

Washoe County Board of Adjustment



**COMMUNITY
SERVICES DEPARTMENT**

WSUP22-0027

(Ophir Hill)

July 6, 2023

Note

The Board of Adjustment is **not** being asked to authorize the existing illegal aggregate use, but instead, to approve a special use permit for major grading that will **result** in the termination of the illegal aggregate use, and the restoration of the subject parcels to accommodate legal residential use types.

Major Grading:

- 22,050 cubic yards of cut
- 16,750 cubic yards of fill
- Export of 5,500 cubic yards (Stockpiles).

EARTHWORK SUMMARY

	<u>AREA OF DISTURBANCE</u>	<u>CUT</u>	<u>FILL</u>	<u>NET</u>
ROCK PILE REMOVAL EARTHWORK	0.79 AC	5,500 CY	0 CY	5,500 CY (CUT)
PRELIMINARY GRADING EARTHWORK (AFTER REMOVAL OF ROCK PILES)	9.30 AC	16,550 CY	16,750 CY	200 CY (FILL)
TOTAL EARTHWORK	9.30 AC	22,050 CY	16,750 CY	5,300 CY (CUT)
ONSITE PARCEL AREA	11.29 AC			
OFFSITE AREA (BLM)	0.82 AC			

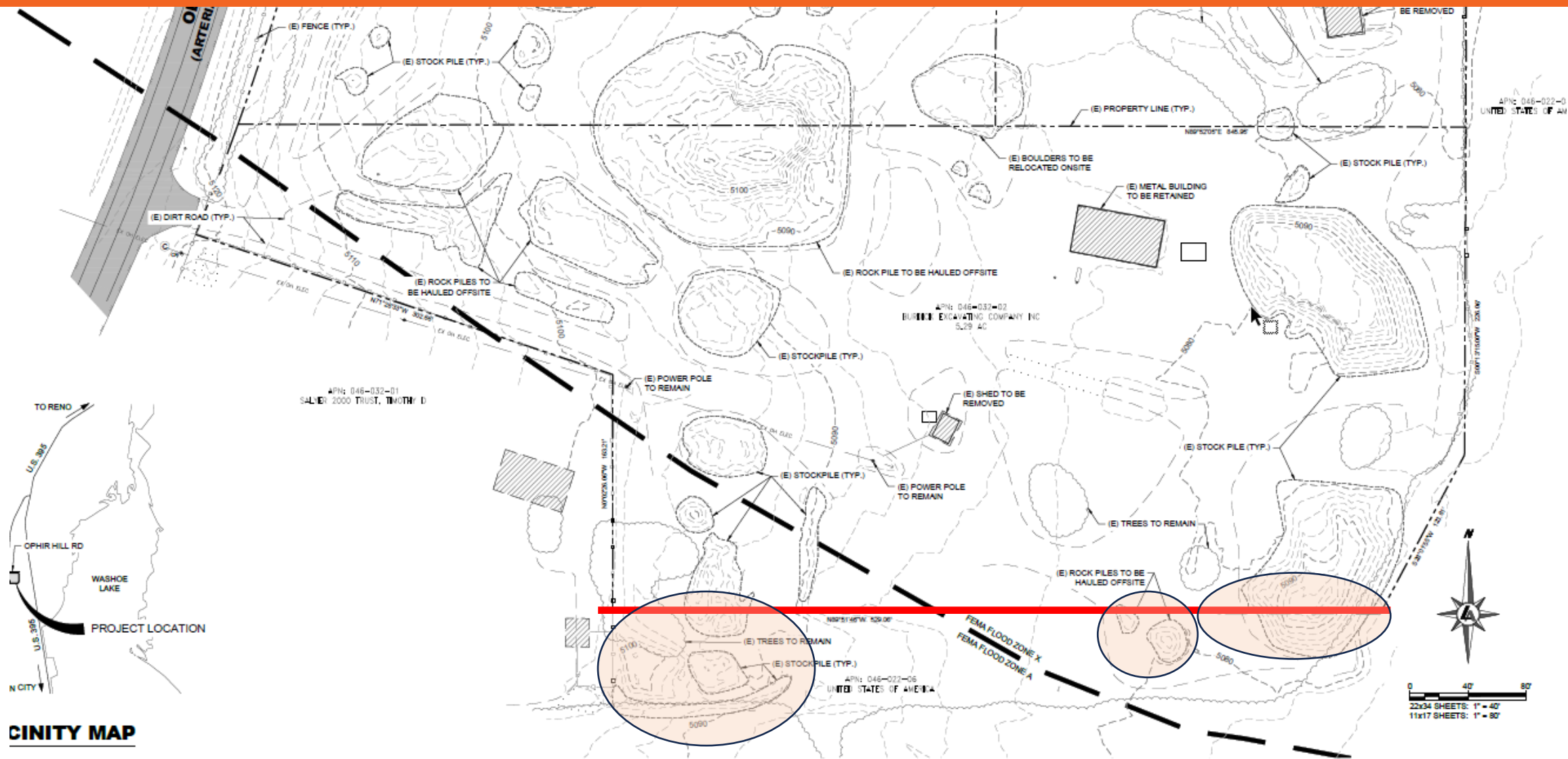
Request



- The proposed grading is for the creation of proposed driveways, elevate building pads, and route runoff to a stormwater basin.
- The proposal does not have any slopes greater than 3:1
- Three Parcels totaling 11.29 Acres (APN: 046-032-02, 04, and 05).
- There is an 0.82-acre area to the south of the subject properties that is BLM land, cleared illegally as part of the illegal aggregate operation.
- BLM submitted a signed affidavit as part of the SUP and submitted a seed mix.
- The BLM parcel will be re-graded and revegetated as part of the project.

Phase 1

- Existing rock piles will be hauled to Mound House, Nevada, and the total earthwork required to remove the stockpiles is 5,500 cubic yards.
- Involves hauling rock stockpiles, excess materials, old equipment, palletized rocks, and any other bulk items necessary.
- Does not involve cutting native material.
- Applicant volunteered a 4-month time frame to complete phase 1.
- County staff has given the applicant 6-months to complete phase 1.
- The application states that the applicant owns the property, and the property is zoned to allow for the activity to take place.

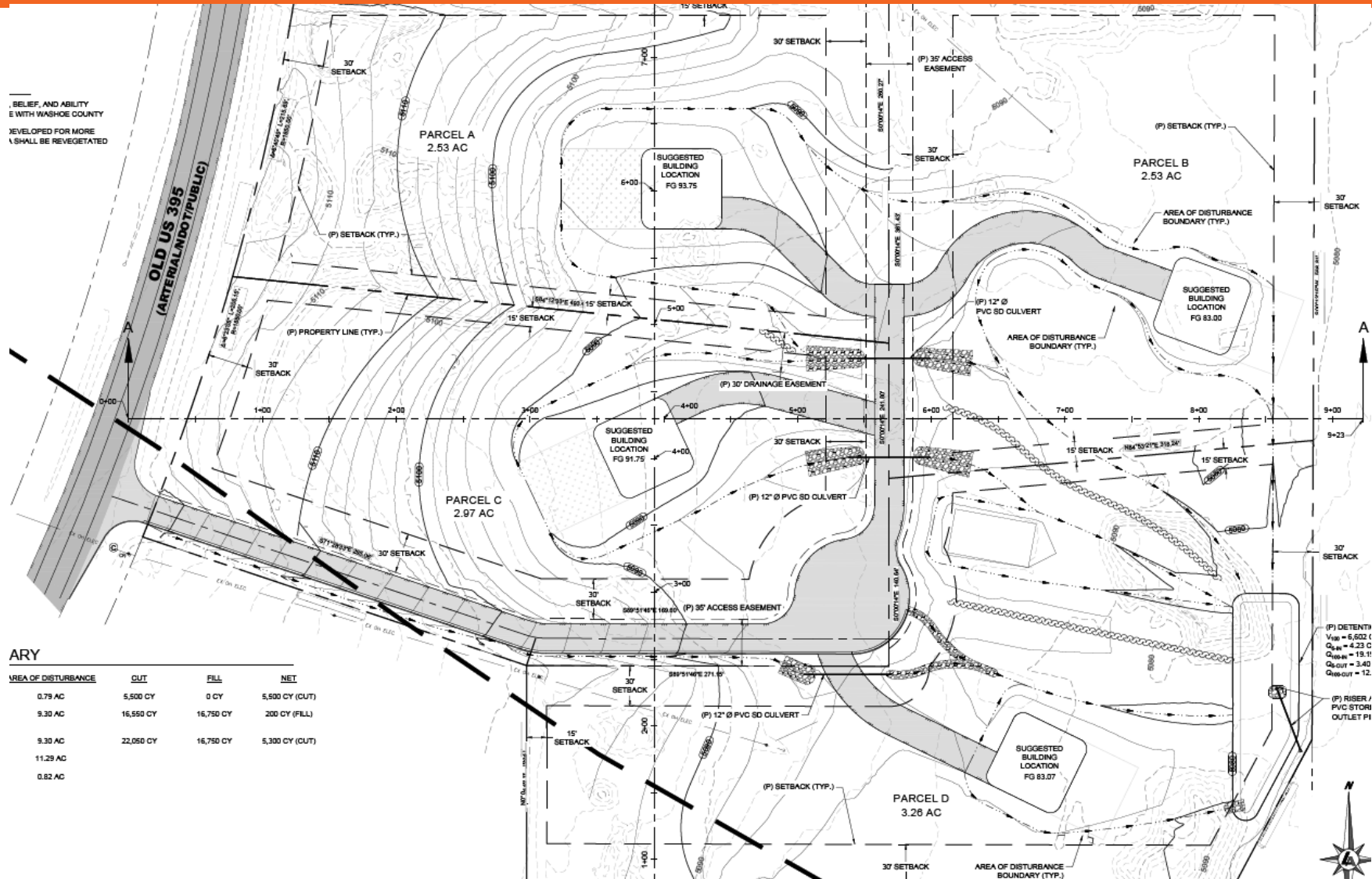


CINITY MAP

Phase 2

Phase 2

- Phase 2 includes grading for building pads, the roadway, installing utilities, paving, and complete restoration of BLM land.
- BLM provided the applicant with a seed mix which will be utilized on BLM land as part of the revegetation plan. Applicant has volunteered a 6-month time frame to complete phase 2.
- County staff has given the applicant 12-months to complete phase 2



... BELIEF, AND ABILITY
... WITH WASHOE COUNTY
... DEVELOPED FOR MORE
... SHALL BE REVEGETATED

ARY

AREA OF DISTURBANCE	CUT	FILL	NET
0.79 AC	5,500 CY	0 CY	5,500 CY (CUT)
9.30 AC	16,550 CY	16,750 CY	200 CY (FILL)
9.30 AC	22,050 CY	16,750 CY	5,300 CY (CUT)
11.29 AC			
0.62 AC			

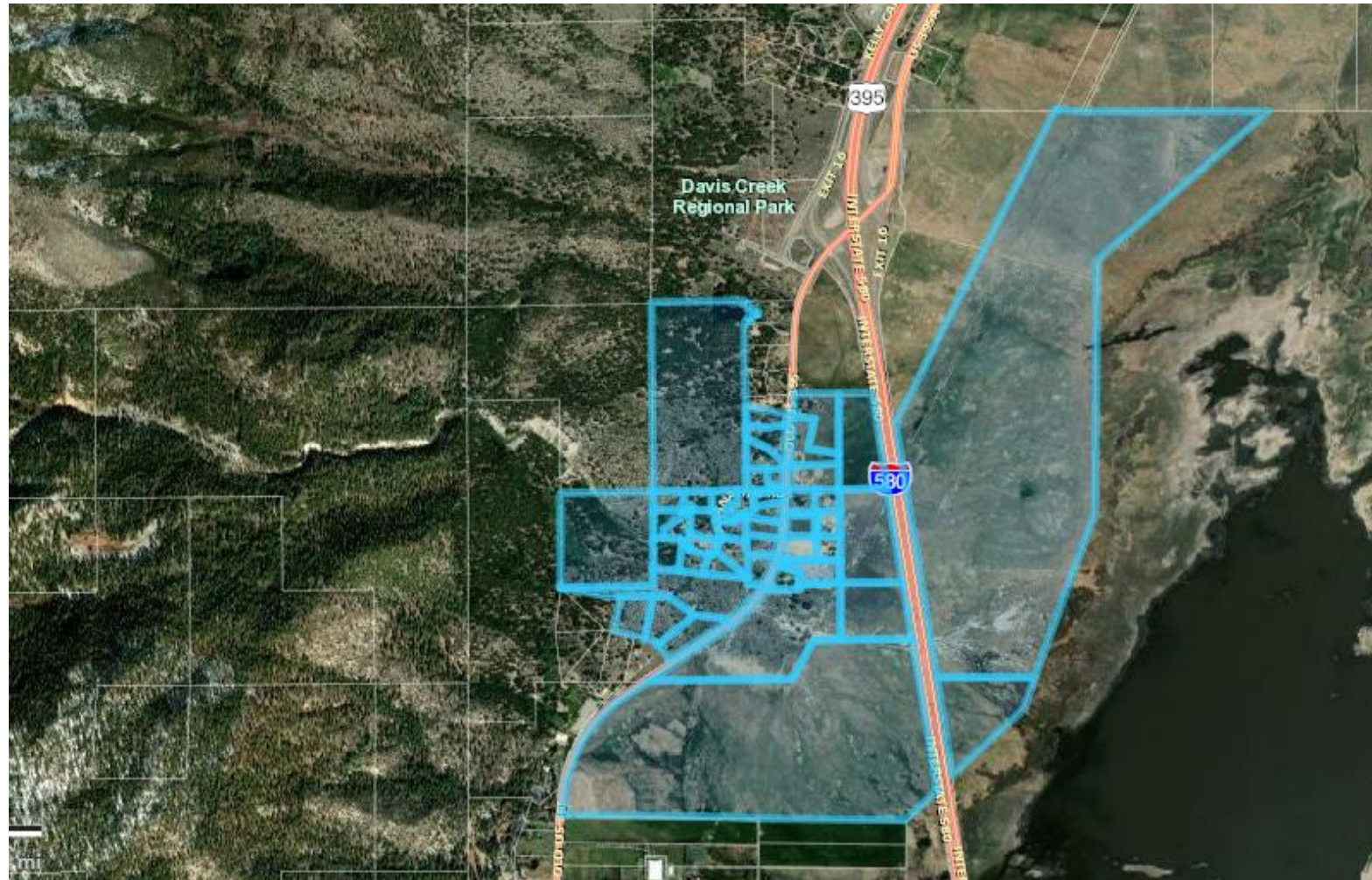
(P) DETENT
V_{max} = 5.602 C
Q_{max} = 4.23 C
Q_{mean} = 19.1'
Q_{cut} = 3.40
Q_{outlet} = 12.

(P) RISER /
PVC STORI
OUTLET PI

Neighborhood Meeting

- First neighborhood meeting held on August 8, 2022. The primary concern was related to roadway safety, house positioning, setbacks, legal access; and disruptions to it.
- Second neighborhood meeting on February 20, 2023. There were 2 citizens present at the neighborhood meeting. The primary concerns were related to the rock piles and if they would remain on site, trees along old highway 395, and the project timeline.

Noticing



- 39 Property Owners Noticed (48 total parcels)
- Notice distance was 2,000 feet

Amended Conditions

- New and Amended Conditions for Planning
- 1 g: Within 60 days of approval of WSUP22-0027 by Washoe County, a grading and full land restoration financial assurance estimate, based on an acceptable design from a third-party licensed engineer and landscape architect, shall be submitted to the County Engineer and Planning & Building Division Director for review and approval. This estimate shall include, but not necessarily be limited to, costs for removal of all stockpile and excavation material, grading of site to return to original grades and contours prior to illegal grading operations on the site, with complete restoration of vegetation and natural drainage patterns to the site to prevent erosion and sediment transport. This condition applies to APNs 046-032-02, -04, and -05, as well as the adjoining Bureau of Land Management parcel, APN 046-022-06, located immediately to the south. The approved design associated with the financial assurance estimate and accompanying financial assurance shall be provided to the Engineering Division prior to the issuance of any grading or building permits.

New Conditions

- New Conditions for Planning
- 1 i: Applicants shall submit sufficient documentation from BLM to Washoe County Planning and Washoe County Engineering and Capital Projects for restoration of the BLM parcel, APN 046-022-06, prior to the issuance of building and grading permits associated with the Phase 2 grading.
- 1 j: Construction plans shall include, and the applicant shall provide, revegetation for all previously disturbed areas. All previously disturbed areas shall be provided with irrigation for a period of not less than three years and for as long as necessary until vegetation in the previously disturbed areas is at least 70% the density of the vegetation in the adjacent undisturbed areas. The applicant shall provide financial assurances to the Planning and Building Division in an amount equal to 120% of the total estimated cost of reclamation of all previously disturbed areas to be held until all previously disturbed areas are successfully revegetated.

Amended Conditions

- Amended Condition for Engineering
- 3 h: Within 60 days of approval of WSUP22-0027 by Washoe County, a grading and full land restoration financial assurance estimate, based on an acceptable design from a third-party licensed engineer and landscape architect, shall be submitted to the County Engineer and Planning & Building Division Director for review and approval. This estimate shall include, but not necessarily be limited to, costs for removal of all stockpile and excavation material, grading of site to return to original grades and contours prior to illegal grading operations on the site, with complete restoration of vegetation and natural drainage patterns to the site to prevent erosion and sediment transport. This condition applies to APNs 046-032-02, -04, and -05, as well as the adjoining Bureau of Land Management parcel, APN 046-022-06, located immediately to the south. The approved design associated with the financial assurance estimate and accompanying financial assurance shall be provided to the Engineering Division prior to the issuance of any grading or building permits.

Financial Assurance



Financial Assurance Information

Please complete all fields

Requestor: Email:

Phone: Address:

Project Name:

Permit Number: Date:

Permit Expiration Date: Amount:

Permittee:

Reason:

Assurance Type:

- | | |
|---|--|
| <input type="checkbox"/> CASH / MONEY ORDER | <input type="checkbox"/> ESCROW ACCOUNT |
| <input type="checkbox"/> CASHIER'S CHECK | <input type="checkbox"/> IRREVOCABLE TRUST ACCOUNT |
| <input type="checkbox"/> CERTIFICATE OF DEPOSIT | <input type="checkbox"/> PERFORMANCE BOND <i>(Capital Projects & Engineering only)</i> |
| <input type="checkbox"/> LETTER OF CREDIT | |

Please note: No personal or business checks will be accepted.

Bank or Issuer:

Assurance Expiration Date:

- Cash/Money Order
- Cashier's Check
- Certificate of Deposit
- Escrow Account
- Irrevocable Trust Account

- (a) Consistency
- (b) Improvements.
- (c) Site Suitability.
- (d) Issuance Not Detrimental.
- (e) Effect on a Military Installation.
- (f) **SV.2.16:** The approval of all special use permits and administrative permits must include a finding that the community character as described in the Character Statement can be adequately conserved through mitigation of any identified potential negative impacts.
- (g) **SV.18.3:** The granting of special use permits in the South Valleys 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 Department of Health in the implementation of this policy.

Approve with Conditions:

I move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Board of Adjustment **approve with conditions** Special Use Permit Case Number WSUP22-0027 for Burdick Excavating, with the conditions included as Exhibit A to this matter, having made all five findings in accordance with Washoe County Code Section 110.810.30 and Forest Area Plan Policy SV.2.16 and SV.18.3:

Thank you

Chris Bronczyk, Senior Planner
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775-328-3612



COMMUNITY
SERVICES DEPARTMENT
