

06/07/22 PC AGENDA SHEET

GRAVEL PIT
(TITLE 30)

MALLARD ST/WINSOR AVE
(MOAPA VALLEY)

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WC-22-400044 (UC-0932-05)-WHIPPLE SUSAN:

WAIVER OF CONDITIONS for a use permit for a gravel pit and rock crushing operation to have until July 21, 2022 to discontinue the use on 35.3 acres in an R-U (Rural Open Land) Zone within the Moapa Valley Design Overlay District.

Generally located on the south side of Bowman Road (alignment) and the west side of Mallard Street (alignment), 0.5 miles west of Moapa Valley Boulevard within Moapa Valley. MK/al/syp (For possible action)

RELATED INFORMATION:

APN:

041-16-801-001 through 041-16-801-004

LAND USE PLAN:

NORTHEAST COUNTY (MOAPA VALLEY) - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 35.3
- Project Type: Gravel pit and rock crushing operation

History

The original application was to re-establish land use entitlements on a 35.3 acre site in Moapa Valley for a gravel pit operation involving the extraction, crushing, screening, and washing of sand and gravel, together with storage of related equipment, bins, stockpiles, and scales. The operation was originally approved in September 1994; however, that application expired prompting the applicant to reapply in 2005. The use permit was approved with a time limit of 7 years for review. In 2012 the applicant filed for an extension of time UC-0932-05 (ET-0092-12) to continue the gravel pit and rock crushing operation. The extension of time was approved until July 21, 2022, to discontinue the use. The applicant wants to continue to operate the facility and has filed this request to waive the condition to discontinue the use.

Previous Conditions of Approval

Listed below are the approved conditions for UC-0932-05 (ET-0092-12):

- Until July 21, 2022, to discontinue the use;
- All applicable standard conditions for this application type.
- Applicant is advised that any change in circumstances or regulations may be justification for denial of an extension of time.

Listed below are the approved conditions for UC-0932-05:

- Subject to 7 years for review;
- All applicable standard conditions for the application type.
- Applicant is advised that any change in circumstances or regulations may be justification for the denial of an extension of time; and that this application must commence within 2 years of approval date, or it will expire.

Applicant's Justification

The applicant indicates that the gravel pit and rock crushing operation have been in business for nearly 30 years. The facility has an exceptional safety record and employs up to 20 members of the community when work is warranted. This is a successful business and should remain in operation. The applicant believes the requirement to discontinue the use should be removed, and based on the length of time the facility has been in operation, requests no further reviews.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0932-05 (ET-0092-12)	First extension of time for a gravel pit and rock crushing operation	Approved by PC	September 2012
UC-0932-05	Gravel pit and rock crushing operation	Approved by PC	July 2025
UC-1086-94	Gravel pit and rock crushing operation – expired	Approved by BCC	September 1994

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Open Lands	R-U	Undeveloped
South	Ranch Estate Neighborhood (up to 2 du/ac)	R-U	Undeveloped
East	Ranch Estate Neighborhood (up to 2 du/ac)	R-U	Single family residential & agricultural uses

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis

Current Planning

The site is located in a rural area with little development adjacent to the site. With the original approval of the use permit, the Planning Commission determined this was an appropriate location for a gravel pit and rock crushing operation. Staff finds that there have been no significant changes in this area that would make this use no longer appropriate for the area and can support the continued operation of the facility. However, circumstances could change in the future at which time the gravel pit and rock crushing operation would no longer be appropriate for the area. There are similar existing facilities in other locations in the County, and when the uses were established, the sites were in rural undeveloped areas but over several years developments that are not compatible with these uses have surrounded these facilities, which has led to conflicts between the property owners. Part of the reason why the Code (Table 30.44-1) requires the Planning Commission or Board of County Commissioners to establish a time limit for these uses to be discontinued is to help ensure that there are no conflicting land uses adjacent to each other in the future. Therefore, staff can support the request to allow the business to continue operations at this time, but staff does not support the request to allow the use to continue without any future ability to assess the continued appropriateness of the use.

Staff Recommendation

Approval.

Approval of the waiver of conditions request constitutes a finding by the Commission/Board that the condition will no longer fulfill its intended purpose.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Until July 21, 2032 to discontinue the use or submit an extension of time application as a public hearing to extend the time limit.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- No comment.

TAB/CAC:
APPROVALS:
PROTEST:

APPLICANT: JMR CONSULTING, LLC

CONTACT: JMR CONSULTING, LLC, PO BOX 1632, OVERTON, NV 89040