

Attachment J

Appeal of Denial of Tentative Subdivision Map

Case Number WTM18-004



Conditions of Approval

Tentative Subdivision Map Case Number WTM18-004

The project approved under Tentative Subdivision Map Case Number WTM18-004 shall be carried out in accordance with the Conditions of Approval granted by the Board of County Commissioners on September 25, 2018. 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 issuance of a grading or building permit. 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 Subdivision 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.**

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.

THE 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 Names – Roger Pelham, 775.328.3622, rpelham@washoeocounty.us and Vahid Behmaram, (775) 328-3600, vbehmaram@washoeocounty.us

- a. The applicant shall demonstrate substantial conformance to the plans approved as part of this special use permit.
- b. The subdivision shall specifically be in substantial conformance with the provisions of Washoe County Development Code Article 604, Design Requirements, Article 608, Tentative Subdivision Maps, Article 424 Hillside Development, Article 406, Common Open Space Development, Article 438, Grading as well as all other generally applicable provisions of Washoe County Code.
- 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:

Jurat for FIRST FINAL MAP

THE TENTATIVE MAP FOR WTM18-004 (Lemmon Drive Estates)
WAS APPROVED BY THE WASHOE COUNTY PLANNING
COMMISSION ON MAY 1, 2018.

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 first and last (only) final
map.]

THE NEXT FINAL MAP FOR WTM18-004 (Lemmon Drive
Estates) 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 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

Jurat for ALL SUBSEQUENT FINAL MAPS

THE TENTATIVE MAP for WTM18-004 (Lemmon Drive Estates) was 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 WTM18-004 (Lemmon Drive Estates) 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 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.
- j. Lot standards for this development shall include: Minimum Lot Dimension: 75 feet; Front Yard Setbacks: 10 feet adjacent to a public street or common driveway, and 20 feet in front of each garage; Side Yard Setback: 5 feet; Rear Yard Setback: 10 feet. Minimum lot width shall be 75 feet.
- k. Failure to comply with all conditions of approval shall render this approval null and void.
- l. Grading shall comply with all applicable provisions of Article 438, of the Washoe County Development Code. Specifically, no slopes shall be greater than 10 feet in elevation. Retaining walls may be required. All retaining walls shall be stained

with a permanent desert varnish product to mimic the color of the surrounding undisturbed hillside.

- m. At least one tree shall be installed with irrigation on each residential lot. Trees and irrigation shall be shown on each building permit application for a dwelling.
- n. Street trees shall be installed as shown in the application materials. All landscaping shall be maintained in accordance with the provisions found in Section 110.412.75, Maintenance. A three-year maintenance plan shall be submitted by a licensed landscape architect registered in the State of Nevada to the Planning and Building Division, prior to a Certificate of Occupancy. The plan shall be wet-stamped.
- o. The applicant shall construct an earthen berm with a sound-attenuating wall along the southern property line of the subject site. The berm shall be at least 4 feet in height. The wall shall be at least 6 feet in height. The wall shall be of durable materials acceptable to the Director of Planning and Building. The colors shall be muted and blend with the surrounding area. The area between the sound-attenuating wall and the dwellings shall be landscaped and shall include evergreen trees.
- p. Limit all dwellings to a single story located on the perimeter when adjacent to or across a street from residential development in existence as of the final adoption of this plan.
- q. New residential parcels shall not front on existing streets.
- r. Vary setbacks and driveway design.
- s. Construct no more than 25% of the total residential units in the same architectural elevation.
- t. Limit the use of block, concrete, or similar material to posts, pillars and similar uses when constructing fences and / or walls. These materials are not to be used for panel or wall sections. Plans for the maintenance of perimeter fences will be submitted with tentative map applications.
- u. Minimize the use of street lighting. Any lighting proposed must show how it is consistent with current best practice "dark-sky" standards. Exterior lighting fixtures mounted on the homes or units shall be no higher than the line of the first story eave or, where no eave exists, no higher than 15 feet above finished grade. Lights shall be shielded to prevent light spillage onto adjacent properties or streets.
- v. Establish landscape designs that emphasize the use of native vegetation, with non-native and atypical vegetation integrated sparingly into any landscaped area. Homebuilders must offer at least two separate xeriscape options.
- w. 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. 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 homeowners association.
3. All open space identified as common area on the final map shall be privately maintained and perpetually funded by the homeowners 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.

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. At least one tree shall be installed with irrigation on each residential lot. Trees and irrigation shall be shown on each building permit application for a dwelling.
12. Street trees shall be installed as shown in the application materials. All landscaping shall be maintained in accordance with the provisions found in Section 110.412.75, Maintenance. A three-year maintenance plan shall be submitted by a licensed landscape architect registered in the State of Nevada to the Planning and Building Division, prior to a Certificate of Occupancy. The plan shall be wet-stamped.
13. When adjacent to or across a street from residential development in existence as of the final adoption of this plan, provide a minimum 30-foot wide open-space buffer, containing a minimum 8-foot wide decomposed granite trail, on the perimeter AND maintain a minimum parcel size of 15,000 square feet for any parcel located on the perimeter; OR, provide for perimeter parcel sizes that match the existing residential parcels.
14. Limit all dwellings to a single story located on the perimeter when adjacent to or across a street from residential development in existence as of the final adoption of this plan.
15. Provide a statement regarding how the proposed design responds to the community input received during the tentative map review process must be made available to staff and the Planning Commission.
16. In regulatory zones LDS 1; LDS 2; MDS 3 and MDS 4, new residential parcels shall not front on existing streets.
17. Vary setbacks and driveway design.
18. Construct no more than 25% of the total residential units in the same architectural elevation.
19. Limit the use of block, concrete, or similar material to posts, pillars and similar uses. These materials are not to be used for panel or wall sections. Plans for the maintenance of perimeter fences will be submitted with tentative map applications.

20. Minimize the use of street lighting. Any lighting proposed must show how it is consistent with current best practice "dark-sky" standards. Exterior lighting fixtures mounted on the homes or units shall be no higher than the line of the first story eave or, where no eave exists, no higher than 15 feet above finished grade. Lights shall be shielded to prevent light spillage onto adjacent properties or streets.
 21. Establish landscape designs that emphasize the use of native vegetation, with non-native and atypical vegetation integrated sparingly into any landscaped area. Homebuilders must offer at least two separate xeriscape options.
 22. Evergreen planting in the common area at the south end of the proposed subdivision along the length of the wall, adjacent to the existing kennel shall be maintained with an average spacing of one tree every 25 feet in staggered rows with the intention of creating a year-round landscaped screen. All trees shall be at least six feet in height at the time of planting. Permanent irrigation shall be provided to each tree. All trees shall be maintained in a healthy condition. Any dead trees shall be replaced for the life of the subdivision.
- x. The common open space owned by the homeowners association shall be noted on the final map as "common open space" and the related deed of conveyance shall specifically provide for the preservation of the common open space in perpetuity. The deed to the open space and common area shall reflect perpetual dedication for that purpose. The deed shall be presented with the CC&Rs for review by Planning and Building staff and the District Attorney.
 - y. Construction activities shall be limited to the hours between 7AM and 6PM on Mondays, Tuesdays, Wednesdays, Thursdays, Fridays and Saturdays. Construction activities shall be limited to the hours between 8AM and 5PM on Sundays.
 - z. Address numbers shall be clearly marked on each dwelling and on the curb in front of each dwelling.
 - aa. The applicant shall attach a copy of this action order to all subsequent submittals to Washoe County, including final maps and construction permits.
 - bb. The developer shall include sound-attenuating windows and wall materials in all south-facing walls on parcels numbered 85 through 89 and 92 and 93. (Those parcels that are proposed to be located adjacent to the existing kennel.)
 - cc. The applicant shall disclose to all homebuyers that the adjacent kennel is a permitted use which has been in operation since the 1970's and that noise from barking dogs is understood and accepted by the homebuyers.
 - dd. The applicant shall include a note on all final maps that the adjacent kennel is a permitted use which has been in operation since the 1970's and that noise from barking dogs is understood and accepted by any homebuyer.

- ee. The following note shall be included on all title documents and shall be included in all subsequent sales of all lots within the subdivision:

NOTE

The adjacent kennel (to the south of the subdivision) is a permitted use which has been in operation since the 1970's. Noise from barking dogs is understood and accepted by the homebuyers.

- ff. The applicant shall construct a wall along the south property line beginning 20 feet east of the right-of-way for Lemmon Drive and extending east to a point 20 feet east of the edge of proposed parcel number 92. The wall shall be six feet in height. The wall shall be constructed of masonry or other sound-attenuating material that is acceptable to the Director of Planning and Building. The wall shall be neutral, earth-tone in color.
- gg. In addition to all landscaping shown in the application, the applicant shall install evergreen trees in the common area at the south end of the proposed subdivision along the length of the wall required in condition # 1ff, above. Evergreen planting shall be provided with an average spacing of one tree every 25 feet in staggered rows with the intention of creating a year-round landscaped screen. All trees shall be at least six feet in height at the time of planting. Permanent irrigation shall be provided to each tree. All trees shall be maintained in a healthy condition. Any dead trees shall be replaced for the life of the subdivision.

Washoe County Engineering and Capital Projects

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

Contact Names – Clara Lawson, PE, PTOE, Licensed Engineer, 775.328.3603 and Leo R. Vesely, PE, CFM, 775.328.2313 and Timothy Simpson, P.E., 775.954.4648

- a. 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.
- b. 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 and Capital Projects Division a complete set of reproducible as-built construction drawings in an approved digital format, prepared by a civil engineer registered in the State of Nevada.
- c. The developer shall be required to participate in any applicable General Improvement District or Special Assessment District formed by Washoe County. The applicable County Department shall be responsible for determining compliance with this condition.

- d. 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 onsite improvements.
- 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 (BMP's) and shall include detailed plans for grading and drainage on each lot, erosion control (including BMP locations and installation details), slope stabilization and mosquito abatement. Placement or disposal of any excavated material shall be indicated on the grading plan.
- f. All open space shall be identified as common open space on the final map. A note on the final map shall indicate that all common open space shall be privately maintained and perpetually funded by the Homeowners Association. The maintenance of the common open space shall also be addressed in the CC&Rs to the satisfaction of the District Attorney's Office.
- g. Any existing easements or utilities that conflict with the development shall be relocated, quitclaimed, and/or abandoned, as appropriate.
- h. 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.
- i. All existing overhead utility lines shall be placed underground, except electric transmission lines greater than 100 kilovolts, which can remain above ground.
- j. With each affected final map, provide written approval from NV Energy for any improvements located within their easement or under their facilities.
- k. Appropriate easements shall be granted for any existing or new utilities, with each affected final map. This includes, but is not limited, to electrical lines, water lines, and drainage maintenance access.
- l. Appropriate easements shall be granted to perpetuate/relocate existing access roads and easements.
- m. A 10 foot Public Utilities Easement and a 10 foot easement for traffic control signage, plowed snow storage and sidewalks shall be granted adjacent to all rights-of-way.
- n. A design level geotechnical investigation with fault study shall be provided with the submittal of each final map.
- o. Cut slopes, fill slopes, and berms shall be setback from parcel lines and access easements in accordance with Washoe County Code Article 438.
- p. Slope easements shall be provided for areas of cut or fill that fall outside of the subdivision boundary.

- q. 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.
- r. 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.
- s. 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.
- t. Any increase in peak stormwater runoff flow rate resulting from the development and based on the 5 year and 100 storm(s) shall be detained onsite.
- u. The 100-year floodplain boundaries and flood elevations shall appear on each final map. If the floodplain boundary has been conditionally changed by a Federal Emergency Management Agency (FEMA) Conditional Letter of Map Amendment or Conditional Letter of Map Revision, the date of that letter and a note to that effect shall appear on the final map. All grading and construction in these areas shall be in conformance with the Washoe County Code Article 416.
- v. Prior to placement of any fill material within a FEMA Special Flood Hazard Area, an approved Conditional Letter of Map Revision (CLOMR) shall be obtained from FEMA.
- w. An approved Letter of Map Revision (LOMR) shall be obtained from FEMA prior to issuance of a Certificate of Occupancy for any structures within the Special Flood Hazard Area.
- x. 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 and Capital Projects Division.
- y. The developer shall provide pretreatment for petrochemicals and silt for all storm drainage leaving the site to the satisfaction of the Engineering and Capital Projects Division.
- z. The Truckee Meadows Regional Stormwater Quality Management Program Construction Permit Submittal Checklist and Inspection Fee shall be submitted with each final map.
- aa. In medians with irrigated landscaping adjacent to the curb, a subdrain 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.

- bb. 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.
- cc. 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 homeowners association. As an alternative to a homeowners 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.
- dd. 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.
- ee. Prior to issuance of a grading permit or finalization of the first final map, a wetlands delineation must be approved by the United States Army Corps of Engineers (COE). A copy of the wetlands delineation and the COE approval shall be submitted to the County Engineer.
- ff. Prior to issuance of a grading permit or approval of the affected final map, the developer shall obtain a permit from the COE for any work within the wetlands/waters of the U.S., or a letter from the COE indicating that a permit is not required. A copy of the permit/letter shall be submitted to the County Engineer.
- gg. 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.
- hh. Drainage easements shall be provided for all storm runoff that crosses more than one lot.
- ii. The project shall mitigate the increased stormwater volume produced from the development based on the 100 year-10 day storm event. Alternatives for mitigation include excavation of material within or adjacent to the existing flood zone creating additional effective flood volume or other means subject to approval by the County Engineer.

- jj. Prior to the finalization of the first final map, a maintenance and operation plan for the maintenance of the project's detention/retention basins and Volume Replacement Area shall be developed in accordance with the Washoe County Code Article 421.
- kk. A note shall be added to the final map and similar language contained with the project CC&R's stating that owners of parcels created by final map within this development shall not protest the formation of a Storm Water Utility District, Flood Control District, Special Assessment District or other funding mechanism which is approved and created for the purpose of storm water and/or flood water management.
- ll. Offsite drainage and common area drainage draining onto residential lots shall be perpetuated around the residential lots, and drainage facilities capable of passing a 100-year storm shall be constructed with the subdivision improvements to perpetuate the storm water runoff to improved or natural drainage facilities. The maintenance of these drainage facilities shall be addressed in the CC&Rs to the satisfaction of the District Attorney's Office.
- mm. 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.
- nn. An Occupancy Permit shall be obtained from the City of Reno for all construction within the Lemmon Drive right-of-way, and a copy of said permit shall be submitted to the County Engineer prior to finalization of the affected final map.
- oo. The applicant shall dedicate any additional right-of-way, as needed, to the City of Reno for Lemmon Drive to accommodate the planned widening from 4 lanes to 6 lanes as stated in the 2040 RTC Regional Transportation Plan.
- pp. Street names shall be reviewed and approved by the Regional Street Naming Coordinator.
- qq. 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.
- rr. A note on each affected final map shall state that no direct access from individual lots shall be allowed onto Lemmon Drive. This note shall also be included in the CC&Rs to the satisfaction of the District Attorney's Office.
- ss. 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 of non-woven pavement reinforcing fabric 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.

- tt. Streetlights shall be constructed to Washoe County standards at locations to be determined at the final design stage.
- uu. 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.
- vv. 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.
- ww. All retaining walls that are within the slope failure wedge from Washoe 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. Retaining walls shall not be located within Washoe County right-of-way. The maintenance of the retaining walls shall be by Homeowners Association and the CCR's shall clearly identify the HOA's maintenance responsibilities of retaining walls.
- xx. No retaining walls that retain soil from the County right-of-way shall be located within a plowed snow storage easement.
- yy. Sidewalks shall be constructed on both sides of the street and shall meet ADA requirements.
- zz. Curb and gutter shall be standard Type I per Washoe County standard details.
- aaa. Prior to recordation of the final map, an environmental study that confirms no hazardous materials exist in the property to be dedicated to Washoe County.
- bbb. Appropriate transitions shall be provided between the existing and proposed improvements at all proposed street connections. This may include removal of existing pavement.
- ccc. Any streetlights that do not meet Washoe County standards shall be placed outside Washoe County right-of-way. These streetlights shall be private, and the CC&R's shall indicate operation and maintenance of the streetlights shall be the responsibility of the Homeowners Association. The County Engineer and the District Attorney's Office shall determine compliance with this condition.
- ddd. Adequate snow storage easements shall be identified on the final plat.
- eee. The conditions, covenants and restrictions (CC&Rs) shall prominently note to the satisfaction of the District Attorney's Office and the County Engineer that Washoe County will not assume responsibility for maintenance of the development's median islands.
- fff. Signing, striping and traffic control improvements shall comply with American Association of State Highway and Transportation Officials Design guidelines, the Manual of Uniform Traffic Control Devices and Washoe County requirements and where applicable Nevada Department of Transportation requirements.

- ggg. Access from Lemmon Drive to Sunset View Drive and Snowbrush Court shall be constructed as right-in/right-out only.
- hhh. The proposed project should modify the channelizing island on the west side of Lemmon Drive at the Lemmon Drive/Military Road intersection to provide enough space for large passenger vehicles to make northbound to southbound U-turns.
- iii. A deceleration lane shall be constructed on Lemmon Drive at the intersection of Sunset View Drive to the satisfaction of the City of Reno.
- jjj. 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.
- kkk. All fees shall be paid or deferred in accordance with Washoe County Ordinance prior to the approval of each final map.
- lll. Improvement plans shall be submitted and approved by the Engineering and Capital Projects Division prior to approval of the final map. They shall be in compliance with Washoe County Design Standards and be designed by a Professional Engineer licensed to practice in the State of Nevada.
- mmm. 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.
- nnn. 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 and Capital Projects Division.
- ooo. Approved improvement plans shall be used for the construction of on-site and off-site sanitary sewer collection system. The Engineering and Capital Projects Division will be responsible to inspect the construction of the sanitary sewer collection system.
- ppp. The sanitary sewer collection system must be offered for dedication to Washoe County along with the recordation of each final map.
- qqq. 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.
- rrr. 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.
- sss. 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 drawings must be in a format acceptable to Washoe County.
- ttt. No permanent structures (including rockery or retaining walls, building's, etc.) shall be allowed within or upon any County maintained utility easement.
- uuu. 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.
- vvv. A minimum 12-foot wide all weather sanitary sewer access road shall be constructed to facilitate access to off-site sanitary sewer manholes.
- www. The existing sewer main to be realigned shall be abandoned to the satisfaction of the County Engineer.
- xxx. The developer will be responsible to fund the design and construction of major infrastructure such as pump structures, controls, telemetry and appurtenances, lift stations, force mains, sewer mains, interceptor and wastewater treatment facilities necessary to accommodate the project. However, the actual design will be the responsibility of the Engineering and Capital Projects Division. Prior to initiation of design the Developer shall pay the estimated design costs to Washoe County. The Engineering and Capital Projects Division may either provide such design in-house, or select an outside consultant. When an outside consultant is to be selected, the Engineering and Capital Projects Division and the Developer shall jointly select that consultant.
- yyy. The Engineering and Capital Projects Division shall reserve the right to over-size or realign the design of infrastructure to accommodate future development as determined by accepted engineering calculations. Funding shall be the responsibility of Washoe County. Washoe County shall either participate monetarily at the time of design and/or shall credit an appropriate dollar amount to the Developer at the time of recordation of the subdivision map.

Nevada Division of Environmental Protection

3. The following conditions are requirements of the Nevada Division of Environmental Protection, which shall be responsible for determining compliance with these conditions.

Contact Name – Patrick Mohn, 775.687.9419, pmohn@ndep.nv.gov

- a. An intent-to-serve letter for sewer will be required for Tentative Map review and a formal Will-Serve for sewer will be required for the NDEP Final Map review.

Truckee Meadows Fire Protection District

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

Contact Name – Lisa Beaver, 775.326.6000, LBeaver@tmfpd.us

- a. The project must comply with the following codes for fire and life safety;
 - i. 2012 International Fire Code
 - ii. Chapter 60 Washoe County Code
 - iii. 2012 WUI Code
 - iv. All Applicable NFPA codes

Regional Transportation Commission

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

Contact Name – Rebecca Kapuler, 775.332.0174, rkapuler@rtcwashoe.com

- a. The developer shall contact Tina Wu, RTC Senior Transit Planner, at 775.335.1908 or twu@rtcwashoe.com, to discuss future transit improvements for this project.

*** End of Conditions ***