

Attachment H

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

and

Special Use Permit Case Number WSUP18-0005



Conditions of Approval

Special Use Permit Case Number WSUP18-0005

The project approved under Special Use Permit Case Number WSUP18-0005 shall be carried out in accordance with the Conditions of Approval granted by the Board of County Commissioners on September 11, 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 Special Use Permit 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 Special Use Permit 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 Special Use Permit may result in the institution of revocation procedures.

Washoe County reserves the right to review and revise the conditions of approval related to this Special Use Permit 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 permit issuance (i.e., grading permits, building permits, etc.).
- 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 or business.

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.**

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 Planning and Building, which shall be responsible for determining compliance with these conditions.

Contact Name – Roger Pelham, Senior Planner (775) 328-3622, rpelham@washoecounty.us

- a. The applicant shall demonstrate substantial conformance to the plans approved as part of this special use permit. The Planning and Building Division shall determine compliance with this condition.
- b. The applicant shall submit complete construction plans and building permits shall be issued within four years from the date of approval by Washoe County. The applicant shall complete construction within the time specified by the building permits. Compliance with this condition shall be determined by the Planning and Building Division.
- c. Failure to comply with all conditions of approval shall render this approval null and void. The Planning and Building Division shall determine compliance with this condition.
- d. Prior to approval of any permit for building, grading or construction on the site the applicant shall provide a tree preservation plan to Planning and Building for review. The plan shall indicate all trees on the subject site that have a trunk six inches or greater in diameter. The plan shall provide for preservation of at least fifty percent of those trees. Compliance with this condition shall be determined by the Planning and Building Division.
- e. Prior to the issuance of any permit for building, grading or construction on the site, the applicant shall install temporary construction fencing along the common property line between the subject site and Washoe County property that includes Whites Creek. Construction fencing shall be maintained in place throughout all construction activities.
- f. Prior to issuance of a final inspection for any building, grading or construction on the site, all disturbed areas shall be revegetated. Temporary irrigation for a time period of not less than three years shall be installed.
- g. All slopes within all storm water drainage features, that include rock rip-rap, shall be stained with a simulated desert varnish product so that all rock rip-rap blends with the color of the surrounding, undisturbed geology.
- h. All cut and fill slopes are limited to a maximum height of 10 feet in accordance with Washoe County Development Code Article 438. Any cut and fill slopes greater than 10 feet in height shall include retaining walls and benches in accordance with Washoe County Development Code Article 438.
- i. The applicant shall obtain all necessary approvals from the Nevada Department of Environmental Protection. These may include will-serve letters for wastewater treatment, construction storm water permit and Working in Waterways permit. The applicant shall provide documentation of approval to Planning and Development prior to issuance of any permit for grading or construction activities.
- j. A note shall be placed on all construction drawings and grading plans 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.

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 Name – Leo R. Vesely, P.E. (775) 328-2041, ivesely@washoecounty.us

- a. A complete set of construction improvement drawings, including an on-site grading plan, shall be submitted when applying for a building/grading permit. Grading shall comply with best management practices (BMP's) and shall include detailed plans for grading, site drainage, erosion control (including BMP locations and installation details), slope stabilization, and mosquito abatement. Placement or removal of any excavated materials shall be indicated on the grading plan. Silts shall be controlled on-site and not allowed onto adjacent property.
- b. For construction areas larger than 1 acre, the developer shall obtain from the Nevada Division of Environmental Protection a Stormwater Discharge Permit and submit a copy to the Engineering Division prior to issuance of a grading permit.
- c. The developer shall complete and submit the Construction Permit Submittal Checklist and pay the Construction Stormwater Inspection Fee prior to obtaining a grading permit.
- d. If material is to be exported from the site, the plans shall note where exported materials will be taken and a grading permit shall be obtained for the import site. Exported materials shall not be sold without the proper business license.
- e. A grading bond of \$2,000/acre of disturbed area shall be provided to the Engineering Division prior to any grading.
- f. Cross-sections indicating cuts and fills shall be submitted when applying for a grading permit. Estimated total volumes shall be indicated.
- g. All disturbed areas left undeveloped for more than 30 days shall be treated with a dust palliative. Disturbed areas left undeveloped for more than 45 days shall be revegetated. Specifications for revegetation procedure and seed mix shall be prepared by a licensed landscape architect.
- h. Prior to the approval of a grading permit, any proposed improvements within APN 162-010-20 owned by Washoe County will require approval by the Washoe County Parks Program of the Community Services Department. Any approval by the Parks Commission will be subject to additional conditions of approval.
- i. Prior to the approval of the grading permit, the approval of the Autumn Wood Subdivision shall be concurrently obtained. The Autumn Wood Subdivision's CC&R's shall include language that requires the operation and maintenance of all stormwater drainage and detention basin improvements be performed by the HOA. A stormwater operation and maintenance plan for the maintenance of the project's detention basins shall be developed in accordance with the Washoe County Code Article 421.

DRAINAGE (COUNTY CODE 110.416, 110.420, and 110.421)

- j. A detailed hydrology/hydraulic report prepared by a licensed engineer shall be submitted to the Engineering Division for review and approval. The report shall include the locations, points of entry and discharge, flow rates and flood limits of all 5- and 100-year storm flows impacting both the site and offsite areas and the methods for handling those flows. The report shall include all storm drain pipe and ditch sizing calculations and a discussion of and mitigation measures for any impacts on existing offsite drainage facilities and properties.
- k. Sediment loading to the detention basin shall be estimated and accounted for with the design of the detention basin.
- l. Standard reinforced concrete headwalls or other approved alternatives shall be placed on the inlet and outlet of all drainage structures and rip rap shall be used to prevent erosion at the inlets and outlets of all pipe culverts to the satisfaction of the County Engineer.
- m. The developer shall provide pretreatment for petrochemicals and silt for all storm drainage from the site to the satisfaction of the County Engineer.

Washoe County Health District

- 3. 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: Wes Rubio , 775.328.2434, wrubio@washoecounty.us

- a. All construction must be reviewed by the Washoe County Health District and meet all requirements of the District Board of Health Regulations Governing Prevention of Vector-Borne Disease.
- b. Address numbers shall be clearly marked on the curb and on the structures so the individuals can be quickly located by public safety agencies.
- c. 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.
- d. 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.
- e. 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.
- f. 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.
- g. All grading and development activities must be in compliance with the DBOH Regulations Governing the Prevention of Vector-Borne Disease

*** End of Conditions ***