** The employee campground is located in the residential area but adjacent to the Industrial Area. This use will serve volunteers/employees of the owner/developer. Any bathroom facilities associated with this use shall be connected to a septic system approved by Washoe County. This area may include improvements such as picnic tables and bathrooms or may be left undeveloped except for any required paving and landscaping. The Employee Campground shall be limited to a maximum of 50 spaces.

**Art Installations** are allowed in this area. Such installations shall be located within the Specific Plan property in accordance with Washoe County engineering and safety requirements. An example of an art installation would be a sculpture placed within an existing landscape area. Art installations shall be subject to the same lighting restrictions as the primary property use.

**Art Park** is an allowed use in this area. All art within the Art Park shall be displayed and maintained as the art was in its original condition, and shall be used as an outdoor art display area only. All art within the Art Park shall be weatherproof, so as not to deteriorate from the original condition. All deteriorating art shall be promptly removed from the Art Park. The Art Park shall not be used as a storage area. Art Park lighting may include the use of neon. However, flashing and/or animated signs/lights shall be prohibited. Lighting shall be restricted to Fridays and Saturdays and shall not extend past 10:00 p.m.

**Communication Facility** is allowed in this area. There shall be a maximum of two Communication Facilities within the entire Specific Plan area. The maximum height of all antennas and towers shall be 100 feet and all antennas, towers, and other equipment shall be neutral in color.

**Barracks** as depicted on Figure 5 are for the housing of employees and volunteers affiliated with the owner/developer. Residency in these facilities shall be on a short-term basis. These facilities shall not exceed one story in height and shall be limited to a maximum of five (5) buildings. Additional buildings may be considered with subsequent review and amendment to this Plan. Individual rooms within these buildings shall not include cooking facilities. Instead, each building may include one common kitchen, as well as communal bathroom facilities as approved by the Washoe County health District. Allowable placement of barracks is within the footprints conceptually described by Figure 6. Total room count for all barracks shall not exceed 85 rooms. Each room shall be limited to occupancy by 4 people. Landscaping, as generally depicted in Figure 5, is required to be shown on any building permit application and installed prior to a certificate of occupancy.

**Cargo Container Living Units** do not include a permanent foundation. Given this, they shall not be stacked on top of each other. Such units shall not include cooking or sanitary facilities. No advertising is allowed on cargo container living units. Units shall be rust free and include neutral earth tone colors. The total number of Cargo Container Living Units shall not exceed 50 units.



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**Modular Living Units** do not require permanent formal foundations. Such units shall not include cooking or sanitary facilities. No advertising is allowed on modular units. Units shall be rust free and include neutral earth tone colors. The total number of Modular Living Units shall not exceed 50 units.

**Administrative Office** is allowed in all areas. If the use is established in this area and located in a stand-alone building it shall be within one of the conceptually located footprints found on Figure 5.

### 2.7 Civic Area

Figure 6 shows the Civic Use area. This area is located generally at the entrance to the property and contains a park, and parking facilities which may be used for uses throughout the site. The primary purpose of civic uses on the site is to enhance the area through the provision of additional recreational, cultural and infrastructure amenities.

The following uses are permitted within the Civic Area

#### **Uses with specific development standards:**

**Art Installations** are allowed in this area. Such installations shall be located within the Specific Plan property in accordance with Washoe County engineering and safety requirements. An example of an art installation would be a sculpture placed within an existing landscape area. Art installations shall be subject to the same lighting restrictions as the primary property use.

**Art Park** is an allowed use in this area. All art within the Art Park shall be displayed and maintained as the art was in its original condition, and shall be used as an outdoor art display area only. All art within the Art Park shall be weatherproof, so as not to deteriorate from the original condition. All deteriorating art shall be promptly removed from the Art Park. The Art Park shall not be used as a storage area. Art Park lighting may include the use of neon. However, flashing and/or animated signs/lights shall be prohibited. Lighting shall be restricted to Fridays and Saturdays and shall not extend past 10:00 p.m.

**Communication Facility** is allowed in this area. There shall be a maximum of two Communication Facilities within the entire Specific Plan area. The maximum height of all antennas and towers shall be 100 feet and all antennas, towers, and other equipment shall be neutral in color.

**Administrative Office** is allowed in all areas. If the use is established in this area and located in a stand-alone building it shall be within one of the conceptually located footprints found on Figure 6.

#### **Uses subject to the development standards of the Washoe County Development Code:**

#### **Community Farm**



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### Nature Center

### Active and Passive Recreation

## 2.8 Commercial Area

Figure 7 shows the area designated for commercial uses. This commercial area is generally located in the southwest corner of the property. This area will generally require moderate to minimum buffering/screening as depicted on Figure 7. The uses will be located in substantial conformance with the conceptual footprints indicated on Figure 7.

The following uses are permitted within the Commercial Area.

### **Uses with specific development standards:**

**Convention and Meeting facility** The Convention and Meeting facility is envisioned as a Conference Center for education and cultural events, particularly High Desert-themed environmental conferences, art displays, and Burning Man-related gatherings. The primary purpose is to expand the ability of guests to enjoy the High Desert area in a way that is currently unavailable. The owner/developer intends the operation to be a component of the non-profit Burning Man entity but this does not preclude the charging of fees to use the site (i.e. meals, accommodations, entertainment events, etc.) The Center would be open to the public unless specific private events were scheduled by the owner/developer.

The Center may be developed in conjunction with hotel/motel, and eating and drinking establishments, and other uses typically accessory to convention facilities. Lodging shall be limited to a maximum of 50 bedrooms, either within a hotel structure or as free-standing cabins. Conference space shall be limited to a maximum of 7,000 square feet.

**Hotel, Motel, and Eating and Drinking establishments** are permitted in conjunction with a convention and meeting facility.

**Commercial Campground/ RV Park** is an allowed use for this area. This facility shall be limited to a maximum of 60 campsites (RV spaces). No lighting shall be installed at this facility that creates spillover onto adjoining parcels. Animated signs shall not be allowed. All campsites must connect to septic and provide water and electricity at each campsite.

**Art Installations** are allowed in this area. Such installations shall be located within the Specific Plan property in accordance with Washoe County engineering and safety requirements. An example of an art installation would be a sculpture placed within an existing landscape area. Art installations shall be subject to the same lighting restrictions as the primary property use.

**Art Park** is an allowed use in this area. All art within the Art Park shall be displayed and maintained as



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the art was in its original condition, and shall be used as an outdoor art display area only. All art within the Art Park shall be weatherproof, so as not to deteriorate from the original condition. All deteriorating art shall be promptly removed from the Art Park. The Art Park shall not be used as a storage area. Art Park lighting may include the use of neon. However, flashing and/or animated signs/lights shall be prohibited. Lighting shall be restricted to Fridays and Saturdays and shall not extend past 10:00 p.m.

**Communication Facility** is allowed in this area. There shall be a maximum of two Communication Facilities within the entire Specific Plan area. The maximum height of all antennas and towers shall be 100 feet and all antennas, towers, and other equipment shall be neutral in color.

**Administrative Office** is allowed in all areas. If the use is established in this area and located in a standalone building it shall be within one of the conceptually located footprints found on Figure 7.

**Uses subject to the development standards of the Washoe County Development Code:**

**Community Farm**

**Bed and Breakfast Inns**

**Medical Services**

**Transportation services**

**Dog Training (per Washoe County Development Code Article 330)**

**Nature Center**

**Passive Recreation**

## 2.9 Agricultural Use Area

Figure 8 outlines the Agricultural Use. The area is located on the eastern portion of the site. The expected purpose of this area is to allow for the development of agricultural uses that support owner/developer activities. This may include the raising of crops and/or animals for consumption by employees and guests, composting, etc. This may also include the raising of crops and animals to supply restaurants at the Conference Center or at other owner/developer activities. Any such use of crops and animals raised on site is subject to all relative state and local regulations.

The allowed uses included here for this area are limited. The owner/developer may realize a need for expanded uses in this area in the future and may then pursue an amendment to this Plan. Agricultural operations may include the use of motorized equipment to transport materials, work the soil, etc.,



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however all operations will adhere to Washoe County Code for noise generation or other impacts. In no case shall noisy or intense uses be located close to a neighboring residential site. It is not the intent of this Plan to permit intensive, agribusiness operations on this site. Any agricultural activities would serve as an accessory to other Burning Man activities.

Screening and buffering requirements for this site are minimal. However, any structures required to support the allowed uses shall be located in general proximity of the northern property line and outside the setbacks indicated in Figure 8.

The uses permitted in this area are as follows.

### **Uses with specific development standards:**

**Administrative Office** is allowed in all areas. If the use is established in this area and located in a stand-alone building it shall be within one of the conceptually located footprints found on Figure 8.

**Art Installations** are allowed in this area. Such installations shall be located within the Specific Plan property in accordance with Washoe County engineering and safety requirements. An example of an art installation would be a sculpture placed within an existing landscape area. Art installations shall be subject to the same lighting restrictions as the primary property use.

**Art Park** is an allowed use in this area. All art within the Art Park shall be displayed and maintained as the art was in its original condition, and shall be used as an outdoor art display area only. All art within the Art Park shall be weatherproof, so as not to deteriorate from the original condition. All deteriorating art shall be promptly removed from the Art Park. The Art Park shall not be used as a storage area. Art Park lighting may include the use of neon. However, flashing and/or animated signs/lights shall be prohibited. Lighting shall be restricted to Fridays and Saturdays and shall not extend past 10:00 p.m.

**Communication Facility** is allowed in this area. There shall be a maximum of two Communication Facilities within the entire Specific Plan area. The maximum height of all antennas and towers shall be 100 feet and all antennas, towers, and other equipment shall be neutral in color.

**Composting** is allowed but is restricted to the composting of materials generated on site or at the annual event off site. The importation of materials for composting from any site other than the annual event is prohibited.

**Agricultural Processing** is allowed but is restricted to the composting of materials generated on site. The importation of materials for agricultural processing from any site other than the annual event is prohibited.

**Animal Slaughtering, Agricultural** is allowed but is restricted to the animals raised on site. The importation of animals for slaughter is prohibited.



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**Produce Sales** is allowed but is restricted to the goods produced on site. The importation of agricultural sale from any other site is prohibited.

***Uses subject to the development standards of the Washoe County Development Code:***

**Community Farm**

**Animal Production**

**Crop Production**

### 2.10 Future Expansion Area

The future expansion area is located in the southeast portion of the property as depicted in Figure 9. The available uses in this area are very limited. The owner/developer may seek to add uses to this area in the future. The addition of uses beyond those identified in this plan will require the processing of a Regulatory Zone Amendment as described in the Washoe County Development Code. This portion of the overall site may be utilized for storm water drainage facilities necessary to support development in other parts of the plan.

The uses permitted in the future expansion area are:

***Uses with specific development standards:***

**Art Installations** are allowed in this area. Such installations shall be located within the Specific Plan property in accordance with Washoe County engineering and safety requirements. An example of an art installation would be a sculpture placed within an existing landscape area. Art installations shall be subject to the same lighting restrictions as the primary property use. Art Park and art installations in this area shall not include any lighting. The location of any art installations must not obstruct the scenic vistas of neighboring properties.

**Art Park** is an allowed use in this area. All art within the Art Park shall be displayed and maintained as the art was in its original condition, and shall be used as an outdoor art display area only. All art within the Art Park shall be weatherproof, so as not to deteriorate from the original condition. All deteriorating art shall be promptly removed from the Art Park. The Art Park shall not be used as a storage area. Art Park and art installations in this area shall not include any lighting. The location of any art installations must not obstruct the scenic vistas of neighboring properties.

**Passive Recreation** Low impact, low intensity passive recreation is allowed in this area. Typical uses include walking trails.



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# 3.0 Development Standards

## 3.1 Setbacks

Setback standards are included to ensure proper relationships with adjoining properties and overall safe pedestrian and vehicle circulation.

Setbacks within Black Rock Station are designed to protect the rural character of the area and screen onsite operations from adjoining parcels and roadways. Therefore, perimeter setbacks are increased beyond normal base zoning distances in order to allow area for appropriate buffering, fencing, and landscaping as the property is developed in the future.

Table 1 provides the overall setback requirements for Black Rock Station.

**Table 1 – Required Setbacks**

| Yard   | Black Rock Station                          |
|--|---|
| North  | 50' setback (single family residential 20') |
| South  | 100' setback                                |
| East   | 100' setback                                |
| West   | 50' setback (single family residential 20') |
| Accessory Structures less than 12' in height | 10'   |

## 3.2 Building Heights

A thirty-five (35) foot building height is allowed within the Specific Plan to accommodate shop-type buildings which typically require a higher indoor ceiling height in order to meet OSHA and other applicable safety regulations. This height standard is the same as for the existing base zoning and therefore conforms to Table 110.406.05.1 of the Washoe County Development Code.

Building height restrictions do not apply to communication or utility structures. These facilities are regulated by the Washoe County Development Code and/or the Federal Communications Commission.

## 3.3 Parking

Any dust free stabilized surface may be utilized for parking. Landscaping and lighting requirements for parking are as conceptually depicted on the maps of individual use areas. The number of required





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parking spaces for proposed uses is as required in Washoe County Development Code, Article 410, Parking and Loading. Request to alter specific parking standards shall be made at the time of the building or permit request by means of a Director's Modification of Standards.

### **3.4 Building Placement and Building Site Coverage**

The site plans in Figures 4-9 depict conceptual footprints for structures. All new buildings must be in substantial conformance with the conceptual footprints depicted on those plans. The Specific Plan does not restrict overall building coverage. However, other standards such as setbacks, parking, landscaping, etc. are provided herein or in the Washoe County Development Code.

### **3.5 Landscaping and Screening**

The High Desert Area Plan recognizes that the environment of Hualapai Valley is one in which water is a precious commodity. Therefore, the landscaping standards adopted by this Specific Plan implement drought tolerant landscaping and xeriscape concepts in order to promote water conservation. Based on repeated input from Gerlach residents, it is also recognized that non-native plant species appear out of place when used in a large landscape and that suburban-style landscape designs do not reflect local aesthetic preferences. The standards include provisions for the use of native plants which blend with the area. Scenic vistas are expansive in this area and attempts to screen uses may inadvertently also disrupt these vistas from neighboring properties. The placement of any landscaping or screening should attempt to avoid this scenario.

In circumstances where only a portion of the property is being developed (i.e. communication tower on an overall larger parcel), the landscape requirement area shall be defined based on the area disturbed by development, not the parcel as a whole. In effect, areas not designated for development will be left in a natural condition.

The following standards shall apply to Black Rock Station:

1. Non-native landscaping, with the exception of limited evergreen trees, shall be prohibited.
2. In areas where any industrial operations may be visible from adjoining properties or roadways, the Level I screening standard described in Section 3.6 shall apply. Trees shall be a minimum 1.5" caliper for deciduous. For evergreen trees, 50% shall be at least 6' in height and 50% shall be at least 8' in height. The use of berms or other earthen structures may also be incorporated.
3. Climatic adaptive plants, as identified by the Washoe County Cooperative Extension or Washoe Storey Conservation District, shall be required for all plantings within newly developed landscape areas.



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4. No turf shall be allowed unless directly associated with a residential use or other developed housing area. Commercial campgrounds may include turf areas, not to exceed 5% of the total campground area.
5. Landscaping within the industrial and storage areas of Black Rock Station is not required. A minimum of 20% of the developed area shall be landscaped for the single family home area, campground areas, barracks areas, and destination resort areas. Perimeter landscaping is designed to buffer all external impacts (see # 2 above).
6. Areas disturbed by development shall be reseeded with native seed or treated with a Health Department approved dust palliative to prevent blowing dust. Reseeding shall use a seed mix approved by the Washoe Storey Conservation District or University of Nevada Cooperative Extension and shall include temporary irrigation. Irrigation may be halted upon determination from a Nevada certified landscape architect, the Washoe Storey Conservation District, or the University of Nevada Cooperative Extension that plants are established and no longer require irrigation (compliance to be determined by the Department of Planning and Development).
7. When the typical approach to landscaping calls for trees or shrubs, landscape art may be installed as an alternative. Landscape art should be utilized whenever it can achieve the same screening, buffering, and aesthetic results that the use of traditional landscaping would achieve. Landscape art is distinctive from other art installations. Any individual landscape art installation must use colors consistent with typical botanical landscaping material may not use reflective or shiny materials on its visible surface.
8. Standards not addressed shall be subject to the provisions of Article 412 of the Washoe County Development Code.

### 3.6 Specific Buffering Requirements

Most uses within the specific plan area do not require buffering or screening. However, the Industrial and agricultural use areas shall be screened and buffered as follows:

1. Industrial: As generally depicted in Figure 4, Industrial Use Area, screening and buffering shall achieve 95% screening of uses. Methods of screening may include any combination of berms, landscaping, fencing, and art installations (including murals utilizing color palette consistent with the High Desert environment) to achieve the standard. Fences must be consistent with the Fencing standards found below. It is the intent of the buffering standard to achieve screening of uses while blending in with the natural surrounding environment.
2. Agricultural: The agricultural area shall maintain a 100' wide open space buffer adjacent to the eastern boundary. No uses other than crop or animal production may occur with this buffer. No structures shall be permitted within this buffer.



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### **3.7 Fencing**

Fencing shall be used, as necessary, to screen uses within Black Rock Station from surrounding properties or to provide separation between uses where desired. The following standards shall apply to Black Rock Station:

1. Solid fencing on the perimeter of the property is prohibited.
2. Perimeter Fencing shall not exceed eight (8) feet in height. Interior fencing shall not exceed 10' in height.
3. Solid screening consisting of fences, buildings or other structures greater than 50' in length must not create a monolithic appearance. The use of landscaping, art installations, murals, or other treatments must be applied to break up the monolithic nature of solid screening.
4. Split rail fencing is permitted. However, when used as part of a required landscaping or buffering solution, it must be augmented with additional landscape materials.

In areas that include a large number of storage containers at the perimeter of the developed area, fencing may be omitted as these containers provide effective screening of internal uses. However, landscaping, in accordance with the standards described herein must be provided. No stacking of cargo containers shall be allowed. Containers shall be primarily earth tone or muted colors with primary or other bright colors used sparingly, and shall match if used as a screening mechanism. Additionally, all container doors shall be oriented inward to the site.

### **3.8 Architecture**

Given the mix of allowed uses, all architectural styles shall be allowed provided they meet the other applicable development standards found in this document or the Washoe County Development Code. All bare or galvanized metal buildings shall be coated to prevent a shiny appearance. Acceptable treatments include Natina™, factory powder coating, etc. Colors shall blend with the surrounding undisturbed terrain.

### **3.9 Lighting and Noise**

Many of the uses currently allowed throughout the area have the potential to generate excessive noise or light. Agricultural processing and security lighting are two common sources of noise and light. The specific concern at Black Rock Station is that the allowed uses may generate noise and light beyond what is normally anticipated for allowed uses in the area, and during times of day that can increase the impact of the noise and light. Quiet nights and dark skies are a component of the desired community



## BLACK ROCK STATION SPECIFIC PLAN DEVELOPMENT STANDARDS HANDBOOK

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character and therefore negative impacts to these features are to be mitigated. Therefore the following standards will apply to any source of light and noise.

1. Activities generating outside noise such as amplified music and industrial activities will cease at 10:00p.m. Otherwise, the noise standards found in the Washoe County Development Code will apply to all noise generating activities.
2. Lighting can be used for any typical purpose including accentuating building architecture, art displays, and for security purposes.
3. Lighting which results in spill-over or glare on to any non- owner/developer property or roadway is prohibited. All lighting shall be down shielded such that lighting is emitted downward only and shall be the minimum amount of lighting required in order to meet basic safety and functionality standards.
4. Art parks/installations may incorporate the use of neon lighting as it relates to the art work being displayed. Flashing or animated illumination is prohibited. Neon lighting for art park/installation lighting shall be restricted to Fridays and Saturdays and shall not extend past 10:00 p.m. Other lighting of art parks or installations is permitted any day but shall not extend past 10:00p.m.
5. Other sources of light, including fires, headlights not needed for transportation safety, and art installations or holiday decoration must cease by 11:00 p.m. on Fridays and Saturdays and by 10:00p.m any other day.
6. The Specific Plan requires lighting for safety and security purposes. Security lighting shall be allowed at the primary access to the Black Rock Station facility. Additionally, security lighting shall be allowed on buildings, as well as on posts within the various yard areas. This lighting shall be at the discretion of owner/developer. Light posts shall not exceed twelve (12) feet in height. Lighting that exceeds 10' in height on a building shall be dimmed between the hours of 11:00 p.m. and sunrise. Lighting that is located on a post shall be turned off between the hours of 11:00 p.m. and sunrise.

### **3.10 Minimum Lot Area**

Lot areas within Black Rock Station shall be a minimum of 40 acres per the Rural Master Plan designation. Any future subdivision of the property, through Division of Land into Large Parcels (DLP), for example, shall conform to the standards outlined for the General Rural Zoning Designation within the Washoe County Development Code. The intent of this is to ensure that no parcel less than 40 acres is created within the Black Rock Station Specific Plan. Any new parcels created must correspond to the boundaries of the individual use type areas depicted in figures 3-9.



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### **3.11 Natural Hazards**

The Washoe County Fire Hazard Map identifies this parcel as having a high risk for wildfires. The owner/developer is prepared to take this risk seriously. As such, an Emergency Services Plan has been developed and is included as Appendix 1.

The generally level topography of the area aids in the control and avoidance of wildfire danger. In order to maintain a low level of wildfire risk, owner/developer will avoid landscaping practices that raise wildfire exposure and will maintain proper fire vehicle access to the site at all times.

### **3.12 Traffic**

Due to the wide mix of uses and the anticipated phasing of the development, it is difficult to determine the nature and timing of any traffic mitigation measures that may be required. Therefore, a traffic study conducted by a licensed Nevada traffic engineer will be required in in years 3, 6, 9, and 12 following adoption of this plan. Any required mitigation, as determined by Washoe County following review of the study, will be constructed within 18 months of the submittal of the study. Washoe County shall review and identify the required mitigation within one month of receiving the study.

In addition, at the request of either party, Washoe County and the owner will participate in annual traffic monitoring meetings intended to identify any mitigation that should be implemented in the intervening time between traffic studies. Requests for these meetings must be made at least one month in advance of the requested meeting time unless both parties agree to waive this requirement. Failure to implement required mitigation will result in a cessation of building permit issuance and or renewal of business licenses on the site. Only impacts directly related to activities on the subject parcel shall require mitigation.

### **3.13 Paving Standards**

All parking and interior roadways shall be constructed of not less than 6 inches of road base material, acceptable to the County engineer, and compacted to 95% Maximum Dry Density (MDD). An approved dust palliative such as magnesium chloride shall be applied to all parking, loading, and maneuvering areas not less than two times every calendar year.

Where a hard, all-weather surface is needed/required, any dust free alternatives to blacktop/petroleum based asphalt, including Health Department approved dust palliatives (i.e. magnesium chloride), interlocking paving stones, stamped concrete, cellular block, or other proven systems (trade names include Eco-Grid, Grasscrete, etc.) may be used. All required handicap parking spaces shall be constructed to the requirement of Washoe County Development Code, Article 410, *Parking and Loading*.



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### **3.14 Sewer**

No sewer system is available within the Hualapai Valley. Therefore, the use of an engineered septic system(s) shall be allowed. However, it is unlikely that a proliferation of independent systems will receive approval from the Washoe County District Health Department. While the development of the property is likely to proceed in phases, it may still be necessary to design a comprehensive system to adequately serve the entire project. Systems that can be designed to expand coincident with development may be required. All septic systems shall be designed to the standards of and approved by the Washoe County District Health Department and the Nevada Division of Environmental Protection. Given the predominately non-residential nature of the site, a septic system designed to commercial standards may be required at the discretion of Washoe County. Such a requirement is to be based on the regulations of the relevant state and local authorities at time of development. Washoe County will withhold the issuance of any applicable development-related approvals until the sewer capacity required to support the new development is approved by the Washoe County District Health Department.

### **3.15 Water**

This Specific Plan recognizes that water is a valuable resource in the area. Any new land uses or activities that increase water demand shall be required to show that sufficient water is available on site. To accomplish this, any new use shall provide to the Washoe County Community Services Department an estimate of water demand for the new use. This estimate shall be based on accepted water demand calculations commonly in use on comparable projects, or other methodologies at the discretion of Washoe County. Proof of onsite water availability shall be provided.

Additionally, Black Rock City LLC is required to provide Washoe County with an annual log of monthly well meter readings to verify actual water demands and usage. If logs demonstrate actual water usage higher than the permitted usage, uses shall cease until additional water rights can be dedicated and verified by the State Engineer and Washoe County.

Projects may use individual or group wells, subject to the approval of Washoe County and the Nevada State Engineer. It is possible that a community water system may eventually be required to support the planned development. The need for a community system or other approach to water delivery will be determined by all applicable regulations of the State of Nevada and Washoe County.

Any project requiring additional water rights shall have the rights dedicated, from within the Hualapai Flats Basin, before a building permit is issued.



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### **3.16 Standards Not Addressed**

Any development standards not specifically addressed in this Specific Plan shall be subject to the requirements set forth in the Washoe County Development Code and/or High Desert Area Plan. For the purposes of Black Rock Station, the General Rural zoning standards shall be applied.

### **3.17 Cultural Compatibility**

Workers, volunteers, and visitors to Black Rock Station arrive from far and wide. For many of these individuals, traveling to the remote high desert is a meaningful experience in their lives. It provides them with valuable respite from their normal routine, which is often urban in character. The vast majority of these individuals respect and value the same character that the permanent residents of the community value and have been discussed here: dark skies, quiet nights, scenic beauty, etc. However, it is also the case that from time to time an individual may not understand and respect the importance of these qualities to the community. Unfortunately, seemingly minor incidents of disrespect can result in major impacts to the positive relationship the owners and the community are seeking to develop. Therefore, the plan requires the owners to develop a “code of conduct” that addresses, at a minimum, trespassing, use of illegal drugs, excessive alcohol consumption, noise and light pollution, reckless driving, and damage to fences marking property boundaries. This code of conduct must be posted in at least one prominent location in each of the identified land use areas. Anyone on the site for 24 hours or more on any given day must be presented with a copy of this code. It is understood that a code of conduct cannot prevent all inappropriate behavior, but will represent a good faith effort on the part of the owners to recognize and mitigate the potential for unfortunate incidents that undermine the relationship between the owners and adjacent property owners.

### **3.18 Air Quality**

The owner/developer is committed to environmental protection. Development activities will comply with all Washoe County regulations regarding air quality. The allowed uses proposed with this application include the potential to pursue alternative energy production, primarily wind and solar power facilities. These uses help provide for the maintenance of air quality.

Dust control measures, including revegetation of disturbed areas, will occur with new construction or grading.

### **3.19 Land Grading, Erosion, and Flood Control**

The Black Rock Station site is essentially flat and is not located within a designated flood hazard zone. All grading disturbance shall be either revegetated or treated with a Washoe County District Health Department approved dust palliative within 30 days of being disturbed to ensure that erosion and/or



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blowing dust from disturbed areas does not occur. All grading activities within Black Rock Station shall be in accordance with Washoe County Development Code standards.

### **3.20 Recreational Amenities**

There are no public recreational amenities within Black Rock Station. Any connections to the overall regional trail network shall include public access.

### **3.21 Trails and Open Space Provision and Maintenance**

All open space, common areas (including trails), and landscaping within the Black Rock Station Specific Plan shall be maintained by the owner/developer. All areas shall be maintained in a neat and orderly fashion and in compliance with any applicable conditions and/or standards as outlined in this handbook or the Washoe County Development Code.

### **3.22 Wildlife Preservation**

In general, Black Rock Station will not be developed to an intensity that would prohibit the movement of wildlife across most portions of the site. Any project that has the potential to inhibit wildlife movement will be reviewed by the proper wildlife agency prior to the issuance of a building permit. The owner/developer agrees to comply with State and Federal law regarding wildlife protection.

The site does not contain fisheries resources and is not adjacent to fisheries resources. No impacts will occur to fisheries due to the provisions of this Plan.

### **3.23 Historic, Cultural, and Archeological Resources**

Investigations to this point have not identified any historic, cultural and archaeological resources on the site. The owner/developer agrees to protect any such resources. If development activities result in the identification of such resources development activities will stop and the State Office of Historic Preservation will be contacted.

### **3.24 Improvements and Concurrency**

Infrastructure upgrades are intended to occur in conjunction with land development. Infrastructure improvements necessitated by development of owner/developer project(s) shall be at the expense of the developer. The owner/developer will address Washoe County's requirements for infrastructure





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upgrades as part of the application and building process. Due to the inherently complicated timelines, and frequently unpredictable nature of land planning and construction, it should be recognized that flexibility in establishing completion dates for infrastructure upgrades is warranted and should be addressed on a case-by-case basis as property is developed, unless a specific timeline is provided elsewhere in this plan.

As needed, over sizing of facilities will occur to accommodate future growth, as determined reasonable by the reviewing authority. Washoe County may, at its discretion, refrain from the issuance of building permits or business licenses as a tool to ensure that necessary improvements including roads, water, and sewer infrastructure are reasonably concurrent with development.

### 3.25 Phasing

Black Rock Station will be developed in multiple phases. Table 2 outlines a tentative phasing plan for Black Rock Station. The owner/developer and Washoe County recognize that some flexibility in the phasing plan is to be expected.

**Table 2 – Phasing**

| Phasing Timeline                 | Projected Uses                |
|----------------------------------|-------------------------------|
| <b>0 to 2 Years - Short-Term</b> | Employee Campgrounds          |
|                                  | Single Family Dwellings       |
| <b>2 to 5 Years - Mid-Term</b>   | Large Commercial Campground   |
|                                  | Barracks                      |
|                                  | Communication Facilities      |
|                                  | Renewable Energy Services     |
|                                  | Crop Production               |
| <b>5 + Years - Long-Term</b>     | Agricultural Production/Sales |
|                                  | Destination Resort            |
|                                  | Cultural Center               |
|                                  | Administrative Offices        |

### 3.26 Subsequent Actions

This Specific Plan shall not prevent Washoe County, in subsequent actions applicable to the property, from adopting new ordinances, resolutions, or regulations that conflict with those in effect at the time of adoption of this Specific Plan, except that any subsequent action by Washoe County shall not prevent the development of the property and uses as set forth in this Specific Plan. However, Washoe County



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may, at its discretion, initiate amendments to this plan in order to respond to unforeseen issues that result in a negative impact to the High Desert community, or to other changing circumstances. These amendments may institute further development standards or restrict or eliminate the availability of uses allowed by the plan.

### **3.27 State and Federal Restrictions**

In the event that State or Federal laws or regulations enacted after the adoption of the Specific Plan prevent or preclude compliance with one or more of the provisions of the Plan, such provisions shall be modified or suspended as necessary to comply with State and Federal law.

### **3.28 Amendments**

The owners/developers may seek to amend this Specific Plan from time to time. This includes the addition of new properties adjacent to Black Rock Station, clarification of specific standards or uses, adding new uses not identified in this document, and the incorporation of new environmentally sound technologies.

Amendment of this Plan shall be by means of an application for a Regulatory Zone Amendment, the procedures for which are described in the Washoe County Development Code.

### **3.29 Financing**

Project financing shall be the responsibility of owner/developer. All necessary infrastructures to serve the site shall be constructed at the expense of owner/developer and dedicated to Washoe County as appropriate.

Any agreement between owner/developer or a future tenant/user and Washoe County for alternative financing of infrastructure shall be allowed if agreeable to all parties.

The owner/developer is required to pay all applicable development impact fees as mandated by Washoe County and Nevada Revised Statutes.

### **3.30 Police and Fire Protection**

To account for police and fire impacts from new development, the developer will consult with police and fire service providers prior to obtaining a building permit or instituting a new land use, in order to assess the adequacy of existing services.



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### **3.31 Emergency Plan**

An emergency services agreement has been reviewed and accepted by Truckee Meadows Fire Protection District. A copy of this agreement is included here as Appendix 1. This agreement covers the ongoing, roughly continuous activities described within this Specific Plan. Emergency services relating to the annual Burning Man festival are covered under separate agreements with area service providers. This plan may be amended as necessary by agreement of the owners and Washoe County without undergoing a Regulatory Zone Amendment to amend the Development Standards Handbook.

### **3.32 Vector Borne Diseases**

The Owner/Developer shall develop a Vector Borne Disease Control Plan that addresses, at a minimum rodents and mosquitos. In addition, The Vector Borne Diseases Division of the Washoe County District Health Department may impose conditions on individual building permits or other development activities to prevent the potential spread of diseases.

### **3.33 Easements, Covenants, Restrictions**

Should it be required for the proper functioning of the site, utility easements will be defined and recorded as needed, as new development occurs. Likewise, any necessary roadway easements will be defined and recorded. However, as the property is under single ownership, it is not likely that easements will form a barrier to the orderly development of this plan.

### **3.34 Drainage Plan**

In general, the site presents no physical obstacles to compliant and predictable storm water management. There is a moderate slope across the property, generally running from northwest to southeast. Given that the more intense development is clustered near the northwest corner, it is possible to direct drainage along the natural contours, to detention areas at the southeast. Additionally, this Specific Plan does not envision intense development on the site, so there will remain ample open space and undeveloped area that will serve as storm water detention area(s). All drainage and storm water facilities or grading for such purposes will conform to applicable Washoe County standards.

### **3.35 Roadway Plan**

In order to fully utilize the site, it will be necessary to develop a network of roads/drive aisles that serve each distinct area of the property, as well as recreational trails that allow for walking, bicycle riding, equestrian travel, and other recreational options. The beginning of this network is already in place with



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a main entrance near the northwest corner of the property and an obvious road serving the industrial area. This network will be extended to other areas of the property as facilities are developed. In general, all drive aisles will be the minimum necessary to provide safe and logical access to an area. Grading and paving are to be minimized in deference to the rural nature of the High Desert area.

Figure 3 shows this roadway network as well as multi-use trails. This diagram is intended as a schematic illustration only. The exact layout of roads will be determined with each new development. This network will be extended as needed in order to properly serve each area.

### **3.36 On-Site Utility Plan**

Figure 10 depicts a utility schematic showing a logical layout for any required on-site utility installations. Given that the site is effectively flat and a single parcel, there are few complications to achieving any necessary utility upgrades. As new development occurs on the site, the roadway network will be upgraded to accommodate the new construction. At this same time, any utility improvements will also be designed and installed. It is therefore possible to design the utilities to adhere to the road network, resulting in a logical and effective utility layout. If it is determined that water or waste water facilities requiring their own buildings or other structures be developed, the locations of those facilities will be determined at the time of project submittal.



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# Land Use Areas and On-Site Utility Plan

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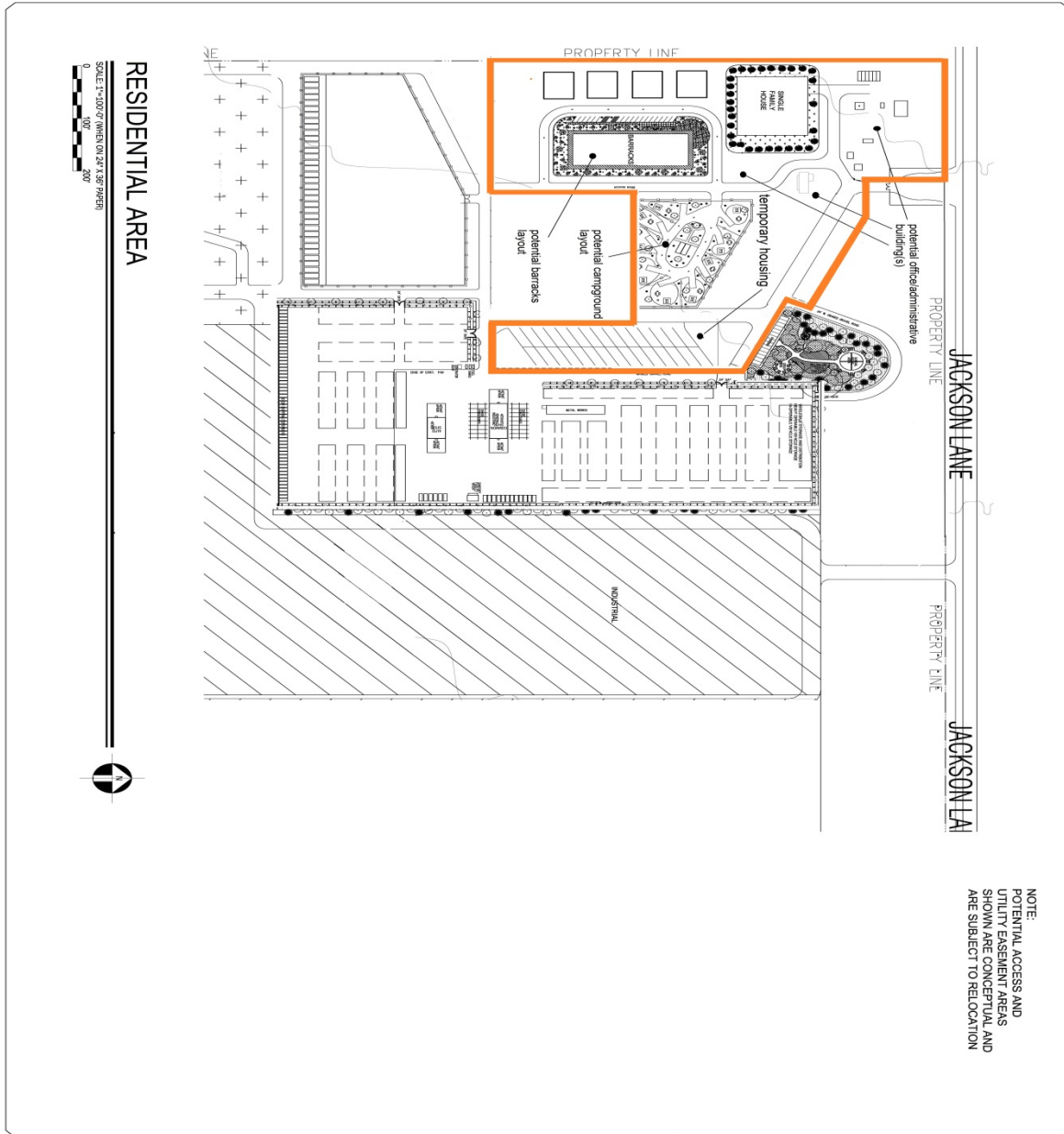
This section contains land use figures 3 through 10 and the on-site utility plan referred to in the previous sections.







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|                                      |   |  |                                 |  |                    |
|--------------------------------------|---|--|---------------------------------|--|--------------------|
| <b>RESIDENTIAL AREA</b><br>SHEET NO. | AGG: PLS. RUBICON DESIGN GROUP<br>PROJECT NO. | <b>BLACK ROCK STATION</b><br>WASHOE COUNTY, NEVADA A.P.N. 066-030-23 | <b>RUBICON<br/>DESIGN GROUP</b> | SCALE:<br>DRAWN BY:<br>DESIGNED BY:<br>CHECKED BY: | NO. REVISIONS DATE |
|--------------------------------------|---|--|---------------------------------|--|--------------------|

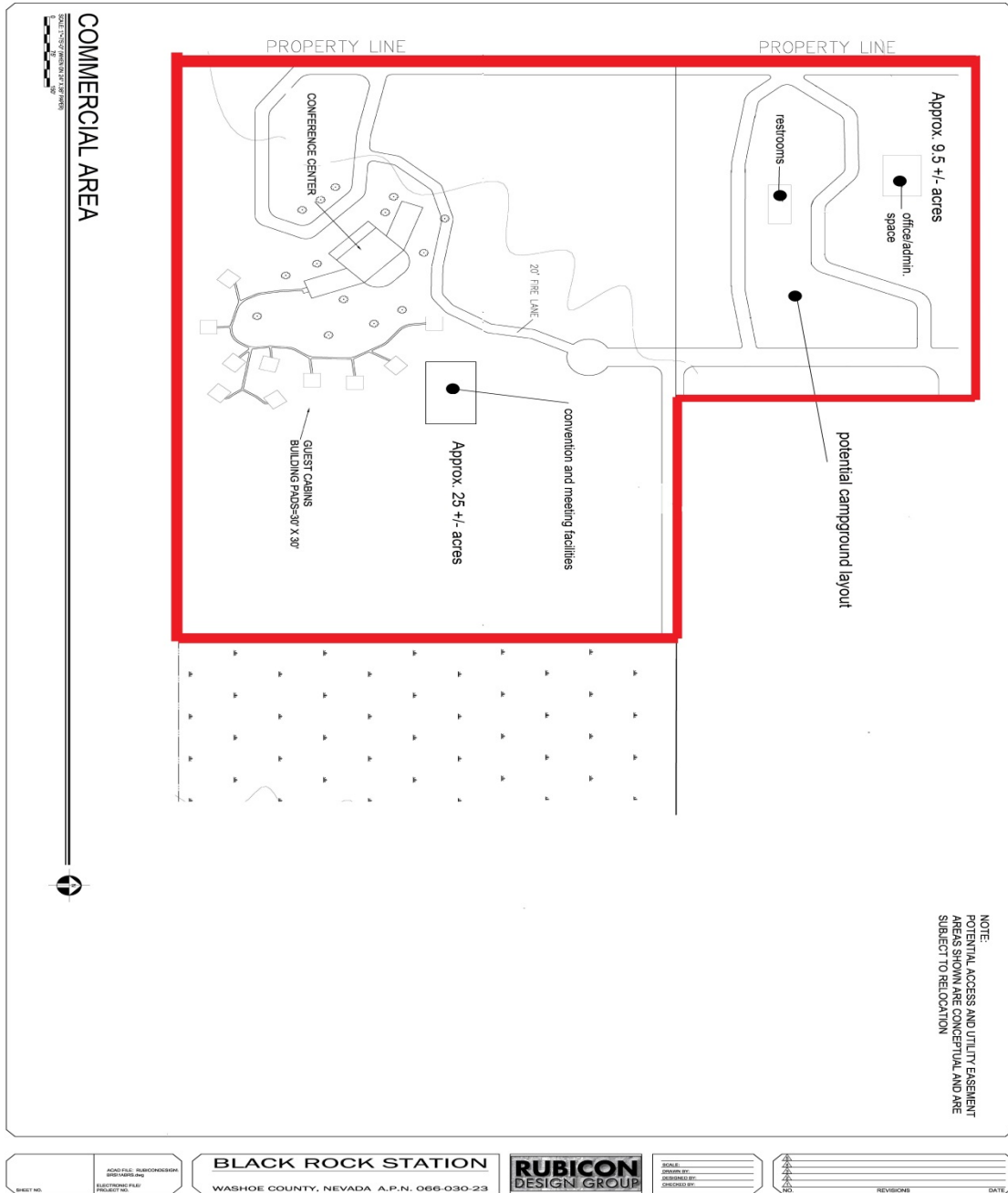
**Figure 5  
Residential Use Area**







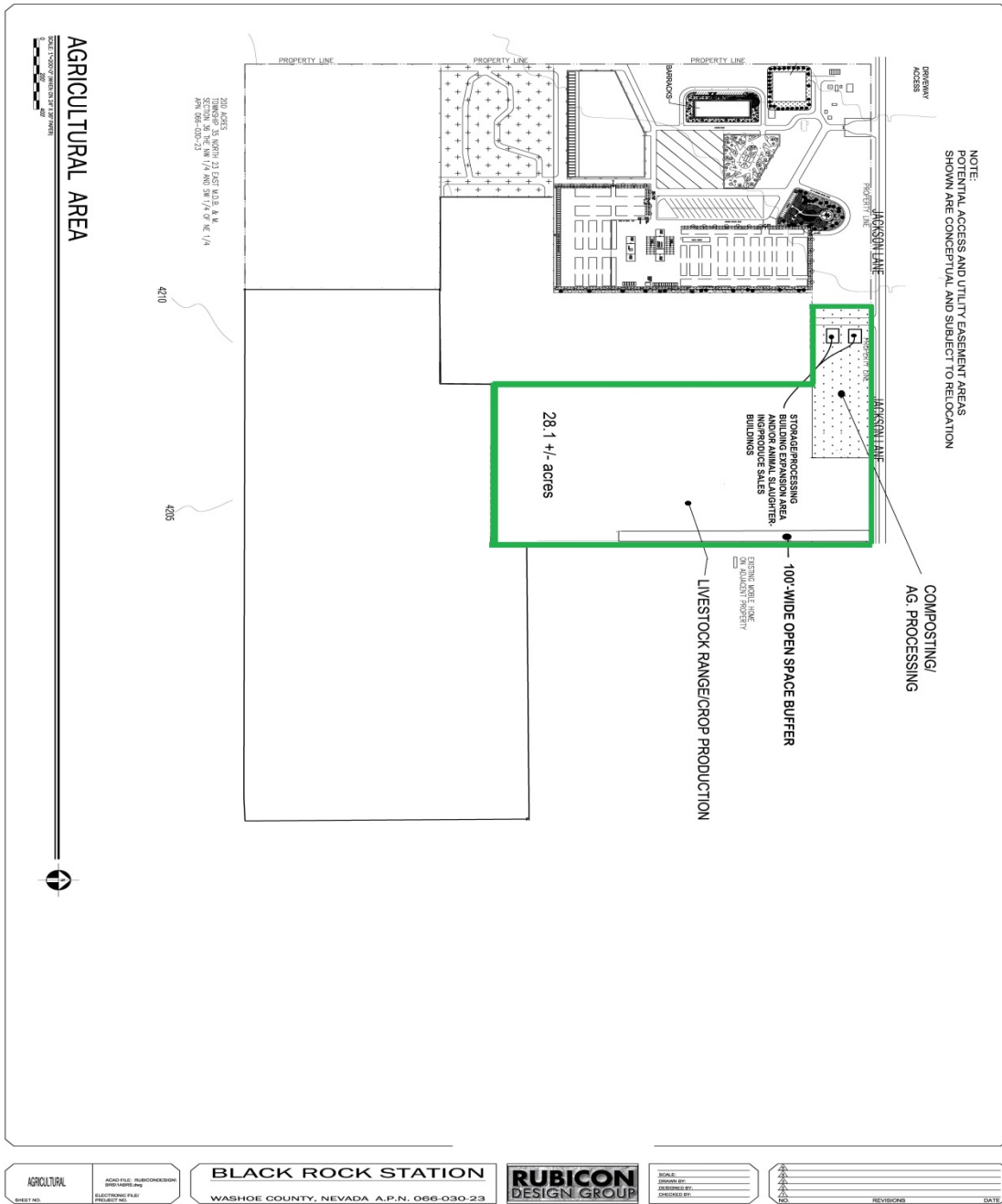
# BLACK ROCK STATION SPECIFIC PLAN DEVELOPMENT STANDARDS HANDBOOK



**Figure 7**  
**Commercial Use Area**



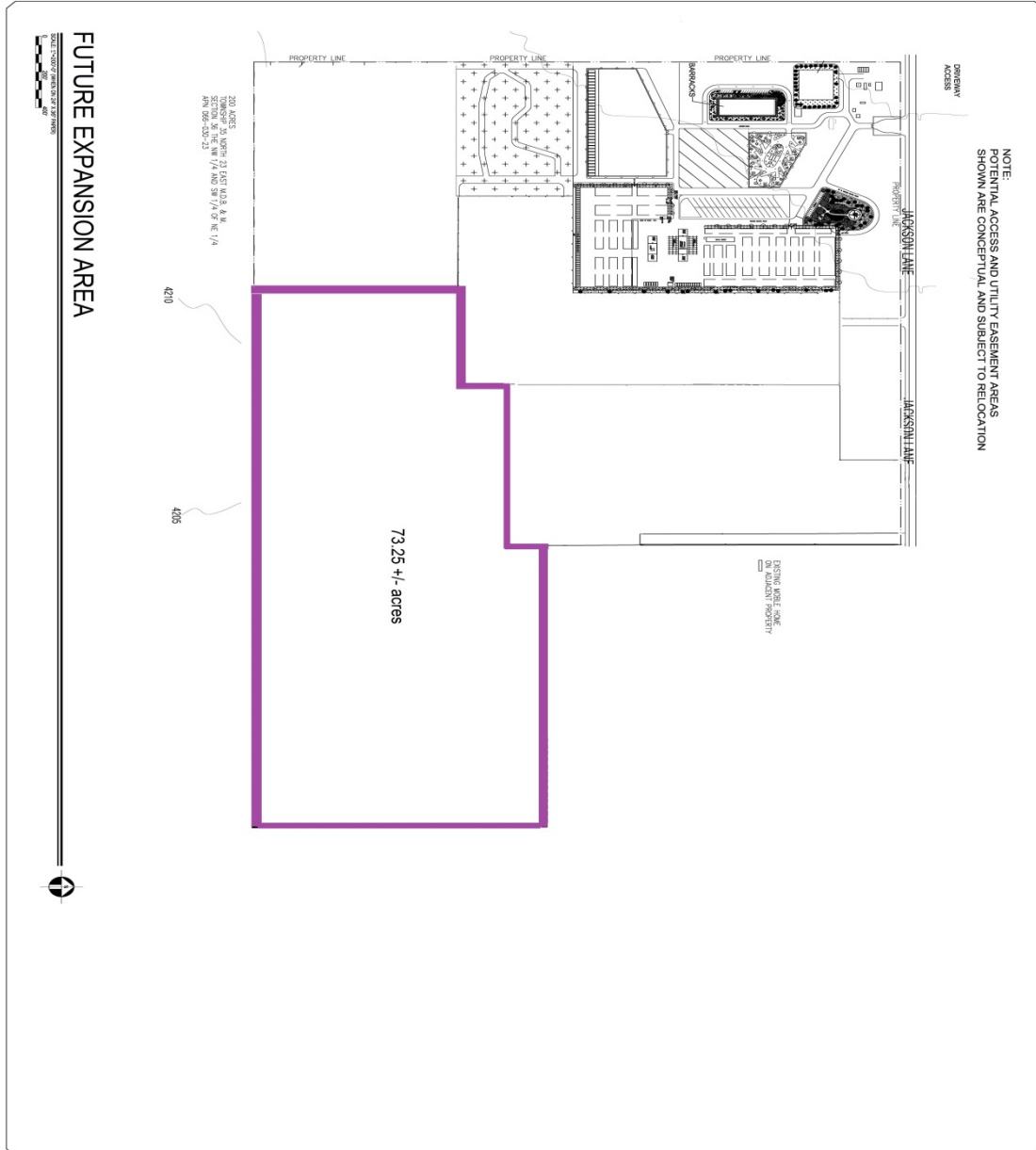
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**Figure 8  
Agricultural Use Area**



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|                                    |  |  |                                |           |             |
|------------------------------------|--|--|--------------------------------|-----------|-------------|
| FUTURE EXPANSION AREA<br>SHEET NO. | APPROVED BY: SUBCOMMISSION<br>BOARD NAME AND | <b>BLACK ROCK STATION</b><br>WASHOE COUNTY, NEVADA A.P.N. 066.030.23 | <b>RUBICON</b><br>DESIGN GROUP | SCALE:    | DATE:       |
|                                    | ELECTRONIC FILE<br>PROJECT FILE              |  |                                | DRAWN BY: | CHECKED BY: |

**Figure 9**  
**Future Expansion Area**



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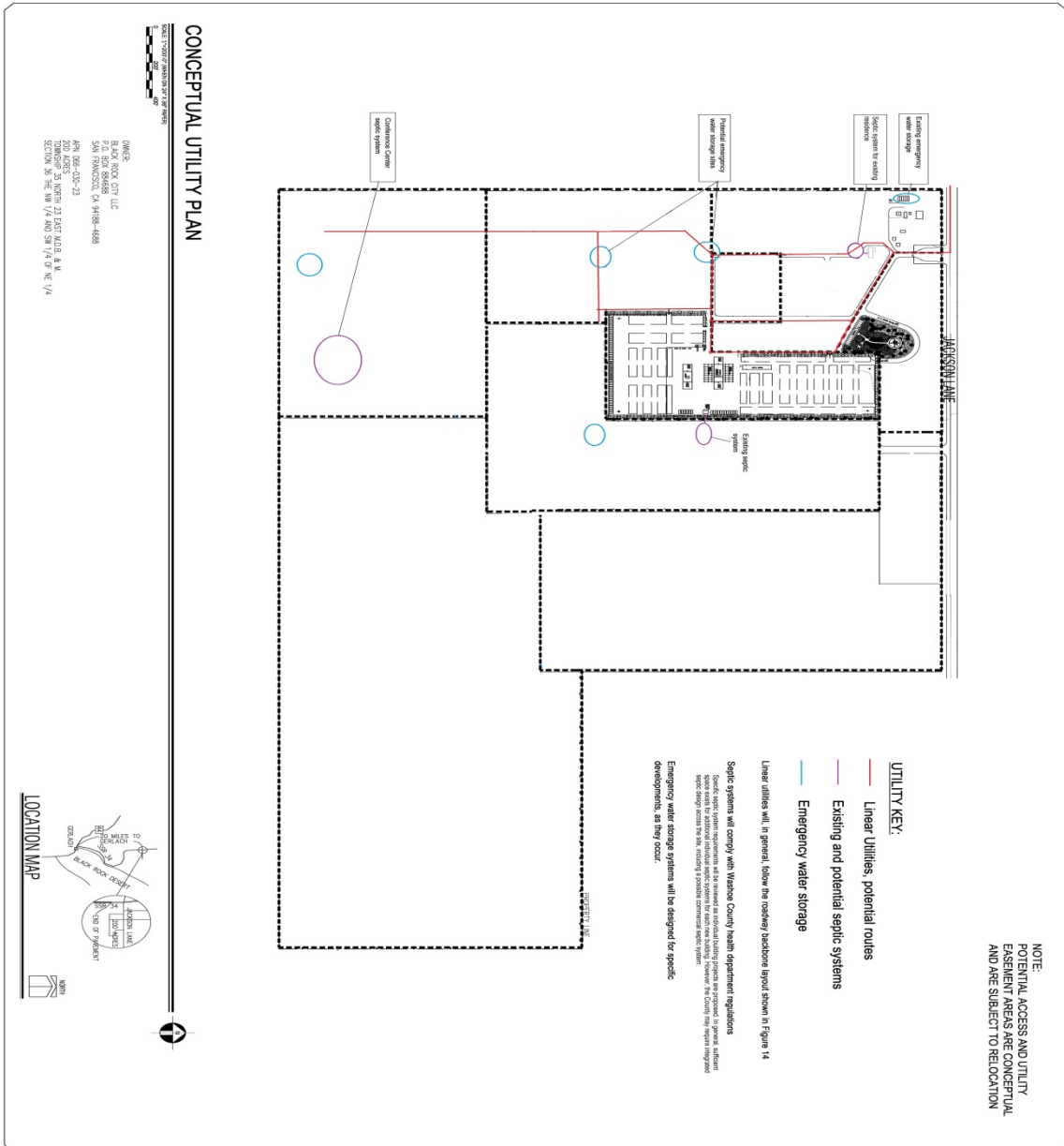


Figure 10  
On-site Utility Plan



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# Appendix 1 Black Rock Station Specific Plan Emergency Services Component

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### **Introduction and Purpose**

This document is intended to support and complement the Hualapai Valley Specific Plan, approved by Washoe County on (date to be inserted after final adoption.) The Specific Plan outlines allowed development and uses at the property(s) and provides protections from undue impacts to neighboring areas.

This emergency services document specifically addresses the provision of emergency services at the Hualapai Valley site, given the unique set of uses and the somewhat remote location of the site. This document is based on collaboration between the property owners and Washoe County personnel and is based on extensive emergency services provision experience. This document reflects past and ongoing consultation between the property owners and emergency services personnel and the provisions described here regulate the provision of emergency services at the site.

### **Overview**

As Black Rock City LLC activities and interests have expanded over the years, substantial managerial skill and infrastructure is now required to maintain operations. This includes multiple buildings and properties that contain the various support operations such as: provide office space, living quarters, vehicle storage, materials storage, and art studio space. A corporation, Black Rock City, LLC, was established to oversee and coordinate these operations.

In addition to the expanding annual event, traditionally scheduled during Labor Day week, Black Rock City, LLC envisions adding additional events that take place throughout the year, both at locations in the Hualapai Valley and within the town of Gerlach. The provisions outlined in this document will apply primarily to these events that exist outside of the current annual Burning Man event. The reason for this is that emergency services provision has been, and remains, an important element of preparing for and maintaining the annual event. Medical, fire, law enforcement, and other municipal-type services are routinely provided during the event and are covered under ongoing agreements between Black Rock City, LLC and the relevant providers/authorities.



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### Project Area

The project site is located within the High Desert Area Plan, as designated by Washoe County. A main purpose of the Area Plan is to retain the rural character of the area. It is important to note that Black Rock City, LLC is in overall agreement with the Area Plan. They appreciate and enjoy this rural character and seek to maintain it. Black Rock City, LLC has proven that their required uses are not incompatible with the Area Plan and can blend with the built environment and actually provide benefit to the region by creating opportunities for visitors to appreciate the Hualapai Valley.

As detailed more completely in the Specific Plan, the project area encompasses all of the property held by Black Rock City, LLC within the Hualapai Valley. Specifically, this is inclusive of AP # 066-030-23 which consists of 200± acres located along the south side of Jackson Lane. The parcel is located in a portion of Section 36, Township 35 North, Range 23 East, MDM. Figure 1.1 (below) depicts the work ranch property.

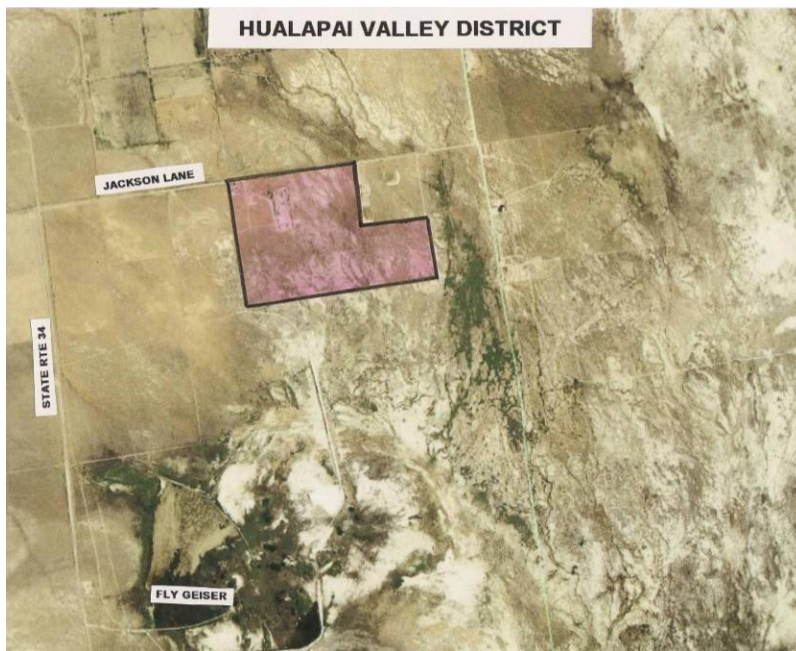


Figure 1.1 – Vicinity Map

### Existing Conditions

Black Rock Station serves a vital role for the overall operations of Burning Man and Black Rock City, LLC special events. As Burning Man and Black Rock City events have grown, Black Rock





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Station has evolved from an unorganized storage yard to a highly organized year-round work ranch that incorporates an automobile repair facility, shop building, vehicle storage, custom manufacturing, and supply storage. Black Rock City, LLC has worked diligently to organize the facility and incorporate screening measures that make the overall operations virtually invisible from nearby properties and roadways.

Black Rock City, LLC's Director of Nevada Properties resides at Black Rock Station year-round and serves as an overall manager of the facility.

Figures 1.2 and 1.3 depict the existing conditions at Black Rock Station/Hualapai Valley District.



Figure 1.2– Aerial View





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Figure 1.3 – Site Photos

### **Ongoing Review Process**

It will be beneficial to both Burning Man and to the County to periodically revisit the provisions of this agreement in order to ensure that the standards and processes included here are relevant, effective, and comprehensive. This review process is intended to ensure that public safety is being maintained in an efficient and logical manner. Standards and actions that are no longer relevant may be retired over the course of the Hualapai Valley Specific Plan, and likewise, new standards that better serve public safety may be implemented.

The overall Hualapai Valley Specific Plan contains provisions for periodic review. The provisions contained in this document shall be reviewed on this same periodic review schedule. The review process shall include Black Rock City, LLC staff or their designated representative, Washoe County Community Development staff, and the Washoe County Fire Coordinator.



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### **Emergency Communications Capability**

Black Rock City, LLC has worked over the past several years to improve communications at their properties, and will continue to improve communications capability with the goal of achieving continuous, reliable cell phone coverage to the Hualapai Valley site, suitable for initiating and coordinating emergency services operations at the site.

With the establishment of a new use at the site, such as a resort, commercial campground, or worker housing, Black Rock City, LLC will demonstrate suitable emergency communications function. If necessary, Black Rock City LLC will install additional cell phone or radio transmission capability, using either their existing transmission tower in town or by adding an additional structure at the Hualapai Valley site. A communications plan must be presented for review and approval by Washoe County, prior to the issuance of a certificate of occupancy for any such use.

At current time, cellular phone service is available at the ranch. At a minimum, Black Rock City shall provide management staff with a working cell phone(s) that is to be kept onsite at all times and made available for emergency use.

### **Existing Emergency Services Infrastructure**

The town of Gerlach currently contains a volunteer fire station, part of the Washoe County Fire Suppression Program (Washoe County Fire and Fire Based Emergency Medical Services Master Plan, page 25). For a variety of reasons, including a desire on the part of Burning Man to strengthen the Gerlach community, and to further the goal of improving staffing at this station, it makes sense to provide funding and support directly to this station rather than solely install facilities on Burning Man property. A focus of this plan will therefore be to look for ways to enhance the capabilities of this existing station. The following section provides specifics on this goal.

### **Specific Emergency Services Triggers**

The core of this emergency services addendum is the provision of specific land use triggers that determine emergency services needs and subsequent actions. In general, these triggers identify selected points of land use intensity that relate to increased demand for emergency services. When these trigger points are reached on the Hualapai Valley Specific Plan property, the described emergency services are to be provided. The Hualapai Valley Specific Plan identifies proposed land uses on the subject property. Emergency services triggers are therefore linked to types and intensities of land uses and are individually described as follows:



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### **Exclusionary Period**

It is important to note that these triggers apply only to activities on the Hualapai Valley property that are outside of the time period of the annual Burning Man event. For this Emergency Services document, this time period shall be defined as those dates not associated with the actual Burning Man Event. During this period, the terms of this agreement shall be superseded by the emergency services provisions that are annually agreed to and implemented as part of the annual event.

### **Triggers**

**Permanent population:** A primary measurement of land use intensity is the permanent population. The permanent population of the Specific Plan property is currently very low (1 Burning Man employee and spouse). Should the permanent population of the property reach twenty nine (29), it shall be required that a licensed EMT is on site. Should the permanent population reach fifty nine (59), an additional licensed EMT shall be on site. These EMTs do not necessarily need to be employees of Washoe County or any other public agency, but may be Burning Man employees or private individuals holding the proper licensing and training to function in the State of Nevada. Should the permanent population reach 100, additional medical staff requirements shall be evaluated and implemented, based on historical service call rates and current needs as demonstrated by activities at the site.

**Temporary Population:** Hualapai Valley activities may occasionally require temporary populations residing at the property. This is generally volunteer work crews performed various tasks such as environmental remediation and cleanup on the Black Rock Desert, and equipment maintenance in the industrial yard. Housing for these crews will be provided in two distinct ways: a permanent barracks structure as described in the Hualapai Valley Specific Plan; and in travel trailers to be contained in a designated area identified on the Specific Plan, designed to comply to all codes related to establishment and operation of an RV Park in this case does not refer to building structures, but only to the work crews. Any buildings constructed in relation to this use, such as a barracks structure, will be built to Washoe County building standards for permanent installations.

At times when the temporary population reaches or exceeds 49 people, it shall be required that a licensed EMT is on site. This temporary population shall be defined as people staying on-site for 24 hours or longer. Similar to the provisions for the permanent population, this EMT does not need to be an employee of Washoe County or any other public agency, but may be a Burning Man employee or private individual holding the proper license and training to function in the State of Nevada.



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**Residential Square Feet:** The Hualapai Valley Specific Plan contains provisions for the possible construction of one single family home and a barracks for temporary work crews. At the time of construction these structures shall have installed an automatic fire sprinkler system that meets the retirements of NFPA for the type of construction and occupancy. The barracks shall require a water reservoir sized according to local fire department standards shall be included, unless such a system is already installed due to industrial construction. Due to the proximity of industrial and residential building sites on the property, one system may be sufficient to serve both uses. The determination of the ability for one system to comply with all required needs shall be the sole decision of the designated County Fire Official. All water for fire suppression shall be designed in accordance with Washoe County Code, including NFPA 1142. A water reservoir may not be approved as a viable water source for this application. Plans shall be submitted for review and approval

**Commercial Square Feet:** The Hualapai Valley Specific Plan allows for the construction of a limited amount of commercial space, primarily in the form of conference center or vacation retreat type operation. Any such building(s) will be built to current fire standards. Additionally, if the total area of commercial building space exceeds 6,000 gross square feet, the property owner shall provide on-site an emergency firefighting system, including a water reservoir sized according to local fire department standards. The property owner shall ensure that the staff includes a designated emergency manager and that the staff overall has sufficient training and expertise to operate the firefighting system.

**Industrial Square Feet:** The Hualapai Valley Specific Plan property already contains a small amount of industrial development which has operated for many years without incident. There is some possibility of additional industrial square footage being installed. At the time of construction these structures shall have installed an automatic fire sprinkler system that meets the retirements of NFPA for the type of construction and occupancy. , If new industrial space exceeds 2,000 square feet, a water reservoir sized according to local fire department standards may be required, unless such a system is already installed due to residential construction. Due to the proximity of industrial and residential building sites on the property, one system is sufficient to serve both uses. The determination of the ability for one system to comply with all required needs shall be the sole decision of the designated County Fire Official. All requirements for fire suppression water shall be submitted for review and approval under Washoe County Code and may or may not be more stringent than what is expressed here.

### **Gerlach Fire Station**

As noted, there is an existing emergency services operation in the area, the Washoe County Gerlach Volunteer Fire Station. Black Rock City, LLC recognizes that increased activity at their site has the potential to lead to increased demand on this station. It is therefore proposed that



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during periods where the population at the Hualapai Valley site exceeds 99 people (24-hour or longer stay), Black Rock City, LLC will provide funds sufficient for the staffing of 24 ours (1 work shifts) of daily coverage of a trained emergency services responder at the Gerlach Station for the duration of time that the population of the site exceeds 99 people. Black Rock, LLC shall meet to discuss this plan with Washoe County prior to submitting this as an approved plan. Washoe County shall determine how they would like services directed and funded.

In order to address any ongoing staffing issues at the Washoe County Gerlach Volunteer Fire Station Black Rock City, LLC will provide an annual payment of \$5000, to be used for professional development, training of Gerlach Station staff and or specialized equipment . These funds shall be transmitted to the county each July 1 and be designated solely for use in supporting the Washoe County Gerlach Volunteer Fire Department program.

### **Construction Standards**

All construction shall comply with the adopted County Codes as well as the requirements listed above related to automatic fire sprinkler systems.

### **Firefighting Infrastructure**

Fire suppression features within buildings or by firefighting personnel and equipment requires adequate water flow. Without sufficient quantity and delivery pressure, firefighting efforts will not be optimal. Therefore, Black Rock City, LLC agrees to enhance emergency services water storage and delivery, as needed, in order to maintain sufficient flow during emergency situations. If necessary, Black Rock City, LLC will install new water storage and delivery systems sufficient for the required tasks.

### **Project Direction and Timeline**

The Hualapai Valley Specific Plan covers both current and long-range activities at the site. Some of the development described in the agreement is intended to be conceptual. In other words, it establishes general limits and boundaries of development, along with intended uses. The Burning Man organization is a dynamic and creative operation with varied interests. The Specific Plan reflects this, primarily through language designed to reflect the cooperative, ongoing, and mutually supportive working relationship between Washoe County and the property owners. Actual activities at the site will therefore be heavily dependent on as-yet unmade decisions regarding the direction of Burning Man activities, as well as general economic conditions. An exact timeline for buildout of the Hualapai Valley site therefore does not exist. Within the development limits established in the Specific Plan, alterations to some of



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the developments described in the plan may be altered to more effectively meet the needs of both the property owners and the County.

### **Termination and amendment of Agreement**

Should operations cease at Black Rock City, LLC's, LLC's Hualapai Valley property, this agreement shall no longer be in force. Amendments to this agreement may be made through mutual agreement of all parties, without the requirement of obtaining a Regulatory Zone Amendment.