



Conditions of Approval

Administrative Permit Case Number WADMIN19-0014

The project approved under Administrative Permit Case Number WADMIN19-0014 shall be carried out in accordance with the conditions of approval granted by the Board of Adjustment on September 5, 2019. 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 or to abide by all other generally applicable codes, and neither these conditions nor the approval by the County of this project/use override or negate any other applicable restrictions on uses or development on the property.

Unless otherwise specified, all conditions related to the approval of this administrative 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 administrative 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 administrative permit may result in the initiation of revocation procedures.

Operational conditions are subject to review by the Planning and Building Division prior to the renewal of a business license each year. Failure to adhere to the operational conditions may result in the Planning and Building Division recommending that the business license not be renewed until conditions are complied with to the satisfaction of Washoe County.

Washoe County reserves the right to review and revise the conditions of approval related to this Administrative 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.

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 Name – Chris Bronczyk, Planner, 775.328.3612, cbronczyk@washoecounty.us

- a. The applicant shall attach a copy of the action order approving this project to all administrative permit applications (including building permits) applied for as part of this administrative permit.
- b. The applicant shall demonstrate substantial conformance to the plans approved as part of this administrative permit. Planning and Building shall determine compliance with this condition.
- c. The applicant shall submit complete construction plans and building permits shall be issued within two (2) 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 Planning and Building.
- d. 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.

- e. Prior to any ground disturbing activity, the applicant shall submit a landscaping design plan to the Planning and Building Division for review and approval. Said plan shall address parking, parking lot circulation and striping, signage, exterior lighting, trash enclosures, landscaping and plant material, type and size of plants, maturation size at full growth, landscaping location, and landscaping irrigation system.
- f. All landscaping, irrigation and screening shall be completely installed and shall satisfy the requirements prior to issuance of a certificate of occupancy.
- g. The wall or fence that is required to be constructed between the commercial uses and the adjacent residential uses shall be constructed of long-lasting materials, and shall be at least six (6) feet in height. The wall or fence shall be constructed out of stone, masonry, vinyl, or composite. Transparent predator resistant fencing, three strand smooth wire, and planted hedgerows shall also be permitted. Wood and chain link are not permitted.
- h. Trees shall be focused around the primary structure, parking areas, and entry location.
- i. Vineyards shall count as required landscape buffers.
- j. Agricultural machinery and tools shall be screened from adjacent properties when not in use.
- k. Any outdoor lighting on the property must adhere to dark sky lighting standards.

- l. Prior to Certificate of Occupancy, the owner shall install signage at the exit of the driveway indicating the presence of a school bus drop off zone and children present.
- m. Prior to Certificate of Occupancy, the owner shall work with Washoe County Engineering and Public Works to appropriately sign the section of Bordeaux Drive and the entrance of the project with appropriate signage. If Washoe County Engineering deems this condition unnecessary this condition shall not be enforced.
- n. The owner(s) of APNs 047-162-19 and 047-162-21, along with its successors and assignees, shall be responsible for the maintenance, in perpetuity, of roadway as described in Washoe County Recorder's Document Number 1926933, with the following exception of the easement area being south of the access driveway to APN 047-162-21. Should an additional ingress/egress driveway or other vehicular access, for purposes of serving either portion of APNs 047-162-19 and 047-162-21 be established within the easement described in Doc # 1926933, the maintenance and improved pavement sections shall be extended to the southern edge of that vehicular access. The agreement shall be executed between the owners of APNs 047-162-19 and APNs 047-162-21 (currently "Dennis and Tina De La Montanya Trust") and the Montreux Development Group LLC. A separate maintenance agreement shall be drafted between the "Dennis and Tina De La Montanya Trust" and surrounding property owners who use the road for access.
- o. The following **Operational Conditions** shall be required for the life of the business:
 - i. This administrative permit shall remain in effect until or unless it is revoked or is inactive for one year.
 - ii. Failure to comply with any of the conditions of approval shall render this approval null and void.
 - iii. All landscaping and irrigation systems shall be maintained at all times to conform with the Landscaping Section of the Washoe County Development Code for the life of the business, including the replacement of dead plants, trees, shrubs and all ground cover.
 - iv. The applicant and any successors shall direct any potential purchaser/operator of the site and/or the administrative permit to meet with Planning and Building to review conditions of approval prior to the final sale of the site and/or the administrative permit. Any subsequent purchaser/operator of the site and/or the administrative permit shall notify Planning and Building of the name, address, telephone number, and contact person of the new purchaser/operator within 30 days of the final sale.
 - v. This administrative permit shall remain in effect as long as the business is in operation and maintains a valid business license.
 - vi. Hours of operation shall be restricted to the hours of 9:00 A.M. to 8:00 P.M.; if times need to be adjusted, Planning Director approval will be required. No events will be permitted due to the Low Density Suburban (LDS) regulatory zone.
 - vii. The owner shall limit hours of operation to "by appointment only" on Monday - Thursday and shall limit appointments between 2:30 P.M. - 4:30 P.M.

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 Vesely, 775.328.2313, Ivesely@washoecounty.us

- a. The application shows a retention basin and grape vines located within a 25 foot wide roadway and utility easement dedicated to Washoe County. With the submittal of final permit plans, no facilities shall be allowed within said easement. If the applicant wishes to explore the possibility of abandoning the easement, it is recommended they first meet with County Engineering staff to explore the feasibility of the abandonment.
- b. The proposed access road from Bordeaux Drive has an open offer of dedication to Washoe County, however, the offer has not been accepted since no permanent roadway has been constructed at this time. A privately owned and maintained access roadway conforming to Washoe County Code 110 to serve the development will be permitted upon the recordation of private access easements along the proposed roadway. Further, the private access easement shall not terminate or remove the existing Offers of Dedication provided on Parcel Map no. 3092 and Document No. 1926933. The applicant shall prepare engineering design drawings (plan and profiles, details) for the proposed roadway construction with hydrology report and submit to Washoe County for a Grading/Building Permit.

Truckee Meadows Fire Protection District (TMFPD)

3. The following conditions are requirements of the Truckee Meadows Fire Protection District, which shall be responsible for determining compliance with these conditions. Unless otherwise stated, these conditions shall be met prior to the issuance of any building or grading permit or on an ongoing basis as determined by TMFPD.

Contact Name – Don Coon, 775.326.6077, Dcoon@tmfpd.us

- a. Provide a Vegetation Installation, Management and Defensible Space Plan as required for the project in accordance with the requirements of the *IWUIC*.
- b. Provide adequate space for a turnaround for Fire Apparatus as defined in IFC Appendix #D.

Nevada Division of Environmental Protection

4. The following condition is a requirement of the Nevada Division of Environmental Protection, which shall be responsible for determining compliance with this condition.

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

- a. A pre-treatment permit is required if wine-making process wastewater will discharge to the public utility sewage collection and treatment system.
- b. A water pollution control permit will be required if the wine-making process wastewater is discharged to lined ponds, liquid storage structures or tanks, infiltration basins, infiltration trenches, or generally for any disposal of wine-making process wastewater.

Nevada Division of Water Resources

5. The following condition is a requirement of the Nevada Division of Water Resources, which shall be responsible for determining compliance with this condition.

Contact Name – Timber Weiss, 775.684.2887, tweiss@water.nv.gov

- a. Any water used on the described lands should be provided by an established utility or under permit issued by the State Engineer's Office.
- b. Any water or monitor wells, or boreholes that may be located on either acquired or transferred lands are the ultimate responsibility of the owner of the property at the time of the transfer and must be plugged or abandoned as required by Chapter 534.
- c. A Will Serve from Truckee Meadows Water Authority (TMWA) and mylar map of the

proposed project must be presented to the State Engineer for approval and signed through his office prior to development.

*** End of Conditions ***