

DRAFT: March 25, 2022

WORKING COPY
INFORMATION ONLY

REGULAR TEXT: NO CHANGE IN LANGUAGE

~~STRIKEOUT TEXT:~~ DELETED LANGUAGE

BOLD TEXT: NEW LANGUAGE

Notice: Per NRS 239B.030, this document does not contain personal information as defined in NRS 603A.040
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Summary: Amended and Restated Development Agreement to extend the deadline for filing the first final map for the Sierra Reflections subdivision (Tentative Map Case Number TM06-001) to June 14, 2024.

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BILL NO. _____

ORDINANCE NO. _____

TITLE: An ordinance pursuant to Nevada Revised Statutes 278.0201 through 278.0207 approving an "Amended and Restated Development Agreement (Sierra Reflections)" between Washoe County and World Properties, Inc. for Sierra Reflections, a residential subdivision originally approved in 2006 (Tentative Map TM06-001). The project is a 938-lot, single-family residential, common open space subdivision as authorized in Article 408 of the Washoe County Development Code. This agreement extends the deadline for filing the first final map from June 14, 2022 to June 14, 2024.

The project is bordered on the north by Pagni Lane, on the east by old US Highway 395, on the south and as far south as Little Washoe Lake in the Pleasant Valley area. The project encompasses 29 parcels that total approximately 759.6 acres. The parcels are located within the South Valleys Area Plan and Washoe County Commission District No. 2. (Assessor's Parcel Numbers: 046-080-40; 046-060-45, 47, & 55; 046-100-02, 03, 04, 07, & 10; 046-090-01, and 04 through 18, and 23 through 26).

WHEREAS:

- A. A tentative subdivision map for the proposed Sierra Reflections Subdivision was approved on or about May 2, 2006 as TM06-001; and

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- B. The deadline for filing a final map in accordance with NRS 278.360 was originally extended under a Development Agreement entered into and approved by the Board of County Commissioners on March 18, 2008 and recorded on May 2, 2013 as Document 4232960, Official Records of Washoe County; and
- C. The deadline for filing a final map was further extended to June 14, 2014, under an Amended and Restated Agreement, as approved by the Board of County Commissioners on May 25, 2010 and recorded on June 10, 2010 as Document 3889997; and
- D. The deadline for filing a final map was further extended to June 14, 2018, with a possible further extension to June 14, 2020, at the discretion of the Director of Planning and Development for Washoe County, under an Amended and Restated Agreement, as approved by the Board of County Commissioners on May 13, 2014 and recorded on May 16, 2014 as Document 4354830;
- F. The deadline for filing a final map was further extended to June 14, 2020, with a possible further extension to June 14, 2022, at the discretion of the Director of Planning and Building for Washoe County, under an Amended and Restated Agreement, as approved by the Board of County Commissioners on April 28, 2020, along with the approval of Amended Conditions of Approval for TM06-001; and
- G. For good cause appearing, the Board of County Commissioners desires to amend and restate the development agreement entered into on April 28, 2020 to further extend the deadline for filing a final map to June 14, 2024; and
- H. The Board has determined that the proposed amendment is consistent with the Master Plan for Washoe County.
- I. The Board determines that this action is being taken under NRS 278.0205, and therefore is not a rule within the meaning of NRS 237.060;

NOW THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE DOES HEREBY ORDAIN:

SECTION 1.

The "Amended and Restated Development Agreement (Sierra Reflections)" which also incorporates the amended conditions of approval previously

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approved by the Board on April 28, 2020, and which is attached hereto as Attachment A-1 is hereby APPROVED by this ordinance. The Chair is authorized to execute and deliver it for recording in the official records of Washoe County.

SECTION 2. General Terms.

1. All actions, proceedings, matters and things heretofore taken, had and done by the County and its officers not inconsistent with the provisions of this Ordinance are ratified and approved.
2. The Chair of the Board and the officers of the County are authorized to take all action necessary or appropriate to effectuate the provisions of this ordinance. The District Attorney is authorized to make non-substantive edits and corrections to this Ordinance.
3. All ordinances, resolutions, bylaws and orders, or parts thereof, in conflict with the provisions of this ordinance are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance, resolution, bylaw or order, or part thereof, heretofore repealed.
4. Each term and provision of this ordinance shall be valid and shall be enforced to the extent permitted by law. If any term or provision of this ordinance or the application thereof shall be deemed by a court of competent jurisdiction to be in violation of law or public policy, then it shall be deemed modified, ipso facto, to bring it within the limits of validity or enforceability, but if it cannot be so modified, then it shall be excised from this ordinance. In any event, the remainder of this ordinance, or the application of such term or provision to circumstances other than those to which it is invalid or unenforceable, shall not be affected.

Proposed on _____ (month) _____ (day), _____ 2022.

Proposed by Commissioner _____.

Passed _____ (month) _____ (day), _____ 2022.

Vote:

Ayes: Commissioners _____

DRAFT: March 25, 2022

Nays: Commissioners _____
Absent: Commissioners _____.

Attest:

Janis Galassini, County Clerk

Vaughn Hartung, Chair
Washoe County Commission

This ordinance shall be in force and effect from and after the 3rd
day of the month of June of the year 2022.

When recorded, return to:
World Properties Inc.
4100 Joy Lake Road
Reno, NV, 89511

APNs: 046-080-40; 046-060-45, 47, & 55; 046-100-02, 03, 04, 07, & 10; 046-090-01, and 04 through 18, and 23 through 26

Recorder Affirmation Statement: The undersigned hereby affirms that this document, including any exhibit, hereby submitted for recording does not contain the social security number of any person or persons (per NRS 239B.030(2)).

Attachment A-1

AGREEMENT

THIS AGREEMENT ("Agreement") is made by and between **WORLD PROPERTIES, INC.**, a Nevada corporation (the "Landowner"), and the **COUNTY OF WASHOE**, a political subdivision of the State of Nevada, ("County").

1. GENERAL.

1.1 Property. The Landowner is the owner of real property located in Washoe County, Nevada consisting of approximately 760 acres in Pleasant Valley (the "Property") as more particularly described in Exhibit A, attached hereto.

1.2 Tentative Map. The Property has a County land use designation including General Rural, Medium Density Rural, Low Density Suburban, Medium Density Suburban, and Public/Semi Public Facilities with a total number of residential dwelling units allowed by the existing land use designations being 1,087. On May 5, 2006, the County issued its Action Order approving a tentative map application of the Landowner for the Property known as Tentative Subdivision Map Case File No. TM06-001 (Sierra Reflections) (the "Tentative Map") attached hereto as Exhibit B, including the Amended Conditions of Approval approved by the Board of County Commissioners on April 28, 2020. The Tentative Map was a project of Regional Significance and received its final approval from the Truckee Meadows Regional Planning Commission on June 14, 2006. The development of the Property must be conducted pursuant to the provisions of the Tentative Map and the Washoe County Development Code (the "Code").

1.3 Previous Final Maps. Landowner has not recorded a final map for any portion of the project.

1.4 Prior Development Agreements. On March 18, 2008, June 14, 2010, May 13, 2014, and April 28, 2020 the parties entered into Agreements concerning the development of land (the "Prior Agreements") authorized by NRS 278.0201 and Article 814 of the Code. The Prior Agreements among other things provides for an extension of time for Landowner to record the first final map (the "Final Map") to June 14, 2022. The Prior Agreements are amended, restated and superseded in their entirety by this Agreement, and this Agreement constitutes an amendment to a development agreement(s) authorized by NRS 278.0205 and Section 110.814.40 of the Code. By approving this Agreement upon recommendation of the Director of Planning and Building, the Board of County Commissioners has reviewed the Prior Agreements and agreed to amend them, hereby as provided in NRS 278.0205 and Section 110.814.35 of the Code. Pursuant to Section 110.814.35 of the Code, County acknowledges notice that the terms and conditions of the Prior Agreements have been complied with, and Landowner has demonstrated its good faith compliance with the terms of the Prior Agreements.

1.5 Next Final Map Requirement. Pursuant to NRS 278.360(1), unless the parties have entered into this agreement concerning the development of land authorized by NRS 278.0201, the Landowner must cause a final map (the "Final Map") to be submitted prior to the expiration of the current recorded Development Agreement by June 14, 2022.

1.6 Circumstances Requiring an Extension of Time and Benefit to the County. Additional time is requested to work through several issues related to this development which benefits both the developer and County. Key issues include 1) Completion of construction of the Reach 3 and Reach 4 sanitary sewer lines through Pleasant Valley and South Meadows that will

require an amendment to the current approved reimbursement agreement with the county regarding surcharge payments based on current proposed connection plans from Reach 4 to Reach 3 south of Towne Drive. In addition, Reach 4 is planned for the west side of SR 430 through Pleasant Valley where the Nevada Department of Transportation (NDOT) is currently working with the Regional Transportation Commission on a joint use path along the west side of the highway. NDOT has expressed concern in reviewing Reach 4 plans before the alignment is set, and 2) Initial Design of TMWA water facilities and systems to serve the Property; with the absorption of Washoe County Water Resources into the Truckee Meadows Water Authority, a new water plan must be developed to meet TMWA requirements that is compatible with TMWA facilities and systems. Major studies have been completed but we still await a key TMWA discovery at the time of filing of this agreement.

The parties believe it is in the public interest to enter into this Agreement and provide, among other matters, additional time to design and establish phasing and financing for the infrastructure and construction of the development.

2. AGREEMENT CONCERNING DEVELOPMENT OF LAND.

2.1 Compliance with NRS 278.0201 and Code. This Agreement is an agreement concerning the development of land under NRS 278.0201 and Article 814 of the Code. The Landowner is the owner of fee title to the Property, and therefore has a legal interest in the Property. In compliance with NRS 278.0201(1), the following covenants, terms and conditions are set forth:

2.1.1. The land which is subject to this Agreement is approximately 760 acres in Pleasant Valley, more particularly described in Exhibit A: Legal Description.

2.1.2. The duration of this Agreement shall be until June 14, 2024, provided that all the terms of this Agreement shall remain binding and enforceable regarding construction or development commenced, and any related permits, on any portion of the Property subject to a tentative map, a recorded final map or any use permit in existence at the time of expiration of this Agreement.

2.1.3. This agreement shall terminate and all of the amended conditions of approval dated April 28, 2020 for TM06-001 shall be in full force and effect upon recordation of the final map or the first final map in a series. Changes in federal, state or county law concerning public health, safety or welfare will apply to any final map or other permit. Final maps must then be filed in accordance with NRS 278.360.

2.1.4. The permitted uses on the Property and the density or intensity of its use, are as provided in the Tentative Map and the Code. The permitted use of the Property pursuant to the Tentative Map is a 938-lot single family dwelling development on 760 acres, which complies with the Property's land use designation.

2.1.5. The maximum height and size of the proposed buildings will comply with the Tentative Map.

2.1.6. The provisions for the dedication of any portion of the Property for public use are as provided in the Tentative Map and the Code. As part of this common open

space development there is a public trail planned through the Project that will provide access to and through common areas to adjoining properties. With the approval of this Agreement, the Landowner agrees to grant to the County a non-exclusive public trail easement as generally depicted on the Tentative Map on terms and conditions mutually acceptable to the County and the Landowner specifically reserving to the Landowner the right to relocate this easement as development of the Project proceeds.

2.1.7. Terms and conditions relating to construction and financing of necessary public improvements and facilities are in accordance with and as provided for in the Tentative Map and the Code, and will also be in accordance with any subdivision improvement agreements for future final maps.

2.1.8. Phasing and deadline dates for project grading and development with information on required bonding or other acceptable guarantees of performance and completion (Article 110.610 Washoe County Development Code) for each development phase or stage will be addressed with the submittal of each final map.

2.1.9 The next final map, to be a minimum of five lots, shall be recorded on or before June 14, 2024. All successive final maps, if the Landowner chooses to record in a series, must include a minimum of five lots. Unless otherwise provided herein, the deadlines for any final maps shall be governed by NRS 278.360.

2.1.10 Development standards for the Project are set forth in the conditions and requirements of the Tentative Map, the Board of County Commission's Action Order dated May 5, 2006 attached hereto as Exhibit B, and future final maps.

2.1.11 No disturbance of any kind shall occur within any sensitive or critical stream zone buffer without an approved Special Use Permit.

2.2 Code and Changes to the Law. The parties agree that changes in federal, state or county law concerning public health, safety or welfare will apply to any final map or other permit.

2.3 Public Notice. Any and all public notices required to be given in connection with this amendment to the Prior Agreements shall be given in accordance with Section 110.814.25 of the Code.

2.4 Assumption of Risk. The Landowner acknowledges and agrees that the Landowner is proceeding voluntarily and at its own risk in entering into this Agreement and without advice, promises or guarantees of any kind from the County, other than as expressly set forth herein. The Landowner waives any claims for damages against the county that might arise out of, or relate to, a subsequent court determination that this Agreement or any provision in it is invalid and/or unenforceable, including any claim based on NRS 278.0233(1) regarding the requirements, limitations, or conditions imposed pursuant to this Agreement.

2.5 Default and Termination of Agreement. This Agreement shall become null and void, in the event of noncompliance with any term or deadline set forth in this Agreement if the breaching party fails to fully cure such noncompliance after reasonable written notice and opportunity to cure,

and all proceedings concerning the Tentative Map shall be terminated , provided that all the terms of this Agreement shall remain binding and enforceable regarding construction or development commenced, and any related permits, on any portion of the Property subject to a tentative map, a recorded final map or any use permit in existence at the time of termination of this Agreement.

3. MISCELLANEOUS PROVISIONS.

3.1 Time is of the Essence. Time is of the essence of this Agreement.

3.2 Waivers. No waiver of any breach of any covenant or provision herein contained shall be deemed a waiver of any preceding or succeeding breach thereof, or of any other covenant or provision herein contained. No extension of time for performance of any obligation or act shall be deemed an extension of time for performance of any other obligation or act except those of the waiving party, which shall be extended by a period of time equal to the period of the delay.

3.3 Assignability of the Agreement. This Agreement shall be binding upon and inure to the benefit of all future successors in interest of the Property as described in Exhibit A (Legal Description), and the successor shall assume the duties and obligations under this Agreement.

3.4 Entire Agreement. This Agreement is the final expression of, and contains the entire agreement between, the parties with respect to the subject matter hereof and supersedes all prior understandings with respect thereto.

3.5 Governing Law. The parties hereto acknowledge that this Agreement has been negotiated and entered into in the State of Nevada. The parties hereto expressly agree that this Agreement shall be governed by, interpreted under, and construed and enforced in accordance with the laws of the State of Nevada and venue for any action shall be solely in state district court for Washoe County, Nevada.

3.6 Days of Week. If any date for performance herein falls on a Saturday, Sunday or holiday, pursuant to the laws of the State, the time for such performance shall be extended to 5:00 p.m. on the next business day.

3.7 Written Amendments. Amendments to this Agreement, if any shall be approved as provided in NRS 278.0205.

3.8 Future Cooperation. Each party shall, at the request of the other, at any time, execute and deliver to the requesting party all such further instruments as may be reasonably necessary or appropriate in order to effectuate the purpose and intent of this Agreement.

3.9 Third Party Beneficiary Rights. This Agreement is not intended to create any third-party beneficiary rights in any person not a party hereto.

3.10 Interpretation. The parties hereto acknowledge and agree that each has been given the opportunity to review this Agreement with legal counsel independently. The parties have equal bargaining power and intend the plain meaning of the provisions herein. In the event of an

ambiguity in or dispute regarding the interpretation of the Agreement, the interpretation of this Agreement shall not be resolved by any rule of interpretation providing for interpretation against the party who causes the uncertainty to exist, or against the draftsmen.

3.11. Counterparts. This instrument may be executed in two or more counterparts, which, when taken together, shall constitute one and the same instrument. Any signature page of this instrument may be detached from any counterpart without impairing the legal effect of any signatures thereon, and may be attached to another counterpart identical in form thereto, but having attached to it one or more additional signature pages.

[Signatures appear on following page]

[Signature page to Development Agreement]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date above last written below.

LANDOWNER:

**WORLD PROPERTIES, INC., a Nevada
CORPORATION**

By: _____

Date: _____

Name: _____

Title: _____

COUNTY:

**COUNTY OF WASHOE, a political
subdivision of the State of Nevada, by its
BOARD OF WASHOE COUNTY
COMMISSIONERS**

By: _____
_____, Chairman

Date: _____

ATTEST:

_____, County Clerk

STATE OF NEVADA)
)ss.
COUNTY OF WASHOE)

 This instrument was acknowledged before me on _____, 20____, by
_____ as a _____ of World Properties, Inc., a Nevada corporation.

My Commission Expires: _____

STATE OF NEVADA)
)ss.
COUNTY OF WASHOE)

 This instrument was acknowledged before me on April _____, 2009, by
_____, as Chair of the Washoe County Commission, County of Washoe.

Notary Public
My Commission Expires: _____

Exhibit “A

LEGAL DESCRIPTION OF PROJECT PROPERTY

DESCRIPTION

SIERRA REFLECTIONS SUBDIVISION

A parcel of land situated within Sections 13, 14 and 23, T17N, R19E, and Section 18, T17N, R20E, MDM, Washoe County, Nevada; more particularly described as follows:

Beginning at the northwest corner of said Section 18;
thence along the north line of said Section 18, S 89°25'39" E, 330.12 feet to the terminus of Pagni Lane;
thence along said terminus, S 02°52'29" E, 36.38 feet;
thence along the south line of said Pagni Lane the following five (5) courses and distances:
N 89°44'46" E, 1012.27 feet;
on the arc of a 612.12 foot radius curve to the left through a central angle of 10°13'50" a distance of 109.30 feet to a point of reverse curvature;
on the arc of a 561.11 foot radius curve to the right through a central angle of 11°03'25" a distance of 108.28 feet to a point on the said north line of Section 18;
along said north line of Section 18, S 89°25'39" E, 730.02 feet;
S 87°36'44" E, 667.25 feet to a point on the westerly line of U. S. Highway 395;
thence along said westerly line the following nine (9) courses and distances:
on the arc of a 2050.00 foot radius curve to the left from a tangent bearing S 08°32'54" E through a central angle of 05°50'57" a distance of 209.28 feet;
S 14°23'51" E, 743.62 feet;
on the arc of a 1950.00 foot radius curve to the right through a central angle of 22°10'10" a distance of 754.51 feet;
S 19°07'09" W, 262.20 feet;
on the arc of a 1180.00 foot radius curve to the left through a central angle of 02°04'41" a distance of 42.80 feet;
N 70°50'30" W, 6.58 feet;
S 19°09'30" W, 703.91 feet;
N 89°16'28" W, 167.75 feet;
S 19°09'30" W, 472.78 feet to a point on the north-south centerline of said Section 18;
thence along said north-south centerline N 00°28'08" E, 448.53 feet to the center of said Section 18;
thence along east-west centerline of said Section 18, N 89°16'28" W, 660.01 feet to the northeast corner of the NW1/4 NE1/4 SW1/4 of said Section 18;
thence along the north-south centerline of the said NE1/4 SW1/4 of said Section 18, S 00°28'08" W, 1322.21 feet to the southeast corner of the SW1/4 NE1/4 SW1/4 of said Section 18;
thence along the east-west centerline of the SW1/4 of said Section 18, N 89°09'42" W, 333.42 feet to the northeast corner of the W1/2 NW1/4 SE1/4 SW1/4 of Section 18;
thence along the east line of said W1/2 NW1/4 SE1/4 SW1/4 of Section 18, S 00°29'00" W, 217.31 feet to a point on the northwesterly line of said U. S. Highway 395;
thence along said northwesterly line the following five (5) following courses and distances:
S 73°05'49" W, 1702.62 feet to a point on the west line of said Section 18;
along said west line of Section 18, S 00°46'13" W, 156.71 feet;
S 72°39'10" W, 176.57 feet;
on the arc of a non-tangent 1250.00 foot radius curve to the left from a tangent bearing

on the arc of a non-tangent 1250.00 foot radius curve to the left from a tangent bearing S 72°58'25" W through a central angle of 22°01'32" a distance of 480.52 feet;
S 71°25'58" W, 529.92 feet to a point on the south line of said Section 13;
thence along said south line, S 89°00'31" W, 1548.93 feet to the south one quarter corner of said Section 13;
thence N 88°28'49" W, 2596.63 feet to the southwest corner of said Section 13;
thence along the east line of said Section 23, S 01°20'54" W, 660.14 feet to the southeast corner of the N1/2 NE1/4 NE1/4 of said Section 23;
thence along said south line of said N1/2 NE1/4 NE1/4 of Section 23, N 89°31'48" W, 1138.21 feet to a point on the easterly line of U. S. Highway 395 Freeway;
thence along said easterly line the following twenty-four (24) courses and distances:
N 27°25'39" E, 132.09 feet;
N 18°58'21" E, 613.62 feet;
N 14°53'55" E, 302.48 feet;
N 27°25'39" E, 1246.72 feet;
N 15°22'17" E, 294.99 feet;
N 35°22'52" E, 410.04 feet;
N 58°33'47" E, 134.38 feet;
on the arc of a non-tangent 3789.36 foot radius curve to the right from a tangent bearing N 38°01'22" E through a central angle of 10°11'54" a distance of 674.49 feet;
S 89°51'17" E, 345.00 feet;
N 37°39'12" W, 270.48 feet;
on the arc of a non-tangent 3838.57 foot radius curve to the right from a tangent bearing N 52°20'48" E through a central angle of 10°25'00" a distance of 697.87 feet;
N 62°45'48" E, 474.02 feet;
N 63°15'50" E, 650.74 feet;
S 52°30'22" E, 264.13 feet;
N 63°15'48" E, 86.44 feet;
N 63°15'00" E, 28.39 feet;
N 41°48'56" E, 246.74 feet;
N 63°15'48" E, 803.80 feet;
N 33°56'51" E, 170.99 feet;
N 71°45'55" E, 299.98 feet;
N 53°09'00" E, 185.70 feet;
N 31°03'47" E, 412.27 feet;
N 49°19'32" W, 32.81 feet;
on the arc of a non-tangent 2165.35 foot radius curve to the left from a tangent bearing N 40°40'28" E through a central angle of 11°47'07" a distance of 445.39 feet to a point on the north line of said Section 13;
thence along said north line, N 89°25'57" E, 717.68 feet to the point of beginning.
Containing 758.99 acres, more or less.



2/18/22

Basis of bearings is Nevada State Plane Coordinate System, West Zone Grid, NAD83/94.

C and M Engineering
5488 Reno Corporate Drive, Suite 200B
Reno, NV 89511

Exhibit “B”

Action Order



Community Development

"Dedicated to Excellence in Public Service"

Adrian P. Freund, AICP, Community Development Director



ACTION ORDER

May 5, 2006

Fred Woodside
World Properties
4100 Joy Lake Road
Reno, NV 89511

Dear Applicant:

As filed with the Department of Community Development, the Washoe County Planning Commission, at its regular meeting of May 2, 2006, approved the following, with ninety-six (96) conditions:

TENTATIVE SUBDIVISION MAP CASE NO. TM06-001 (SIERRA REFLECTIONS) – To develop a 938-lot, single-family residential, common open space subdivision as authorized in Article 408 of the Washoe County Development Code. Lot sizes range from 8,000 square feet to 43,445 square feet, with an average of 13,722 square feet for detached homes. Included in the 938 lots are 147 townhouses on a footprint of 1,102 square feet. Due to the number of lots proposed to be created, this is a project of regional significance. The project is bordered on the north by Pagni Lane, on the east by US Highway 395 South and as far south as Little Washoe Lake in the Pleasant Valley area. The project encompasses a total of 29 parcels that total approximately 759.6 acres. The parcels have mixed land use designations including; General Rural (GR ±251.66 acres), Medium Density Rural (MDR ±96.46 acres), Low Density Suburban (LDS ±73.39 acres), Medium Density Suburban (MDS ±329.59 acres) and Public and Semi-Public Facilities (PSP ±8.51 acres), the total number of residential dwellings allowed by the existing land use designations is 1087. The parcels are located within the South Valleys Area Plan, and are situated in portions of Sections 13, 14 and 23, T17N, R19E, and Section 18, T17N, R20E MDM, Washoe County, Nevada. The property is located within the Citizen Advisory Board boundaries of Galena-Steamboat and West Washoe Valley and within Washoe County Commission District No. 2. (APNs 046-060-45 and 47; 046-080-40; 046-090-01, 04 through 18, and 23 through 26; and 046-100-02 through 04, 07, 09 and 10)

The approval of the tentative subdivision map was based on the following findings:

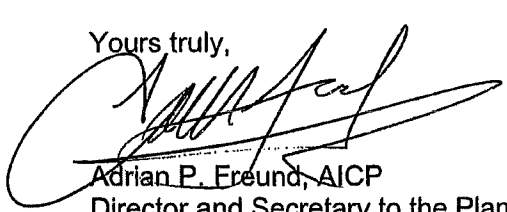
1. Plan Consistency. That the proposed map is consistent with the Comprehensive Plan and any specific plan;
2. Design or Improvement. That the design or improvement of the proposed subdivision is consistent with the Comprehensive Plan and any specific plan; and that the recent comprehensive plan amendment for that property anticipated the development of residential rather than commercial development.

Letter to: Fred Woodside, World Properties
Subject: Tentative Subdivision Map No. TM06-001
Date: May 5, 2006
Page: 2

3. Type of Development. That the site is physically suited for the type of development proposed; and the common open space design protects two significant hydrologic resources (as defined by Article 418 of the Washoe County Development Code) and historic resources, being two railroad trestles from the Virginia and Truckee Railroad;
4. Availability of Services. That the subdivision will meet the requirements of Article 702, Adequate Public Facilities Management System;
5. Fish or Wildlife. That neither the design of the subdivision nor any proposed improvements is likely to cause substantial environmental damage, or substantial and avoidable injury to any endangered plant, wildlife or their habitat, and in fact facilitates their co-existence with the built environment.
6. Public Health. That the design of the subdivision or type of improvement is not likely to cause significant public health problems;
7. Easements. That the design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through, or use of property within, the proposed subdivision;
8. Access. That the design of the subdivision provides any necessary access to surrounding, adjacent lands, with easements to two adjacent parcels, and provides two accesses to US Highway 395 South;
9. Dedications. That any land or improvements to be dedicated to the County is consistent with the Comprehensive Plan;
10. Energy. That the design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision; and
11. Reasoned Consideration. That the Planning Commissioners gave reasoned consideration to the information contained within the staff report and information received during the meeting.

Unless appeals are filed in the time period stipulated in the Washoe County Development Code, the decision by the Planning Commission is final.

Yours truly,



Adrian P. Freund, AICP
Director and Secretary to the Planning Commission

APF/RP-GJ/cm (TM06-001f1)

xc: Ken Krater, K. Krater Consulting, 571 Ridge Street, Reno, NV 89501
Sam Chacon, C&M Engineering, 9498 Double R Boulevard, Suite B, Reno, NV 89501

Letter to: Fred Woodside, World Properties
Subject: Tentative Subdivision Map No. TM06-001
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xc: Blaine Cartlidge, Civil Division, District Attorney's Office; Douglas Coulter, Environmental Division, District Health Department; Marge Clausen, Assessor's Office (CAAS); Theresa Wilkins, Chief Appraiser, Assessor's Office; David Lindsey, Department of Water Resources; Engineering Division; Reno Fire Department, Daniel Birkel, Fire Protection Plans Examiner, Fire Protection Bureau; Nevada Division of Forestry, 885 Eastlake Boulevard, Carson City, NV 89701-9167; Regional Transportation Commission, Attn: Debra Goodwin, 600 Sutro Street, Reno, NV 89502; Vanessa Dunnican, Public Policy, Accountability & Assessment, Washoe County School District, PO Box 30425, Reno, NV 89520-3425; Truckee Meadows Regional Planning Agency, Chamber Towers, 1 East First Street, Suite 900, Reno, NV 89501-1625; Chair, East Washoe Valley Citizen Advisory Board; Chair, West Washoe Valley Citizen Advisory Board; Chair, Galena-Steamboat Citizen Advisory Board; Karena Miller, Community Outreach Coordinator



Conditions of Approval

Tentative Subdivision Map Case Number TM06-001

The project approved under Tentative Subdivision Map Case Number TM06-001 shall be carried out in accordance with the conditions of approval granted by the Board of County Commission on April 28, 2020. Conditions of approval are requirements placed on a permit or development by each reviewing agency. These conditions of approval may require submittal of documents, applications, fees, inspections, amendments to plans, and more. These conditions do not relieve the applicant of the obligation to obtain any other approvals and licenses from relevant authorities required under any other act.

Unless otherwise specified, all conditions related to the approval of this tentative subdivision map shall be met or financial assurance must be provided to satisfy the conditions of approval prior to the recordation of a final parcel map. The agency responsible for determining compliance with a specific condition shall determine whether the condition must be fully completed or whether the applicant shall be offered the option of providing financial assurance. All agreements, easements, or other documentation required by these conditions shall have a copy filed with the County Engineer and the Planning and Building Division.

Compliance with the conditions of approval related to this tentative subdivision map is the responsibility of the applicant, his/her successor in interest, and all owners, assignees, and occupants of the property and their successors in interest. Failure to comply with any of the conditions imposed in the approval of the tentative parcel map may result in the institution of revocation procedures.

Washoe County reserves the right to review and revise the conditions of approval related to this tentative subdivision map should it be determined that a subsequent license or permit issued by Washoe County violates the intent of this approval.

For the purpose of conditions imposed by Washoe County, "may" is permissive and "shall" or "must" is mandatory.

Conditions of approval are usually complied with at different stages of the proposed project. Those stages are typically:

- Prior to recordation of a final map.
- Prior to obtaining a final inspection and/or a certificate of occupancy.
- Prior to the issuance of a business license or other permits/licenses.
- Some "conditions of approval" are referred to as "operational conditions." These conditions must be continually complied with for the life of the project.

The Washoe County Commission oversees many of the reviewing agencies/departments with the exception of the following agencies.

- **The DISTRICT BOARD OF HEALTH, through the Washoe County Health District, has jurisdiction over all public health matters in the Health District. Any conditions set by the Health District must be appealed to the District Board of Health.**

- **The REGIONAL TRANSPORTATION COMMISSION (RTC) is directed and governed by its own Board. Conditions recommended by the RTC may be required, at the discretion of Washoe County.**

STANDARD CONSIDERATIONS FOR SUBDIVISIONS Nevada Revised Statutes 278.349

Pursuant to NRS 278.349, when contemplating action on a tentative subdivision map, the governing body, or the planning commission if it is authorized to take final action on a tentative map, shall consider:

- (a) Environmental and health laws and regulations concerning water and air pollution, the disposal of solid waste, facilities to supply water, community or public sewage disposal and, where applicable, individual systems for sewage disposal;
- (b) The availability of water which meets applicable health standards and is sufficient for the reasonably foreseeable needs of the subdivision;
- (c) The availability and accessibility of utilities;
- (d) The availability and accessibility of public services such as schools, police and fire protection, transportation, recreation and parks;
- (e) Conformity with the zoning ordinances and master plan, except that if any existing zoning ordinance is inconsistent with the master plan, the zoning ordinance takes precedence;
- (f) General conformity with the governing body's master plan of streets and highways;
- (g) The effect of the proposed subdivision on existing public streets and the need for new streets and highways to serve the subdivision;
- (h) Physical characteristics of the land such as floodplain, slope and soil;
- (i) The recommendations and comments of those entities reviewing the tentative map pursuant to NRS 278.330 and 278.335; and
- (j) The availability and accessibility of fire protection, including, but not limited to, the availability and accessibility of water and services for the prevention and containment of fires, including fires in wild lands.

FOLLOWING ARE CONDITIONS OF APPROVAL REQUIRED BY THE REVIEWING AGENCIES. EACH CONDITION MUST BE MET TO THE SATISFACTION OF THE ISSUING AGENCY.

Washoe County Planning and Building Division

1. The following conditions are requirements of the Planning and Building Division, which shall be responsible for determining compliance with these conditions.

Contact: Julee Olander, Planner, 775.328.3627, jolander@washoecounty.us

- a. The applicant shall demonstrate substantial conformance to the plans approved as part of this tentative subdivision map.
- b. The subdivision shall be in substantial conformance with the provisions of Washoe County Development Code Article 604, Design Requirements, and Article 608, Tentative Subdivision Maps.
- c. Final maps and final construction drawings shall comply with all applicable statutes, ordinances, rules, regulations and policies in effect at the time of submittal of the tentative

map or, if requested by the developer and approved by the applicable agency, those in effect at the time of approval of the final map.

- d. In accordance with NRS 278.360, the sub-divider shall present to Washoe County a final map, prepared in accordance with the tentative map, for the entire area for which a tentative map has been approved, or one of a series of final maps, each covering a portion of the approved tentative map, within four years after the date of approval of the tentative map or within one year of the date of approval for subsequent final maps. On subsequent final maps, that date may be extended by two years if the extension request is received prior to the expiration date.
- e. Final maps shall be in substantial compliance with all plans and documents submitted with and made part of this tentative map request, as may be amended by action of the final approving authority.
- f. All final maps shall contain the applicable portions of the following jurat:

THE TENTATIVE MAP FOR **TM case number for map name** WAS APPROVED BY THE WASHOE COUNTY PLANNING COMMISSION ON **DATE**.

THIS FINAL MAP, **MAP NAME AND UNIT/PHASE #**, MEETS ALL APPLICABLE STATUTES, ORDINANCES AND CODE PROVISIONS, IS IN SUBSTANTIAL CONFORMANCE WITH THE TENTATIVE MAP, AND ALL CONDITIONS HAVE BEEN MET.

[Omit the following paragraph if this is the first and last (only) final map.]

THE NEXT FINAL MAP FOR **<TM CASE NUMBER>** MUST BE APPROVED AND ACCEPTED FOR RECORDATION BY THE PLANNING AND BUILDING DIRECTOR ON OR BEFORE THE EXPIRATION DATE, THE ____ DAY OF ____, 20____, OR AN EXTENSION OF TIME FOR THE TENTATIVE MAP MUST BE APPROVED BY THE WASHOE COUNTY PLANNING COMMISSION ON OR BEFORE SAID DATE.

THIS FINAL MAP IS APPROVED AND ACCEPTED FOR RECORDATION **THIS ____ DAY OF ____, 20____** BY THE PLANNING AND BUILDING DIRECTOR. THE OFFER OF DEDICATION FOR **STREETS, SEWERS, ETC.** IS REJECTED AT THIS TIME, BUT WILL REMAIN OPEN IN ACCORDANCE WITH NRS CHAPTER 278.

MOJRA HAUENSTEIN, DIRECTOR
PLANNING AND BUILDING

Jurat for ALL SUBSEQUENT FINAL MAPS

THE TENTATIVE MAP for **<TM CASE NUMBER>** APPROVED **<denied>** BY THE WASHOE COUNTY PLANNING COMMISSION ON **<date>**. **[If the TM had been appealed to the BCC --- Add:]** THE WASHOE COUNTY COMMISSION APPROVED THE TENTATIVE MAP ON APPEAL ON **<date>**.

THE FIRST FINAL MAP FOR THIS TENTATIVE MAP WAS APPROVED AND ACCEPTED FOR RECORDATION ON *<date of Planning and Building Director's signature on first final map>*. [Omit the following if second map.] THE MOST RECENTLY RECORDED FINAL MAP, *<subdivision name and prior unit/phase #>* FOR THIS TENTATIVE MAP WAS APPROVED AND ACCEPTED FOR RECORDATION ON *<date of Planning and Building Director's signature on most recent final map>* [If an extension has been granted after that date – add the following]: A TWO YEAR EXTENSION OF TIME FOR THE TENTATIVE MAP WAS APPROVED BY THE WASHOE COUNTY PLANNING COMMISSION ON *<date of last Planning Commission action to extend the tentative map>*.

THIS FINAL MAP, *<subdivision name and unit/phase #>*, MEETS ALL APPLICABLE STATUTES, ORDINANCES AND CODE PROVISIONS; IS IN SUBSTANTIAL CONFORMANCE WITH THE TENTATIVE MAP; AND ALL CONDITIONS HAVE BEEN MET.

[Omit the following paragraph if this is the last final map.]

THE NEXT FINAL MAP FOR *<TM CASE NUMBER>* MUST BE APPROVED AND ACCEPTED FOR RECORDATION BY THE PLANNING AND BUILDING DIRECTOR ON OR BEFORE THE EXPIRATION DATE, THE ____ DAY OF _____, 20____, *<add two years to the current expiration date unless that date is more than two years away>* OR AN EXTENSION OF TIME FOR THE TENTATIVE MAP MUST BE APPROVED BY THE WASHOE COUNTY PLANNING COMMISSION ON OR BEFORE SAID DATE.

<Insert Merger and Re-subdivision option as applicable>

THIS FINAL MAP IS APPROVED AND ACCEPTED FOR RECORDATION THIS ____ DAY OF _____, 20____ BY THE WASHOE COUNTY PLANNING AND BUILDING DIRECTOR. THE OFFER OF DEDICATION FOR *<streets, sewers>* IS REJECTED AT THIS TIME, BUT WILL REMAIN OPEN IN ACCORDANCE WITH NRS CHAPTER 278.

MOJRA HAUENSTEIN, DIRECTOR,
PLANNING AND BUILDING DIVISION

- g. A note shall be placed on all grading plans and construction drawings stating:

NOTE

Should any cairn or grave of a Native American be discovered during site development, work shall temporarily be halted at the specific site and the Sheriff's Office as well as the State Historic Preservation Office of the Department of Conservation and Natural Resources shall be immediately notified per NRS 383.170.

- h. The final map shall designate faults that have been active during the Holocene epoch of geological time, and the final map shall contain the following note:

NOTE

No habitable structures shall be located on a fault that has been active during the Holocene epoch of geological time.

- i. The developer shall be required to participate in any applicable General Improvement District or Special Assessment District formed by Washoe County.
- j. The developer shall provide written approval from the U.S. Postal Service concerning the installation and type of mail delivery facilities. The system, other than individual mailboxes, must be shown on the project construction plans and installed as part of the on-site improvements.
- k. The developer and all successors shall direct any potential purchaser of the site to meet with the Planning and Building Division to review conditions of approval prior to the final sale of the site. Any subsequent purchasers of the site shall notify the Planning and Building Division of the name, address, telephone number and contact person of the new purchaser within thirty (30) days of the final sale.
- l. The minimum side yard setback for all dwellings within this subdivision shall be eight feet, the minimum front and rear yard setbacks shall be twenty feet, with the exception of the approved town homes which shall be located within a $\pm 1,102$ square-foot pad. Compliance with this condition shall be determined by the Department of Community Services during building permit review.
- m. Construction hours shall be limited to 7AM to 6PM, Monday through Saturday only. Machinery and construction vehicles shall not be started, or arrive on site, prior to 7AM, with the exception of concrete pours. Interior finish work, within enclosed structures may proceed at all hours, provided that there are no noise emissions audible at any subdivision property line, developed with a residence. Compliance with this condition shall be determined by the Department of Community Services.
- n. Lots adjacent to Pagni Lane shall match the size of adjacent parcels to the north (1 acre minimum). Compliance with this condition shall be determined by the Department of Community Services.
- o. Conditions, covenants, and restrictions (CC&Rs), including any supplemental CC&Rs, shall be submitted to Planning and Building staff for review and subsequent forwarding to the District Attorney for review and approval. The final CC&Rs shall be signed and notarized by the owner(s) and submitted to Planning and Building with the recordation fee prior to the recordation of the final map. The CC&Rs shall require all phases and units of the subdivision approved under this tentative map to be subject to the same CC&Rs with the exception that individual developments may have additional specific CC&R's. Washoe County shall be made a party to the applicable provisions of the CC&Rs to the satisfaction of the District Attorney's Office. Said CC&Rs shall specifically address the potential for liens against the properties and the individual property owners' responsibilities for the funding of maintenance, replacement, and perpetuation of the following items, at a minimum:
 - 1. Maintenance of public access easements, common areas, and common open spaces. Provisions shall be made to monitor and maintain, for a period of three (3) years regardless of ownership, a maintenance plan for the common open space area. The maintenance plan for the common open space area shall, as a minimum, address the following:
 - a. Vegetation management;
 - b. Watershed management;

- c. Debris and litter removal;
 - d. Fire access and suppression; and
 - e. Maintenance of public access and/or maintenance of limitations to public access.
- 2. All drainage facilities and roadways not maintained by Washoe County shall be privately maintained and perpetually funded by the homeowner's association.
 - 3. All open space identified as common area on the final map shall be privately maintained and perpetually funded by the homeowner's association. The deed to the open space and common area shall reflect perpetual dedication for that purpose. The maintenance of the common areas and related improvements shall be addressed in the CC&Rs to the satisfaction of the District Attorney's Office.
 - 4. The project and adjacent to undeveloped land shall maintain a fire fuel break of a minimum 30 feet in width until such time as the adjacent land is developed.
 - 5. Locating habitable structures on potentially active (Holocene) fault lines, whether noted on the recorded map or disclosed during site preparation, is prohibited.
 - 6. All outdoor lighting on buildings and streets within the subdivision shall be down-shielded.
 - 7. No motorized vehicles shall be allowed on the platted common area with the exception of vehicles required to perform maintenance work and/or emergency vehicles.
 - 8. Washoe County will not assume responsibility for maintenance of the private street system of the development nor will Washoe County accept the streets for dedication to Washoe County unless the streets meet those Washoe County standards in effect at the time of offer for dedication.
 - 9. Mandatory solid waste collection.
 - 10. Fence material (if any), height, and location limitations, and re-fencing standards. Replacement fence must be compatible in materials, finish and location of existing fence.
 - 11. Overflight of aircraft by the District Health Department for Vector Control activities.
 - 12. Problems associated with insects breeding in wetlands.
 - 13. Maintenance of detention basins, open drainage ways and diversion channels to District Health Vector Control Standards.
- p. The trail system and the ±440 acres of common open space shown on the tentative map shall be shown as "Common Open Space" and, as offered in the public hearing of the project by the owner's representative, offered for dedication as Open Space (OS) in perpetuity to Washoe County. The deed shall be presented with the CC&Rs for review by the Planning and Building Division staff and the District Attorney.
 - q. The applicant shall install signage prohibiting motorized vehicle access at the entrance to all open space offered for dedication to Washoe County areas, and at all trail access points, signage shall be included in the construction drawings. Compliance with this condition shall be determined by the Department of Community Services prior to the approval of a final map.
 - r. A certification letter or series of letters by a landscape architect registered in the State of Nevada shall be submitted to the Department of Community Services. The letter(s) shall certify that all applicable landscaping provisions of Articles 408, 410 and 412 of the

Development Code have been met. Any landscaping plans and the letter shall be wet-stamped. The letter shall indicate any provisions of the code that the Director of Planning and Building has waived.

- s. Prior to any ground disturbing activity or finalization of a final map, the developer shall submit a landscaping/architectural design plan to the Department of Community Services for review and approval by the Design Review Committee. Said plan shall address, but not be limited to:
- type and color of building materials,
 - general architectural design of proposed dwellings,
 - fencing,
 - landscaping material (if plant material: type, size at time of planting, maturation size at full growth, period of time between planting and full growth),
 - common area landscaping location,
 - entry landscaping,
 - landscaping irrigation system,
 - entry signage,
 - common area signage,
 - financial assurances that landscaping will be planted and maintained,
 - neo-traditional design elements,
 - town home design, including roof design, parking garage configuration, and exterior building design and articulation,
 - playground/park design and amenities.
- t. The applicant shall submit plans for the neo-traditional portion of the project that include the use of rock or brick elements in the construction of each home, no front yard fencing, garages set back at least half of the depth of the house from the front of the homes or detached in the rear yard, a landscaped strip, with trees between the back of the curb and the sidewalk, a variety of driveway types and materials such as split (Pasadena) driveways, the use of paving stones and bricks, as well as traditional concrete driveways. Each home within this area shall incorporate at least three of the design elements listed above. This provision shall be included in the CC&Rs for the neo- traditional portion of the subdivision.
- u. Access to the proposed trail system shall be provided to the Sunrise Estates subdivision near the intersection of Pagni Lane and Connie Way. Compliance with this condition shall be determined by the Director of Planning and Building.
- v. All retaining walls and all cuts into stable rock material that do not require stabilization by means of retaining walls shall be treated with "Permeon" simulated desert varnish or an equivalent rock stain product to ensure that all newly exposed rock surfaces and all rockery walls match the color of the surrounding hillside as closely as practicable. Final construction drawings shall include a note indicating compliance with this condition. Compliance with this condition shall be determined by the Department of Community Services prior to the final inspection of the grading and rockery walls by the Planning and Building Division.

- w. Financial assurances for completion of all landscaping, and improvement of all pedestrian/equestrian paths shall be included in the Subdivision Improvement Agreement. Compliance with this condition shall be determined by the Department of Community Services prior to the approval of a final map.

Washoe County Engineering and Capital Projects

- 2. The following conditions are requirements of the Engineering and Capital Projects, which shall be responsible for determining compliance with these conditions.

Contact: Leo Vesely, P.E. 775.328.2041, lveseley@washoecounty.us

- a. Prior to acceptance of public improvements and release of any financial assurances, the developer shall furnish to the water and sewer provider(s) and Engineering Division a complete set of reproducible as-built construction drawings prepared by a civil engineer registered in the State of Nevada.
- b. Any existing easements or utilities that conflict with the development shall be relocated, quitclaimed, and/or abandoned, as appropriate.
- c. Any easement documents recorded for the project shall include an exhibit map that shows the location and limits of the easement in relationship to the project.
- d. All existing overhead utility lines shall be placed underground, except electric transmission lines greater than 100 kilovolts, which can remain above ground.
- e. A complete set of construction improvement drawings, including an onsite grading plan, shall be submitted to the County Engineer for approval prior to finalization of any portion of the tentative map. Grading shall comply with best management practices (BMPs) and shall include detailed plans for grading and drainage for lots, project roadways, erosion control (including BMP locations and installation details), slope stabilization and mosquito abatement. A conceptual grading and drainage scheme shall be indicated for each lot on the grading plan. If drainage from one lot to another is proposed, then appropriate drainage easements shall be provided. Disposal of any excavated material onsite shall be indicated on the grading plans.
- f. Prior to ground-disturbing activity, a proposed Construction Traffic Haul Route Plan shall be submitted to the Engineering Division for review and approval. Any existing or proposed roads that will be used as construction haul routes and are not designated truck routes must be evaluated by a geotechnical study to determine the existing structural section and its load capacity. If the pavement section is inadequate to support the proposed construction loadings, the roadway must be redesigned or reconstructed as needed to provide a 20-year design life in accordance with the AASHTO Interim Guide for Flexible Pavement.
- g. A 10 foot Public Utilities Easement and a 10 foot easement for traffic control signage and plowed snow storage shall be granted adjacent to all street rights-of-way.
- h. Prior to recordation of the affected final map, an ASTM E1527-13 Phase I Environmental Site Assessment shall be submitted for all parcels or right-of-way dedicated to Washoe County.
- i. A design level geotechnical investigation with fault study shall be provided with the submittal of each final map.

DRAINAGE (COUNTY CODE 110.416, 110.420, and 110.421)

Contact Information: Leo Vesely, P.E. (775) 328-2041

- j. The conditional approval of this tentative map shall not be construed as final approval of the drainage facilities shown on the tentative map. Final approval of the drainage facilities

will occur during the final map review and will be based upon the final hydrology report. The referenced previous drainage reports are not accepted at this time.

- k. Prior to finalization of the first final map, a master hydrology/hydraulic report and a master storm drainage plan shall be submitted to the County Engineer for approval.
- l. Prior to finalization of any portion of the tentative map, a final, detailed hydrology/hydraulic report for that unit shall be submitted to the County Engineer. All storm drainage improvements necessary to serve the project shall be designed and constructed to County standards and specifications and/or financial assurances in an appropriate form and amount shall be provided.
- m. Standard reinforced concrete headwalls or other approved alternatives shall be placed on the inlet and outlet of all drainage structures, and grouted rock riprap shall be used to prevent erosion at the inlets and outlets of all culverts to the satisfaction of the Engineering Division.
- n. The developer shall provide pretreatment for petrochemicals and silt for all storm drainage leaving the site to the satisfaction of the Engineering Division.
- o. The Truckee Meadows Regional Stormwater Quality Management Program Construction Permit Submittal Checklist and Inspection Fee shall be submitted with each final map.
- p. In medians with irrigated landscaping adjacent to the curb, a sub-drain system shall be installed a minimum of one foot behind the back face of curb to intercept drainage from the landscaping. The system shall be tied to the storm drain system or an acceptable alternative drainage system.
- q. Drainage swales that drain more than two lots are not allowed to flow over the curb into the street; these flows shall be intercepted by an acceptable storm drain inlet and routed into the storm drain system.
- r. A note on the final map shall indicate that all drainage facilities not maintained by Washoe County shall be privately maintained and perpetually funded by a homeowner's association. As an alternative to a homeowner's association, the developer may request the establishment of a County Utility Service Area under which fees would be paid for maintenance of the proposed storm drainage detention facility. The fee amount will be based on the additional service above that normally provided by the County to maintain new stormwater facilities dedicated by the developer (i.e., curb and gutter, drop inlets and piping). The County Engineer shall determine compliance with this condition. The maintenance and funding of these drainage facilities shall also be addressed in the CC&Rs to the satisfaction of the District Attorney's Office.
- s. The maximum permissible flow velocity (that which does not cause scour) shall be determined for all proposed channels and open ditches. The determination shall be based on a geotechnical analysis of the channel soil, proposed channel lining and channel cross section, and it shall be in accordance with acceptable engineering publications/calculations. Appropriate linings shall be provided for all proposed channels and open ditches such that the 100-year flows do not exceed the maximum permissible flow velocity.
- t. All slopes steeper than 3:1 shall be mechanically stabilized to control erosion. As an alternative to riprap, an engineered solution (geofabric, etc.) may be acceptable.
- u. A note on all affected final maps shall state that the owner, buyers, assigns or interest holders of any lots hereon hereby agree that all existing irrigation flows crossing these parcels shall be perpetuated. Any legal rights to water from the ditches crossing this property shall be honored and the right of access for maintenance and operation will not be denied to valid holders of those rights.

- v. Maintenance access and drainage easements shall be provided for all existing and proposed drainage facilities.
- w. Drainage easements shall be provided across individual lots on the official map for all storm runoff that crosses more than one lot.
- x. Common Area drainage onto residential lots shall be intercepted and routed to appropriate storm drainage facilities.
- y. Maintenance access and drainage easements shall be provided for all existing and proposed drainage facilities. All drainage facilities located within Common Area shall be constructed with an adjoining minimum 12' wide gravel access road. Maintenance access road shall be provided to the bottom of proposed detention basins as well as over County owned and maintained storm drainage facilities.

TRAFFIC AND ROADWAY (COUNTY CODE 110.436)

Contact Information: Leo Vesely, (775) 328-2041 or Mitch Fink, (775) 328-2050

- z. All roadway improvements necessary to serve the project shall be designed and constructed to County standards and specifications and/or financial assurances in an appropriate form and amount shall be provided.
- aa. Street names shall be reviewed and approved by the Regional Street Naming Coordinator.
- bb. Proposed landscaping and/or fencing along street rights-of-way and within median islands shall be designed to meet American Association of State Highway and Transportation Officials (AASHTO) sight distances and safety guidelines. No tree shall overhang the curb line of any public street.
- cc. A note on each affected final map shall state that no direct access from individual lots shall be allowed onto U.S. Highway 395. The County Engineer shall determine compliance with this condition. This note shall also be included in the CC&Rs to the satisfaction of the District Attorney's Office.
- dd. For any utilities placed in existing County streets, the streets shall be repaired to the satisfaction of the County Engineer. At a minimum, this will require full depth removal and replacement of asphalt for half the street width, or replacement with a 2" asphalt overlay for half the street width. Type II slurry seal is required for the entire street width with either option. Full width street improvements may be required if the proposed utility location is too close to the centerline of the existing street.
- ee. Streetlights shall be constructed to Washoe County standards at locations to be determined at the final design stage.
- ff. AASHTO clear zones shall be determined for all streets adjacent to retaining walls or slopes steeper than 3:1. If a recoverable or traversable clear zone cannot be provided, an analysis to determine if barriers are warranted shall be submitted for approval.
- gg. All retaining walls that are adjacent to, provide support for or retain soil from the County right-of-way shall be constructed of reinforced masonry block or reinforced concrete and designed by an engineer licensed in the State of Nevada.
- hh. No retaining walls that retain soil from the County right-of-way or private right-of-way shall be located within a plowed snow storage easement.
- ii. The portion of the project that contains the government tract lots shall be reconfigured to discourage through traffic between the northern and southern divisions of the project.
- jj. The government patent access and utility easements within the government tract lots shall be abandoned via the Washoe County abandonment process prior to recording a final map in any area containing the government lots.

- kk. With the first unit, a detailed traffic report shall be prepared by a registered engineer and shall address traffic flow through adjacent neighborhoods, traffic flow to schools, acceleration/deceleration lanes, storage lanes, and access control.
- ll. Streets with an ADT of 2,000 or more shall be constructed to collector standards and shall not have residential driveway access. If circular driveways are used, the County Engineer may allow some lots to have residential driveway access in areas where the ADT exceeds 2,000.
- mm. The subdivision streets will be evaluated by Washoe County to determine if traffic calming is warranted. The spacing and type of traffic calming devices shall be determined at the time of final design.
- nn. Prior to the submittal of a final map, which includes Monkeyflower Drive, a traffic study shall be performed to determine if Monkeyflower Drive shall be constructed as a collector street or as a local residential street.
- oo. In accordance with the 2040 Regional Transportation Plan the paved portion of U.S. 395 which fronts the project shall be widened where necessary within NDOT right-of-way to produce a five-foot-wide attached bike lane, excluding signage and bike lane symbols, subject to NDOT approval and acceptance. The applicant shall dedicate additional right-of-way if necessary.
- pp. Twenty-foot-wide driveway access easements shall be granted to parcels 046-090-27 and 046-090-22 to allow for the development of uses permitted in the General Rural (GR) land use designation.
- qq. The intersections of Eastlake Boulevard and U.S. 395 and Pagni Lane and US 395 will be evaluated and the appropriate traffic mitigation device will be installed by the developer, with approval of NDOT. The installations will occur when the intersections meets warrants or are approved by NDOT, whichever event occurs first, if final maps remain to be recorded on the Sierra Reflections tentative map.
- rr. The High T intersection improvements at Pagni Lane and US 395 shall be completed prior to the opening of traffic onto St. James Parkway.
- ss. Sidewalks shall be constructed on both sides of the street and shall meet ADA requirements.
- tt. A 20' minimum setback is required between the back of the sidewalk and the front of the garage.

3. Washoe County Engineering Division – Utilities (County Code 422 & Sewer Ordinance)

The following utilities conditions are requirements of the Washoe County Engineering Division, which shall be responsible for determining compliance with these conditions.

Contact Information: Tim Simpson, P.E. (775) 954-4648

- a. The applicant shall conform to all conditions imposed by intergovernmental agreements required to provide sewer service to the subject project, and, if required, be a party to any such agreements.
- b. All fees shall be paid in accordance with all applicable ordinances adopted by Washoe County's Board of County Commissioners prior to the approval of each final map.
- c. Improvement plans shall be submitted and approved by the Engineering Division prior to approval of the final map. The design plans shall be in compliance with Washoe County Design Standards and be designed by a Professional Engineer licensed to practice in the State of Nevada.

- d. The applicant shall submit an electronic copy of the street and lot layout for each final map at initial submittal time. The files must be in a format acceptable to Washoe County.
- e. The applicant shall construct and/or provide the financial assurance for the construction of any on-site and off-site sanitary sewer collection systems prior to signature on each final map. The financial assurance must be in a form and amount acceptable to the Engineering Division.
- f. Approved improvement plans shall be used for the construction of on-site and off-site sanitary sewer collection system. The applicant shall be responsible to pay necessary inspection costs related to installation of the sanitary sewer.
- g. The sanitary sewer collection system must be offered for dedication to Washoe County along with the recordation of each final map.
- h. Easements and real property for all sanitary sewer collection systems and appurtenances shall be in accordance with Washoe County Design Standards and offered for dedication to Washoe County along with the recordation of each final map.
- i. Prior to the review of improvement plans, applicant shall submit an engineering analysis justifying the necessity of a sewer lift station as opposed to constructing gravity sewer service to the property.
- j. Any non-potable water used within this development shall require the applicant to prepare an update to the Washoe County South Truckee Meadows Effluent Management Plan and obtain any and all necessary permits with the State of Nevada.
- k. A master sanitary sewer report for the entire tentative map shall be prepared and submitted by the applicant's engineer at the time of the initial submittal for the first final map which addresses:
 - i. The estimated sewage flows generated by this project,
 - ii. Projected sewage flows from potential or existing development within tributary areas,
 - iii. The impact on capacity of existing infrastructure,
 - iv. Slope of pipe, invert elevation and rim elevation for all manholes,
 - v. Proposed collection line sizes, on-site and off-site alignment, and half-full velocities.
- l. No Certificate of Occupancy will be issued until all the sewer collection facilities necessary to serve each final map have been completed, accepted and engineer prepared as-built drawings are delivered to the utility. As-built must be professionally drafted by the owners engineer at the completion of the project and drawings must be in an electronic format acceptable to Washoe County.
- m. No permanent structures (including rockery or retaining walls, building's, etc.) shall be allowed within or upon any County maintained utility easement.
- n. A minimum 30-foot sanitary sewer and access easement shall be dedicated to Washoe County over any facilities not located in a dedicated right of way.
- o. A minimum 12-foot wide all weather sanitary sewer access road shall be constructed to facilitate access to off-site sanitary sewer manholes.

- p. The applicant must adhere to the most recent development agreements for the construction of Reach 3 & 4 of the Pleasant Valley Interceptor.

Washoe County Health District

4. The following conditions are requirements of the Health District, which shall be responsible for determining compliance with these conditions. The District Board of Health has jurisdiction over all public health matters in the Health District. Any conditions set by the Health District must be appealed to the District Board of Health.

Contact: James English, 775.2610, jenglish@washoecounty.us

- a. Prior to any final grading or other civil site improvements, a complete water system plan and Water Project submittal for the referenced proposal must be submitted to Health District. The plan must show that the water system will conform to the State of Nevada Design, Construction, Operation and Maintenance Regulations for Public Water Systems, NAC Chapter 445A, and the State of Nevada Regulations Governing Review of Plans for Subdivisions, Condominiums, and Planned Unit Developments, NAC 278.400 and 278.410.
- i. The application for a Water Project shall conform to the requirements of NAC 445A.66695.
- ii. Two copies of complete construction plans are required for review. All plans must include an overall site plan, additional phases that will eventually be built to indicate that the water system will be looped, all proposed final grading, utilities, and improvements for the proposed application.
- b. Mass grading may proceed after approval of the Tentative Map and after a favorable review by this Health District of a grading permit application.
- i. The final map submittal shall include a Truckee Meadows Water Authority annexation and discovery with the mass grading permit.
- c. Improvement plans for the water system may be constructed prior to final map submittal only after Water Project approval by this Health District.
- i. For improvement plans approved prior to final map submittal, the Developer shall provide certification by the Professional Engineer of record that the improvement plans were not altered subsequent to final map submittal.
- ii. Any changes to previously approved improvement plans made prior to final map submittal shall be resubmitted to this Health District for approval per NAC 278.290 and NAC 445A.66715.

The WCHD requires the following to be submitted with the final map application for review and approval:

- d. Construction plans for the development must be submitted to this Health District for approval. The construction drawings must conform to the State of Nevada Regulations Concerning Review of Plans for Subdivisions, Condominiums and Planned Unit Developments, and any applicable requirements of this Health District.
- e. Prior to approval of a final map for the referenced project and pursuant to NAC 278.370, the developer must have the design engineer or a third person submit to the satisfaction this Health District an inspection plan for periodic inspection of the construction of the systems for water supply and community sewerage. The inspection plan must address the following and be included with the final map submittal:
- i. The inspection plan must indicate if an authorized agency, city or county is performing inspection of the construction of the systems for water supply and community sewerage;

- ii. The design engineer or third person shall, pursuant to the approved inspection plan, periodically certify in writing to this Health District that the improvements are being installed in accordance with the approved plans and recognized practices of the trade;
 - iii. The developer must bear the cost of the inspections; and
 - iv. The developer may select a third-person inspector but the selection must be approved by the Health District or local agency. A third-person inspector must be a disinterested person who is not an employee of the developer.
- f. Prior to final map approval, a "Commitment for Service" letter from the sewage purveyor committing sewer service for the entire proposed development shall be submitted to this Health District. The letter must indicate that the community facility for treatment will not be caused to exceed its capacity and the discharge permit requirements by this added service, or the facility will be expanded to provide for the added service.
 - g. A copy of this letter must be included with the final map submittal.
 - h. Prior to final map approval, a "Commitment for Water Service" letter from the water purveyor committing adequate water service for the entire proposed development must be submitted to this Health District.
 - i. A copy of this letter must be included with the final map submittal.
 - i. The final map submittal must include a letter from Nevada Division of Environmental Protection to the Health District certifying their approval of the final map.
 - j. The final map application packet must include a letter from Division of Water Resources certifying their approval of the final map.
 - k. Pursuant to NAC 278.360 of the State of Nevada Regulations Governing Review of plans for Subdivision, Condominiums, and Planned Unit Developments, the development of the subdivision must be carried on in a manner which will minimize water pollution.
 - i. Construction plans shall clearly show how the subdivision will comply with NAC 278.360.
 - l. Prior to approval of the final map, the applicant must submit to the Health District the final map fee.
 - m. All grading and development activities must be in compliance with the DBOH Regulations Governing the Prevention of Vector-Borne Diseases.

Truckee Meadows Fire Protection District

5. The following conditions are requirements of the Truckee Meadows Fire Protection District, which shall be responsible for determining compliance with these conditions.

Contact: Don Coon, (775)-326-6077, dcoon@tmfpd.us

- a. All final maps shall provide for all 2012 International Fire Code and the 2012 International Wildland Urban Interface Code, as amended and adopted by Washoe County and all applicable Nevada Revised Statutes requirements regarding fire flows, hydrant type, number and location, roadway widths, turnarounds, fuel break defensible space and applicable adopted ordinances of the fire protection district having jurisdiction at the time of the final map recordation.

Regional Transportation Commission (RTC)

6. The following conditions are requirements of the Regional Transportation Commission, which shall be responsible for determining compliance with these conditions.

Contact: Rebecca Kapuler, (775)-332-0174, rkapular@rtc.com

- a. The applicant will be required to accommodate for bike lanes and the shared use facility according to the 2040 Regional Transportation Plan along US395/South Virginia Street.

*** End of Conditions ***