



WASHOE COUNTY BOARD OF ADJUSTMENT Notice of Meeting and Agenda

Thursday, October 5, 2023
1:30 p.m.

Board of Adjustment Members

Rob Pierce, Chair
Don Christensen, Vice-Chair
Kathie Julian
Peter Ghishan

Secretary

Trevor Lloyd
Kathie Julian

Washoe County Administrative Complex
Commission Chambers
1001 East Ninth Street, Building A
Reno, NV 89512

and available via
Zoom Webinar

This meeting will be held in the County Commission Chambers and via Zoom teleconference. To attend this meeting via Zoom teleconference, please log into the Zoom webinar at the following link: <https://us02web.zoom.us/j/87215675749> or you can join the meeting by typing zoom.us into your computer browser, clicking "Join a Meeting" on the ZOOM website, and entering this **Meeting ID: 872 1567 5749**. NOTE: This option will require a computer with audio and video capabilities.

Alternatively, you can join the meeting via telephone only by dialing +1 669-900-9128, entering the **Meeting ID: 872 1567 5749** and pressing #.

The meeting will be televised live and replayed on Washoe Channel at: <https://www.washoecounty.gov/mgrsoff/Communications/wctv-live.php> also on YouTube at: <https://www.youtube.com/user/WashoeCountyTV>.

PUBLIC HEARING ITEMS

(Complete case descriptions are provided beginning on page three of this agenda)

- **Amendment of Conditions Case Number WAC23-0011 (Ophir Hill) for WSUP22-0027 (Ophir Hill)**
- **Special Use Permit Case Number WSUP23-0013 (25 Arabian Way)**
- **Special Use Permit Case Number WSUP23-0024 (Mt. Rose – Ski Tahoe Tubing Hill)**

Possible Changes to Agenda Order and Timing. Discussion may be delayed on any item on this agenda, and items on this agenda may be taken out of order, combined with other items and discussed or voted on as a block, removed from the agenda, moved to the agenda of another later meeting or moved to or from the consent section. Items designated for a specified time will not be heard before that time but may be delayed beyond the specified time.

Public Comment. Public comments are welcomed during the public comment periods at the beginning and end of the meeting and during public hearing and planning items and are limited to three (3) minutes per person. Persons may not allocate unused time to other speakers.

During the general public comment periods at the beginning and end of the meeting, speakers may address any matter either on or off the agenda, including items heard on the consent section of the agenda. For the remainder of the agenda, public comment will only be heard during public hearing and planning items and should be about the specific item being considered by the Board. If an item is continued, then public comment will not be heard for that item until the date of the continued hearing.

Presentations and public comment for individual agenda items are limited as follows: fifteen minutes each for staff and applicant presentations and three minutes for individual speakers unless extended by

questions from the Board or by action of the Chair. All comments are to be directed to the Board as a whole and not to one individual. Emails will be included in the record but will only be read aloud during the meeting subject to the chair's discretion and if time permits.

Public Participation. Any public wishing to present printed materials at the hearing must bring six (6) printed copies. Any public wishing to show digital materials at the hearing (photos, presentation, etc.) must email the materials to Recording Secretary Adriana Albarran (AAlbarran@washoecounty.gov) by 4:00 p.m. the business day immediately preceding the meeting. Staff cannot accept thumb drives.

Members of the public may submit public comment by either attending the meeting in person, attending the meeting via teleconference or attending by telephone only. To provide public comment via Zoom, log into the ZOOM webinar at the above link and utilize the "Raise Hand" feature during any public comment period. To provide public comment via telephone only, press *9 to "Raise Hand" and *6 to mute/unmute.

Additionally, public comment can be submitted via email to washoe311@washoecounty.gov. The County will make reasonable efforts to send all email comments received by 4:00 p.m. on October 4, 2023, to the Committee members prior to the meeting.

Responses to Public Comments. The Board of Adjustment may deliberate or take action only if a matter has been listed on an agenda properly posted prior to the meeting. The Open Meeting Law does not expressly prohibit responses to public comments by the Board. However, responses from Board members to unlisted public comment topics could become deliberation on a matter without notice to the public. To avoid this situation and to ensure that the public has notice of all matters the Board will consider, members may choose not to respond to public comments, except to correct factual inaccuracies, ask for County staff action, or to ask that a matter be listed on a future agenda.

Forum Restrictions and Orderly Conduct of Business. The Board of Adjustment conducts the business of Washoe County and its citizens during its meetings. The presiding officer may order the removal of any person whose statement or other conduct disrupts the orderly, efficient or safe conduct of the meeting. Warnings against disruptive comments or behavior may or may not be given prior to removal. The viewpoint of a speaker will not be restricted, but reasonable restrictions may be imposed upon the time, place and manner of speech. Irrelevant and unduly repetitious statements and personal attacks which antagonize or incite others are examples of speech that may be reasonably limited.

Posting of Agenda. Pursuant to NRS 241.020(4)(b), the Agenda for the Board of Adjustment has been posted at the following location: Washoe County Administration Building (1001 E. 9th Street, Bldg. A); and has been electronically posted at https://www.washoecounty.gov/csd/planning_and_development/board_commission/board_of_adjustment/index.php and <https://notice.nv.gov>.

How to Get Copies of Agenda and Support Material. Copies of this agenda and supporting materials for the items on the agenda provided to the Board of Adjustment may be obtained on the Planning and Building Division's website at https://www.washoecounty.gov/csd/planning_and_development/board_commission/board_of_adjustment/index.php or at the Planning and Building Division Office (contact Adriana Albarran, 1001 E. Ninth Street, Building A, phone 775.328.2721 or e-mail aalbarran@washoecounty.gov). If you make a request, we can provide you with a link to a website, send you the material by email or prepare paper copies for you at no charge. Supporting materials are available to the public at the same time they are available to Board members. If material is distributed at a meeting, it is available within one business day after the meeting.

Special Accommodations. The facilities in which this meeting is being held are accessible to the disabled. Persons with disabilities who require special accommodations or assistance (e.g. sign language interpreters or assisted listening devices) at the meeting should notify the Washoe County Planning and Building Division at (775) 328-6100 at least two working days prior to the meeting.

Appeal Procedure. Most decisions rendered by the Board of Adjustment are appealable to the Board of County Commissioners. If you disagree with the decision of the Board of Adjustment and you qualify as an aggrieved person/party, you may appeal the decision in writing within ten (10) calendar days from the date that the decision being appealed is reduced to writing, filed with the Secretary of the Board of Adjustment, and mailed to the original applicant in the proceeding being appealed, in accordance with Washoe County Code. Please call the Planning staff immediately at (775) 328-6100 for information on the appeal procedure and application fee.

AGENDA

1:30 p.m.

1. **Determination of Quorum** [Non-action item]
2. **Pledge of Allegiance** [Non-action item]
3. **Ethics Law Announcement and Instructions for Providing Public Comment via Zoom/Telephone** [Non-action item]
4. **Appeal Procedure** [Non-action item]
5. **Public Comment** [Non-action item]

Comment heard under this item will be limited to three minutes per person and may pertain to matters both on and off the agenda. However, action may not be taken on any matter raised during this public comment period until the matter is specifically listed on an agenda as an action item. Comments are to be made to the Board of Adjustment as a whole.

6. **Approval of the October 5, 2023 Agenda** [For possible action]
7. **Approval of the [September 7, 2023](#) Draft Minutes** [For possible action]

Board members may identify any additions or corrections to the draft minutes as transcribed.

8. **Public Hearing Items** [For possible action]

A. [Amendment of Conditions Case Number WAC23-0011 \(Ophir Hill\) for WSUP22-0027 \(Ophir Hill\)](#) [For Possible Action] – For hearing, discussion, and possible action to approve an amendment of conditions for Special Use Permit Case Number WSUP22-0027 (Ophir Hill). The amendment is related to landscaping.

- Applicant/Property Owner: Burdick Excavating Co. Inc
- Location: 632 Old US 395
- APN: 046-032-02; 046-032-04; 046-032-05
- Parcel Size: 5.29 ac; 2.48 ac; 3.58 ac
- Master Plan: Rural Residential (RR)
- Regulatory Zone: High Density Rural (HDR)
- Area Plan: South Valleys
- Development Code: Authorized in Article 810, Special Use Permits
- Commission District: 2 – Commissioner Clark
- Staff: Chris Bronczyk, Senior Planner
Washoe County Community Services Department
Planning and Building
- Phone: 775.328.3612
- E-mail: cbronczyk@washoecounty.gov

B. [Special Use Permit Case Number WSUP23-0013 \(25 Arabian Way\)](#) [For Possible Action] – For hearing, discussion, and possible action to approve a special use permit for unpermitted major grading. The unpermitted grading consists of approximately 18,000 cy of cut, 18,000 cy of fill. The cut and fill encompass an area of 4.77 acres; however, the entire site has

been cleared of vegetation. The overall disturbance is 25.6 acres. The submittal includes two (2) grading proposals, one which includes 5,000 cy of import over an area of 1.2 acres to remediate the unpermitted grading; the other includes 8,000 cy of import over 1.38 acres.

- Applicant/Property Owner: Mark and Michelle Williams
- Location: 25 Arabian Way
- APN: 078-142-22; 078-400-01; 078-142-16; 078-142-15
- Parcel Size: 24.18 acres; 0.4 acres; 0.3 acres; 1.30 acres
- Master Plan: Rural Residential (RR)
- Regulatory Zone: Low Density Rural (LDR)
- Area Plan: North Valleys
- Development Code: Authorized in Article 810, Special Use Permits
- Commission District: 5 – Commissioner Herman
- Staff: Chris Bronczyk, Senior Planner
Washoe County Community Services Department
Planning and Building
- Phone: 775.328.3612
- E-mail: cbronczyk@washoecounty.gov

C. Special Use Permit Case Number WSUP23-0024 (Mt. Rose – Ski Tahoe Tubing Hill)

[For Possible Action] – For hearing, discussion, and possible action to approve a special use permit for a tubing hill with up to 15 lanes and a conveyor belt for transporting tubers up the hill. The request constitutes an expansion to an existing Destination Resort. The grading proposal includes 33,000 cubic yards of cut, 9.27+/- acres of disturbance, and 8,000 cubic yards of fill. The applicant is also requesting to vary grading standards as part of the application, specifically 110.438.45(c) to allow for finish grading to vary from natural slope by more than 10 feet and 110.438.50(a) to allow for rip rap. Additional standards to be varied are Section 110.410.25(c) & (g) to remove the requirement for wheel stops and parking area lighting, as well as Section 110.412.50(a) & (f) to remove the requirement for one tree for every 10 parking spaces and the placement of a tree no further than 12 parking spaces apart within a parking area. This applicant is also requesting to vary standards in Section 110.204.05(d)(1) to remove the requirement for parking courts (50 parking spaces or less, separated by landscaped areas).

- Applicant/Property Owner: Mt. Rose Development Company
- Location: 0 Mt. Rose Highway, Reno, NV 89511
- APN: 048-112-12 & 048-112-13
- Parcel Size: 340.93 acres & 41.42 acres
- Master Plan: Rural & Commercial
- Regulatory Zone: Tourist Commercial (TC) & Parks and Recreation (PR)
- Area Plan: Forest
- Development Code: Authorized in Article 810, Special Use Permits
- Commission District: 2 – Commissioner Clark
- Staff: Katy Stark, Planner
Washoe County Community Services Department
Planning and Building
- Phone: 775.328. 3618
- E-mail: krstark@washoecounty.gov

9. Chair and Board Items [Non-action item]

- A. Future Agenda Items
- B. Requests for Information from Staff

10. Director's and Legal Counsel's Items [Non-action item]

- A. Report on Previous Board of Adjustment Items
- B. Legal Information and Updates

11. Public Comment [Non-action item]

Any person is invited to speak on any item on or off the agenda during this period. Action may not be taken on any matter raised during this public comment period until the matter is specifically listed on an agenda as an action item.

12. Adjournment [Non-action item]