

Attachment D

WSUP20-0002



Conditions of Approval

Special Use Permit Case Number WSUP20-0002

The project approved under Special Use Permit Case Number WSUP20-0002 shall be carried out in accordance with the conditions of approval granted by the Board of County Commissioners on June 16, 2020. Conditions of approval are requirements placed on a permit or development by each reviewing agency. These conditions of approval may require submittal of documents, applications, fees, inspections, amendments to plans, and more. These conditions do not relieve the applicant of the obligation to obtain any other approvals and licenses from relevant authorities required under any other act.

Unless otherwise specified, all conditions related to the approval of this 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 (775)328-3622 rpelham@washoecounty.us

- a. **The applicant shall attach a copy of the action order approving this project to all administrative permit applications (including building and grading permits) applied for as part of this special use permit.**
- b. 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.
- c. The applicant shall submit complete construction plans and initial building (grading) permits shall be issued within two years from the date of approval by Washoe County. The applicant shall complete grading within the time specified by the building permits. Compliance with this condition shall be determined by the Planning and Building Division.
- d. This special use permit shall be valid until April 2, 2025. No additional grading permits shall be approved after that date. Any grading permits issued prior to that date may be completed in accordance with the time specified by the building permits.
- e. All final slopes shall be 4 horizontal to 1 vertical (4:1) or flatter.
- f. No grading shall take place within 50 feet of any exterior property line.
- g. 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.

- d. The following **Operational Conditions** shall be required for the life of the special use permit:
 - i. Failure to comply with the conditions of approval shall render this approval null and void. Compliance with this condition shall be determined by Planning and Building.
 - ii. Grading shall take place during daylight hours only.

Washoe District Health, Air Quality Management Division

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

Contact Name – Mike Wolf, 775.784.7206, mwolf@washoecounty.us

- a. The applicant shall obtain a dust control permit prior to any grading activity. The permit must be maintained throughout the life of the project.

Washoe County Engineering and Capital Projects

3. 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, lvesely@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 (BMPs) 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. 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 Truckee Meadows Regional Stormwater Quality Management Program Construction Permit Submittal Checklists and Inspection Fee shall be submitted with the grading permit.
- d. All mitigation shall be done in accordance with the Washoe County June 15, 2019 Boneyard Flat Closed Basin Interim Drainage Policy and updates.
- e. The cut slope adjacent the Pebble Creek Estates residential area shall be setback at least 50 feet from the subdivision boundary and shall be no steeper than 4:1, all other cut and fill slopes, shall be setback from parcel lines and access easements in accordance with Washoe County Code Article 438.
- f. A grading bond of \$2,000/acre of disturbed area shall be provided to the Engineering Division prior to any grading.
- g. Cross-sections indicating cuts and fills shall be submitted when applying for a grading permit. Estimated total volumes shall be indicated.
- h. All grading shall be in accordance with Article 110.438 Grading Standards.
- i. Grading plans shall identify the basis of elevation. NAVD88 is preferred for design. If NAVD88 is not used, the conversion factor to NAVD88 shall be provided.
- j. 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.
- k. For each project which proposes to utilize material excavated from Boneyard Flat as mitigation of volume of fill material placed at or below the 100-year, 10-day flood pool elevation, the following shall be apply:
 - i. For each grading permit submitted for approval, a table shall be provided on the grading plan which estimates both the project volume of fill and the

borrow area volume of excavation which shall be reported for each incremental foot of elevation (incremental volume) and cumulative volume. The incremental and cumulative volume of excavation from the mitigation area shall exceed the incremental and cumulative volume placed on the project site.

- ii. There shall be no volume mitigation credited for excavation within the borrow area at an elevation greater than the established 100-year, 10-day flood pool.
- l. A project specific drainage report shall be prepared for each grading permit and shall address the flow velocities of the existing drainage channels that enter Boneyard Flat and any required mitigation of increased volume of runoff and/or displaced flood water storage volume.
- m. Provide the design of erosion control measures will be installed in the existing drainage channels where they enter the playa. Drop-off into the playa may require energy dissipating structures such as rock gabions or other approved design.
- n. All topsoil and non-structural materials stockpile locations shall be shown on the grading plans. All stockpile locations shall be at least 100 feet from all property lines and shall be at least 200 feet from any dwelling. Slopes shall not be steeper than 3:1. Stockpile locations shall not be placed on any natural slopes of 15% or greater.
- o. Add note shall be added to the plans requiring an as-built topographic survey documenting final fill and excavation quantities affecting the Boneyard Flat base flood elevation (BFE) shall be submitted prior to any permit CofO or final.
- p. Contractors exporting, at least 10,000 cubic yards or more, of material from Boneyard Flat and importing to projects utilizing Washoe County roadways shall submit a haul route plan to the Washoe County Engineering Division for review and approval prior to the export of material. A Haul Route Mitigation Fee may be assessed for each project utilizing County roadways as compensation for the accelerated deterioration of roadway used as a construction haul route.

*** End of Conditions ***