



# Planning Commission Staff Report

Meeting Date: December 3, 2024

Agenda Item: 8A

MASTER PLAN AMENDMENT CASE NUMBER: WMPA24-0004 & WRZA24-0006  
(Empire)

BRIEF SUMMARY OF REQUEST: To approve a master plan map amendment and a regulatory zone amendment

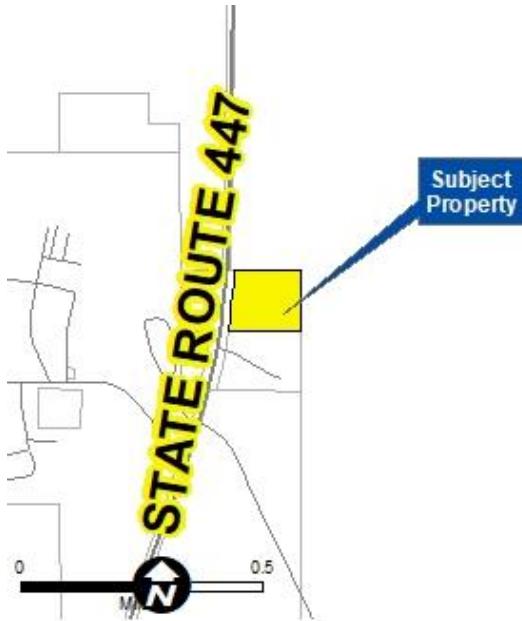
STAFF PLANNER: Julee Olander, Planner  
Phone Number: 775.328.3627  
E-mail: [jolander@washoecounty.gov](mailto:jolander@washoecounty.gov)

## CASE DESCRIPTION

For hearing, discussion, and possible action to:

- (1) Adopt an amendment to the Washoe County Master Plan, High Desert Master Plan Land Use Map, to change the master plan land use designation on an ±11.55-acre parcel (APN: 071-120-11) from Suburban Residential (SR) to Commercial (C); and if approved, authorize the chair to sign a resolution to this effect. Any adoption by the Planning Commission is subject to approval by the Washoe County Board of County Commissioners and a finding of conformance with the Truckee Meadows Regional Plan by the regional planning authorities.
- (2) Subject to final approval of the associated master plan amendment and a finding of conformance with the Truckee Meadows Regional Plan, recommend adoption of an amendment to the High Desert Regulatory Zone Map to change the regulatory zone for an ±11.55-acre parcel (APN: 071-120-11) from Low Density Suburban (LDS) to General Commercial (GC); and, if approved, authorize the chair to sign a resolution to this effect.

Applicant/ Property Owner:	Joseph Rutski
Location:	70200 State Route 447
APN:	071-120-11
Parcel Size:	11.55 acres
Existing Master Plan:	Suburban Residential (SR)
Proposed Master Plan:	Commercial (C)
Existing Regulatory Zone	Low Density Suburban (LDS)
Proposed Regulatory Zone:	General Commercial (GC)
Area Plan:	High Desert
Development Code:	Authorized in Article 820, Amendment of Master Plan,



Vicinity Map

Commission District: 5 – Commissioner Herman	Article 821, Amendment of Regulatory Zone	
--	---	--

**MASTER PLAN AMENDMENT STAFF RECOMMENDATION****APPROVE****DENY****POSSIBLE MOTION**

I move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Planning Commission adopt the resolution contained at Attachment A of this staff report to amend the Master Plan as set forth in Master Plan Amendment Case Number WMPA24-0004, having made at least three of the required five findings set forth in Washoe County Code Section 110.820.15(d). I further move to certify the resolution and the proposed master plan amendments in WMPA24-0004 as set forth in this staff report for submission to the Washoe County Board of County Commissioners and authorize the chair to sign the resolution on behalf of the Planning Commission.

*(Motion with Findings on Page 14)***REGULATORY ZONE AMENDMENT STAFF RECOMMENDATION****APPROVE****DENY****POSSIBLE MOTION**

I move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Planning Commission adopt the resolution included as Attachment B, recommending adoption of Regulatory Zone Amendment Case Number WRZA24-0006, having made all of the findings set forth in Washoe County Code Section 110.821.15(d). I further move to certify the resolution and the proposed Regulatory Zone Amendment in WRZA24-0006 as set forth in this staff report for submission to the Washoe County Board of County Commissioners and authorize the chair to sign the resolution on behalf of the Washoe County Planning Commission.

*(Motion with Findings on Page 15)*

**Staff Report Contents**

Explanation of a Master Plan Amendment .....	4
Existing and Proposed Master Plan Designations .....	4
Explanation and Processing of a Regulatory Zone Amendment.....	5
Existing and Proposed Regulatory Zoning Designations .....	6
Regional Plan Evaluation .....	10
Neighborhood Meeting .....	10
Master Plan Amendment Public Notice .....	11
Regulatory Zone Amendment Public Notice .....	11
Staff Comment on Required Master Plan Amendment Findings.....	11
Master Plan Amendment Recommendation .....	14
Master Plan Amendment Motion .....	14
Regulatory Zone Amendment Recommendation.....	15
Regulatory Zone Amendment Motion .....	15
Appeal Process.....	15

---

**Attachment Contents**

Master Plan Amendment Resolution .....	Exhibit A
Regulatory Zone Amendment Resolution .....	Exhibit B
Agency Comments.....	Exhibit C
Neighborhood Meeting Sign-in Sheet, Summary & Comment Cards .....	Exhibit D
Noticing Map .....	Exhibit E
Application .....	Exhibit F

### **Explanation of a Master Plan Amendment**

The purpose of a Master Plan Amendment application is to provide a method of review for requests to amend the Master Plan.

The Master Plan guides growth and development in the unincorporated areas of Washoe County and consists of three volumes. By establishing goals and implementing those goals through policies and action programs, the Master Plan addresses issues and concerns both countywide and within each planning area. Master Plan Amendments ensure that the Master Plan remains timely, dynamic, and responsive to community values. The Washoe County Master Plan can be accessed on the Washoe County website at [EnvisionWashoe 2040](#) select departments, planning and building, then planning documents (Master Plan, Regulatory Zone) - or it may be obtained at the front desk of the Washoe County Planning and Building Division.

**Chapter One, Foundation**, describes the purpose of the Master Plan and the public engagement process that led to its creation. It also contextualizes the Master Plan in relation to the plans of other agencies and jurisdictions in Washoe County.

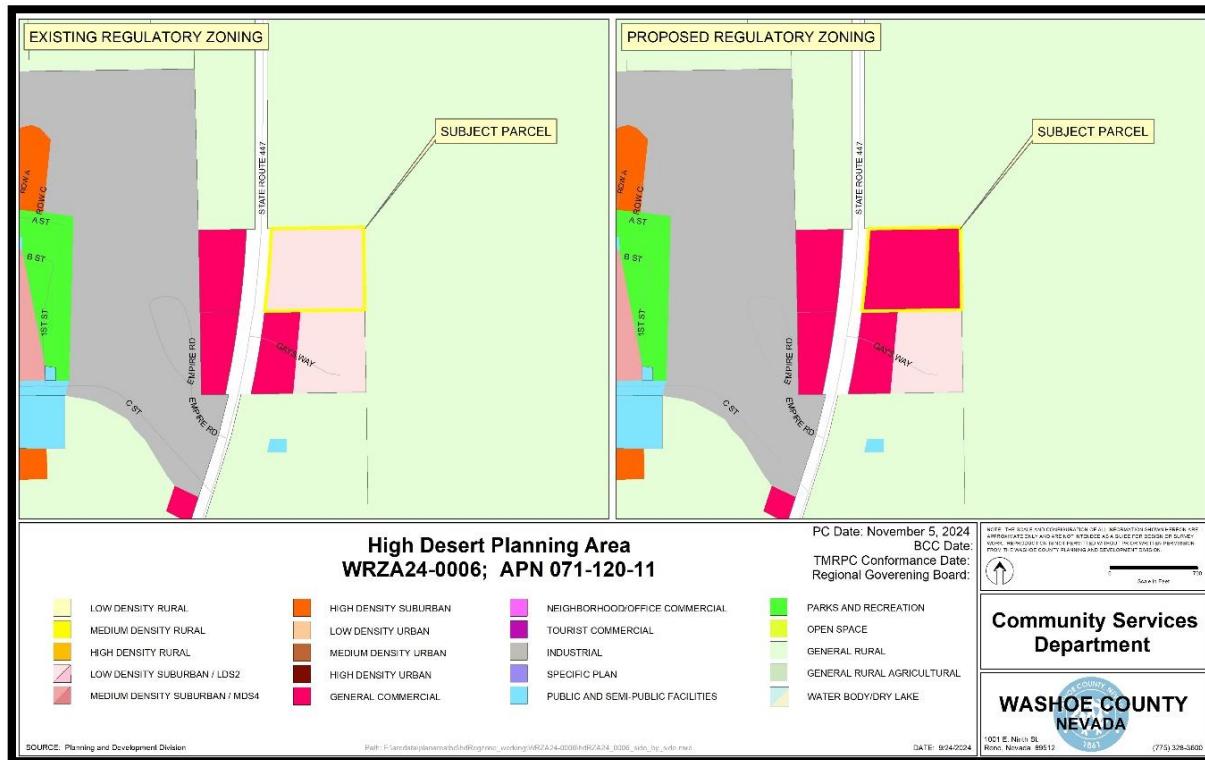
**Chapter Two, Vision**, contains the plan elements and planning area sections. This is where all the principles and policies can be found, which address a shared community vision for the future.

**Chapter Three, Implementation**, describes how the Master Plan is to be used. It contains implementation strategies, including a list of short term, mid-term, and long-term actions for plan implementation.

A recommendation to adopt the Master Plan Amendment requires an affirmative vote of at least 2/3 of the Planning Commission's total membership.

### **Existing and Proposed Master Plan Designations**

This request is to amend the Master Plan Land Use Map in order to replace the existing Suburban Residential (SR) Master Plan land use designation with a Commercial (C) designation on one 11.55-acre parcel. See Figure 1, Existing and Proposed Master Plan Designations on page 5.



**Figure 1**  
**Existing and Proposed Master Plan Designations - Side by Side Comparison**

### **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.

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 Planning Areas that further define policies for specific communities. The Master Plan is the blueprint for development within the unincorporated County. Pursuant to NRS Chapter 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 and planning area policies found in the Washoe County Master 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 an applicable Specific Plan.

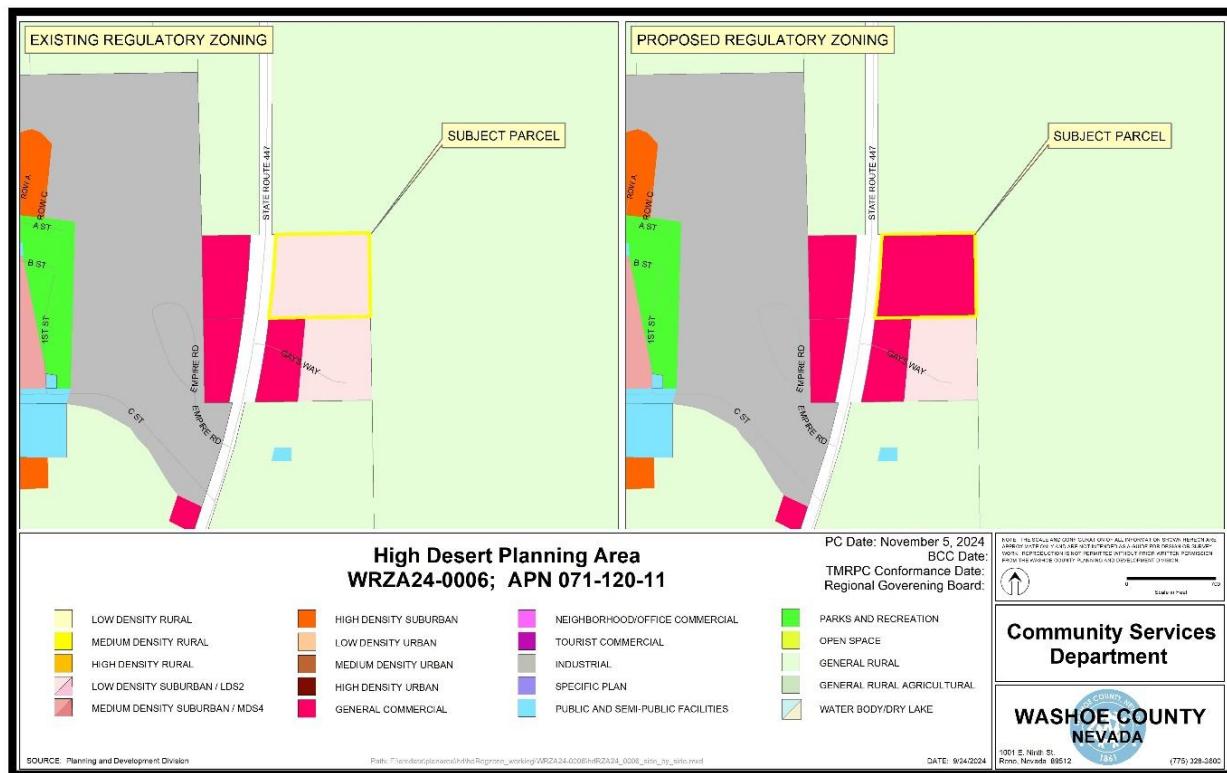
Requests to change a regulatory zone affecting a parcel of land or a portion of a parcel are processed under Article 821 of the Washoe County Development Code. Rezoning or

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 which may adopt, adopt with modifications, or deny the proposed amendment.

## **Existing and Proposed Regulatory Zoning Designations**

The second part of the applicant's request is to change the regulatory zone on the same parcel from Low Density Suburban (LDS) to Commercial (C). See Figure 2 – Existing and Proposed Zoning Designations below.



**Figure 2**

## Existing and Proposed Regulatory Zone Maps - Side by Side Comparison

## Existing Conditions

Currently, the property is being used to rent bikes under a temporary use permit that was obtained two years ago. There are eleven cargo containers and two Connex units on the site, which are part of the temporary permit for the bike rental operation. The property owner has cleaned up much of the site; however, there are still a few abandoned items, including a derelict bus. The owner has been able to remove some vehicles, however it has been challenging due to ownership and disposal requirements.

The applicant is requesting a master plan land use designation change from Suburban Residential (SR) to Commercial (C) and a regulatory zone change from Low Density Suburban (LDS) to General Commercial (GC), which will allow commercial uses to be established on the site, including bike rentals. The current LDS regulatory zoning would allow 11 dwelling units.

The site is located east of State Route 447 in the Empire community, which is 5 miles south of Gerlach. The project area is an 11.55 acre parcel (APN: 071-120-11). The subject parcel is relatively flat and is located within the High Desert Planning Area.

Currently, there is no infrastructure on the site, i.e., power, water, or sewer. The applicant indicates that as development occurs the necessary infrastructure will be established. The applicant contends that the possibility of commercial development on the parcel would "attract new investments that will enhance the community's economic vitality" and bring the resources to provide the required utilities and infrastructure.

The applicant has obtained a will serve letter from NV Energy for power to the site (See Exhibit F, page 22). The applicant further indicates that they will "provide sanitary sewer collection in accordance with the regulations of the Washoe County District Board of Health." Northern Nevada Public Health provided a comment stating, "future development will require the installation of commercial onsite sewage disposal systems or installation of a wastewater batch treatment plant under permit by the Nevada Division of Environmental Protection (NDEP)" (See Exhibit C). The applicant will also need to obtain commercial water rights per the Nevada State Engineer and provide the documentation to Washoe County (See Exhibit C).

### **Subject Property Surrounding Land Uses and Compatibility**

**Table 1: Surrounding regulatory zones and existing uses**

<b>Location</b>	<b>Regulatory Zone</b>	<b>Existing Use</b>
North	General Rural (GR)	Undeveloped
South	General Commercial (GC) & Low Density Suburban (LDS)	Developed with commercial uses & single family residence
West	General Commercial (GC)	Developed with commercial uses
East	General Rural (GR)	Undeveloped

Article 106 Master Plan Categories and Regulatory Zones states: "The Commercial Master Plan category is primarily intended to create and preserve areas for businesses that provide a variety of wholesale and retail goods and services, serve a neighborhood or community market, and which are created in conjunction with residential uses to create a mixed-use community. Commercial uses may include wholesale and retail stores, shopping centers, specialty shops, tourism, gaming, personal services and automobile services, offices, restaurants, theaters and other compatible activities that serve a neighborhood or community area."

The following Regulatory Zones are allowed in and are consistent with the Commercial Master Plan land use category: Neighborhood Commercial/Office, General Commercial, Tourist Commercial, Public and Semi-Public Facilities, Specific Plan, Parks and Recreation, & Open Space.

The master plan designation for the parcels to the north and east are Rural (R); to the south the parcel is designated Suburban Residential (SR) and Commercial (C); and to the west across State Route 447, the designation is Commercial (C). The regulatory zone designations for the parcels to the north and east are General Rural (GR), to the south is Commercial (C) and Low

Density Suburban (LDS- 1 du/acre) and to the west across State Route 447 is Commercial (C). The parcels are either vacant or are developed with commercial uses.

### **MASTER PLAN CONSISTENCY**

The proposed amendments are consistent with the Envision Washoe 2040 Master Plan High Desert Vision Statement as described in the following section.

**Table 2: Master Plan Conformance**

Vision Statement	Explanation of Conformance with Vision Statement
<p><i>High Desert is a growing area, with many opportunities for sustainable development that celebrates its natural beauty.</i></p>	<p>The proposed master plan and regulatory zone amendments will further grow sustainable commercial opportunities for the site. Currently the site has a temporary permit that allows commercial uses and the proposal would allow commercial uses to be permanent and sustainable.</p>

The proposed amendments are also consistent with the applicable Envision Washoe 2040 Priority Principles & Policies as described in Table 3.

**Table 3: Master Plan Element Conformance Priority Principles & Policies**

Master Plan Element	Priority Principles & Policies	Explanation of Conformance with Priority Principles & Policies
	<p><b>RFC Principle 2.</b> Utilize land use and transportation decisions to support a healthy economic base.</p>	
	<p><b>RCF Policy 2.1</b> Strengthen the identity of the region by encouraging land uses that both contribute to the character of the community and enable the area to sustain a viable economic base.</p>	<p>This policy will be satisfied by providing for an additional parcel that allows commercial uses in the area, which may slightly expand the economic base.</p>
	<p><b>RCF Policy 2.2</b> Support development projects that align with master plan policies and promote business retention and expansion.</p>	<p>The proposed master plan and regulatory zone amendments will allow commercial uses that are already established on the subject parcel to remain permanently at this location and also open up opportunities for further commercial uses on the parcel.</p>
	<p><b>Land Use Principle 1.</b> Facilitate partnerships to ensure land use decisions are based on the best available information.</p>	
	<p><b>LU1.2</b> - Provide a variety of opportunities to involve the community in the review of future growth and development.</p>	<p>In addition to County-required noticing per NRS, the applicant held the required and duly noticed neighborhood meeting to solicit feedback and comment from adjoining property owners prior to submittal of a formal application.</p>

	Further, the County's Neighborhood Meeting HUB webpage ( <a href="https://neighborhood-washoe.hub.arcgis.com/">https://neighborhood-washoe.hub.arcgis.com/</a> ) allows for an additional opportunity for community engagement and feedback for the project. No comments were submitted for the subject application.
<b>LU1.3</b> - Continue to coordinate land use policies and decisions with the public health goals of the Northern Nevada Public Health (NNPH).	Northern Nevada Public Health received notice of the application and provided comments.
<b>LU Principle 4. Design communities and neighborhoods to create a strong sense of place.</b>	
<b>LU4.1</b> Encourage design of industrial, commercial, and multifamily uses to contribute to the community's sense of place rather than detract from it.	The proposal will allow more commercial uses in the area that may further facilitate the "community's sense of place".
<b>LU4.4</b> Encourage design of commercial centers to accommodate a range of uses over time.	The proposal will allow more permanent commercial uses in the area that only allows temporary commercial uses.
<b>LU Principle 5.</b> <b>Maintain the rural character of communities in the Rural Area.</b>	
<b>LU 5.6</b> Promote economic vitality for rural residents through the support of opportunities for a rural lifestyle without degrading the environment.	The proposal will allow more commercial uses in the area and provide economic opportunities for the residents.

The proposed amendments are also consistent with the applicable Envision Washoe 2040 Priority Principles & Policies for the High Desert planning area, as described in Table 4.

**Table 4: Master Plan Conformance with High Desert Priority Principles & Policies**

Priority Principles & Policies	Explanation of Conformance with Priority Principles & Policies
<b>RFC Principle 2. Utilize land use and transportation decisions to support a healthy economic base.</b>	
<b>RFC Policy 2.5</b> Ensure that land use practices and regulations accommodate needs of rural communities, and changing trends regarding businesses, including home and accessory rural occupations.	The parcel currently has a temporary permit to conduct a commercial use, specifically bike rentals. The applicant is requesting to make commercial uses permanently allowed with the proposed changes. The area has shown a changing trend to support additional commercial uses and sustain commercial uses. The proposed amendments will accommodate and support the changing land use needs.

<b>LU Principle 4. Design communities and neighborhoods to create a strong sense of place.</b>	
<b>LU 4.4</b> Support visual improvements to enhance community gateways. <b>High Desert Policy.</b> Consider establishing standards to mitigate the negative effects of vacant or ill-maintained land by absentee owners.	The site temporarily is allowing commercial uses and the proposal will establish and allow permanent commercial uses on the site. This will enable the site to be permanently maintained with ongoing permanent commercial uses.
<b>LU Principle 5.</b> <b>Maintain the rural character of communities in the Rural Area.</b>	
<b>LU5.4</b> Engage with the residents of the Freestanding Communities (Gerlach, Empire, Wadsworth) to ensure development is consistent with communities' unique needs.	The community of Empire was invited to attend the neighborhood meeting to discuss the proposed master plan and zoning amendments (See Exhibit D).

### Regional Plan Evaluation

The parcel is currently designated as Rural Area (Tier 4) in the Truckee Meadows Regional Plan. In order for this proposal to be in conformance with the Regional Plan, the applicant needs to comply with Policy RF9, *Freestanding Community Requirements*. Regional planning staff considers the proposal being compatible with and support the existing community and no regional plan amendment is required. The request will be further reviewed by Regional staff to assess conformance with their policies and heard by the Regional Planning Commission.

### Neighborhood Meeting

NRS 278.210(2) and WCC Section 110.820.20 require a neighborhood meeting for any proposed master plan amendment. A neighborhood meeting was held on August 16, 2024 from 6 pm to 7 pm at Brunos Country Club, with 10 attendees. There were the following questions:

- Maintenance of the site, i.e. junk accumulating on the site;
- Timing of the meeting during Burning Man event;
- Taking away residential zoning and the need for housing; and
- How the property would be developed.

The applicant indicated that maintenance standards would be established along with screening requirements. (see Exhibit D).

### Reviewing Agencies

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

Agencies	Sent to Review	Responded	Provided Conditions	Contact
NDOT (Transportation)	X			
NDOW (Wildlife)	X			
NV Water Resources	X			
Washoe County GIS	X			
Washoe County Parks & Open Space	X	X		Faye-Marie Pekar, <a href="mailto:fpekar@washoecounty.gov">fpekar@washoecounty.gov</a>
Washoe County Sewer	X			
Washoe County Water Resource Planning	X			
Washoe County Water Rights Manager (All Apps)	X	X		Timber Weiss, <a href="mailto:tweiss@washoecounty.gov">tweiss@washoecounty.gov</a>
WCSO Law Enforcement	X			
Washoe County Engineering (Land Development) (All Apps)	X	X		Robert Wimer, <a href="mailto:rwimer@washoecounty.gov">rwimer@washoecounty.gov</a>
Washoe County Engineering & Capital Projects Director (All Apps)	X			
NNPH EMS	X	X		James English, <a href="mailto:jenglish@nnph.org">jenglish@nnph.org</a>
TMFPD	X	X		Brittany Lemon, <a href="mailto:blemoine@tmfpd.us">blemoine@tmfpd.us</a>
Truckee Meadows Regional Planning	X	X		Chris Tolley, <a href="mailto:ctolley@tmrp.org">ctolley@tmrp.org</a>
Gerlach GID	X			

### **Master Plan Amendment Public Notice**

Notice for Master Plan Amendments must be given in accordance with the provisions of Nevada Revised Statutes 278.210(1) and WCC Section 110.820.23. Notice was provided in a newspaper of general circulation within Washoe County at least 10 days before the public hearing date.

A legal ad was placed with the Reno Gazette Journal.

### **Regulatory Zone Amendment Public Notice**

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

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.

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.

Noticing for this proposal: 43 property owners within 750 feet of the subject parcels were noticed by mail not less than 10 days before today's public hearing. (See Exhibit E)

Notice was provided in a newspaper of general circulation within Washoe County at least 10 days before the public hearing date. A legal ad was placed with the Reno Gazette Journal.

### **Staff Comment on Required Master Plan Amendment Findings**

WCC Section 110.820.15(d) requires the Planning Commission to make at least three of the five findings of fact to recommend approval of the amendments to the Washoe County Board of County Commissioners. The following findings and staff comments on each finding are presented for the Planning Commission's consideration:

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

*Staff Comment: The staff report provides a discussion on applicable goals and policies of the Master Plan and the High Desert Planning Area. The proposed amendment does not conflict with the policies and action programs of the Master Plan as outlined in the Master Plan and Planning Area analysis above.*

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 public health, safety or welfare.

*Staff Comment: As identified on page 7 of this staff report, the proposed amendment will provide for land uses compatible with the adjacent existing land uses, and will not adversely impact public health, safety or welfare. Northern Nevada Public Health, Environmental Health reviewed the request and provide comments with no significant concerns (See Exhibit C).*

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 applicant is seeking a master plan amendment in order to allow commercial uses permanently on the site. The conditions of the area have changed and the need for commercial uses has increased, as shown by the current temporary permit for a commercial use on the subject parcel.*

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 Master Plan designation.

*Staff Comment: At this time, there are limited facilities on the site. However the applicant indicates that as development occurs, the necessary facilities will be reviewed and required facilities will be constructed. The application was reviewed by the other agencies and comments were received. Northern Nevada Public Health stated, "the installation of commercial onsite sewage disposal systems or installation of a wastewater batch treatment plant under permit by the Nevada Division of Environmental Protection (NDEP)" will be required. Additionally Washoe County Water Resources stated, "will need to provide to Washoe County a water right permit, signed by the Nevada State Engineer." The application was reviewed by the other agencies and no recommendations of denial were received.*

5. 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 proposal will allow more commercial uses. The Empire community has limited businesses. The proposal will promote the desired pattern for the orderly physical growth by broadening commercial opportunities for Empire to grow and succeed as a healthy community.*

#### **Staff Comments on Required Regulatory Zone Amendment Findings**

WCC Section 110.821.15(d) of Article 821, *Amendment of Regulatory Zone*, requires that all of the following findings be made to the satisfaction of the Washoe County Planning Commission

before recommending adoption 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.

*Staff Comment: The staff report provides a discussion on applicable goals and policies of the Master Plan and the High Desert Planning Area. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan.*

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 public health, safety or welfare.

*Staff Comment: The proposed amendment is compatible with surrounding commercial uses to the west and south. The proposed amendment will allow commercial uses permanently and will enable the current temporary commercial use to be converted to a permanent use. The proposed amendment will not conflict with the public's health, safety or welfare. The application was reviewed by various agencies, including Northern Nevada Public Health and Washoe County Water Resources and no recommendations of denial were received (See Exhibit C).*

3. Response to Change Conditions; more desirable use. 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 amendment will increase the availability of commercial uses in the area. The applicant wishes to permanently establish a commercial use that is temporarily being allowed.*

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: At this time, there are limited facilities on the site. However the applicant indicates that as development occurs, the necessary facilities will be reviewed and required facilities will be constructed. The application was reviewed by the other agencies and comments were received. Northern Nevada Public Health stated, "the installation of commercial onsite sewage disposal systems or installation of a wastewater batch treatment plant under permit by the Nevada Division of Environmental Protection (NDEP)" will be required. Additionally Washoe County Water Resources stated, "will need to provide to Washoe County a water right permit, signed by the Nevada State Engineer." The application was reviewed by the other agencies and no recommendations of denial were received.*

5. No Adverse Effects. The proposed amendment will not adversely affect the implementation of the policies and action programs of the Washoe County Master Plan.

*Staff Comment: The proposed amendment will not adversely affect the impact of the implementation of the policies and action programs of the Washoe County Master Plan as described in this staff report.*

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 proposed amendment will promote the desired pattern for the orderly physical growth of the County by allowing for permanent commercial uses in the area. The parcel currently has a temporary permit for a commercial use. The approval of the request will permanently allow commercial uses on the site.*

7. Effect on a Military Installation when a Military Installation is required to be noticed. The proposed amendment will not affect the location, purpose and mission of a military installation.

*Staff Comment: There are no military installations within the required noticing area; therefore, this finding does not have to be made.*

### **Master Plan Amendment Recommendation**

It is recommended that the Washoe County Planning Commission adopt the resolution contained at Attachment A of this staff report to amend the Master Plan as set forth in Master Plan Amendment Case Number WMPA24-0004. It is further recommended that the Planning Commission forward the master plan amendment to the Washoe County Board of County Commissioners for their consideration of adoption. The following motion is provided for your consideration:

### **Master Plan Amendment Motion**

I move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Planning Commission adopt the resolution contained at Attachment A of this staff report to amend the Master Plan as set forth in Master Plan Amendment Case Number WMPA24-0004, having made at least there of the following five findings in accordance with Washoe County Code Section 110.820.15(d). I further move to certify the resolution and the proposed Master Plan Amendments in WMPA24-0004 as set forth in this staff report for submission to the Washoe County Board of County Commissioners and authorize the chair to sign the resolution on behalf of the Planning Commission.

1. Consistency with Master Plan. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan.
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.
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 or are planned to be adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed Master Plan designation.
5. 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.

**Regulatory Zone Amendment Recommendation**

After a thorough analysis and review, it is recommended that the proposed regulatory zone amendment be recommended for adoption to the Board of County Commissioners. The following motion is provided for your consideration:

**Regulatory Zone Amendment 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 adopt the resolution included as Attachment B, recommending adoption of Regulatory Zone Amendment Case Number WRZA24-0006, having made all of the following findings in accordance with Washoe County Code Section 110.821.15(d). I further move to certify the resolution and the proposed Regulatory Zone Amendment in WRZA24-0006 as set forth in this staff report for submission to the Washoe County Board of Commissioners and authorize the chair to sign the resolution on behalf of the Washoe County Planning Commission.

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 uses compatible with (existing or planned) adjacent land uses, and will not adversely impact the public health, safety or welfare.
3. Response to Change Conditions; more desirable use. 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 or are planned to be adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed amendment.
5. No Adverse Effects. 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.
7. Effect on a Military Installation. The proposed amendment will not affect the location, purpose and mission of the military installation.

**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 Building Division within 10 calendar days from the date the written decision is filed with the Secretary to the Planning Commission and mailed to the original applicant.



## RESOLUTION OF THE WASHOE COUNTY PLANNING COMMISSION

### ADOPTING AMENDMENTS TO THE WASHOE COUNTY MASTER PLAN, HIGH DESERT MASTER PLAN LAND USE MAP (WMPA24-0004), TO CHANGE THE MASTER PLAN LAND USE DESIGNATION ON AN ±11.55-ACRE PARCEL (APN 071-120- 11) FROM SUBURBAN RESIDENTIAL (SR) TO COMMERCIAL (C), AND RECOMMENDING ITS ADOPTION TO THE BOARD OF COUNTY COMMISSIONERS

Resolution Number 24-19

Whereas, Master Plan Amendment Case Number WMPA24-0004 came before the Washoe County Planning Commission for a duly noticed public hearing on December 3, 2024; and

Whereas, the Washoe County Planning Commission heard public comment and input from both staff and the public regarding the proposed master plan amendments; and

Whereas, the Washoe County Planning Commission gave reasoned consideration to the information it received regarding the proposed master plan amendments; and

Whereas, the Washoe County Planning Commission has made the following findings necessary to support adoption of the proposed Master Plan Amendment Case Number WMPA24-0004, as set forth in NRS Chapter 278 and Washoe County Code Chapter 110 (Development Code), Article 820:

#### Washoe County Code Section 110.820.15 (d) Master Plan Amendment Findings

1. Consistency with Master Plan. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan.
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.
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 or are planned to be adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed Master Plan designation.
5. 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.

6. Effect on a Military Installation. The proposed amendment will not affect the location, purpose and mission of the military installation.

Now, therefore, be it resolved that pursuant to NRS 278.210(3):

- (1) Subject to approval by the Washoe County Board of County Commissioners and a finding of conformance with the Truckee Meadows Regional Plan, the Washoe County Planning Commission does hereby adopt Master Plan Amendment Case Number WMPA24-0004, comprised of the map as included at Exhibit A to this resolution, descriptive matter and other matter intended to constitute the amendments as submitted at the public hearing noted above; and
- (2) To the extent allowed by law, this approval is subject to the conditions adopted by the Planning Commission at the public hearing noted above.

A certified copy of this resolution shall be submitted to the Board of County Commissioners and any appropriate reviewing agencies in accordance with NRS 278.230.

ADOPTED on December 3, 2024

WASHOE COUNTY PLANNING COMMISSION

ATTEST:

---

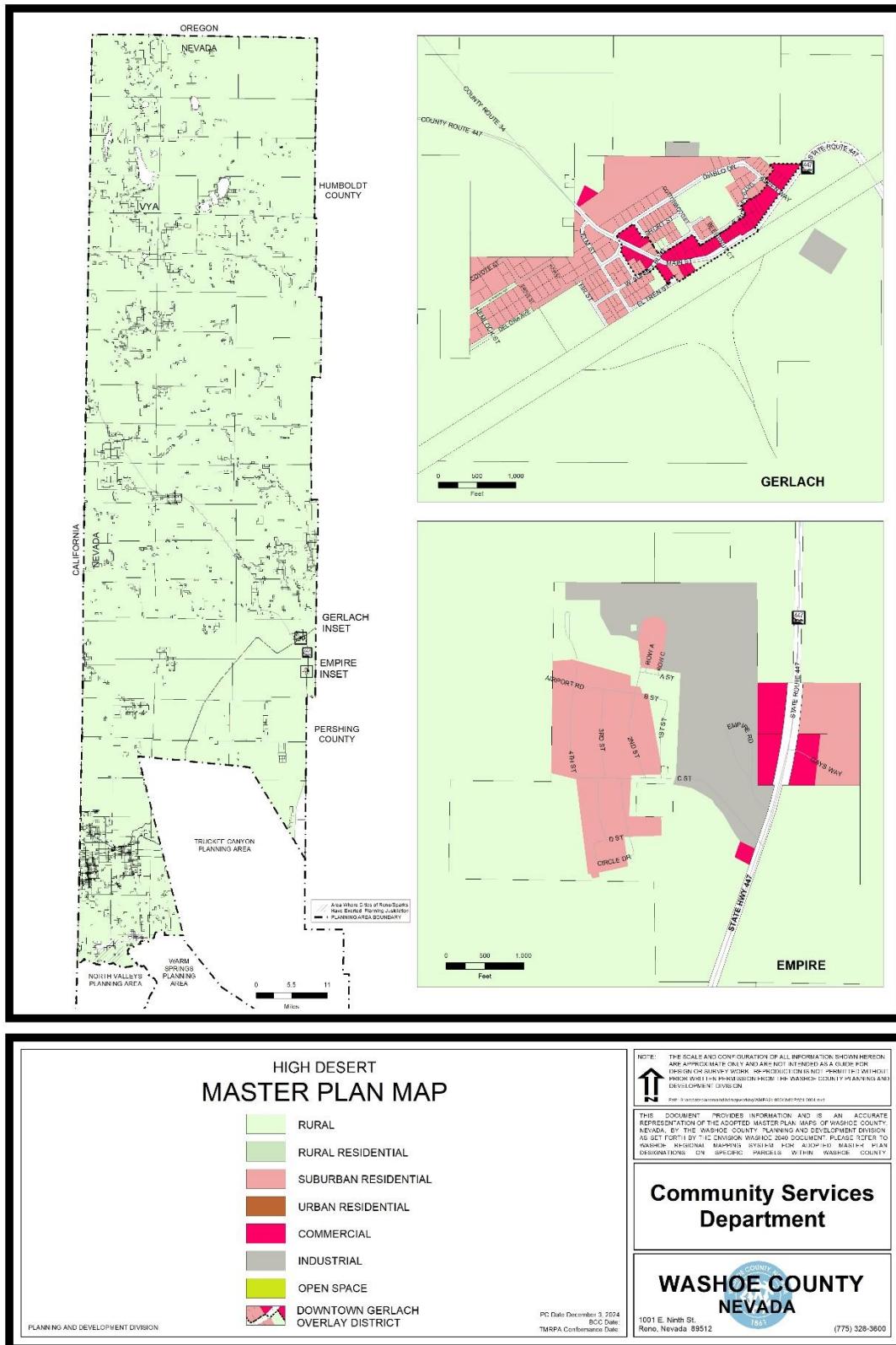
Trevor Lloyd, Secretary

---

Rob Pierce, Chair

Attachment: Exhibit A – High Desert Master Plan Land Use Map

## **Exhibit A, WMPA24-0004**





## RESOLUTION OF THE WASHOE COUNTY PLANNING COMMISSION

### RECOMMENDING ADOPTION OF REGULATORY ZONE AMENDMENT CASE NUMBER WRZA24-0006, TO AMEND THE HIGH DESERT REGULATORY ZONE MAP TO CHANGE THE REGULATORY ZONE FOR AN ±11.55-ACRE PARCEL (APN: 071-120-11) FROM LOW DENSITY SUBURBAN (LDS) TO GENERAL COMMERCIAL (GC).

Resolution Number 24-20

Whereas Regulatory Zone Amendment Case Number WRZA24-0006 came before the Washoe County Planning Commission for a duly noticed public hearing on December 3, 2024; and

Whereas the Washoe County Planning Commission heard public comment and input from staff regarding the proposed Regulatory Zone Amendments; and

Whereas the Washoe County Planning Commission has given reasoned consideration to the information it has received regarding the proposed Regulatory Zone Amendments; and

Whereas the Washoe County Planning Commission has made the findings necessary to support adoption of this proposed Regulatory Zone Amendment as set forth in NRS Chapter 278 and Washoe County Code Chapter 110, Article 821, Amendment of Regulatory Zone; and

Whereas the proposed Regulatory Zone Amendments shall be recommended for adoption pending adoption of the accompanying proposed Master Plan Amendment (WMPA24-0004) by the Washoe County Board of County Commissioners and a finding of conformance by the Truckee Meadows Regional Planning Commission; and

Whereas, pursuant to Washoe County Code Section 110.821.15(d), in making this recommendation, the Washoe County Planning Commission finds that the following findings are met:

1. Consistency with Master Plan. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan;
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;
3. Response to Change Conditions; more desirable use. 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 or are planned to be adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed amendment;
5. No Adverse Effects. The proposed amendment will not adversely effect 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
7. Effect on a Military Installation When a Military Installation is Required to be Noticed. The proposed amendment will not affect the location, purpose and mission of a military installation.

Now, therefore, be it resolved that the Washoe County Planning Commission does hereby recommend adoption of Regulatory Zone Amendment Case Number WRZA24-0006 and the amended High Desert Area Plan Regulatory Zone Map included as Exhibit A to this resolution to the Washoe County Board of County Commissioners.

ADOPTED on December 3, 2024.

WASHOE COUNTY PLANNING COMMISSION

ATTEST:

---

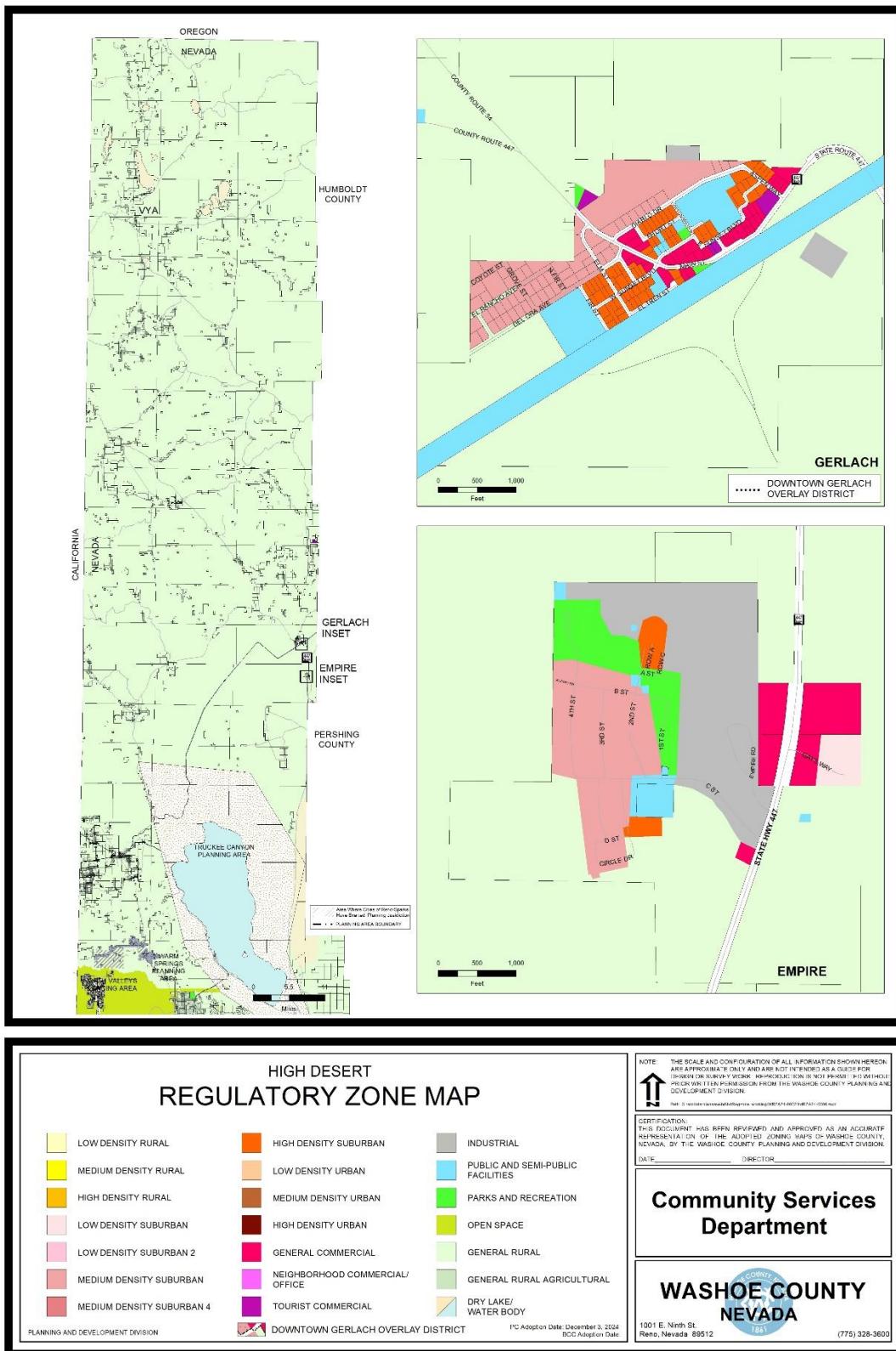
Trevor Lloyd, Secretary

---

Rob Pierce, Chair

Attachment: Exhibit A – High Desert Regulatory Zone Map

## Exhibit A, WRZA24-0006





# Engineering and Capital Projects

Date: September 26, 2024

To: Julee Olander, Planner

From: Janelle K. Thomas, P.E., C.F.M., Senior Licensed Engineer  
Robert Wimer, P.E., Licensed Engineer

Re: Master Plan Amendment WMPA24-0004; Regulatory Zone Amendment WRZA24-0006  
APN 071-120-11

## GENERAL PROJECT DISCUSSION

Washoe County Engineering and Capital Project staff have reviewed the above referenced application. The Engineering and Capital Projects Division recommends approval with no additional comments or conditions.

**WMPA24-0004 & WRZA24-0006  
EXHIBIT C**

**From:** [Lemon, Brittany](#)  
**To:** [Olander, Julee](#)  
**Subject:** WMPA24-0004 and WRZA24-0006 (Empire)  
**Date:** Friday, September 27, 2024 8:28:57 AM  
**Attachments:** [Outlook-Logo\\_Desc.png](#)

---

Good Morning Julee,

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

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

Thank you!

**Brittany Lemon**

**Fire Captain - Fire Prevention | Truckee Meadows Fire & Rescue**

[blemon@tmfpd.us](mailto:blemon@tmfpd.us) | Office: 775.326.6079 | Cell: 775.379.0584  
3663 Barron Way, Reno, NV 89511



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

**WMPA24-0004 & WRZA24-0006  
EXHIBIT C**



Environmental  
Health

October 2, 2024

Washoe County Community Services  
Planning and Development Division

RE: Empire; 071-120-11  
Master Plan Amendment & Regulatory Zone Amendment; WMPA24-0004 & WRZA24-0006

Dear Washoe County Staff:

The following conditions are requirements of Northern Nevada Public Health (NNPH), Environmental Health Division, (EHS) which shall be responsible for determining compliance with these conditions.

**Contact Name – James English - [jenglish@washoecounty.us](mailto:jenglish@washoecounty.us)**

- a) Condition #1: EHS has reviewed the application as submitted and has no concerns with the approval of the application as submitted.
- b) Condition #2: If the applications are approved, future development will require the installation of commercial onsite sewage disposal systems or installation of a wastewater batch treatment plant under permit by the Nevada Division of Environmental Protection (NDEP)..
- c) Condition #3: If the project is approved all subsequent building plans and permits must be routed to EHS for review and subsequent approval.

If you have any questions or would like clarification regarding the foregoing, please contact James English, EHS Supervisor at [jenglish@washoecounty.us](mailto:jenglish@washoecounty.us) regarding all NNPH comments.

Sincerely,

A handwritten signature in black ink, appearing to read "J. English".

James English, REHS, CP-FS  
EHS Supervisor  
Environmental Health Services  
Northern Nevada Public Health

ENVIRONMENTAL HEALTH SERVICES

1001 East Ninth Street | Reno, Nevada 89512

775-328-2434 | Fax: 775-328-6176 | [www.nnph.org](http://www.nnph.org)

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

**24**

**WMPA24-0004 & WRZA24-0006  
EXHIBIT C**



Public Health  
Prevent. Promote. Protect.

**From:** [Pekar, Faye-Marie L.](#)  
**To:** [Olander, Julee](#)  
**Subject:** Case Number WMPA24-0004 and WRZA24-0006 (Empire)  
**Date:** Wednesday, October 2, 2024 10:51:27 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)

---

Hi Julee,

I have reviewed Case Number WMPA24-0004 and WRZA24-0006 (Empire) on behalf of parks and do not have any comments.

Thank you,



**Faye-Marie L. Pekar, MPA, CPRP**  
**Park Planner**  
**Community Services Department | Regional Parks and Open Space**  
[fpekar@washoecounty.gov](mailto:fpekar@washoecounty.gov) | 775.328.3623  
1001 East Ninth Street, Reno, NV 89512



Have some kudos to share about a Community Services Department employee or experience?  
Submit a nomination for a Washoe Star by clicking this link: [WASHOE STAR](#)

**WMPA24-0004 & WRZA24-0006**  
**EXHIBIT C**



## INITIAL REVIEW MEMORANDUM

TO: Julee Olander, Washoe County

FROM: Chris Tolley, TMRPA

DATE: November 14, 2024

**SUBJECT: TMRPA initial review of the Washoe County case WMPA24-0004 (Empire MPA)**

---

This memorandum provides the Truckee Meadows Regional Planning Agency's (TMRPA) initial review comments regarding the subject case (WMPA24-0004), as stated in the 2019 Truckee Meadows Regional Plan (Policy RC 5).

The following constitutes an initial review based on the limited information available at the time of this memorandum. TMRPA recognizes that the proposal may change through the jurisdictional review of the case. Should the case be approved through Washoe County, the proposal will need to be formally submitted to TMRPA for a review of conformance with the 2019 Truckee Meadows Regional Plan in its entirety.

The request, as described in the materials provided by Washoe County, is the following:

(1) Adopt an **amendment to the Washoe County Master Plan, High Desert Master Plan Land Use Map, to change the master plan land use designation on an 11.55-acre parcel (APN 071-120-11 from Suburban Residential to 11.55 acres [of] Commercial**; and (2) recommend adoption of an amendment to the High Desert Regulatory Zon Map to change the regulatory zone on the same parcel from Low Density Suburban (LDS) to 11.55 acres [of] General Commercial (GC).

The 11.55-acre parcel is located at 70200 State Route 447.

[TMRPA notes: **bolded text** identifies the portion of the request that is subject to review under the Regional Plan]

### Potential conformance issues

TMRPA has not identified any potential conformance issues at this time.

As part of the Washoe County review process, please consider 2019 Truckee Meadows Regional Plan Policy *RF 9 – Freestanding Community Requirements* as part of the analysis presented in the staff report(s).

### Regional Plan policies for consideration in the analysis

RF 3 – Density Requirements and Nonresidential Standards

RF 6 – Rural Area (RA) Requirements

**WMPA24-0004 & WRZA24-0006  
EXHIBIT C**

**TMRPA Initial Review Memo**  
**Washoe County case WMPA24-0004**  
**Page 2**

RF 9 – Freestanding Community Requirements

PF 1 – List of Facilities and Service Standards

RC 9 – Conformance Review Findings

**Data and information related to Regional Plan implementation**

Regional Land Designation: Rural Area

Development Constraint Areas (DCA): none

**Request for comment from other local government and/or affected entities**

None at this time

**Other information for review**

None at this time

**TMRPA Staff Notes**

None at this time

Please do not hesitate to contact TMRPA staff at 775-321-8385 if you have any questions or comments on this initial review memorandum. For more information, you can access the [2019 Truckee Meadows Regional Plan](#) and the [TMRPA Maps and GIS Data](#) at [www.tmrpa.org](http://www.tmrpa.org).



# Engineering and Capital Projects

Date: September 30, 2024

To: Julee Olander, Planner

From: Timber Weiss, P.E., Licensed Engineer

Re: Master Plan Amendment Case Number WMPA24-0004 and WRZA24-0006 (Empire)

## GENERAL PROJECT DISCUSSION

For hearing, discussion, and possible action to:

- (1) Adopt an amendment to the Washoe County Master Plan, High Desert Master Plan Land Use Map, to change the master plan land use designation on an 11.55-acre parcel (APN 071-120-11) from Suburban Residential to 11.55 acres Commercial; and
- (2) Recommend adoption of an amendment to the High Desert Regulatory Zone Map to change the regulatory zone on the same parcel from Low Density Suburban (LDS) to 11.55 acres General Commercial (GC). The regulatory zone amendment is subject to final approval by the Board of County Commissioners of the associated Master Plan Amendment and a finding of conformance with the Truckee Meadows Regional Plan by the regional planning authorities.
- (3) And, if approved, authorize the chair to sign resolutions to this effect.

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

No water rights conditions for this amendment. Any well currently located on site is not eligible to be used as a water source without substantial commercial water rights approved by the Nevada State Engineer. Prior to site development, or any approval of any development permit on this property under this proposed use, the applicant shall provide to Washoe County a water right permit, signed by the Nevada State Engineer. A copy of the approved water right permit shall be emailed to [tweiss@washoecounty.gov](mailto:tweiss@washoecounty.gov).

**WMPA24-0004 & WRZA24-0006  
EXHIBIT C**

Project Name: Empire MPA & RZA  
Meeting Location: Brunos Country Club  
Meeting Date: Tuesday, August 27, 2024

**Neighborhood Meeting  
SUMMARY**

Virtual Meeting Option Provided:  YES  NO

Hosted By (Name): AnnMarie Lain (Company): Juniper & Sage Consulting  
Contact (Email): juniperandsage.consulting@gmail.com (Phone): 907-602-3382

---

**Public Concerns:**

1. Concerns that the property could develop a neglected or "junky" appearance, characterized by disarray, litter, or deterioration.
2. Concern about the timing of the neighborhood meeting during the burning man event.
3. Concern about taking away residentially zoned property when the area is in need of housing.
4. Concern that the review was vague and not site specific for exactly what would be proposed on the property.
5. \_\_\_\_\_

**Changes Made to Proposal (if applicable):**

1. Ensuring that commercial property owners adhere to established maintenance standards and engage in regular upkeep
2. **Implementing clear guidelines on screening requirements.**
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

**Any Additional Comments:**

Discussion at the meeting included a review of allowed uses, including any residential uses along in GC.

The timing of the meeting was discussed, and why the meeting had to be held when it was. Residents were informed that

this process included 3 public hearings at Washoe County level and one with TMRPA.

Concern was raised about the issue of junk accumulating in the area and what could be done from preventing

a future project from negatively impacting the aesthetic of the area.

Project Name: Empire MPA & RZA

Meeting Location: Brunos Country Club: 445 Main St, Gerlach, NV 89412

Meeting Date: August 27, 2024

**Neighborhood Meeting**  
**Sign-In Sheet**

	<b>First and Last Name (please print legibly)</b>	<b>Address</b>	<b>Email (or) Phone</b>
1	Kristy Evans	220 Grove St.	510 331 6414
2	Bobbie Barlow	PO Box 179 230 Grove St.	775-750-4005
3	Tara Holle	200 fir st	442-1026
4	Kuck Reifer	HW 0.447 enpasis Nw 515 ext sunslf gerlach	775 335 6001
5	Jack Phillips	305 West Sunset BLVD	775 557 3057
6	Russell Bierle	PO Box 209 Gerlach, NV	Gerlach Water@gmail.com
7	Elisabeth Gamble	170 El Rancho Ave Gerlach NV 89412	seagamble1@yahoocom
8	Sunny DeForest	#1 GAY's WAY EMPIRE 161ch NV	sunny.deforest 956@gmail.com

Disclaimer: A copy of this sign-in sheet will be submitted to Washoe County Planning Division along with the project application.

	<b>First and Last Name (please print legibly)</b>	<b>Address</b>	<b>Email (or) Phone</b>
9	JOSEPH RUTSKI	70200 State Rr 447 GENEVA, NV 89412	775-250-8278
10	Craig L. Van Sickle	4995 HOMBERE WAY RENO, NEVADA 89502	civsreco@gmail.com
11			
12			
13			
14			
15			
16			
17			
18			
19			

**Disclaimer:** A copy of this sign-in sheet will be submitted to Washoe County Planning Division along with the project application.

Project Name: Empire MPA & RZA

**Neighborhood Meeting  
Comment Card**

Name: Sunny Py Fores +

Company/Organization (if applicable): Black Rock Mini Storage

Address: 10155 Highway 447 NW

**Comment:**

Joe Rutsiki is an honorable person + needs to have  
his application approved As he closest neighbor  
I vote for anything he wants to do on his purchased  
private property! Too much county interference in  
our lives + not much help!

Project Name: Empire MPA & RZA

**Neighborhood Meeting  
Comment Card**

Name: Craig Van Sickle

Company/Organization (if applicable): \_\_\_\_\_

Address: 4995 Hooper Way Reno, Nevada 89502

Comment:

Thousands of old bikes have arrived to Empire & Gerlach because of Bering Mtn. The locals are expected to manage this problem with little support. The applicant has taken on a massive responsibility & has shown me good intent.

Project Name: Empire MPA & RZA

**Neighborhood Meeting  
Comment Card**

Name: Tara C. Holte

Company/Organization (if applicable): Miners Club Inc & Bruno's Country Club

Address: 415 main st.

**Comment:**

I encourage growth! Increasing the ability to do more  
on any piece of land in this region is a must.  
We are a dying community that needs options,  
Having a lot increase there options is a good idea!

**Project Name:** Empire MPA & RZA

**Neighborhood Meeting  
Comment Card**

**Name:** Bobbie Barlow (Roberta)

**Company/Organization (if applicable):** \_\_\_\_\_

**Address:** Po Box 179 ~ 230 Grove St. Gerlach

.....  
**Comment:**

I have objection to the zone change. BUT - will the  
property owner be allowed to have a business  
there during the Burning Man period? The  
Empire Store is not allowed to allow people  
to stop and frequent their store during Bm!

Project Name: Empire MPA & RZA

**Neighborhood Meeting  
Comment Card**

Name: Kristy Evans

Company/Organization (if applicable): \_\_\_\_\_

Address: 220 Grove St.

**Comment:**

Major concern with this proposal is that the property  
will be allowed to turn into a junkyard, something  
this community already struggles with. Without any  
details of plans it is very difficult to support this  
change. The choice of this meeting during Burning Man  
means most of the community is unable to attend, which  
is unfortunate.

**Project Name:** Empire MPA & RZA

**Neighborhood Meeting  
Comment Card**

**Name:** Elisabeth "Shatzi" GamBrell

**Company/Organization (if applicable):** \_\_\_\_\_

**Address:** \_\_\_\_\_

.....  
**Comment:**

pls email Shatzi

SEAGambrell@yahoo.com

Project Name: Empire MPA & RZA

**Neighborhood Meeting  
Comment Card**

Name: Russell Bierle

Company/Organization (if applicable): Gerlach CID

Address: PO Box 209 / 410 Cottonwood St

Comment:

Gerlach CID does not serve this address and has  
no comment on projects outside the district.



**Washoe County**

Washoe County Public Information Officer • 19 Aug

...

Tuesday, August 27, 2024 • 6:00 PM - 7:00 PM PDT

Bruno's Country Club & Casino; 445 Main Street, Gerlach, Nevada, 89412

Empire MPA & RZA - District 5

Tuesday, 6:00 PM PDT

Share

#### Event Details

You are invited to attend a neighborhood meeting to discuss a master plan amendment and regulatory zone amendment request. This is your opportunity to review the proposed request, ask questions and provide feedback prior to submittal of a formal application to Washoe County.

This is a request for a 1) master plan amendment from a Suburban Residential (SR) to a Commercial (C) master plan land use designation; and 2) regulatory zone amendment from a Low Density Suburban (LDS) to a General Commercial (GC) zoning designation on the subject property, an 11.55-acre parcel with frontage along State Route 447, located at 70200 State Route 447, Gerlach, NV 89412, parcel number 071-120-11. If you have questions about the meeting or would like to discuss the proposed master plan amendment and regulatory zone amendment request, please contact the applicant's representative: AnnMarie Lain, [junipandsage.consulting@gmail.com](mailto:junipandsage.consulting@gmail.com) 907-602-3382.

If you have questions regarding meeting requirements, please contact the Washoe County Staff Planner for the project: Courtney Weiche, 775-328-3608. [cweiche@washoecounty.gov](mailto:cweiche@washoecounty.gov).

7



### Reactions



Reinhardt N. • Double Diamond Ranch • 2w

...

You have scheduled a meeting in Gerlach during Burning Man? The schools are even closed in Gerlach August 26 - 29. I would reschedule after Labor Day.

Like    Reply    Share



Washoe County Public Information Officer Author • [Washoe Co...](#) • 2w

...

**Reinhardt** These neighborhood meetings are hosted by the developers. We asked to have this one reschedule and they preferred to keep it as is with the possibility of adding a second meeting in September.

Like    Reply    Share



ANNMARIE LAIN • West Seventh St • 2w

...

This is AnnMarie Lain from Juniper & Sage Consulting, LLC. We understand your concerns about the location and time of this meeting. To accommodate you and others who may not be able to attend in person, we'd like to offer a virtual meeting with the applicant's representative. This will give you the opportunity to view the presentation, ask questions, and provide feedback. If you are unable to attend in person and would like to schedule a virtual meeting, please email [juniperandsage.consulting@gmail.com](mailto:juniperandsage.consulting@gmail.com).

Like    Reply    Share



Reinhardt N. • Double Diamond Ranch • 2w

...

The developer is hosting at a time where people can not attend on purpose. Many residents of the area are out of town to avoid the crowds. The schools are closed because there is too much traffic to run the bus routes. Burning Man overwhelms all the infrastructure to include the roads, restaurants, internet, and cell towers. If they do not live there, they would not understand. Guess the developer has never been to Gerlach during Burning Man, because they want to add to the chaos and shameful is the nice word. This is comparable to holding a meeting in the French Quarter during Mardi Gras in New Orleans when many companies are closed because their employees can not get to work.

Like    Reply    Share



ANNMARIE LAIN • West Seventh St • 2w

...

Reinhardt Dear Mr. Reinhardt,

Thank you for sharing your concerns regarding the timing and location of the developer's meeting. We recognize that the Burning Man event significantly impacts the local area, and we understand your frustration with the scheduling.

However, I would like to provide some context regarding the timing of the master plan application process. The county only accepts master plan applications three times a year. Each application requires a thorough review process, including four public hearings, which typically takes around seven months to complete. To ensure that the developer's application aligns with the county's intake schedule and to avoid potential delays, it is crucial that they submit their application by the upcoming September intake cycle.

To address your concerns and provide more information, we would be happy to arrange a virtual meeting with the applicant's representative. This would allow you and other concerned residents to view the presentation, ask questions, and give feedback without needing to attend in person.

If you would like to schedule a virtual meeting or have any other questions, please feel free to email us at [juniperandsage.consulting@gmail.com](mailto:juniperandsage.consulting@gmail.com). We look forward to hearing from you and working together to address your concerns.

Like    Reply    Share



Reinhardt N. • Double Diamond Ranch • 1w

...

Thank you, but I was only able to see your message because I had to go home because of the rain. Headed back to BRC for the next couple of weeks and will not be available. You are doing an excellent job as a consultant and everyone is aware you are doing it this way on purpose. And Ms. Lain, it is Mr. Nelson.

Like    Reply    Share



ANNMARIE LAIN • West Seventh St • 1w • Edited

...



AnnMarie I  
Principal Consul  
PH: 907-692-33

JUNIPER

On behalf of the applicant, I would like to thank everyone who attended the Neighborhood Meeting yesterday and provided input. Meeting documents are loaded to the Washoe County Neighborhood Website located here: <https://neighborhood-washoe.hub.arcgis.com/>

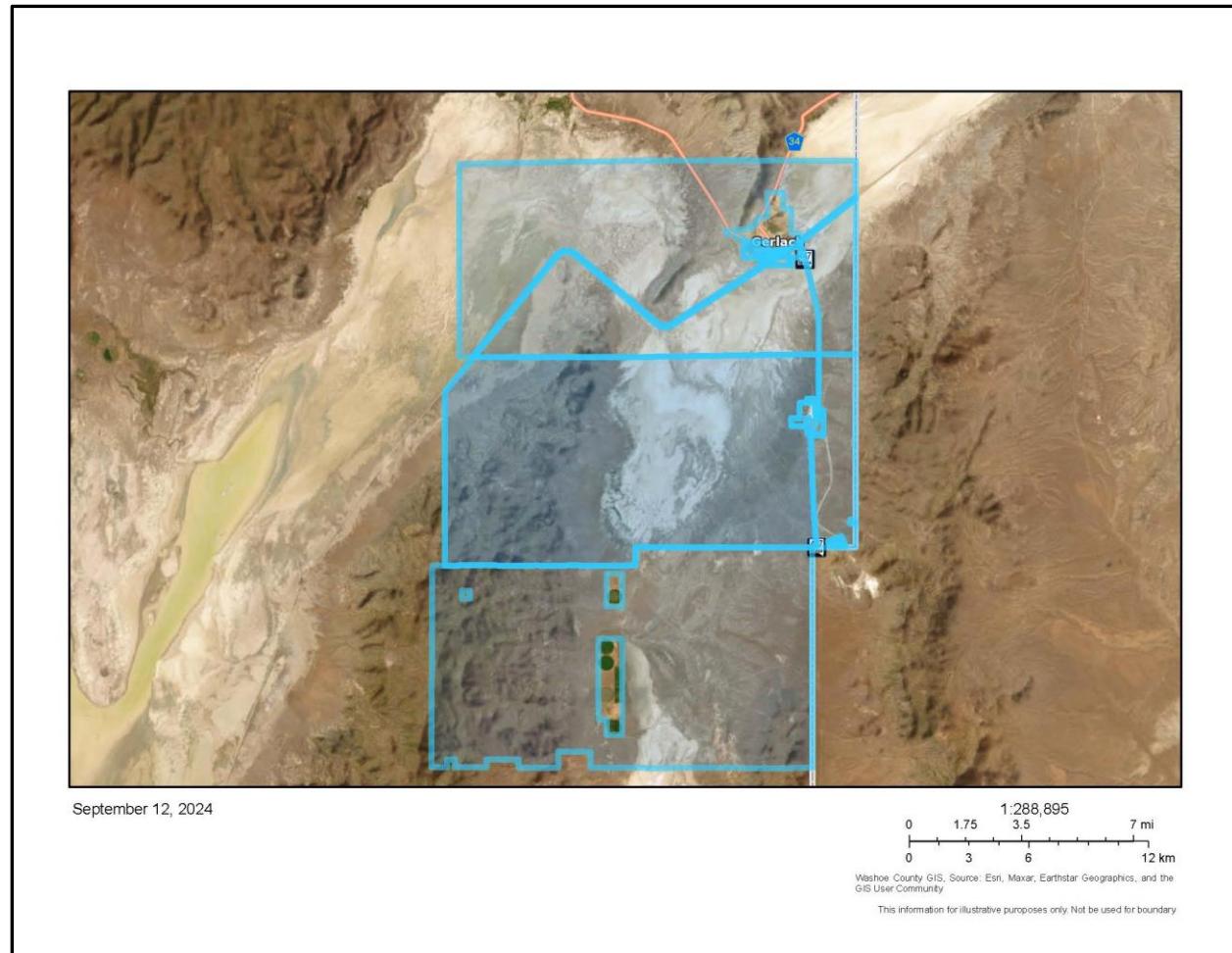
Project Name: Empire MPA & RZA

For those of you who weren't able to attend in person and would like to schedule a virtual meeting or have any other questions, please feel free to email us at [juniperandsage.consulting@gmail.com](mailto:juniperandsage.consulting@gmail.com).

Like    Reply    Share

**Public Notice**

Washoe County Code requires that public notification for a special use permit must be mailed to a minimum of 30 separate property owners within a minimum 750-foot radius of the subject property a minimum of 10 days prior to the public hearing date. A notice setting forth the time, place, purpose of hearing, a description of the request and the land involved was sent within an 27,000-foot radius of the subject property. A total of 37 separate property owners were noticed a minimum of 10 days prior to the public hearing date.



**Public Notice Map**

**Master Plan Amendment Case Number WMPA24-0004 and Regulatory Zone Amendment Case Number WRZA24-0006**

Community Services Department  
Planning and Building  
MASTER PLAN AMENDMENT  
APPLICATION



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

Telephone: 775.328.6100

## Master Plan Amendment

Washoe County Code (WCC) Chapter 110, Article 820, Amendment of the Master Plan, provides the method for amending the Master Plan, including requests to change a master plan designation affecting a parcel of land or a portion of a parcel. A Master Plan Amendment may be initiated by the Board of County Commissioners, by the Director of Planning and Building, or an owner of real property or the property owner's authorized agent may initiate an amendment by submitting an application. See WCC 110.820, for further information.

## Development Application Submittal Requirements

Applications are accepted on the 8<sup>th</sup> of January, May, and September. If the 8<sup>th</sup> falls on a non-business day, applications will be accepted on the next business day.

If you are submitting your application online, you may do so at [OneNV.us](http://OneNV.us)

1. **Fees:** See Master Fee Schedule. **Most payments can be made directly through the OneNV.us portal.** If you would like to pay by check, please make the check payable to Washoe County and bring your application and payment to the Community Services Department (CSD).
2. **Development Application:** A completed Washoe County Development Application form.
3. **Owner Affidavit:** The Owner Affidavit must be signed and notarized by all owners of the property subject to the application request.
4. **Proof of Property Tax Payment:** The applicant must provide a written statement from the Washoe County Treasurer's Office indicating all property taxes for the current quarter of the fiscal year on the land have been paid.
5. **Neighborhood Meeting:** This project may require a Neighborhood Meeting to be held prior to application submittal. Please contact Washoe County Planning at [Planning@washoecounty.gov](mailto:Planning@washoecounty.gov) or by phone at 775-328-6100 to discuss requirements.
6. **Application Materials:** The completed Master Plan Amendment Application materials.
7. **Traffic Impact Report:** Traffic impact reports are required whenever the proposed amendment will create the potential to generate 80 or more weekday peak hour trips as determined using the latest edition of the Institute of Transportation Engineers (ITE) trip generation rates or other such sources, as may be acceptable by Washoe County Engineering. Projects with less than 200 peak hour trips may not need to perform an impact analysis for future years. Traffic consultants are encouraged to contact Engineering staff prior to preparing a traffic impact report.
8. **Application Map Specifications:** If this request involves a change to a map within the Master Plan, provide a map to be drawn using standard engineering scales (e.g. scale 1" = 100', 1" = 200', or 1" = 500') clearly depicting the area subject to the request, in relationship to the exterior property lines. All dimensions and area values shall be clearly labeled and appropriate symbols and/or line types shall be included in the map legend to depict the map intent.
9. **Compliance with Planning Area Special Requirements:** Several planning areas (e.g. North Valleys, South Valleys, etc.) have additional submittal requirements, especially related to proof of sufficient water rights to serve the proposed master plan amendment. Please consult the Master Plan and the Washoe County Development Code, Division Two, for the planning area(s) to be impacted prior to submitting a Master Plan Amendment Application.
10. **Digital File:** If this request involves a change to a map within the Master Plan, the applicant must provide an electronic file representing the scale, location, and size (in acres) of the proposed Master Plan changes. The file shall match any exhibits and/or acreage information contained within the original paper application. Preferred file format will be compatible with ESRI Geographic Information System (GIS) software technology (AutoCAD files are acceptable but should only include the polygon

layer information necessary to determine the location and size of the proposed land use change request). The data provided will be used by staff to create a “side-by-side” comparison map of existing and proposed land use and will also be the basis for official changes to the Washoe County land use database should the request be approved. The data may also be used for three dimensional (3D) modeling of the request during the permit review and public hearing process.

11. **Submission Packets:** One (1) packet and a flash drive. Any digital documents need to have a resolution of 300 dpi. If materials are unreadable, you will be asked to provide a higher quality copy. The packet shall include one (1) 8.5" x 11" reduction of any applicable site plan, development plan, and/or application map. Labeling on these reproductions should be no smaller than 8 point on the 8.5" x 11" display. Large format sheets should be included in a slide pocket(s). Any specialized reports identified above shall be included as attachments or appendices and be annotated as such.

---

**Notes:**

- (i) Application and map submittals must comply with all specific criteria as established in the Washoe County Development Code and/or the Nevada Revised Statutes.
- (ii) Appropriate map engineering and building architectural scales are subject to the approval of the Planning and Building and/or Engineering and Capital Projects.
- (iii) All oversized maps and plans must be folded to a 9" x 12" size.
- (iv) Based on the specific nature of the development request, Washoe County reserves the right to specify additional submittal packets, additional information and/or specialized studies that clarify the potential impacts and potential conditions of development in order to minimize or mitigate impacts resulting from the project. No application shall be processed until the information necessary to review and evaluate the proposed project is deemed complete by the Director of Planning and Building.
- (v) **Labels:** If the assigned planner determines the abandonment will affect the access to a mobile home park, the applicant will be required to submit a list of mailing addresses for every tenant residing in the mobile home park.
- (vi) **Master Plan Amendments that propose a change to the Vision or Character Statement or any of their associated goals and/or policies of an Area Plan may require a series of community visioning workshops with the applicable Citizen Advisory Board(s). Please see the Plan Maintenance section of the subject Area Plan for more information.**

## Washoe County Development Application

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

<b>Project Information</b>		Staff Assigned Case No.: _____	
Project Name: <b>Empire MPA/RZA</b>			
Project Description: This is a request for a 1) master plan amendment from a Suburban Residential (SR) to a Commercial (C) master plan land use designation; and, 2) regulatory zone amendment from a Low Density Suburban (LDS) to a General Commercial (GC) zoning designation on the subject property located at 70200 State Route 447, Gerlach, NV 89412.			
Project Address: 70200 State Route 447			
Project Area (acres or square feet): 11.55			
Project Location (with point of reference to major cross streets <b>AND</b> area locator):  Located approximately 5 miles south of Gerlack, NV and the Black Rock Desert, across from the Empire Mining facility on State Route 447. The subject site is located within County Commissioner District 5			
Assessor's Parcel No.(s): 071-120-11 N/A	Parcel Acreage: 11.55 N/A	Assessor's Parcel No.(s): N/A N/A	Parcel Acreage: N/A N/A
<b>Indicate any previous Washoe County approvals associated with this application:</b> Case No.(s). N/A			
<b>Applicant Information</b> (attach additional sheets if necessary)			
<b>Property Owner:</b> Name: Joe Rutski Address: 1445 Alturas Avenue Zip: 89502 Phone: N/A Email: joerutski@gmail.com Cell: N/A Contact Person: N/A <b>Applicant/Developer:</b> Name: Owner (See Above) Address: N/A Zip: N/A Phone: N/A Email: N/A Cell: N/A Contact Person: N/A		<b>Professional Consultant:</b> Name: Juniper & Sage Consulting, LLC Address: Zip: Phone: 907-602-3382 Email: juniperandsage.consulting@gmail.com Cell: N/A Other: N/A Contact Person: AnnMarie Lain <b>Other Persons to be Contacted:</b> Name: N/A Address: N/A Zip: N/A Phone: N/A Email: N/A Cell: N/A Other: N/A Contact Person: N/A	
<b>For Office Use Only</b>			
Date Received:	Initial:	Planning Area:	
County Commission District:		Master Plan Designation(s):	
CAB(s):		Regulatory Zoning(s):	

## Master Plan Amendment Supplemental Information

(All required information may be separately attached)

The Washoe County Master Plan describes how the physical character of the County exists today and is planned for the future. The plan is adopted by the community and contains information, policies and a series of land use maps. The Master Plan provides the essential framework for creating a healthy community system and helps guide decisions about growth and development in the County. The following are general types of requests the County receives to amend the Master Plan. Please identify which type of amendment you are requesting:

<input checked="" type="checkbox"/> A request to change a master plan designation(s) from the adopted master plan and/or area plan maps
<input type="checkbox"/> A request to add, amend, modify or delete any of the adopted policies found in the elements of the Master Plan
<input type="checkbox"/> A request to add, amend, modify or delete any of the adopted policies in the area plans and/or specific language found in the area plans
<input type="checkbox"/> Other (please identify):

Please complete this questionnaire to ensure consistent review of your request to amend the Washoe County Master Plan. Staff will review the application to determine if the amendment request is in conformance with the policies and language within the elements and area plans of the Master Plan or if the information provided supports a change to the plan. Please provide an explanation to all questions; attach additional sheets if necessary.

1. What is the Master Plan amendment being requested at this time?

SR to C

2. What conditions have changed and/or new studies have occurred since the adoption of the Washoe County Master Plan that supports the need for the amendment request?

See Narrative Report 4.1.1 Master Plan Findings

3. Please provide the following specific information:

- a. What is the location (address or distance and direction from the nearest intersection of the subject property)? Attach, for map amendments, a legal description. For all other amendments, what is the area subject to the request?

70200 State Route 447, Gerlach NV 89412 (5 miles south of Gerlach, NV)

b. Please list the following proposed changes (attach additional sheet if necessary):

Assessor's Parcel Number	Master Plan Designation	Existing Acres	Proposed Master Plan Designation	Proposed Acres
071-120-11	SR	11.55	C	11.55

c. What are the adopted land use designations of adjacent parcels?

North	GR
South	GC/LDS
East	GR
West	GC

4. Describe the existing conditions and uses located at the site or in the vicinity (i.e. vacant land, roadways, buildings, etc.).

**See Narrative Description**

5. Describe the natural resources associated with the site under consideration. Your description should include resource characteristics such as water bodies, vegetation, topography, minerals, soils and wildlife habitat.

**Relatively flat parcel with minimum natural vegetation.**

6. Describe whether any of the following natural resources or systems are related to the proposed amendment:

a. Is property located in the 100-year floodplain? (If yes, attach documentation of the extent of the floodplain and any proposed floodplain map revisions in compliance with Washoe County Development Code, Article 416, Flood Hazards, and consultation with the Washoe County Engineering & Capital Projects Division.)

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
------------------------------	--

Explanation:

**N/A**

b. Does property contain wetlands? (If yes, attach a preliminary delineation map and describe the impact the proposal will have on the wetlands. Impacts to the wetlands may require a permit issued from the U.S. Army Corps of Engineers.)

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
------------------------------	--

Explanation:

N/A

c. Does the property contain slopes or hillsides in excess of 15 percent and/or significant ridgelines? (If yes, submit the slope analysis requirements as contained in Article 424, Hillside Development of the Washoe County Development Code.)

Yes

No

Explanation:

N/A

d. Does the property contain geologic hazards such as active faults, hillside, or mountainous areas? Is it subject to avalanches, landslides, or flash floods? Near a stream or riparian area such as the Truckee River, and/or an area of groundwater recharge? If the answer is yes to any of the above, check yes and provide an explanation.

Yes

No

Explanation:

N/A

e. Does the property contain prime farmland, within a wildfire hazard area, geothermal or mining area, and/or wildlife mitigation route? If the answer is yes to any of the above, check yes and provide an explanation.

Yes

No

Explanation:

N/A

7. Are any archaeological, historic, cultural, or scenic resources in the vicinity or associated with the proposed amendment? If the answer is yes to any of the above, check yes and provide an explanation.

Yes

No

Explanation:

N/A

8. Do you own sufficient water rights to accommodate the proposed amendment? (Amendment requests in some groundwater hydrographic basins [e.g. Cold Springs, Warm Springs, etc.] require proof of water rights be submitted with applications. Provide copies of all water rights documents, including chain of title to the original water right holder.)

Yes

No

If yes, please identify the following quantities and documentation numbers relative to the water rights. Please attach a copy(s) of the water rights title (as filed with the State Engineer in the Division of Water Resources of the Department of Conservation and Natural Resources).

a. Permit #		acre-feet per year	
b. Certificate #		acre-feet per year	
c. Surface Claim #		acre-feet per year	
d. Other #		acre-feet per year	

a. If the proposed amendment involves an intensification of land use, please identify how sufficient water rights will be available to serve the additional development.

### See Narrative Description

9. Please describe the source and timing of the water facilities necessary to serve the amendment.

a. System Type:

<input checked="" type="checkbox"/> Individual wells		
<input type="checkbox"/> Private water	Provider:	
<input type="checkbox"/> Public water	Provider:	

b. Available:

<input type="checkbox"/> Now	<input checked="" type="checkbox"/> 1-3 years	<input type="checkbox"/> 3-5 years	<input type="checkbox"/> 5+ years
------------------------------	---	------------------------------------	-----------------------------------

c. If a public facility is proposed and is currently not available, please describe the funding mechanism for ensuring availability of water service.

N/A
-----

10. What is the nature and timing of sewer services necessary to accommodate the proposed amendment?

a. System Type:

<input checked="" type="checkbox"/> Individual septic		
<input type="checkbox"/> Public system	Provider:	

b. Available:

<input type="checkbox"/> Now	<input checked="" type="checkbox"/> 1-3 years	<input type="checkbox"/> 3-5 years	<input type="checkbox"/> 5+ years
------------------------------	---	------------------------------------	-----------------------------------

c. If a public facility is proposed and is currently not available, please describe the funding mechanism for ensuring availability of sewer service. If a private system is proposed, please describe the system and the recommended location(s) for the proposed facility.

N/A
-----

11. Please identify the street names and highways near the proposed amendment that will carry traffic to the regional freeway system.

State Route 447

12. Will the proposed amendment impact existing or planned transportation systems? (If yes, a traffic report will be required.)

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
------------------------------	--

13. Community Services (provided and nearest facility):

a. Fire Station	Gerlach Volunteer Fire Department
b. Health Care Facility	Nevada Health Inc, 350 Short St., Gerlach NV 89412
c. Elementary School	Gerlach K-12 (555 E Sunset Blvd)
d. Middle School	" "
e. High School	" "
f. Parks	Black Rock Desert
g. Library	Gerlach Community Library (555 East Sunset Blvd, Gerlach NV 89412)
h. Citifare Bus Stop	N/A

14. Describe how the proposed amendment fosters, promotes, or complies with the policies of the adopted area plans and elements of the Washoe County Master Plan.

a. Population Element:

See Attached Narrative

b. Conservation Element:

See Attached Narrative

c. Housing Element:

See Attached Narrative

d. Land Use and Transportation Element:

See Attached Narrative

e. Public Services and Facilities Element:

See Attached Narrative

f. Adopted area plan(s):

See Attached Narrative

15. If the area plan includes a Plan Maintenance component, address all policies and attach all studies and analysis required by the Plan Maintenance criteria.

N/A

## Applicant Comments

This page can be used by the applicant to support the master plan amendment request and should address, at a minimum, how one or more of the findings for an amendment is satisfied. (Please refer to Article 820 of the Washoe County Development Code for the list of Findings.)

# JUNIPER | SAGE

EMPIRE MPR/RZA

SEPTEMBER 2024



FOCUSED STRATEGY.  
INNOVATIVE RESULTS

**Prepared for:**

BM Bike Rentals  
1445 Alturas Avenue  
Reno, NV 89502

**Prepared by:**

Juniper & Sage Consulting  
10580 N. McCarran Blvd, STE 115-120  
Reno, NV 89511

# TABLE OF CONTENTS

<b>1</b>	<b>INTRODUCTION.....</b>	<b>3</b>
<b>2</b>	<b>PROJECT SUMMARY.....</b>	<b>4</b>
2.1	Project Request.....	4
2.2	Project Location .....	4
2.3	Community Engagement.....	4
2.3.1	<i>Timing of Meeting .....</i>	4
2.3.2	<i>Lack of Specificity.....</i>	5
2.3.3	<i>Potential Property Blight .....</i>	5
2.3.4	<i>Reduction in Residential Land Availability .....</i>	5
<b>3</b>	<b>PROJECT ANALYSIS.....</b>	<b>5</b>
3.1	Regulatory Zone .....	5
3.1.1	<i>Propose/Existing Zoning .....</i>	6
3.1.2	<i>Surrounding Land Uses .....</i>	7
3.1.3	<i>Allowed Uses .....</i>	<b>Error! Bookmark not defined.</b>
3.2	Master Plan Land Use Designation .....	7
3.2.1	<i>Propose/Existing Master Plan Designation .....</i>	7
3.2.2	<i>Policy Support.....</i>	8
<b>4</b>	<b>APPROVAL CRITERIA.....</b>	<b>8</b>
4.1.1	<i>Master Plan Findings .....</i>	8
4.1.2	<i>Regulatory Zone Findings .....</i>	9
<b>5</b>	<b>CONCLUSION.....</b>	<b>10</b>

## Exhibits

Exhibit A: Neighborhood Meeting

Exhibit B: Acreage Analysis

## 1 INTRODUCTION

---

### General Information

**Applicant:** **BM Rentals**  
1445 Alturas Avenue  
Reno, NV 89503  
Contact: Joe Rutski  
Phone: 775.250-8278  
Email: [joerutski@gmail.com](mailto:joerutski@gmail.com)

**Prepared by:** **Juniper & Sage Consulting**  
10580 N. McCarran Blvd, Ste 115-120  
Reno, NV 89511  
Contact: AnnMarie Lain  
Phone: 907-602-3382  
Email: [juniperandsage.consulting@gmail.com](mailto:juniperandsage.consulting@gmail.com)

**Project Location** 70200 State Route 447  
Gerlach, NV 89412

**Parcel ID Numbers:** 071-120-11

**Zoning:** Low Density Suburban

**Master Plan:** Suburban Residential

## **2 PROJECT SUMMARY**

### **2.1 Project Request**

This is a request for a 1) master plan amendment from a Suburban Residential (SR) to a Commercial (C) master plan land use designation; and, 2) regulatory zone amendment from a Low Density Suburban (LDS) to a General Commercial (GC) zoning designation on the subject property located at 70200 State Route 447, Gerlach, NV 89412.

The applicant acquired the property in May 2023 and has been operating a short-term bike rental facility under Temporary Use Permits for the past two years. The property owner has submitted a master plan amendment and regulatory zone change request to facilitate the continued operation of the bike rental facility without the need for annual Temporary Use Permits. This request also seeks to convert the property to allow commercial use. The amendment and zone change are aimed at providing a stable and long-term framework for the facility's operations, ensuring compliance with zoning regulations, and aligning the property's use with its commercial potential. This approach will enhance operational efficiency and support the property's contribution to the local economy.

Master Plan Amendments and Zone Change Requests address broad planning and zoning changes rather than specific development projects. Master Plan Amendments are assessed based on their alignment with long-term policies and goals. Zone Change Requests involve modifying zoning designations for a specific area or property to allow different land uses or development standards, with a focus on how these changes integrate with existing land use patterns, infrastructure, and community plans. This request will require approval by both Washoe County and Truckee Meadows Regional Planning Agency.

### **2.2 Project Location**

The 11.55-acre subject site is located approximately 5 miles south of Gerlach, NV and the Black Rock Desert, across from the Empire Mining facility on State Route 447. The subject site is located within County Commissioner District 5.

### **2.3 Community Engagement**

In compliance with NRS 278.210 and Washoe County pre-submittal application requirements, neighborhood meeting notification was sent to property owners within 750ft of the subject site on August 16, 2024. A neighborhood meeting was held on August 27, 2024 at Brunos Country Club located in Gerlach, Nevada. The purpose of the neighborhood meeting was to inform residents about the proposed SUP application and gather community input prior to formal application submittal. The following sub-paragraphs are included in this narrative to address the concerns noted throughout the community engagement process. The neighborhood meeting submittal package is included as ***Exhibit A - Neighborhood Meeting***.

#### **2.3.1 Timing of Meeting**

One concern raised during the public engagement process was the timing of the neighborhood meeting, which coincided with the Burning Man Festival. The scheduling was necessitated by Washoe County's policy of accepting master plan applications only three times per year. Postponing the meeting would have resulted in missing the September submittal deadline.

It was communicated to the public that each Master Plan Amendment application undergoes a thorough review process, including four public hearings and typically spanning approximately seven

months. This process involves a Planning Commission public hearing, two hearings before the Board of County Commissioners, and a conformance review public hearing with the Truckee Meadows Regional Planning Agency.

To accommodate those who could not attend the neighborhood meeting, the applicant's representative offered individual meetings to review the presentation and address any concerns. Invitations for these meetings were sent via email and posted on Next-door. As of the application submittal date, no members of the public had requested these individual meetings.

### **2.3.2 Lack of Specificity**

Another concern raised by the public was about the process lacking site-specific details. The applicant's representative explained that a zone change request is an entitlement that remains with the property in perpetuity, meaning it grants a permanent change to the property's zoning designation, regardless of future development plans. This contrasts with a site-specific development proposal, which pertains to a particular development plan or use for a specific project. The zone change alters the property's zoning classification, thereby setting a broad framework for all future uses and developments permitted under the new zoning designation, rather than being tied to one specific development or project. This ensures that the property benefits from the new zoning classification indefinitely, regardless of subsequent changes in development proposals.

The applicant's representative gave specific examples of uses in the requested regulatory that would require a special use permit and answered questions about the special use permitting process.

### **2.3.3 Potential Property Blight**

Public concerns also addressed the potential for the property to develop a neglected or unkempt appearance, marked by disarray, litter, and deterioration. There was a general apprehension about an increase in property degradation and visual decline in the area due to the accumulation of discarded or unused items. Such conditions could lead to an unsightly, cluttered environment, adversely affecting the community's aesthetic appeal and overall quality of life.

The applicant's representative explained that any future proposed development on the subject site would be subject to screening requirements identified in *WCDC Section 110.412.40 Civic and Commercial Use Types*. In addition, Washoe County has enforcement procedures to handle public nuisances, which include the presence of debris, litter, garbage, rubble, abandoned or junk vehicles, or junk appliances (*WCDC Section 125.215 Abatement*).

### **2.1.1 Reduction in Residential Land Availability**

Another public concern was the potential impact of reducing the availability of residentially zoned land in the area. A comprehensive analysis of the reduction in residential land availability is attached as *Exhibit B – Acreage Analysis*.

## **3 PROJECT ANALYSIS**

---

### **3.1 Regulatory Zone**

The Washoe County Master Plan is a comprehensive, long-term strategy outlining the vision, goals, and policies for the development and growth of the county. Land use zoning districts designate specific areas for different types of activities or developments, regulating how land can be used to ensure orderly and compatible growth within a community.

A zone change request must align with the Master Plan by ensuring that the proposed zoning change

supports the community's long-term goals and land use policies outlined in the Master Plan. A zone change request must also conform to the regional plan by aligning with broader regional goals and policies, ensuring that the proposed zoning change supports coordinated development and infrastructure planning across multiple jurisdictions.

### 3.1.1 *Propose/Existing Zoning*

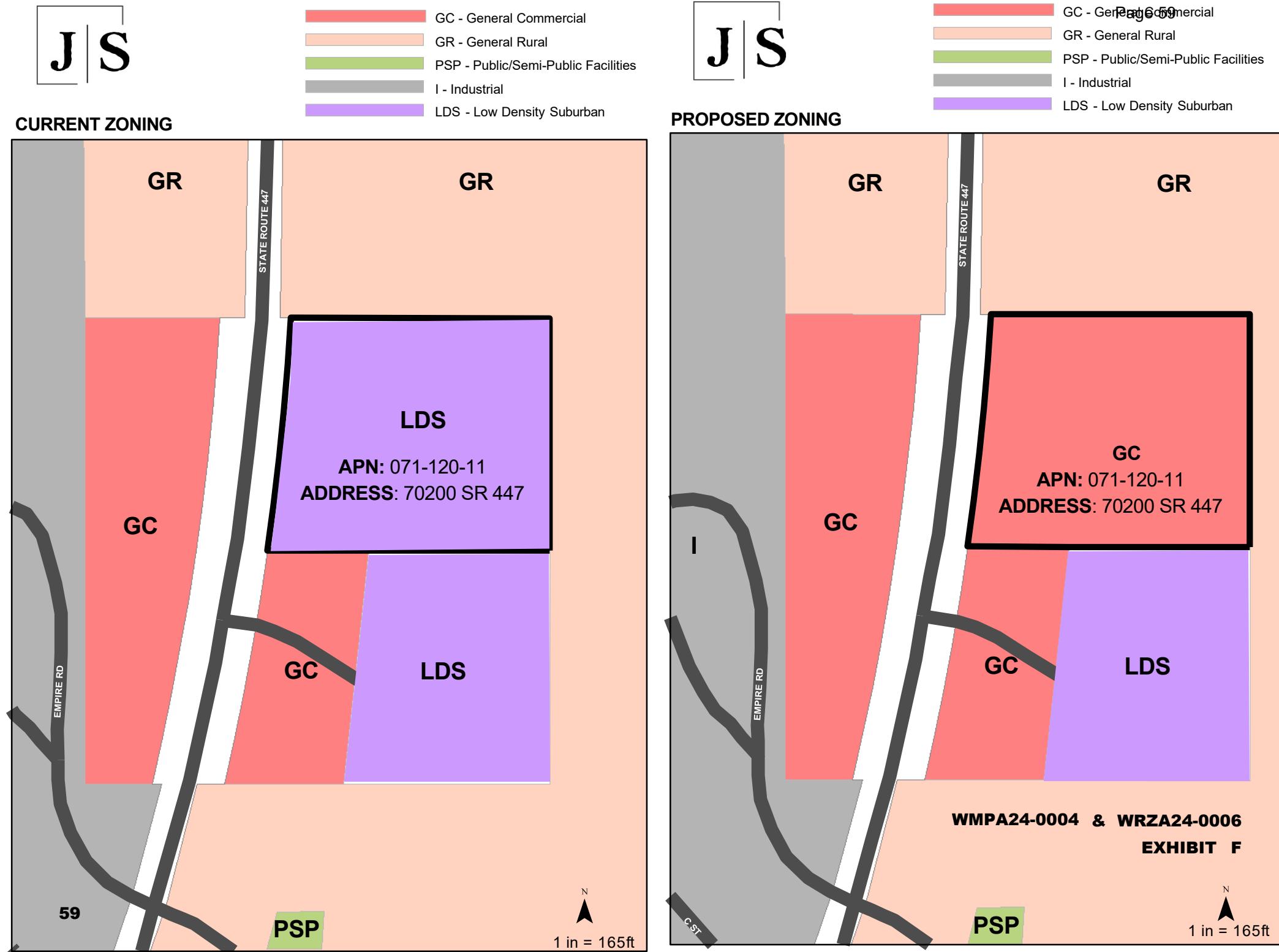
The subject site has a current Regulatory Zoning District of Low Density Suburban. The Low Density Suburban Regulatory Zone is intended to create and preserve areas where single-family, detached homes one-acre lots are predominate.

The General Commercial Regulatory Zone is intended to create and preserve areas that provide a wholesale goods and retail and personal services. Primary uses include wholesale and retail sales, shopping centers, specialty shops, personal services, and automobile services. Other uses include offices, restaurants, theaters, and other compatible activities.

Examples of uses that would require a Special Use Permit in the General Commercial zoning district include construction sales/services, data center, major utility services, and major public facilities. A comparison of existing vs proposed zoning is identified in *Figure 1* on the next page.

(REMAINDER OF PAGE BLANK)

Figure 1: Zoning Comparison



### 3.1.2 Surrounding Land Uses

The subject site is bordered by the General Rural zoning district to the north and east, General Commercial to the south and west, and Low-Density Suburban to the south. To the north and east, the surrounding land consists of vacant Federally Owned Land. To the south, adjacent uses include a commercial storage facility and a single-family residence. A letter of support for the rezoning from the neighboring resident to the south is included in Exhibit A. To the west, across State Route 447, is the Empire Mining facility, a commercial use. The subject site has frontage and driveway access off State Route 447. A table of surrounding regulatory zones and land uses is outlined in *Table 1* below.

Table 1: Zoning & Land Use

DIRECTION	REGULATORY ZONE	LAND USE
North	General Rural (GR)	Vacant – Federally Owned Land
South	General Commercial (GC) Low-Density Suburban (LDS)	Commercial Storage Single-Family Residence
West	General Commercial (GC)	Empire Mining Facility
East	General Rural (GR)	Vacant – Federally Owned Land

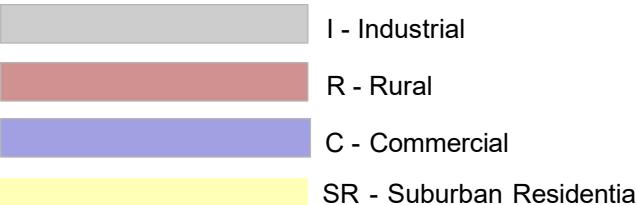
## 3.2 Master Plan Land Use Designation

### 3.2.1 Propose/Existing Master Plan Designation

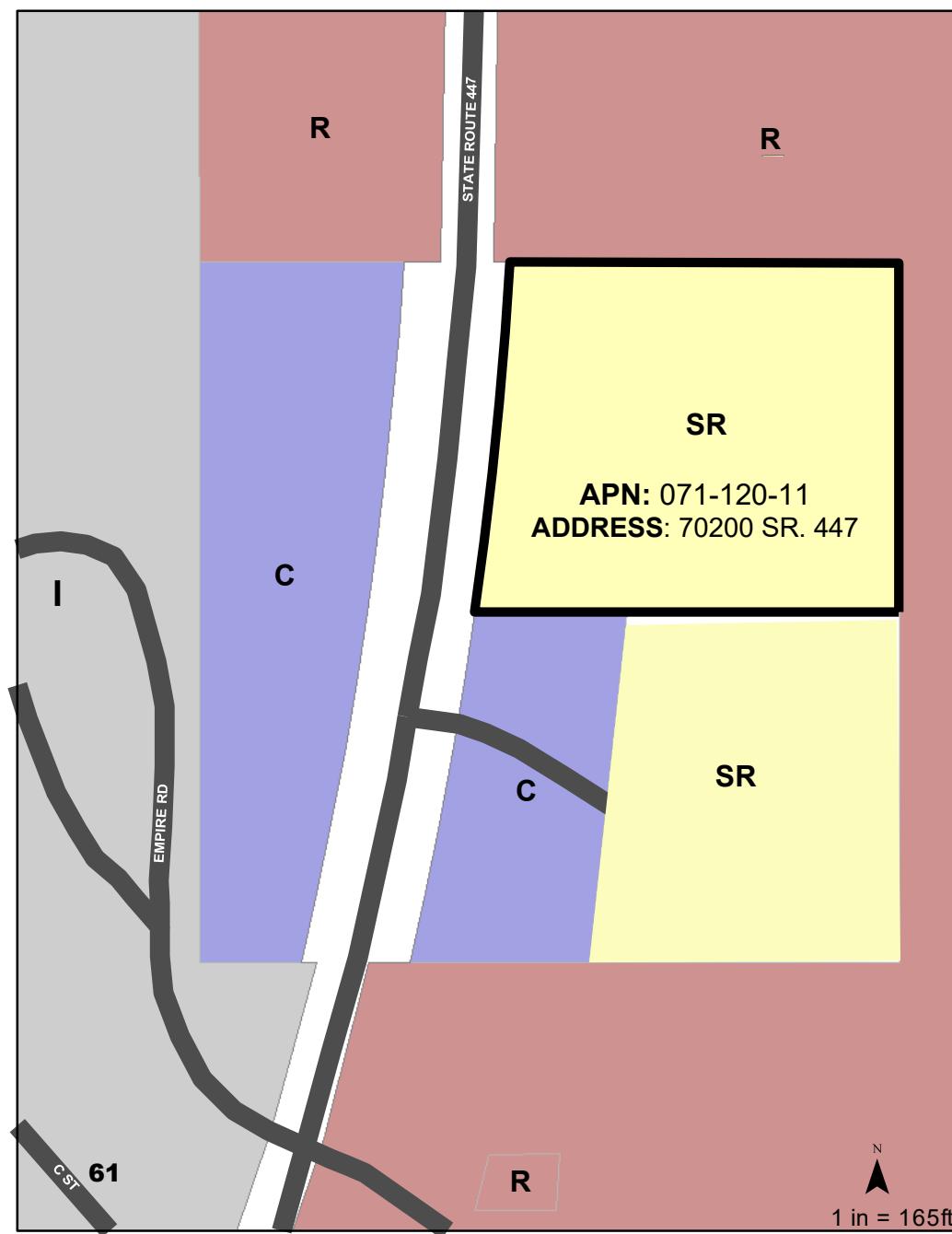
The Washoe County Master Plan, Envision Washoe, establishes a community vision and guides and shapes that vision with principals, policies, and actions that guide community enhancements. The subject site has a current Master Plan Designation of Suburban Residential. The subject site is located within the High Desert Planning Area of the Master Plan. A comparison of existing vs proposed designation is identified in *Figure 2* below.

(REMAINDER OF PAGE BLANK)

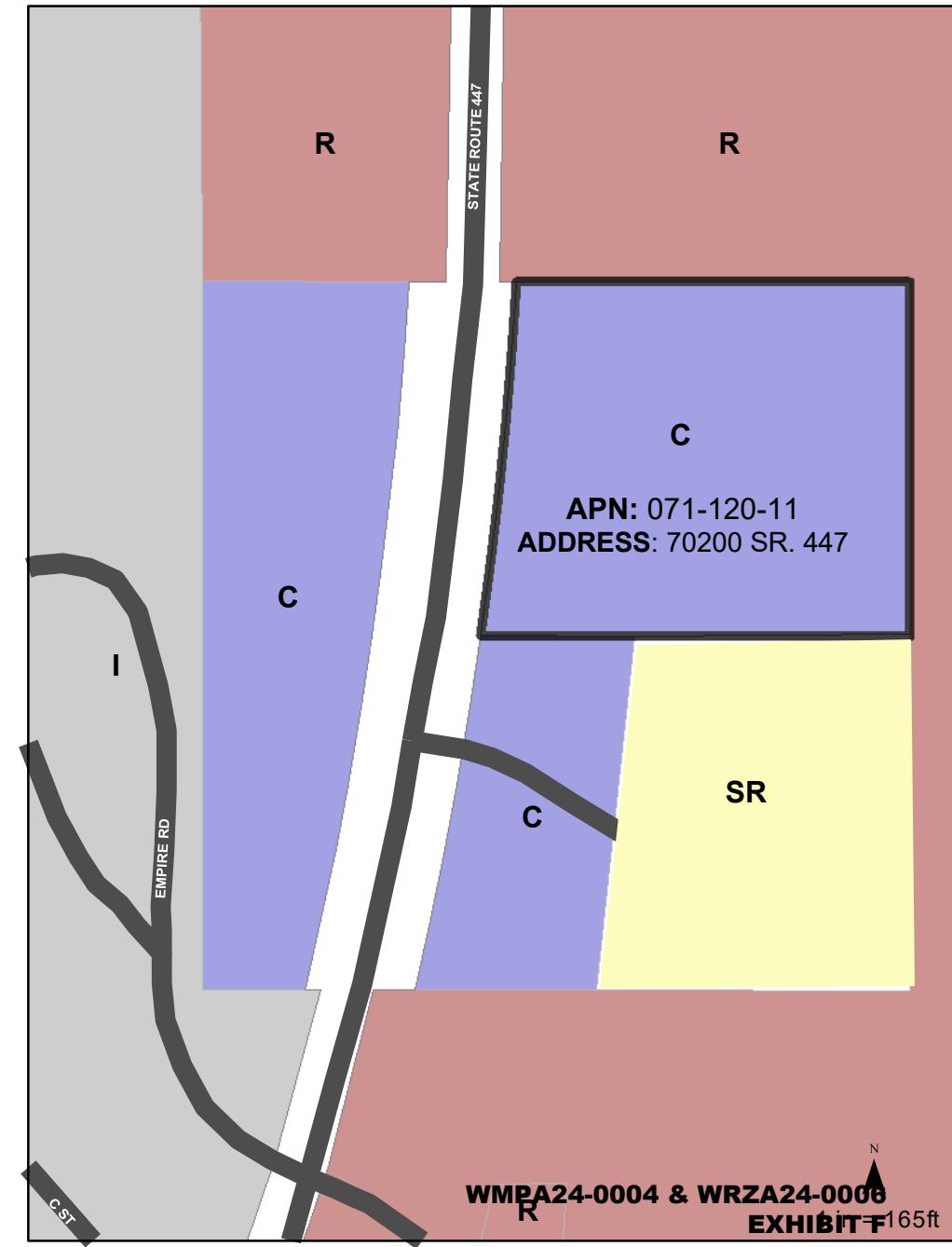
Figure 2: Master Plan Comparison



CURRENT MASTERPLAN



PROPOSED MASTERPLAN



### 3.2.2 Policy Support

The proposed request is supported by the Regional Form and Coordination Element (RFC) Principal Two (2), Policy 2.5:

- RFC PRINCIPLE 2: Utilize land use and transportation decisions to support a healthy economic base. ►
- POLICY 2.5: Ensure that land use practices and regulations accommodate needs of rural communities, and changing trends regarding businesses, including home and accessory rural occupations.
- RESPONSE: By amending land use designations to support commercial activities, the policy helps to foster economic development and diversification. Commercial zoning allows for the establishment and expansion of businesses, which can generate employment opportunities and enhance the local economy. Commercial land use designations in rural areas can support local economies by providing space for businesses that cater to the needs of rural residents, including retail, services, and other commercial activities that might not otherwise be available.

## 4 APPROVAL CRITERIA

### 4.1.1 Master Plan Findings

When adopting an amendment, the Commission shall make all required finding contained in the area plan for the planning area in which the property that is the subject of the Master Plan amendment is located and, at a minimum, make at least three of the following findings of fact unless a military installation is required to be noticed, then in addition to the above, a finding of fact pursuant to subsection (6) shall also be made:

- 1) **Consistency with Master Plan.** The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan.

RESPONSE: The proposed amendment is in substantial compliance with all policies and action programs of the Master Plan as discussed in *Section 3.2.2 (Policy Support)*.

- 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.

RESPONSE: The proposed land use has been established for adjacent sites, showing a high level of compatibility. There is no conceivable detriment to 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.

RESPONSE: The site's surrounding conditions have evolved based on a higher need to support the local community as well as the tourist industry due to the areas close proximity to

the Burning Man Festival. This has created the opportunity for this land to be utilized to support commercial activities.

- 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 Master Plan designation.

RESPONSE: The subject site is located outside of the Gerlach General Improvement District. As such, any future proposal of the site will require sewer and water facilities to be approved by Washoe County.

- 5) **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.

RESPONSE: The proposed amendment is based on the surrounding land pattern of growth that has recently been approved by Washoe County in the Envision 2040 effort.

- 6) **Effect on a Military Installation.** The proposed amendment will not affect the location, purpose and mission of the military installation.

RESPONSE: The proposed amendment will not affect the location, purpose, and mission of any military installation.

#### **4.1.2 Regulatory Zone Findings**

To make a recommendation for approval, all of the following findings must be made by the Commission:

- 1) **Consistency with Master Plan.** The proposed amendment is in substantial compliance with the policies and actions of the Master Plan.

RESPONSE: The proposed amendment is in substantial compliance with all policies and action programs of the Master Plan as discussed in Section 3.2.2 (Policy Support).

- 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.

RESPONSE: The proposed land use has been established for adjacent sites, showing a high level of compatibility. There is no conceivable detriment to public health, safety, or welfare.

- 3) **Response to Change Conditions; more desirable use.** 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.

RESPONSE: The site's surrounding conditions have evolved based on a higher need to support the local community as well as the tourist industry due to the areas close proximity to the Burning Man Festival. This has created the opportunity for this land to be utilized to support commercial activities.

- 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.

RESPONSE: The subject site is located outside of the Gerlach General Improvement District. As such, any future proposal of the site will require sewer and water facilities to be approved by Washoe County.

- 5) **No Adverse Effects.** The proposed amendment will not adversely affect the implementation of the policies and action programs of the Washoe County Master Plan.

RESPONSE: There is no foreseeable adverse effect on the policies and actions of the Washoe County Master Plan due to 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.

RESPONSE: The proposed amendment is based on the surrounding's land pattern of growth and the new land use policies and elements of the recently approved 2040 Plan by Washoe County.

- 7) Effect on a Military Installation When a Military Installation is Required to be Noticed. The proposed amendment will not affect the location, purpose and mission of a military installation.

RESPONSE: The proposed amendment will not affect the location, purpose and mission of a military installation.

## 5 CONCLUSION

In summary, approval of this request will improve the quality of the region for residents by providing local access to commercial based services. Approval of the request will not significantly change the existing development pattern in the area. As evidenced throughout this narrative and attached exhibits, the requested amendments are consistent with the governing approval. Therefore, the applicant respectfully requests Washoe County approval of this request.



October 21, 2024

Emily Gross  
Associate Utility Design Administrator  
Contractor for NV Energy through PFES  
775-834-2922  
Emily.Gross@NVEnergy.com

Subject: master plan amendment, zone amendment  
APN: 071-120-11  
70200 State Route 447  
Gerlach, NV 89412

To Whom It May Concern:

This letter is to inform you that the property mentioned above lies within NV Energy's electric service territory boundaries. Provided all necessary fees and contracts are negotiated in a proper and timely manner, in accordance with our filed rules and tariffs, we will provide electric service to your proposed project.

The necessary utility extensions and services will be made from the nearest source of adequate capacity in accordance with our Rules and Regulations on file and approved by the Public Utilities Commission of Nevada.

Sincerely,

Emily Gross  
Associate Utility Design Administrator  
Contractor for NV Energy through PFES  
775-834-2922  
Emily.Gross@NVEnergy.com