

## Attachment D

Appeal of Denial of Tentative Subdivision Map Case  
Number WTM18-005

and

Special Use Permit Case Number WSUP18-0005



# Community Development

*"Dedicated to Excellence in Public Service"*

Adrian P. Freund, AICP, Community Development Director



## ACTION ORDER

March 8, 2006

ERD Development, LLC  
Attn: Kevin Knecht  
P.O. Box 10565  
Reno, NV 89510

STFC Properties, LLC  
Attn: Ron Gardner  
430 Bavarian  
Carson City, NV 89705

Dear Applicant and Property Owner:

As filed with the Department of Community Development, the Washoe County Planning Commission, at its regular meeting of March 7, 2006, approved the following with seventy-four (74) conditions:

TENTATIVE SUBDIVISION CASE NO. TM06-002 (AUTUMN WOOD) – To develop a 47-lot single-family townhome common open space subdivision on  $\pm 4.75$  acres, as authorized in Article 608, Tentative Subdivision Maps, of the Washoe County Development Code. Lot size will be  $\pm 1,595$  square feet in a duet configuration. The project is located on the northwest corner of Zolezzi and Jeppson Lanes and is currently developed as a mobile home park. The subject parcel is designated Low Density Urban (LDU) in the Southwest Truckee Meadows Area Plan, and is situated in a portion of Section 17, T18N, R20E. The property is located within the Southwest Truckee Meadows Citizen Advisory Board boundary, Washoe County Commission District No. 2 and the City of Reno Area of Interest. (APN: 044-320-48)

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

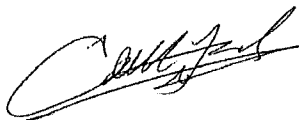
1. Plan Consistency. That the proposed map is consistent with the Comprehensive Plan and the South Virginia Corridor Specific Plan (SVCSP) within in the Southwest Truckee Meadows Area Plan;
2. Design or Improvement. That the design or improvement of the proposed subdivision is consistent with the Comprehensive Plan, and the South Virginia Corridor Specific Plan (SVCSP) within the Southwest Truckee Meadows Area Plan;
3. Type of Development. That the site is physically suited for a 47-lot single-family townhome subdivision;
4. Availability of Services. That, as conditioned, the subdivision will meet the requirements of Article 702, Adequate Public Facilities Management System;

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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;
6. Public Health. That the townhome (Duet) 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 and provides appropriate secondary access for emergency vehicles;
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/SM/cm (TM06-002f1)

xc: Jeff Codega Planning/Design, Inc., Attn: John Krmpotic, 433 West Plumb Lane, Reno, NV 89509  
Blaine Cartlidge, District Attorney's Office; Bryan Tyre, District Health Department; Jim Schaffer, District Health Department; Marge Clausen, Assessor's Office (CAAS); Steve Churchfield, Chief Appraiser, Assessor's Office; David Lindsey, Department of Water Resources; Engineering Division; Reno Fire Department, Daniel Birkel, [birkeld@ci.reno.nv.us](mailto:birkeld@ci.reno.nv.us), Nevada Division of Environmental Protection, 333 West Nye Lane, Suite 138, Carson City, NV 89706; 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, One East

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First Street, Suite 900, Reno, NV 89501-1625; Chair, Southwest Truckee Meadows  
Citizen Advisory Board.

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**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; and
- (i) The recommendations and comments of those entities reviewing the tentative map pursuant to NRS 278.330 and 278.335.
- (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.

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**CONDITIONS FOR  
TENTATIVE SUBDIVISION MAP CASE NUMBER TM06-002  
AUTUMN WOOD  
(As approved by the Washoe County Planning Commission on March 7, 2006)**

THE TENTATIVE MAP APPROVAL ALLOWS THE SUBDIVIDER TO PROCEED WITH FULFILLING THE CONDITIONS OF APPROVAL AND RECORD A FINAL MAP FOR ALL, OR PORTIONS OF, THE DEVELOPMENT WITHIN TWO (2) YEARS FROM THE DATE OF THE PLANNING COMMISSION ACTION. FAILURE TO RECORD THE FIRST FINAL MAP WITHIN TWO (2) YEARS OF THE PLANNING COMMISSION ACTION, OR FAILURE TO RECORD THE LATEST MAP IN A SERIES WITHIN ONE (1) YEAR AFTER THE DATE OF THE MOST RECENTLY RECORDED MAP, SHALL TERMINATE ALL PROCEEDINGS CONCERNING THE SUBDIVISION.

UNLESS OTHERWISE STATED, PRIOR TO FINALIZATION OF ANY PORTION OF THE TENTATIVE SUBDIVISION MAP, ALL CONDITIONS MUST BE MET OR FINANCIAL ASSURANCES TO ENSURE COMPLETION OF THE CONDITIONS MUST BE PROVIDED. 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 ASSURANCES.

A COPY OF ALL AGREEMENTS, EASEMENTS OR OTHER DOCUMENTATION REQUIRED BY THESE CONDITIONS SHALL BE FILED WITH THE DEPARTMENT OF PUBLIC WORKS AND/OR THE DEPARTMENT OF COMMUNITY DEVELOPMENT.

THE DEVELOPER SHALL MEET WITH THE ENGINEERING DIVISION, DEPARTMENT OF WATER RESOURCES AND THE DEPARTMENT OF COMMUNITY DEVELOPMENT STAFF AT LEAST SIXTY (60) DAYS BEFORE THE ANTICIPATED DATE OF THE FINAL MAP RECORDATION TO REVIEW SCHEDULING, REQUIREMENTS, FINAL CONSTRUCTION DRAWINGS, AND DOCUMENTATION NECESSARY TO ADEQUATELY COMPLY WITH THE CONDITIONS OF APPROVAL AND THE APPLICABLE STATUTES, ORDINANCES, RULES, REGULATIONS AND POLICIES.

REQUESTS FOR EXTENSION OF TIME FOR SUBSEQUENT FINAL MAPS MUST BE SUBMITTED TO THE DEPARTMENT OF COMMUNITY DEVELOPMENT AT LEAST SIXTY (60) DAYS PRIOR TO THE EXPIRATION DATE OF THE TENTATIVE SUBDIVISION MAP.

COMPLIANCE WITH THE APPLICABLE STATUTES, ORDINANCES, RULES, REGULATIONS AND POLICIES AND WITH THE CONDITIONS OF APPROVAL OF THIS TENTATIVE MAP IS THE RESPONSIBILITY OF THE DEVELOPER, ITS SUCCESSOR IN INTEREST, AND ALL OWNERS, ASSIGNEES AND OCCUPANTS OF THE PROPERTY, AND THEIR SUCCESSORS IN INTEREST.

A COPY OF THE FINAL ORDER FOR THE APPROVAL OF THE TENTATIVE MAP SHALL BE ATTACHED TO ALL PHASES/UNITS SUBMITTALS FOR FINAL MAP REVIEW SIXTY (60) DAYS PRIOR TO RECORDATION.

FOR THE PURPOSES OF CONDITIONS IMPOSED BY WASHOE COUNTY, "MAY" IS PERMISSIVE, AND "SHALL" OR "MUST" IS MANDATORY.

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### **GENERAL CONDITIONS**

1. The subdivision shall be in substantial compliance with the provisions of Washoe County Development Code Article 604, Design Requirements, and Article 608, Tentative Subdivision Maps.

<b>Regulatory Zone for Review Purposes</b>	<b>Low Density Urban (LDU) Land Use Designation (Max. 10 unit/acre)</b>
Minimum Lot Area Required	3,700 square feet
Minimum Lot Width	60 feet
Minimum Front Yard	*15 feet
Minimum Side Yard	*5 feet
Minimum Rear Yard	*20 feet
Maximum Building Height	35 feet/2 story maximum

Note: Variances to these standards may be processed per Washoe County Code. The Department of Community Development shall be responsible for determining compliance with this condition.

\*The development will be varying from these standards for the type of project, and providing greater rear yard setbacks, greater side yard setbacks between structures; and maintain a zero front yard setback due to the private driveways.

Final Map Verification: Phase/Unit No.: \_\_\_\_\_ Date Submitted: \_\_\_\_\_  
Where/How Condition is Satisfied: \_\_\_\_\_

2. 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.

Final Map Verification: Phase/Unit No.: \_\_\_\_\_ Date Submitted: \_\_\_\_\_  
Where/How Condition is Satisfied: \_\_\_\_\_

3. The subdivider 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 two 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 one year if the extension request is received prior to the expiration date.

Final Map Verification: Phase/Unit No.: \_\_\_\_\_ Date Submitted: \_\_\_\_\_  
Where/How Condition is Satisfied: \_\_\_\_\_

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4. 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. Substantial compliance shall be determined by the applicable agency and the Department of Community Development.

Final Map Verification: Phase/Unit No.: \_\_\_\_\_ Date Submitted: \_\_\_\_\_  
Where/How Condition is Satisfied: \_\_\_\_\_

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5. 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 set of reproducible as-built construction drawings prepared by a civil engineer registered in the State of Nevada.
6. The developer shall be required to participate in any applicable General Improvement District or Special Assessment District formed by Washoe County. The applicable department of Washoe County shall determine compliance with this condition.
7. A note shall be placed on all grading plans and construction drawings stating:

NOTE

Should any prehistoric or historic remains/artifacts be discovered during site development, work shall temporarily be halted at the specific site and the State Historic Preservation Office of the Department of Museums, Library and Arts, shall be notified to record and photograph the site. The period of temporary delay shall be limited to a maximum of two (2) working days from the date of notification.

The Department of Community Development shall be responsible for determining compliance with this condition.

Final Map Verification: Phase/Unit No.: \_\_\_\_\_ Date Submitted: \_\_\_\_\_  
Where/How Condition is Satisfied: \_\_\_\_\_

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8. 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.

The Department of Community Development shall determine compliance with this condition.

Final Map Verification: Phase/Unit No.: \_\_\_\_\_ Date Submitted: \_\_\_\_\_  
Where/How Condition is Satisfied: \_\_\_\_\_

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9. 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. The County Engineer shall determine compliance with this condition.
10. The developer and all successors shall direct any potential purchaser of the site to meet with the Department of Community Development to review conditions of approval prior to the final sale of the site. Any subsequent purchasers of the site shall notify the Department of Community Development of the name, address, telephone number and contact person of the new purchaser within thirty (30) days of the final sale.

*Final Map Verification:* Phase/Unit No.: \_\_\_\_\_ Date Submitted: \_\_\_\_\_  
*Where/How Condition is Satisfied:* \_\_\_\_\_

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11. A complete set of construction improvement drawings, including an on-site 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 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. The County Engineer shall determine compliance with this condition.
12. All open space shall be identified as common area on the final map. A note on the final map shall indicate that all common areas shall be privately maintained and perpetually funded by the homeowners association. The County Engineer shall determine compliance with this condition. The maintenance of the common areas shall also be addressed in the CC&Rs to the satisfaction of the District Attorney's Office.
13. Any existing easements or utilities that conflict with the development shall be relocated, quitclaimed, and/or abandoned, as appropriate. The County Engineer shall determine compliance with this condition.
14. 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. The County Engineer shall determine compliance with this condition.
15. All existing overhead utility lines shall be placed underground, except electric transmission lines greater than 100 kilovolts, which can remain above ground. The County Engineer shall determine compliance with this condition.
16. Documentation of legal access over the proposed secondary access routes located on private property (Jeppson Lane and the private drive to the west boundary) shall be provided prior to approval of the affected final map. The County Engineer shall determine compliance with this condition.

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**DRAINAGE/GRADING/TRAFFIC**

17. 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 Engineering Division shall determine compliance with this condition.

*Final Map Verification: Phase/Unit No.:* \_\_\_\_\_ *Date Submitted:* \_\_\_\_\_  
*Where/How Condition is Satisfied:* \_\_\_\_\_

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18. 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. The County Engineer shall determine compliance with this condition.
19. Prior to the 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. The County Engineer shall determine compliance with this condition.
20. Any increase in stormwater runoff resulting from the development and based on the 5- and 100-year storm(s) shall be detained. The County Engineer shall determine compliance with this condition.
21. The developer shall provide pretreatment for petrochemicals and silt for all storm drainage leaving the site to the satisfaction of the Engineering Division. The Engineering Division shall determine compliance with this condition.
22. 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. The County Engineer shall determine compliance with this condition.
23. 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. The County Engineer shall determine compliance with this condition.
24. The Truckee Meadows Regional Stormwater Quality Management Program Construction Permit Submittal Checklist and Inspection Fee shall be submitted with each final map. The County Engineer shall determine compliance with this condition.
25. 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

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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.

26. 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. The County Engineer shall determine compliance with this condition.
27. 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. The County Engineer shall determine compliance with this condition.
28. Maintenance access and drainage easements shall be provided for all existing and proposed drainage facilities. The County Engineer shall determine compliance with this condition.
29. The master hydrology/hydraulic report shall include a current site specific analysis of the impacts of flows from the northern two branches of Whites Creek based on the criteria established in the Preliminary Whites Creek Basin Management Study prepared by Cella Barr Associates, dated August 17, 1994 (Cella Barr Report). For units located outside the FEMA flood hazard areas, finished floor elevations shall be set at the higher of either the FEMA requirements or the Cella Barr Report. The County Engineer shall determine compliance with this condition.
30. 100-year flows from Whites Creek that are carried in the proposed streets shall not exceed one foot of depth at the gutter flowline, and the depth of flow multiplied by the velocity of flow shall not exceed six sq.ft./sec. The County Engineer shall determine compliance with this condition.
31. A note on the final map shall identify the following:
  - A. Any proposed fencing within the floodplain requires approval of the Washoe County Engineer, and fencing shall be designed not to obstruct flood flows.
  - B. Structures located within a FEMA flood hazard area must comply with the Washoe County Development Code Article 416, Flood Hazards and the final approved hydrology/hydraulic report.

The County Engineer shall determine compliance with this condition.

32. All roadway improvements necessary to serve the project shall be designed and constructed to County standards and specifications and/or financial assurances in an

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appropriate form and amount shall be provided. The County Engineer shall determine compliance with this condition.

33. If the private streets will be named, street names shall be reviewed and approved by the Regional Street Naming Coordinator. The County Engineer shall determine compliance with this condition.
34. 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. The County Engineer shall determine compliance with this condition.
35. Streetlights shall be constructed to Washoe County standards at locations to be determined at the final design stage. The County Engineer shall determine compliance with this condition.
36. 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 private street system or accept the streets for dedication to Washoe County unless the streets meet those Washoe County standards in effect at the time of the offer of dedication. The County Engineer shall determine compliance with this condition.
37. Adequate snow storage easements shall be identified on the final plat. The County Engineer shall determine compliance with this condition.
38. Proposed landscaping and/or fencing along street rights-of-way and within median islands shall be designed to meet AASHTO sight distances and safety guidelines. A minimum vertical clearance of 13.5 feet shall be maintained over all private streets, and no tree shall overhang the curb of any public street. The County Engineer shall determine compliance with this condition.
39. If the Engineering Division does not inspect the subdivision improvements, prior to release of any financial assurances for the private improvements, the development shall provide the Engineering Division with a letter, prepared by a civil engineer licensed in the State of Nevada, certifying that the private improvements have been constructed in accordance with the approved plans. The County Engineer shall determine compliance with this condition.
40. Any landscaping within the County right-of-way will require a Revocable Encroachment Permit and will be approved on a case-by-case basis. Washoe County will not maintain landscaping in the right-of-way. Maintenance responsibility for any landscaping within the right-of-way shall be addressed prior to the finalization of the affected final map. The County Engineer shall determine compliance with this condition.

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41. The access driveway width off Zolezzi Lane shall be a minimum of 36 feet wide. The County Engineer shall determine compliance with this condition.
42. The minimum spacing between the project driveway and Jeppson Lane and Valley Springs shall be 200 feet. The Engineering Division shall determine compliance with this condition.
43. The parking stalls immediately opposite the main entry driveway will not be allowed. The Engineering Division shall determine compliance with this condition.
44. The applicant shall construct a bicycle lane on the north side of Zolezzi Lane. The Engineering Division shall determine compliance with this condition.
45. The applicant shall construct a deceleration lane at the main entrance/driveway on Zolezzi Lane. The Engineering Division shall determine compliance with this condition.
46. Final lot configuration is dependent on the final map submittals. The County Engineer shall determine compliance with this condition.

#### **HEALTH, WATER AND SEWER**

47. Truckee Meadows Water Authority (TMWA), as the water purveyor for this project, will determine the necessary water rights. Said water rights shall be dedicated to Washoe County prior to approval of each final map. The water rights must be in good standing with the State Division of Water Resources and shall reflect the point of diversion, place of use, and manner of use satisfactory to the Department of Water Resources (DWR). Washoe County, in turn, will execute a 99-year water sale (lease) agreement to make the water rights available to TMWA. The DWR shall determine compliance with this condition.
48. The Developer shall pay \$50.00 per lot, prior to recordation of each final map, to the DWR as their prorated share of the ongoing sewer facility plan for the South Truckee Meadows. The DWR shall determine compliance with this condition.
49. All fees shall be paid in accordance with Washoe County Ordinance prior to the approval of each final map. The DWR shall determine compliance with this condition.
50. Improvement plans shall be submitted and approved by DWR prior to approval of each 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. The DWR shall determine compliance with this condition.
51. The Developer shall construct and/or provide the financial assurance for the construction of the sanitary sewer collection systems prior to approval of each final map. The financial assurance must be in a form and amount acceptable to the DWR. The DWR shall determine compliance with this condition.
52. DWR approved improvement plans shall be used for the construction of on-site and off-site sanitary sewer collection system. The DWR will be responsible to inspect the construction

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of the domestic sanitary sewer collection system, or appurtenant facilities. The DWR shall determine compliance with this condition.

53. The sanitary sewer collection systems must be offered for dedication to Washoe County along with the recordation of each final map. The DWR shall determine compliance with this condition.
54. Easements and real property for the sanitary sewer collection systems and appurtenances shall be offered for dedication to Washoe County respectively along with the recordation of each final map. The DWR shall determine compliance with this condition.
55. 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:
  - a. the estimated sewage flows generated by this project,
  - b. projected sewage flows from potential or existing development within tributary areas,
  - c. the impact on capacity of existing infrastructure,
  - d. slope of pipe, invert elevation and rim elevation for all manholes,
  - e. and proposed collection line sizes, on-site and off-site alignment, and half-full velocities.

The DWR shall determine compliance with this condition.

56. No Certificates of Occupancy will be issued until sanitary sewer facilities necessary to serve each final map have been completed and accepted for operation and maintenance by the DWR. The DWR shall determine compliance with this condition.
57. No building permits shall be released until an application for service is received and a sewer lateral permit is issued. The DWR shall determine compliance with this condition.
58. No permanent structures (including retaining or rockery walls, or buildings, etc.) shall be allowed within or upon any County maintained utility easement. The DWR shall determine compliance with this condition.

#### **REGIONAL TRANSPORTATION COMMISSION**

59. It is recommended that the applicant be required to develop a plan to identify the location of transit facilities and related features should transit service be extended in the future to the project site. The applicant and the Regional Transportation Commission shall work together on this recommendation. The Regional Transportation Commission shall determine compliance with this condition.

#### **FIRE DEPARTMENT**

60. The plans submitted with a building permit application shall show evidence of compliance with the recommendations of the Reno Fire Department. Those concerns are fire hydrant number and location, and emergency access. Access and fire flows concerns shall be addressed prior to the introduction of any combustible materials to the

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site. The Reno Fire Department shall determine compliance with this condition. The applicant shall provide the Department of Community Development with acknowledgement of compliance with this condition.

61. The private street widths shall be 24 feet from face of curb to face of curb, and off-street parking shall be provided for in the designated parking areas that are evenly dispersed throughout the site; and the appropriate signage is required indicating that on-street parking is prohibited. The Reno Fire Department shall determine compliance with this condition.
62. Turns along the fire apparatus access roadways shall provide a minimum 40-foot centerline turning radius. The design of the two exterior gates, which restrict access to this site, shall be subject to the approval of the Reno Fire Department. A chain with a padlock arrangement is an approved method for the gates. The Reno Fire Department shall determine compliance with this condition.

### **CONDITIONS, COVENANTS AND RESTRICTIONS**

63. Conditions, covenants, and restrictions (CC&Rs), including any supplemental CC&Rs, shall be submitted to the Community Development 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 the Community Development Department 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:

- a. 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:
  - 1) Vegetation management;
  - 2) Watershed management;
  - 3) Debris and litter removal;
  - 4) Fire access and suppression;
  - 5) Maintenance of public access and/or maintenance of limitations to public access.
- b. All drainage facilities and roadways not maintained by Washoe County shall be privately maintained and perpetually funded by the homeowners association.

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- c. All open space identified as common area on the final map shall be privately maintained and perpetually funded by the homeowners association. 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.
- d. The project, if 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.
- e. Locating habitable structures on potentially active (Holocene) fault lines, whether noted on the recorded map or disclosed during site preparation, is prohibited.
- f. All outdoor lighting on buildings and streets within the subdivision shall be down-shielded.
- g. No motorized vehicles shall be allowed on the platted common area.
- h. 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.
- i. Mandatory solid waste collection.
- j. Fence material, height, and location limitations, and re-fencing standards. Replacement fence must be compatible in materials, finish and location of existing fence.
- k. 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 shall be presented with the CC&Rs for review by the Community Development staff and the District Attorney, prior to the recordation of the first final map.

Final Map Verification: Phase/Unit No.: \_\_\_\_\_ Date Submitted: \_\_\_\_\_  
Where/How Condition is Satisfied: \_\_\_\_\_

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#### **WASHOE—STOREY CONSERVATION DISTRICT CONDITIONS**

64. A review letter from the Washoe-Storey Conservation District (WSCD) shall be submitted to the County Engineer prior to the "red line" meeting. The WSCD recommendations shall be implemented with the appropriate design/specifications included in the construction drawings to the satisfaction of the County Engineer. The County Engineer shall be responsible for determining compliance with this condition.



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**LANDSCAPING AND COMMON OPEN SPACE**

65. 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 Development for review and approval by the Design Review Committee. Said plan shall address, but not be limited to: fencing, landscaping material, type and color of building material, general architectural design, (if plant material: type, size at time of planting, maturation size at full growth, period of time between planting and full growth), landscaping location, landscaping irrigation system, and financial assurances that landscaping will be planted and maintained.

*Final Map Verification:* Phase/Unit No.: \_\_\_\_\_ Date Submitted: \_\_\_\_\_  
*Where/How Condition is Satisfied:* \_\_\_\_\_

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66. 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 Development. 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 Community Development has waived. The Department of Community Development shall be responsible for determining compliance with this condition.

*Final Map Verification:* Phase/Unit No.: \_\_\_\_\_ Date Submitted: \_\_\_\_\_  
*Where/How Condition is Satisfied:* \_\_\_\_\_

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67. All open space on the final map shall be identified as common area or open space that will be dedicated to a public entity. A note on the final map shall indicate that all common areas shall be privately maintained and perpetually funded by the homeowners association. The County Engineer shall be responsible for determining compliance with this condition. The maintenance of the common areas shall be addressed in the CC&Rs. The District Attorney's Office shall be responsible for determining compliance with this condition.

*Final Map Verification:* Phase/Unit No.: \_\_\_\_\_ Date Submitted: \_\_\_\_\_  
*Where/How Condition is Satisfied:* \_\_\_\_\_

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68. The applicant shall provide 10-foot-tall trees, with 2" caliper, to replace any mature trees along Zolezzi Lane, in addition to the 4½-foot-tall landscaped buffer area. The Department of Community Development shall determine compliance with this condition.

*Final Map Verification:* Phase/Unit No.: \_\_\_\_\_ Date Submitted: \_\_\_\_\_  
*Where/How Condition is Satisfied:* \_\_\_\_\_

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### **OPERATIONAL CONDITIONS**

69. The hours of operation for the grading and all incidental ground-disturbing activity, to include home construction, shall be from 7:00 a.m. to 5:00 p.m., Monday through Saturday only. The Department of Community Development shall determine compliance with this condition.
70. On-site truck traffic and staging, to include all construction equipment and maintenance of that equipment, shall be done on-site, as far away from Zolezzi Lane as possible. Hours for maintenance of all construction equipment (on-site) shall be from 7:00 a.m. until 6:30 p.m. The Department of Community Development and the Engineering Division shall determine compliance with this condition in conjunction with the approved haul route by the Engineering Division.

### **AIRPORT AUTHORITY**

71. The property owner(s) shall grant an Avigation Easement to, and acceptable to, the Reno-Tahoe Airport Authority over the entire property. The property owner(s) shall provide the Planning Department with appropriate documentation indicating the Avigation Easement has been granted and accepted by the Reno-Tahoe Airport Authority, prior to the issuance of a building permit. The Airport Authority shall determine compliance with this condition.
72. The property owner shall be responsible for incorporating air conditioning systems in all dwelling units. The Airport Authority shall determine compliance with this condition.
73. The applicant and/or property owner shall include a formal noise disclosure relative to aircraft over flights and noise, acceptable to the Airport Authority, as a separate document from the Title Agreement. This noise disclosure may be obtained from the Airport Authority and should be attached to any parcel map, tentative map or final map for approval. The Airport Authority shall determine compliance with this condition.
74. Prior to recording of the first Final Map, the applicant shall file a report with the Community Development staff and the Planning Commission (to be reviewed under Planning Items or Others Items) that addresses the requirements of NRS 278.0232. The report must address the availability to comparable parks in the area and the cost of relocating a mobile home to another park. The Department of Community Development shall determine compliance with this condition.

### **END OF CONDITIONS**