



“THE 360”

REGULATORY ZONE AMENDMENT



Prepared by:



October 9, 2023





“THE 360” REGULATORY ZONE AMENDMENT

TABLE OF CONTENTS

Introduction	1
Project Location	1
Existing Conditions/Site History	2
Project Description/Request	4
High Desert Area Plan	10
Request Findings	17
Regulatory Zone Amendment	17
Specific Plan Findings	19

Figures:

Figure 1 – Vicinity Map	1
Figure 2 – Existing Conditions	3
Figure 3 – Existing/Proposed Zoning	7
Figure 4 – Specific Plan Land Use	8

Appendices:

Washoe County Development Application
Owner Affidavit
Regulatory Zone Amendment Application
Property Tax Verification
Legal Description

Attachments:

“The 360” Specific Plan



“THE 360” REGULATORY ZONE AMENDMENT

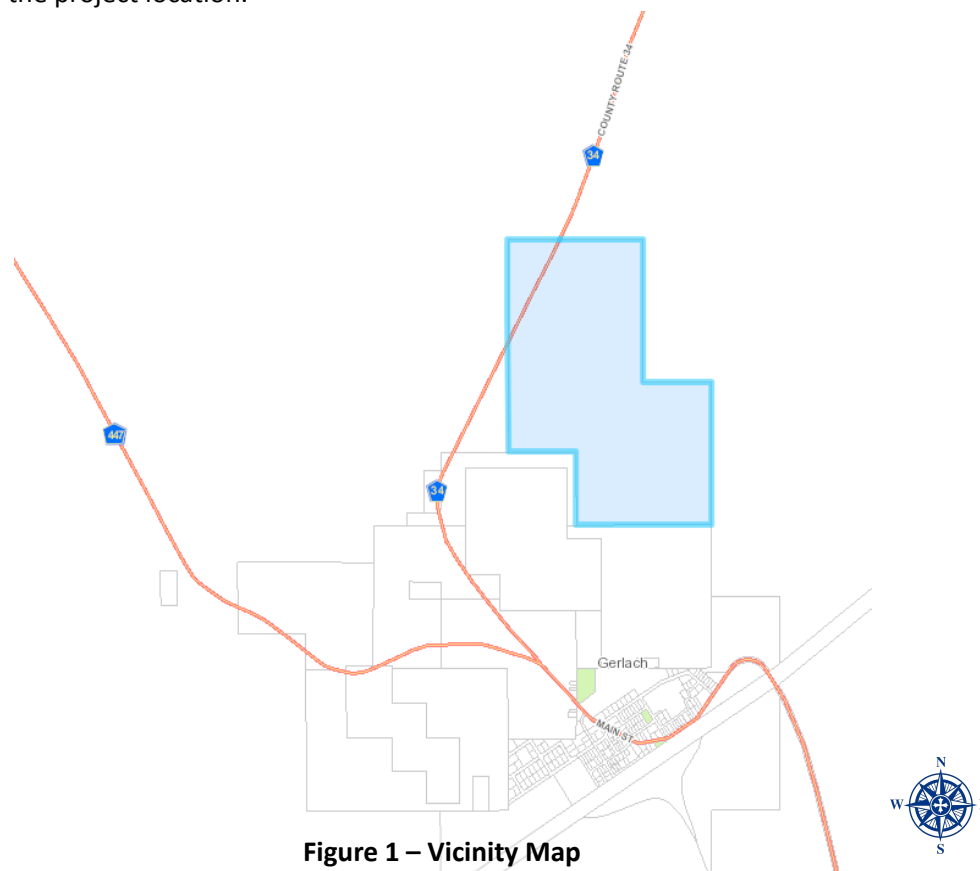
Introduction

This application includes the following request:

- A **Regulatory Zone Amendment (RZA)** to rezone 360± acres from General Rural (GR) to Specific Plan (SP).

Project Location

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



“THE 360” REGULATORY ZONE AMENDMENT



Existing Conditions/Site History

Parcels that adjoin the 360 are generally vacant and include terrain similar to the project site. Property to the southwest includes a residential structure which is located approximately 620 feet south and 850 feet west of the southern project boundary. The project site, and all adjoining properties (and those within the immediate vicinity), are zoned General Rural (GR). Parcels to the north, west, and east are public lands managed by the Bureau of Land Management (BLM) while property directly south of the site is privately owned.

The 360 parcel includes topographic diversity. The western side of the site (west of CR-34) is characterized by steeper terrain as it climbs the Granite Range. The property east of the highway includes a gradual slope to the east as it approaches the Black Rock playa. A natural hot spring is located on the western portion of the site (west of CR-34).

In 2001, a Special Use Permit (case # WSUP21-0012) was approved to allow for onsite container storage and associated improvements (i.e. grading, water, wastewater, etc.). An amendment to this SUP approval, including updated plans, conditions, and timelines, was approved by the Washoe County Board of Adjustment in May of 2023.

The 360 site is currently under development and includes grading/disturbance that is permitted under a previous grading permit(s). In addition to the grading, the permitted activities include fencing (utilizing containers as permitted in the SUP) and 4-foot berms with native landscaping/revegetation that have been installed around the container storage pad (as required under the previous conditions of approval). As permitted with the updated SUP, grading and improvements associated with an onsite well and wastewater disposal facilities are currently underway.

Figure 2 (following page) depicts the existing onsite conditions.



“THE 360” REGULATORY ZONE AMENDMENT



Figure 2 – Existing Conditions



“THE 360” REGULATORY ZONE AMENDMENT

Project Description/Request

When the previously approved SUP was presented to the community and the Board of Adjustment, Burning Man Project (property owner and applicant) explained that the onsite storage use was the first phase in an overall master plan for the property. The master plan for the property includes unique development standards with the goal of creating a cultural hub, including opportunities for public engagement, communal art projects and artist support services. Envisioned uses range from community living spaces, gathering spaces for education, implementation of renewable energy, art installations, short-term living facilities, employee housing, to both developed and natural camping areas.

The 360SP will be developed to bring the spirit and magic of Black Rock City and the Burning Man culture into the world through the lens of land stewardship, sustainability, and equity. As such, the 360 establishes varied uses that reflect the principles of Burning Man and promote economic development opportunities within the Gerlach area. The benefits to this planning approach are numerous and include:

- Creating local jobs;
- Promoting local businesses and services;
- Supporting local initiatives related to economic development, including promoting tourism and responsible recreation in the High Desert/Gerlach area;
- Reducing traffic impacts to the Gerlach Community and lowering carbon emissions from trucking;
- Promoting land stewardship and responsible recreation;
- Providing and supporting educational programs related to art and the environment, community development, land stewardship, alternative energy, and innovative technologies and design;
- Promoting sustainable development initiatives;
- Opportunities for creativity and artistic expression, including large art on display; and
- Providing long-term infrastructure support for storage, art creation and display, outdoor recreation, gatherings and camping.

The High Desert Area Plan includes modifiers that allow for many of the uses proposed under the current GR zoning. However, while some of the uses proposed are similar in nature to those defined in the Washoe County Development Code, there is no “catch all” to cover a handful of the uses from a regulatory perspective. Like Burning Man itself, many of the uses are unique and simply were never contemplated with the adoption of the Development Code.

After several meetings with Washoe County staff to review the master plan and envisioned land use, it was determined that a Specific Plan was the appropriate regulatory mechanism to move the project forward. This same entitlement approach was applied to Burning Man’s Black Rock Station facility located in the Hualapai Valley to the north and has proven to be a successful solution for both Burning Man and the County.



“THE 360” REGULATORY ZONE AMENDMENT

Burning Man, the event, is internationally recognized for its unique art and culture. Burning Man Project, the organization, was created to steward and share that culture. The 360SP area will be a home to the culture of Burning Man outside of the event against the striking backdrop of the Black Rock Desert. The 360SP provides a framework for a community center-like hub for cultural activities, similar to a multi-cultural center, YMCA, JCC, or community center for the arts.

As the property is developed into a destination with more attractions and activities, it will become a destination for those curious about the art and culture of Burning Man outside the lens of the annual event. A global audience will have the opportunity to experience the culture of Burning Man in the natural atmosphere of the Black Rock Desert. Visitors will experience immersive and interactive spaces with opportunities for participation, education, and creation.

An important aspect of Burning Man culture is stewardship of the land. Under the 360SP, this will be a fundamental principle guiding management of the property. The 360SP will provide clear allowances for sustainable land development, including renewable energy solutions and innovative building methods, that are not clearly outlined in the Washoe County code. The property will serve as an eco-tourism destination in Washoe County demonstrating sustainable features and regenerative practices in the frontier of the High Desert Area.

Some of the uses planned for the 360SP are unique (e.g. Art Park) or not fully addressed by the County use table (temporary employee housing). The design standards that accompany this zone change will serve as the development code for the property. As such, they are designed to protect the natural environment, particularly the viewsheds, provide for compatibility of uses, and establish measurable criteria by which Washoe County can evaluate future projects. The proposed Specific Plan provides a basis for properly regulating Burning Man Project’s uses and activities at this site.

The 360SP also addresses the unique infrastructure challenges faced within the High Desert Area Plan. Opportunities for renewable energy sources and off-the-grid lodging are permitted and encouraged within the plan. The ability to consider alternative engineering solutions to water and sewer resources are incorporated and ensure that the sensitive natural environment is protected while providing for the health and safety of visitors.

A central feature of the 360SP is the provision of significant open space and recreational opportunities, both passive (picnics, bird watching, hiking) and active (gym, volleyball court). The plan calls for the protection of environmentally sensitive wetlands, hot springs, and hillsides, and the proposed uses in these protected areas will support the collaborative tourism efforts put in place by Washoe County, the Gerlach community, and other partners in such projects as the 3D Destination Grant, Energizing Rural Communities Prize, and Gerlach Trail Initiative.

The High Desert Area Plan, including the 360SP property, is unique. The term "frontier and remote" (FAR) is a good way to describe this area, which is characterized by a combination of low population size and



“THE 360” REGULATORY ZONE AMENDMENT

high geographic remoteness. FAR areas are defined in relation to the time it takes to travel by car to the edges of nearby Urban Areas. This rural and isolated (Frontier) setting creates challenges in terms of implementing the existing Washoe County Development Code standards, which are essentially geared toward suburban development. This, coupled with the fact that the 360SP envisions uses that are fairly undefined by Washoe County standards, makes the Specific Plan approach logical for the site. Most importantly, it gives both Washoe County and the Master Developer (Burning Man Project) assurances as to how the property will be developed over time. Design standards contained herein will determine the finished appearance of development while streamlining the review process and minimizing future discretionary permitting.

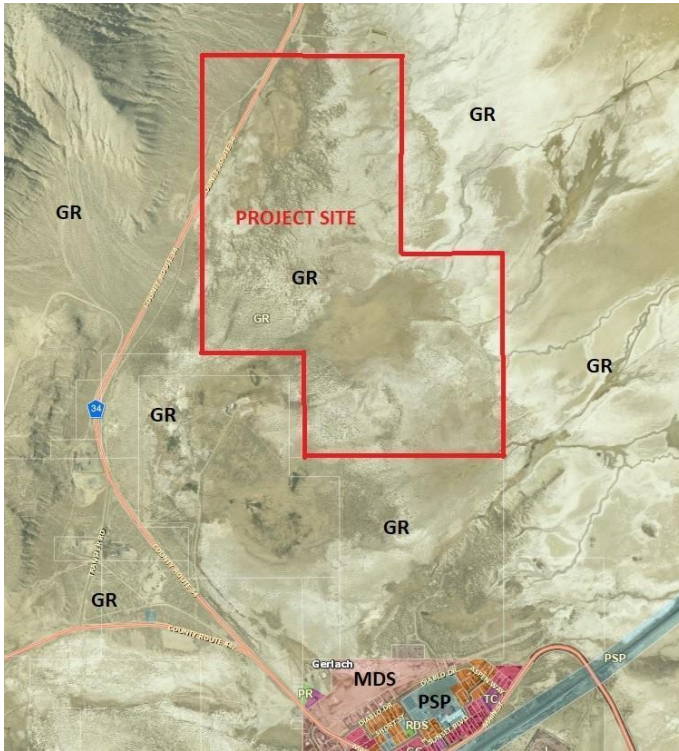
The Specific Plan approach provides a mechanism to implement the envisioned use types while providing Washoe County with assurances as to how and when the uses will occur. More importantly, it provides County staff with tangible standards that are applied to individual use types, creating a regulatory framework to which individual projects can be evaluated. Essentially, a Specific Plan creates a “micro development code” that provides custom zoning for the site.

In order to implement the Specific Plan approach, it is necessary to rezone the property from General Rural (GR) to Specific Plan (SP). As part of the SP zoning, a custom tailored development standards handbook will be reviewed concurrently with the Regulatory Zone Amendment (RZA) request. The handbook defines uses, operating and development standards, site restrictions, buffering and screening requirements, and more. While a Specific Plan is “custom” zoning, it must still comply with the underlying plans and policies included in the High Desert Area Plan. As such, no Master Plan Amendment is proposed as part of this request. Instead, the uses and operations occurring within the Specific Plan will be consistent with the framework and vision of the Area Plan. This is fully documented in the development standards handbook which is being submitted concurrently and is included as an attachment to this report.

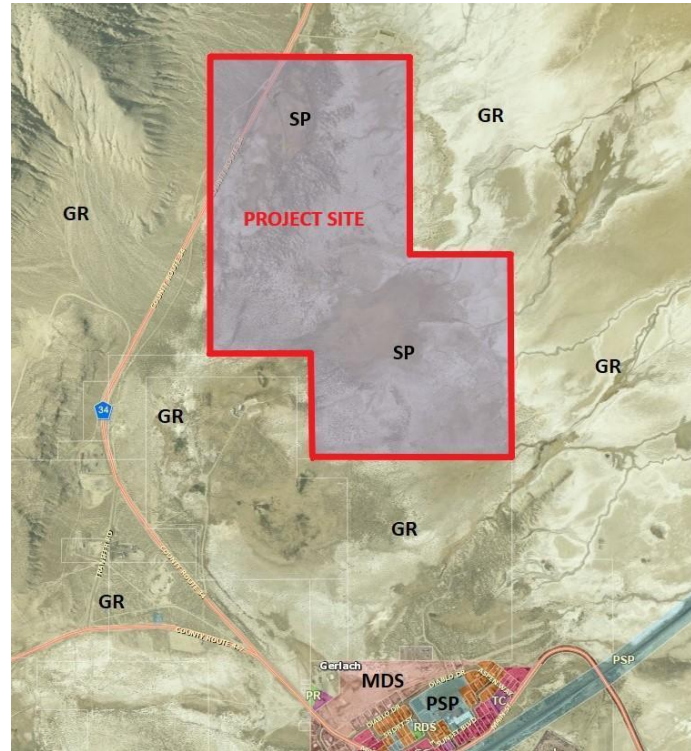
As noted, the RZA request included with this application would redesignate the site from GR to SP. Figure 3 (below) provides a visual depiction of the proposed RZA.



“THE 360” REGULATORY ZONE AMENDMENT



Existing Zoning (GR)



Proposed Zoning (SP)

Figure 3 – Existing/Proposed Zoning

The SP zoning implements the land use and standards included in the Development Standards Handbook (Handbook). The Handbook supersedes the Washoe County Development code and includes custom tailored land use and development standards. In instances where the Handbook is silent on a specific requirement/regulation, the provisions of the Development Code are applied. Figure 4 (below) depicts the land use to be adopted with the 360 Specific Plan, as presented in the attached Handbook.

“THE 360” REGULATORY ZONE AMENDMENT

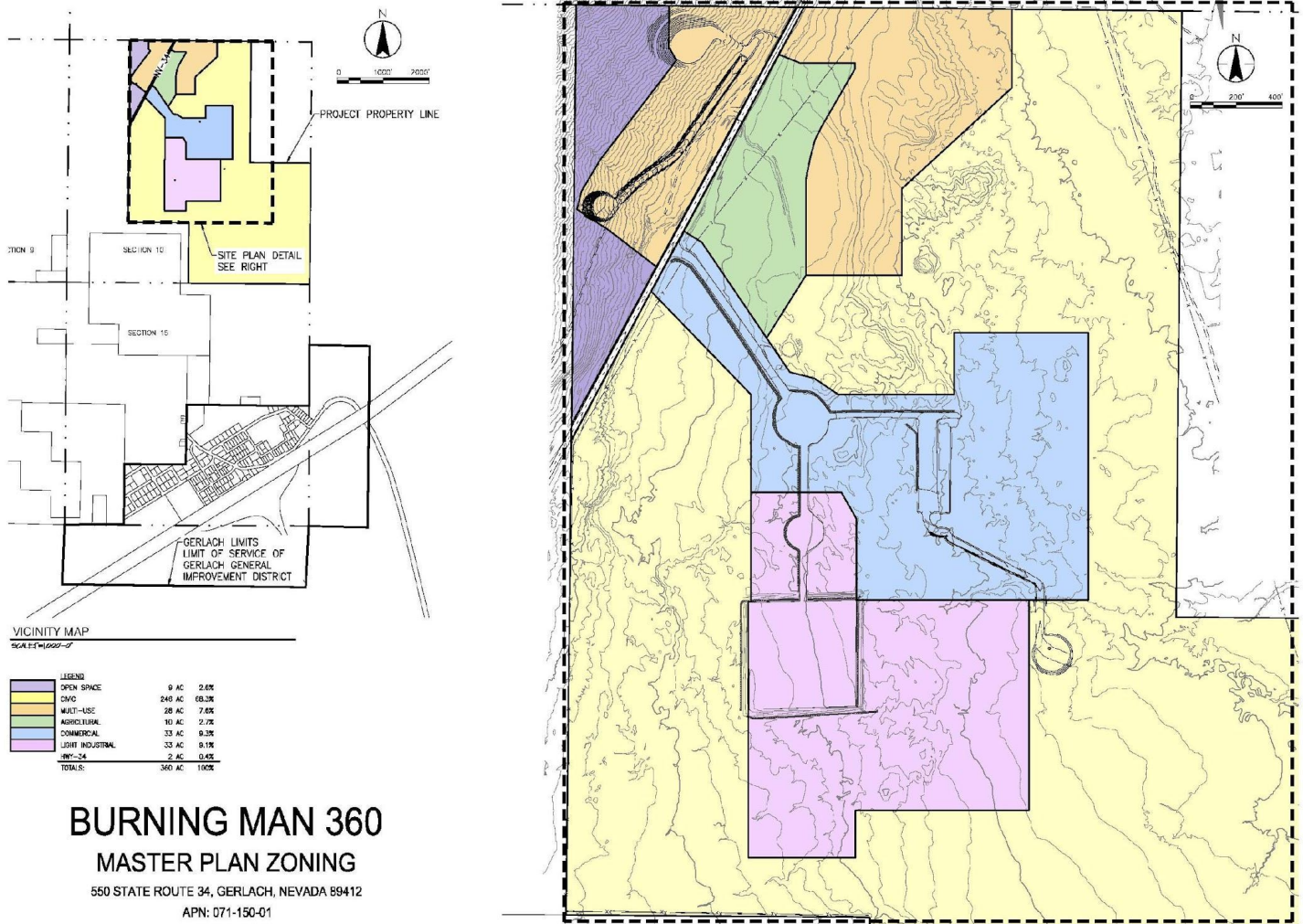


Figure 4 – Specific Plan Land Use

Implementation of the Specific Plan approach ensures that the unique aspects of the Black Rock Desert environment and the High Desert Area plan are respected and preserved with future site development. The Specific Plan ensures that the “one size fits all” standards included in the Washoe County Development Code are modified to reflect the unique Black Rock Desert setting. For example, stringent



“THE 360” REGULATORY ZONE AMENDMENT

lighting standards are included to protect night skies and stargazing. Provisions for paving and fencing are modified to reflect the rural character of the area and protect wide open vistas.

The Specific Plan also addresses the unique infrastructure challenges faced within the High Desert Area Plan. Opportunity for renewable energy sources and off-the-grid lodging opportunities are permitted and encouraged within the plan. The ability to consider alternative solutions to water and sewer resources through innovative and sustainable design are incorporated and ensure that the natural environment is protected.

As noted, the Specific Plan includes uses (or variations thereof) not contemplated within the Development Code. Standards included in the Handbook establish criteria for which Washoe County can review future projects/improvements. Conversely, it provides the applicant with assurances as to how the property can be developed in the future, including definition of subsequent permits and review requirements.

The High Desert Area Plan, including the 360SP property, is unique. The term "frontier and remote" (FAR) is a good way to describe this area, which is characterized by a combination of low population size and high geographic remoteness. FAR areas are defined in relation to the time it takes to travel by car to the edges of nearby urban areas. This rural and isolated (Frontier) setting creates challenges in terms of implementing the existing Washoe County Development Code standards, which are essentially geared toward suburban development. This, coupled with the fact that the 360SP envisions uses that are fairly undefined by Washoe County standards, makes the Specific Plan approach logical for the site. Most importantly, it gives both Washoe County and the Master Developer (Burning Man Project) assurances as to how the property will be developed over time. Design standards contained herein will determine the finished appearance of development while streamlining the review process and minimizing future discretionary permitting.

A central feature of the 360SP is the provision of significant open space and recreational opportunities, both passive (picnics, bird watching, hiking) and active (gym, volleyball court). The plan calls for the protection of environmentally sensitive wetlands, hot springs, and hillsides, and the proposed uses in these protected areas will support the collaborative tourism efforts put in place by Washoe County, the Gerlach community, and other partners in such projects as the 3D Destination Grant, Energizing Rural Communities Prize, and Gerlach Trail Initiative.

In addition to recreational opportunities, the 360SP promotes creativity by allowing art installations and a sculpture park, cultural facilities, and workspaces where artists can build and create art. With nearby access to the Black Rock playa, the 360SP will house art projects, studio/makerspaces, and supplies, including the artistic vehicles, for which Burning Man has become famous. All uses are incorporated with proper transitions to adjoining uses/properties through the implementation of buffering/screening standards, building standards, and operational criteria.



“THE 360” REGULATORY ZONE AMENDMENT

With the full buildout estimated at 10 to 15+ years, the 360SP will grow with market demands and the need for expansion. It is anticipated that uses permitted within the 360SP will benefit the town of Gerlach in terms of economic development and activity for local businesses. Additionally, uses occurring at the 360SP will generate new employment opportunities within the Gerlach/Empire area.

High Desert Area Plan

As previously noted, the Specific Plan Handbook specifically addresses consistency with the High Desert Area Plan, including its goals, action plans, and policies. This section of the Handbook is included herein for consideration of the requested RZA.

The 360SP land use plan is consistent with the Area Plan’s character statement in that it respects the rural character of the region while providing limited services in support of the annual Burning Man event (as encouraged in the Area Plan), provides new eco-tourism opportunities, and protects natural resources and the high desert environment.

The High Desert Area Plan includes a much more detailed vision and character statement than the other Area Plans included in the Master Plan. Similar to this Specific Plan, the Area Plan recognizes the unique characteristics of the region, acknowledges the challenges associated with infrastructure, and discourages suburban types of land uses (outside of the Gerlach/Empire core). The vision statement includes several bullet points which are consistent with the goals and vision of the 360SP. These include the following:

- *Respects the heritage of the area by encouraging architectural and site design standards that are responsive to this heritage;*
- *Respects private property rights;*
- *Provides ample open space and recreational opportunities;*
- *Promotes the educational and scientific opportunities inherent in the area’s natural history and rural character;*
- *Addresses the conservation of natural, scenic and cultural resources;*
- *Ensures that infrastructure is coincident with development and appropriate in scale and character to the community character articulated below; and,*
- *Coordinates resource availability with the construction of infrastructure through the implementation of facilities and resources plans.*



“THE 360” REGULATORY ZONE AMENDMENT

The character statement included in the Area Plan provides further support for the uses included in the Specific Plan (as identified within the attached Handbook) and states *“residential development associated with short-term industrial and commercial uses, such as alternative energy production and the annual Burning Man event may be acceptable provided the development does not require community facilities or services and it satisfies applicable health and safety requirements.”* The character statement goes on to state that *“the High Desert Area Plan recognizes the cultural and economic impacts of the annual Burning Man event. The unique use occurs within the planning area, creating economic opportunities for the towns of Gerlach and Empire as well as a significant employment base. Burning Man is a key factor for economic development within the planning area as well as a provider of cultural and artistic opportunities that are showcased on an international level.”* These character statements within the Area Plan are in direct alignment with the vision, goals, and uses of the Specific Plan.

Recreation and educational opportunities are a recurring theme within the Area Plan character statement. The plan encourages recreation in the region and contemplates intensification of private land that contains natural features of significant interest such as hot springs, etc. when such features can be protected for public enjoyment (page 3 of the Area Plan). The plan also acknowledges that a development agreement, or in this case, a Specific Plan, may be an appropriate mechanism to ensure consistency with the rural character of the area. In essence, the Area Plan recognizes that some provisions of the Development Code are inconsistent with maintaining the character of the High Desert region.

As part of the Area Plan adoption process, residents of Gerlach and the outlining areas were surveyed as to their concerns related to land uses within the area. The following (along with others) are identified on page 4 of the Area Plan character statement:

- *More local-serving commercial businesses are needed to support the residents of Gerlach.*
- *Tourism does not often contribute to the local economy. More opportunities for tourism related businesses would help to resolve this issue. Eco-tourism is desired.*
- *The fragile desert ecology needs to be protected as it is becoming increasingly more popular with recreational users.*
- *Utilities are disproportionately expensive as many residences are highly energy inefficient and drinking water requires treatment for high levels of uranium.*
- *Opportunities are needed for young people who would like to live and work in the Gerlach area after graduation from high school.*

Washoe County is currently updating the Area Plan and conducted a workshop with the Gerlach



“THE 360” REGULATORY ZONE AMENDMENT

community in May 2023. Residents voiced similar concerns as those included in the current Area Plan with the following additions:

- The Area Plan should prevent large scale industrial uses, such as geothermal power plants, from locating within areas that impact the town of Gerlach or the scenic and natural resources of the area.
- The Development Code and Area Plan do not include provisions/designations which accurately reflect the High Desert Environment. “Lumping” the area into a Rural category or applying suburban Development Code standards is not appropriate. The area should be considered a “Frontier and Remote” Community (FAR) with unique characteristics and restrictions that protect the character of the area including the natural environment, dark skies, etc.

While one plan cannot necessarily address every community need, the 360SP aligns with the vision of the Gerlach community. For example, the uses contemplated within the 360SP will provide economic opportunities in Gerlach by providing new tourism uses and holding the potential to create new employment opportunities for area residents. Additionally, the eco-tourism concepts envisioned by the community can be directly implemented and achieved within the 360SP.

As noted in the resident concerns included in the Area Plan, the provision of utilities and infrastructure is a challenge within the area. The 360SP incorporates innovative ideas for infrastructure provisions, including the implementation of a proven and cutting-edge wastewater treatment system and opportunities for solar energy. Also included in the Handbook are requirements for the protection and preservation of sensitive site features such as wetlands and hot springs and scenic viewsheds. These areas are either protected within the natural desert landscape or incorporated as amenities within recreational areas (i.e. hot springs), as detailed in the following section(s) of this Handbook.

From an Area Plan policy perspective, the 360SP supports more than 35 goals and policies outlined in the Area Plan. These are either adopted or implemented through the development standards included in this Handbook, and include the following:

HD.1.7 Temporary residential development associated with short-term commercial uses, such as the annual Burning Man event, may be acceptable with a special use permit provided the development does not require community facilities or services and it satisfies applicable health and safety requirements as stipulated by the Washoe County District Health Department and the Department of Community Development to ensure compliance with federal, state, and local health regulations.



“THE 360” REGULATORY ZONE AMENDMENT

HD.2.4 During review of tentative maps and other development proposals, staff will review the adequacy of the minimum standards established under this plan; and upon a finding that a standard is inadequate to implement these goals, may recommend to the Planning Commission other similar standards as necessary to implement the relevant goal. Said similar standards may include, but are not limited to, perimeter parcel matching and alternative construction materials.

HD.2.5 Any lighting proposed must show how it is consistent with current best practice “dark-sky” standards. In subdivisions established after the date of final adoption of this plan the use of streetlights will be minimized.

HD.2.6 Street lights, security lights, and other outdoor lighting should be powered by solar or other renewable energy sources whenever possible. Proposals to utilize traditional energy sources must explain why alternative sources are not possible.

HD.2.7 Whenever feasible, new homes, commercial buildings, and public facilities should be located in a manner that facilitates the immediate use of, or future conversion to, renewable energy technologies. This includes home orientation to solar and wind exposure and geothermal resources. Proposals to orient buildings inconsistent with this goal must explain why it is not feasible to do so.

HD.2.8 All landscape designs will emphasize the use of native and low water requirement vegetation, with non-native and atypical vegetation integrated sparingly into any landscaped area.

HD.2.10 The impact of development on adjacent land uses will be mitigated. The appropriate form of mitigation may include, but will not be limited to, open space buffering or parcel matching and should be determined through a process of community consultation and cooperation. Applicants shall be prepared to demonstrate how the project conforms to this policy.

HD.2.11 Development activities should be designed to support the efficient use of infrastructure and the conservation of recharge areas, habitat, and open vistas.

HD.2.12 Proposals for special use permits to establish non-residential uses in a residential regulatory zone will be subject to a Public Health Impact Review (PHIR), to be conducted jointly by Community Development staff and Washoe County District Health Department Staff. The specific content and methodology of the PHIR will be determined by the Washoe County District Health Department with the cooperation of the Washoe County Community Development Department, on a case-by-case basis.

HD.2.13 The approval of all special use permits and administrative permits must include a finding that the community character as described in the Character Statement can be adequately addressed.



“THE 360” REGULATORY ZONE AMENDMENT

HD.2.14 Washoe County is working with regional partners to ensure that the County’s Development Code reflects best practices for wildland fire prevention and management for development activities in the wildland/suburban interface. Prior to the amendment of the Development Code to incorporate the relevant codes and practices, applicants for any discretionary approval must show how their project will manage the potential threat of wildland fire. Plans that propose the use of defensible space must include a maintenance plan for that space that demonstrates how that area will be maintained and managed for the life of the project.

HD.3.1 Commercial and mixed-use development proposals will be consistent with the Goals and Policies of the Washoe County Land Use and Transportation Element.

HD.6.1 The Washoe County Departments of Community Development and Public Works will establish and oversee compliance with design standards for grading that minimize the visual impact of all residential and non-residential hillside development, including road cuts and driveways. See Policy HD.2.1 regarding grading under Goal Two.

HD.6.2 The grading design standards referred to in HD.6.1 are intended to, at a minimum, ensure that disturbed areas shall be finished, fill slopes will not exceed a 3:1 slope, and that hillside grading will establish an undulating naturalistic appearance by creating varying curvilinear contours.

HD.6.3 When necessary to mitigate the impact of road cuts, driveways and similar features on prominent hillsides, staff may require the installation of landscaping that will significantly soften the visual impact within three years of installation. Maintenance plans for these landscaped areas may be required.

HD.6.4 County will review its revegetation policy, require additional funds be set aside for revegetation, and mandate eighty percent (80%) reestablishment of vegetation prior to release of the bonds.

HD.8.5 As new residential and commercial properties develop in the High Desert planning area, the Washoe County Department of Regional Parks and Open Space will review development proposals for potential trail connections and request any necessary trail easements.

HD.10.2 Development in the High Desert planning area will comply with all local, state and federal standards regarding air quality.

HD.10.3 The granting of special use permits in the High Desert planning area must be accompanied by a finding that no significant degradation of air quality will occur as a result of the permit. As necessary, conditions may be placed on special use permits to ensure no significant degradation of air quality will occur. The Department of Community Development will seek the advice and input of the Air Quality Division of the Washoe County Health District in the implementation of this policy.



“THE 360” REGULATORY ZONE AMENDMENT

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

HD.11.2 Development proposals in areas with identified geological hazards will follow the recommendations of any geo-technical study conducted pursuant to Policy HD.11.1

HD.11.3 Washoe County is working with regional partners to ensure that the county’s Development Code reflects best practices for wildland fire prevention and management for development activities in the wildland suburban interface. Prior to the amendment of the Development Code to incorporate the relevant codes and practices, applicants for any discretionary approval must show how their project will manage the potential threat of wildland fire. Plans that propose the use of defensible space must include a maintenance plan for that space that demonstrates how that area will be maintained and managed for the life of the project.

HD.12.1 Prior to the approval of master plan amendments, tentative maps, public initiated capital improvements, or any project impacting 10 or more acres in the High Desert planning area, the Nevada Department of Wildlife will be contacted and given an opportunity to provide conservation, preservation, or other wildlife and habitat management input to the project.

HD.14.3 Washoe County will encourage the development of wind energy collection and production infrastructure.

HD.14.6 Other renewable resources such as solar generators, energy storage, distributed generation and cogeneration should complement wind energy uses. Limited industrial and commercial uses, serviced by alternative energy, where appropriate and consistent with existing residential uses, should develop within portions of existing and future wind parks.

HD.14.7 Where feasible, orientation of all structures shall maximize the use of passive solar energy. Site orientation should be consistent with visual impact policies.

HD.16.4 Water rights shall be dedicated to Washoe County, in accordance with Article 422 of the Washoe County Development Code and the High Desert Area Plan, for all parcel maps and subdivision maps, as well as all new civic, commercial and industrial uses in all hydrographic basins; with the additional water rights dedication for all maps of divisions into large parcels within the Honey Lake Basin.

HD.16.5 Landscaping that makes use of drought tolerant plants and plants native to the high desert is encouraged.

HD.16.6 The use of Low Impact Development (LID) design concepts to minimize storm water runoff is

“THE 360” REGULATORY ZONE AMENDMENT



encouraged.

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

HD.19.1 All development will meet or exceed the standards for wetland development and impact established by state and federal agencies responsible for wetlands management.

HD.19.2 Land use proposals that include wetlands areas must demonstrate how they are consistent with Goal Nineteen.

HD.19.3 Development proposals that impact any area designated “potential wetlands” on the Development Suitability map must conduct a wetlands delineation study and obtain Army Corps of Engineers certification of the proposed wetlands and comply with vector-borne diseases regulations.

HD.19.4 Washoe County will work with state, federal, and private agencies to support the development and implementation of programs and initiatives that are consistent with Goal Nineteen.

HD.20.2 Washoe County will encourage alternative wastewater treatment technologies that are demonstrated to release effluent of improved quality, providing protection against further degradation of surface and groundwater quality and contributing to groundwater recharge. These technologies should not contribute to the incidence of vector-borne diseases by ponding water longer than any seven day period between the months of April and October.

HD.20.3 Washoe County will evaluate any proposal for community wastewater treatment facilities for its impact on water quality. Appropriate mitigation will be required for any identified potential negative impacts to water quality.

HD.20.4 Developments served by on-site sewage disposal systems must comply with current regulations, protect surface and groundwater from contamination, and prevent the spread of disease with regard to sewage disposal and water quality and supply.

Upon final adoption and recordation, this Handbook and its associated content, standards, and requirements shall be deemed consistent with the High Desert Area Plan as well as with the Truckee Meadows Regional Plan. The Washoe County Board of Commissioners shall be the authoritative body to determine compliance.



“THE 360” REGULATORY ZONE AMENDMENT

Request Findings

The Washoe County Development Code includes findings that must be made by the Planning Commission and Board of County Commissioners when approving an RZA request. Additionally, Section 110.442.55(10) establishes supplemental findings for the approval of a Specific Plan. The RZA and Specific Plan findings are included below and addressed in **bold face** type.

- **Regulatory Zone Amendment**

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

As detailed in the previous section of this report and as outlined and implemented in the attached Handbook, the 360 plan, including the uses proposed within, are consistent with the underlying land use identified in the High Desert Area Plan. Additionally, implementation of the Specific Plan can serve to implement numerous goals and policies included in the Area 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.

The Handbook includes development standards that include buffering/screening requirements, as well as standards for setbacks, lighting, fencing, etc. This, combined with the thoughtfully designed land use plan, ensures proper relationships with all surrounding properties/uses.

(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.

As discussed previously, the 360 contemplates uses that were not envisioned or considered in the Development Code. While the Area Plan recognizes the importance and significance of Burning Man and promotes support for it, the Development Code simply lacks the mechanism to implement unique use types. Therefore, a Specific Plan is an appropriate and effective tool for implementation of the 360 vision while providing Washoe County the appropriate administrative/regulatory authority to administer the plan in the future.



“THE 360” REGULATORY ZONE AMENDMENT

(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.

The 360 will provide all necessary infrastructure and services needed to support the uses proposed. The applicant is currently working with Washoe County and the Nevada Division of Environmental Protection (NDEP) on an innovative dry-vac sanitary sewage system. Additionally, final permitting and coordination for an onsite well is underway and will be in place prior to uses occurring within the site, as conditioned under previous permits.

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

As described in the previous section of this report, the proposed Specific Plan is consistent with the goals, policies, and action plans included in the High Desert Area Plan. Furthermore, the project will support/promote economic development in the area, a long-standing goal of the community.

(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.

As detailed in the attached Development Standards Handbook, the Specific Plan includes stringent development and design standards to ensure that all uses within the 360 properly relate to each other and the surrounding environment. This includes buffering and screening standards, triggers for infrastructure improvements, phasing plan, etc.

(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 the military installation.

Not applicable.



“THE 360” REGULATORY ZONE AMENDMENT

- **Specific Plan Findings**

Findings. Consistent with NRS 278A.500 and in addition to making all the findings required by Section 110.821.15 of this code for regulatory zone amendments, the commissioners shall consider and set forth in the minutes of the meeting (either as a part of the motion or by individual comments) with particularity in what respects the Plan would or would not be in the public interest, including, but not limited to findings on the following:

(a) Consistency with Specific Plan Standards. In what respects the plan is or is not consistent with the statements of objectives of a Specific Plan set forth in this Article;

The proposed Specific Plan Design Standards address all criteria outlined in Article 442 of the Washoe County Development Code, as applicable. This includes provisions for open space, buffering, land use compatibility, preservation of sensitive areas/features, and regulatory enforcement capability for Washoe County. Refer to attached Handbook for additional details.

(b) Departures from regulatory zone requirements are in public interest. The extent to which the plan departs from regulatory zone and subdivision regulations otherwise applicable to the property, including but not limited to density, bulk and use, and the reasons why these departures are or are not deemed to be in the public interest;

In general, the Specific Plan does not deviate from regulatory zone requirements. Rather, it expands upon them to address unique uses/operations that were not contemplated when the Development Code was adopted. Additionally, minor variations from Development Code standards such as paving and landscaping standards are supported by policies included in the High Desert Area Plan.

(c) Residential/nonresidential ratio. The ratio of residential to nonresidential use in the planned development;

The ratio of residential to non-residential development is clearly defined in the attached Handbook.

(d) Adequacy of common open space. The purpose, location and amount of the common open space in the development and the adequacy or inadequacy of the amount and purpose of common open space as related to the proposed density and type of residential development.

The 360 Specific Plan includes dedicated open space, protecting natural features and constrained areas. Additionally, there are numerous passive and active recreation opportunities incorporated into the plan, including participation in the Gerlach Trails Initiative. Refer to attached Handbook for additional details.



“THE 360” REGULATORY ZONE AMENDMENT

(e) Maintenance of Common Open Space. The reliability of the proposals for the maintenance and conservation of the open space.

The Master Developer (Burning Man Project) will be responsible for the ongoing maintenance off common areas and/or open space. This is specifically mandated in the attached Development Standards Handbook. Washoe County shall have the authority to condition bonding for maintenance, as appropriate with future phases.

(f) Adequacy of public services, traffic and amenities. The physical design of the plan and the manner in which design does or does not make adequate provision for public services, provide adequate control over vehicular traffic, and further the amenities of light and air, recreation and visual enjoyment.

The Specific Plan included standards to ensure that infrastructure improvements, as necessary, are provided concurrent with new uses developed at the site. Triggers for a traffic impact analysis are also included, consistent with Washoe County standards.

(g) Relationship to neighborhood. The relationship, beneficial or adverse, of the proposed Specific Plan to the neighborhood in which it is proposed to be established.

The development standards included in the attached Handbook provide for an extensive perimeter buffer, lighting restrictions, and further operational standards/restrictions which serve to ensure that all future uses properly relate to the rural character of the area and that any and all impacts are properly mitigated.

(h) Schedule sufficiency. If the development is to be built over a period of years, the sufficiency of the terms and conditions in the plan intended to protect the interests of the public, residents and owners of the development in the integrity of the plan.

Phasing of the 360 plan is outlined in the attached Handbook. Provisions to ensure concurrency of infrastructure and services are included and further mandated by the Washoe County Development Code. As part of this review process, Washoe County can identify any supplemental requirements/assurances such as bonding, etc., as appropriate.

APPENDICES

Washoe County Development Application

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

Project Information		Staff Assigned Case No.: _____	
Project Name: The 360 Specific Plan			
Project Description: A Specific Plan for a 360-acre parcel north of Gerlach. The plan provides for a mix of uses such as residential, cultural, recreational, and supporting industrial uses (e.g. storage, art fabrication).			
Project Address: 550 County Route 34.			
Project Area (acres or square feet): 360 acres			
Project Location (with point of reference to major cross streets AND area locator): 1.25 miles north of Gerlach on County Route 34.			
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:
071-150-01	360		
Indicate any previous Washoe County approvals associated with this application: Case No.(s). WSUP21-00012			
Applicant Information (attach additional sheets if necessary)			
Property Owner:		Professional Consultant:	
Name: Burning Man Project		Name: Derek Wilson	
Address: 660 ALABAMA ST 4TH FLOOR		Address: 1985 Chimney Rock Trail	
San Francisco, CA	Zip: 94110	Reno, NV	Zip: 89523
Phone: 775-722-9693	Fax:	Phone: 775-527-6710	Fax:
Email: marnee.benson@burningman.org		Email: dwilson@rubicondesigngroup.com	
Cell: 775-722-9693	Other:	Cell: 775-527-6710	Other:
Contact Person: Marnee Benson		Contact Person: Derek Wilson	
Applicant/Developer:		Other Persons to be Contacted:	
Name: Burning Man Project		Name:	
Address: 660 ALABAMA ST 4TH FLOOR		Address:	
San Francisco, CA	Zip: 94110		Zip:
Phone: 775-722-9693	Fax:	Phone:	Fax:
Email: kaitlun.mcmanus@burningman.org		Email:	
Cell: 775-557-2200	Other:	Cell:	Other:
Contact Person: Kaitlunn McManus		Contact Person:	
For Office Use Only			
Date Received:	Initial:	Planning Area:	
County Commission District:		Master Plan Designation(s):	
CAB(s):		Regulatory Zoning(s):	

Regulatory Zone Amendment Supplemental Information

(All required information may be separately attached)

Please complete the following supplemental information to ensure consistent review of your request to amend the Washoe County Zoning Map. Please provide a brief explanation to all questions answered in the affirmative.

1. List the Following information regarding the property subject to the Regulatory Zone Amendment.
 - a. What is the location (address, distance and direction from nearest intersection)?

550 County Route 34. 1.25 miles north of Gerlach on County Route 34.

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

APN of Parcel	Master Plan Designation	Current Zoning	Existing Acres	Proposed Zoning	Proposed Acres
071-150-01	Rural	General Rural	360	Specific Plan	360

- c. What are the regulatory zone designations of adjacent parcels?

	Zoning	Use (residential, vacant, commercial, etc.)
North	GR	VACANT
South	GR	VACANT and RESIDENTIAL
East	GR	VACANT
West	GR	VACANT

3. Describe the existing conditions and uses located on the site (i.e. vacant land, roadways, easements, buildings, etc.).

The site is primarily vacant although an SUP for storage was recently approved and is under construction.

4. 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.

The attached documents fully describe the site conditions.

5. Does the property contain development constraints such as floodplain or floodways, wetlands, slopes, or hillsides in excess of 15%, geologic hazards such as active faults, significant hydrologic resources, or major drainages or prime farmland?

<input checked="" type="checkbox"/> Yes, provide map identifying locations	<input type="checkbox"/> No
--	-----------------------------

6. Is the site located in an area where there is potentially an archeological, historic, or scenic resource?

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

Explanation:

There is an intermittent water course on the site and the possibility of archeological resources. The attached documents explain how these will be protected.

7. Are there sufficient water rights to accommodate the proposed amendment? Please provide copies of all water rights documents, including chain of title to the original water right holder.)

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

If yes, please identify the following quantities and documentation numbers relative to the water rights:

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

An onsite well is under development and has been reviewed and approved by the State Engineer, NDEP, and Washoe County.
--

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

A well is being proposed to serve the site.
--

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

- c. Is this part of a Washoe County Capital Improvements Program project?

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

- d. If a public facility is proposed and is currently not listed in the Washoe County Capital Improvements Program or not available, please describe the funding mechanism for ensuring availability of water service.

No public facilities are proposed.

9. 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. Is this part of a Washoe County Capital Improvements Program project?

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

- d. If a public facility is proposed and is currently not listed in the Washoe County Capital Improvements Program or 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.

A Dry Vac system is proposed and is under review now.

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

County Route 34.

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

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

12. Community Services (provided name, address and distance to nearest facility).

a. Fire Station	Pyramid Lake Fire and Rescue 1.25 miles
b. Health Care Facility	Pyramid Lake Fire and Rescue 1.25 miles
c. Elementary School	Gerlach K-12 School 1.25 miles
d. Middle School	Gerlach K-12 School 1.25 miles
e. High School	Gerlach K-12 School 1.25 miles
f. Parks	Gerlach Water Tower Park 1.25 miles
g. Library	Gerlach 1.25 miles
h. Citifare Bus Stop	Spanish Springs 97 miles

Projects of Regional Significance Information For Regulatory Zone Amendments

Nevada Revised Statutes 278.026 defines "Projects of Regional Significance". Regulatory Zone amendment requests for properties within the jurisdiction of the Truckee Meadows Regional Planning Commission (TMRPC) must respond to the following questions. A "Yes" answer to any of the following questions may result in the application being referred first to the Truckee Meadows Regional Planning Agency (TMRPA) for submission as a project of regional significance. Applicants should consult with County or Regional Planning staff if uncertain about the meaning or applicability of these questions.

1. Will the full development potential of the Regulatory Zone amendment increase employment by not less than 938 employees?

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

2. Will the full development potential of the Regulatory Zone amendment increase housing by 625 or more units?

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

3. Will the full development potential of the Regulatory Zone amendment increase hotel accommodations by 625 or more rooms?

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

4. Will the full development potential of the Regulatory Zone amendment increase sewage by 187,500 gallons or more per day?

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

5. Will the full development potential of the Regulatory Zone amendment increase water usage by 625 acre-feet or more per year?

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

6. Will the full development potential of the Regulatory Zone amendment increase traffic by 6,250 or more average daily trips?

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

7. Will the full development potential of the Regulatory Zone amendment increase the student population from kindergarten to 12th grade by 325 students or more?

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

Legal Description

All that certain real property situate within portions of Section 10, Township 32 North, Range 23 East, M.D.M., County of Washoe, State of Nevada, being more particularly described as follows:

BEING The East 1/2 of the Northwest 1/4; The West 1/2 of the Northeast 1/4; The Northeast 1/4 of the Southwest 1/4; The Southeast 1/4, all in Section 10, Township 32 North, Range 23 East, M.D.B.&M.

Said description is as described in GRANT, BARGAIN AND SALE DEED Document No. 4815055 recorded May 16, 2018 in the Official Records of Washoe County, Nevada.

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



8/7/2023

Daniel A. Bigrigg, P.L.S.
Nevada Certificate No. 19716