

AGREEMENT

THIS AGREEMENT (“Agreement”) is made by and between **HUNTER CREEK - RENO OWNER, LLC**, a Foreign limited liability company (the “Landowner”), and the **COUNTY OF WASHOE**, a political subdivision of the State of Nevada, (“County”).

1. GENERAL.

1.1 Property. The Landowner is the owner of real property located in Washoe County, Nevada known as Assessor’s Parcel Number 041-671-04 in Washoe County, Nevada (the “Property”) as more particularly described in Exhibit A, attached hereto, which is subject to County’s Southwest Truckee Meadows Area Plan, an element of the 2040 Envision Plan.

1.2 Tentative Map. The Property has a County land use designation including General Rural, Low Density Suburban, and High Density Rural with a total number of residential dwelling units allowed by the existing land use designations being 53 common open space lots. On July 5, 2016, the County issued its Action Order, which is incorporated herein by this reference as Exhibit B, approving a tentative map application of the Landowner for the Property known as Tentative Subdivision Map Case File No. TM16-005 (The Ridges at Hunter Creek) (the “Tentative Map”). On August 18, 2020, the Board of County Commissioners approved a development agreement (Ordinance 1656) allowing a two-year extension until July 5, 2022, to record the first final map. On May 7, 2024, the Washoe County Planning Commission granted an Extension of Time allowing a two-year extension until June 28, 2026 to record the next final map. The development of the Property must be conducted pursuant to the provisions of the Tentative Map and the Washoe County Development Code (the “Code”).

1.3 Previous Final Maps. Landowner recorded one final map on the Property (T5495) on June 28, 2022.

1.4 Purpose of Agreement. The Extension of Time for the Tentative Map states that the next final map in a series of final maps (each a “Final Map”) must be submitted prior to the expiration of the two (2) year time limit, as such time was extended by two (2) years pursuant to Landowners request for extension of subdivision expiration, which is June 28, 2026. NRS 278.360(1) states that same requirement, but allows the deadline to be extended by execution of a development agreement pursuant to NRS 278.0201. This agreement is intended to extend the time for presentation of the next Final Map from June 28, 2026 to June 28, 2028 and thereby amend Condition 1(e) of the Tentative Map accordingly. The Agreement does not amend any other provisions of the Tentative Map, including remaining provisions of Condition 1(e) not inconsistent herewith.

1.5 Circumstances Requiring An Extension of Time. Landowner believes it may not be feasible to present the Final Map to the Washoe County Planning Commission prior to the June 28, 2026 deadline due to economic uncertainty around high interest rates and lending for construction becoming increasingly difficult. Without this Agreement, the result would be expiration of the Tentative Map. The parties recognize that the Developer continues to work diligently on the project and that preserving housing approvals such as the Tentative Map are in the public’s best interest.

2. AGREEMENT CONCERNING DEVELOPMENT OF LAND.

2.1 Compliance with NRS 278.0201 and Code. This Agreement is an agreement concerning the development of land under NRS 278.0201 and Article 814 of the Code. The Landowner is the owner of fee title to the Property, and therefore has a legal interest in the Property. The Parties hereby agree that the Landowner's deadline to submit the next Final map is hereby extended pursuant to the terms of this Agreement. In compliance with NRS 278.0201(1), the following covenants, terms and conditions are set forth:

2.1.1. The land which is subject to this Agreement is APN 041-671-04, which is described in Exhibit A: Legal Description.

2.1.2. The duration of this Agreement shall be for two (2) years from June 28, 2026 to June 28, 2028, provided that all the terms of this Agreement shall remain binding and enforceable regarding construction or development commenced, and any related permits, on any portion of the Property subject to a tentative map, a recorded final map or any use permit in existence at the time of expiration of this Agreement.

2.1.3. This agreement shall terminate and, except as otherwise provided herein, all original conditions of approval for TM16-005 shall be in full force and effect upon recordation of the final map or the first final map in a series. Changes in federal, state, or county law concerning public health, safety or welfare will apply to any final map or other permit. Final maps must then be filed in accordance with NRS 278.360.

2.1.4. The permitted uses on the Property and the density or intensity of its use, are as provided in the Tentative Map and the Code. The permitted use of the Property pursuant to the Tentative Map is a 53-lot common open space development on 155.01 acres, which complies with the Property's land use designation.

2.1.5. The maximum height and size of the proposed buildings will comply with the Tentative Map.

2.1.6. The provisions for the dedication of any portion of the Property for public use are as provided in the Tentative Map and the Code. As part of this Common Open Space Development existing roads and/or streets will provide access, to and through the common areas connecting to the Washoe County Michael D. Thompson trailhead near the northwesterly portion of the site. The common area will be owned and maintained by a homeowners' association. The developer has been working with the County and others as needed to provide and preserve adequate access to adjoining public (USFS) lands.

2.1.7. Terms and conditions relating to construction and financing of necessary public improvements and facilities, are in accordance with and as provided for in the Tentative Map and the Code, and will also be in accordance with any subdivision improvement agreements for future final maps.

2.1.8. Phasing and deadline dates for project grading and development with information on required bonding or other acceptable guarantees of performance and

completion (Article 110.610 Washoe County Development Code) for each development phase or stage will be addressed with the submittal of each final map.

2.1.9 The final map, to be a minimum of five lots, shall be presented to the Planning Commission on or before the date of expiration of this Agreement. All successive final maps, if the Landowner chooses to record in a series, must include a minimum of five lots. Unless otherwise provided herein, the deadlines for any final maps shall be governed by NRS 278.360 and Condition 1(e) of the Tentative Map.

2.1.10 Development standards for the Project are set forth in the conditions and requirements of the Tentative Map, Planning Commission's Action Order dated July 5, 2016 attached hereto as Exhibit "B", and future final maps.

2.2 Code and Changes to the Law. The parties agree that changes in federal, state or county law concerning public health, safety or welfare will apply to any final map or other permit.

2.3 Public Notice. Any and all public notices required to be given in connection with this Agreement shall be given in accordance with Section 110.814.25 of the Code

2.4 Assumption of Risk. The Landowner acknowledges and agrees that the Landowner is proceeding voluntarily and at its own risk in entering into this Agreement and without advice, promises or guarantees of any kind from the County, other than as expressly set forth herein. The Landowner waives any claims for damages against the county that might arise out of, or relate to, a subsequent court determination that this Agreement or any provision in it is invalid and/or unenforceable, including any claim based on NRS 278.0233(1) regarding the requirements, limitations, or conditions imposed pursuant to this Agreement.

2.5 Default and Termination of Agreement. This Agreement shall become null and void, in the event of noncompliance with any term or deadline set forth in this Agreement if the breaching party fails to fully cure such noncompliance after reasonable written notice and opportunity to cure, and all proceedings concerning the Tentative Map shall be terminated, provided that all the terms of this Agreement shall remain binding and enforceable regarding construction or development commenced, and any related permits, on any portion of the Property subject to a tentative map, a recorded final map or any use permit in existence at the time of termination of this Agreement.

2.6 Termination By Final Map. This Agreement shall terminate upon recording of the Final Map.

3. MISCELLANEOUS PROVISIONS.

3.1 Time is of the Essence. Time is of the essence of this Agreement.

3.2 Waivers. No waiver of any breach of any covenant or provision herein contained shall be deemed a waiver of any preceding or succeeding breach thereof, or of any other covenant or provision herein contained. No extension of time for performance of any obligation or act shall be deemed an extension of time for performance of any other obligation or act except those of the waiving party, which shall be extended by a period of time equal to the period of the delay.

3.3 Assignability of the Agreement. This Agreement shall be binding upon and inure to the benefit of all future successors in interest of the Property as described in Exhibit A (Legal Description), and the successor shall assume the duties and obligations under this Agreement.

3.4 Entire Agreement. This Agreement is the final expression of, and contains the entire agreement between, the parties with respect to the subject matter hereof and supersedes all prior understandings with respect thereto.

3.5 Governing Law. The parties hereto acknowledge that this Agreement has been negotiated and entered into in the State of Nevada. The parties hereto expressly agree that this Agreement shall be governed by, interpreted under, and construed and enforced in accordance with the laws of the State of Nevada and venue for any action shall be solely in state district court for Washoe County, Nevada.

3.6 Days of Week. If any date for performance herein falls on a Saturday, Sunday or holiday, pursuant to the laws of the State, the time for such performance shall be extended to 5:00 p.m. on the next business day.

3.7 Written Amendments. Amendments to this Agreement shall be defined as changes which are not in substantial compliance with the Tentative Map and this Agreement. Amendments, if any, shall be approved as provided in NRS 278.0205. Changes hereto which are in substantial compliance with the overall Tentative Map and this Agreement may be requested by Owners and approved or denied by the Director of Community Development. The Director of Community Development shall also decide whether or not a proposed change is in substantial compliance with the overall Tentative Map. The Owners may appeal an adverse decision by the Director of Community Development to the Board of County Commissioners by written notice filed with the Director of Community Development, if filed within twenty (20) days of receipt of the notice of the adverse decision unless an appeal to the Board of Adjustment is required to occur first. No oral statements or representations subsequent to the execution hereof by either party are binding on the other party, and neither party shall have the right to rely on such oral statements or representations.

3.8 Future Cooperation. Each party shall, at the request of the other, at any time, execute and deliver to the requesting party all such further instruments as may be reasonably necessary or appropriate in order to effectuate the purpose and intent of this Agreement.

3.9 Third Party Beneficiary Rights. This Agreement is not intended to create any third-party beneficiary rights in any person not a party hereto.

3.10 Interpretation. The parties hereto acknowledge and agree that each has been given the opportunity to review this Agreement with legal counsel independently. The parties have equal bargaining power and intend the plain meaning of the provisions herein. In the event of an ambiguity in or dispute regarding the interpretation of the Agreement, the interpretation of this Agreement shall not be resolved by any rule of interpretation providing for interpretation against the party who causes the uncertainty to exist, or against the draftsmen.

3.11. Counterparts. This instrument may be executed in two or more counterparts, which, when taken together, shall constitute one and the same instrument. Any signature page of this instrument may be detached from any counterpart without impairing the legal effect of any

signatures thereon, and may be attached to another counterpart identical in form thereto, but having attached to it one or more additional signature pages.

[Signatures appear on following page]

[Signature page to Development Agreement]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date above last written below.

LANDOWNER:

**HUNTER CREEK – RENO OWNER,
LLC, a Foreign Limited Liability
Company**

By: Ashley Malone

Date: April 27, 2026.

Name: Ashley Malone

Title: Senior VP Development

COUNTY:

**COUNTY OF WASHOE, a political
subdivision of the State of Nevada, by its
BOARD OF WASHOE COUNTY
COMMISSIONERS**

By: _____
Chairman

Date: _____

ATTEST:

County Clerk

CALIFORNIA NOTARY ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)

COUNTY OF ORANGE)

On April 27, 2026, before me, Kenia Torres, a Notary Public, personally appeared Ashley Malone, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that she/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Kenia Torres

(Seal)

[Signature page to Development Agreement]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date above last written below.

LANDOWNER:

**HUNTER CREEK – RENO OWNER,
LLC, a Foreign Limited Liability
Company**

By: _____

Date: _____

Name: _____

Title: _____

—

COUNTY:

**COUNTY OF WASHOE, a political
subdivision of the State of Nevada, by its
BOARD OF WASHOE COUNTY
COMMISSIONERS**

By: _____

Chairman

Date: _____

ATTEST:

County Clerk

STATE OF NEVADA)
)ss.
COUNTY OF WASHOE)

 This instrument was acknowledged before me on _____, 20, by
_____, as Director of Community Development, County of Washoe.

Notary Public
My Commission Expires: _____

Exhibit “A

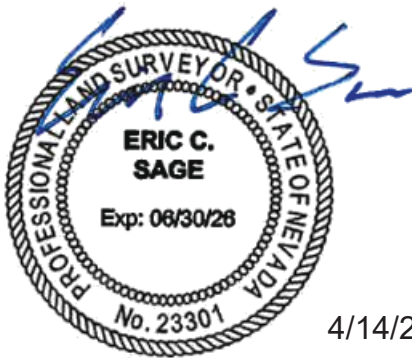
LEGAL DESCRIPTION OF PROJECT PROPERTY

LEGAL DESCRIPTION

All that certain real property situate within the South One-Half (S 1/2) of Section Nineteen (19) and the North One-Half (N 1/2) of Section Thirty (30), Township Nineteen (19) North, Range Nineteen (19) East, Mount Diablo Base and Meridian, Washoe County, State of Nevada, being particularly described as follows:

BEING Parcel 2-A per Tract Map No. 5495 recorded June 28, 2022 as File No. 5314853 in the Official Records of Washoe County, Nevada;
Containing 90.10 acres of land more or less.

Prepared by:
Wood Rodgers, Inc.
1361 Corporate Boulevard
Reno, NV 89502



4/14/2026

Eric C. Sage, P.L.S.
Nevada Certificate No. 23301

Exhibit “B”

ACTION ORDER WITH CONDITIONS OF APPROVAL



Planning Commission Action Order

Extension of Time Request for Tentative Subdivision Map Case Number TM16-005 (The Ridges at Hunter Creek)

Decision: **Approval with Conditions**
Decision Date: May 7, 2024
Mailing/Filing Date: August 5, 2025
Property Owner: Hunter Creek Reno Owner LLC
Staff Planner: Julee Olander, Planner
Washoe County Community Services Department
Planning and Building
775.328.3618
jolander@washoecounty.gov

**Extension of Time Request for Tentative Subdivision Map Case Number TM16-005
(The Ridges at Hunter Creek)** - For hearing, discussion, and possible action to approve an extension of time for the approval of the subdivision, for two years, from June 28, 2024, until June 28, 2026. The subdivision was originally approved by the Planning Commission on July 5, 2016. The Planning Commission may grant an extension of not more than 2 years for the presentation of any final map after the 2-year period for presenting a successive final map has expired, in accordance with NRS 278.360(1)(c).

- Applicant: New Edge Living
- Property Owner: Hunter Creek Reno Owner LLC
- Location: 0 Hunter Falls Circle,
- APN: Reno, NV 89519
- Parcel Size: 041-671-04
- Master Plan: 91.096 acres
- Regulatory Zone: Rural Residential & Suburban Residential
- Area Plan: 52% High Density Rural (HDR), 18% Low Density Suburban (LDS) & 30% General Rural (GR)
- Development Code: Authorized in Article 608 Tentative Subdivision Maps
- Commission District: 1 – Commissioner Hill
- Staff: Julee Olander, Planner
Washoe County Community Services Department
Planning and Building
- Phone: 775.328.3618
- E-mail: jolander@washoecounty.gov

Notice is hereby given that the Washoe County Planning Commission granted approval with conditions of the above referenced case number based on the findings in accordance with Washoe County Code Chapter 110 (Development Code) Article 608, *Tentative Subdivision Maps*. If no appeals have been filed within 10 calendar days after the Mailing/Filing date shown on this Action Order, the approval by the Washoe County Planning Commission is final. If filed, an appeal stays any further action on the permit until final resolution of the appeal. An appeal shall be filed in accordance with the provisions found in Article 912, *Establishment of Commissions, Boards and Hearing Examiners*, of the Development Code. This decision is based on having made all ten findings in accordance with Washoe County Code Section 110.608.25:

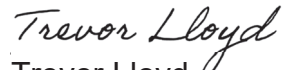
- 1) Plan Consistency. That the proposed map is consistent with the Master Plan and any specific plan;
- 2) Design or Improvement. That the design or improvement of the proposed subdivision is consistent with the Master Plan and any specific plan;
- 3) Type of Development. That the site is physically suited for the type of development proposed;
- 4) Availability of Services. That the subdivision will meet the requirements of Article 702, Adequate Public Facilities Management System;
- 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 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 Master Plan; and
- 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.

This Action Order is issued subject to the attached conditions and Washoe County development standards. Please contact the planner assigned to your project at the above-referenced phone number within seven days of receipt of this Order to review the steps necessary to satisfy the Conditions of Approval. Any business license, certificate of occupancy or final approval shall not be issued until all of the Conditions of Approval

(attached) are satisfied. Additionally, compliance shall be required with all federal, state and local statutes, ordinances, and regulations applicable to the approved project.

This Action Order does not authorize any development, to include building construction and grading, without the required permits from the Washoe County Planning and Building Division, Building Program.

Washoe County Community Services Department
Planning and Building Division

 _____
Trevor Lloyd
Secretary to the Planning Commission

TL/JO/BR

Enclosure: Conditions of Approval



Conditions of Approval

Tentative Subdivision Map Case Number TM16-005

The project approved under Tentative Subdivision Map Case Number TM16-005 shall be carried out in accordance with the Conditions of Approval granted by the Planning Commission on July 5, 2016. 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 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 Development 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 initiation 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.

- **The WASHOE COUNTY SCHOOL DISTRICT is directed and governed by its own Board. Therefore, any conditions set by the Washoe County School District must be appealed to their School Board.**

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.

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 Development Division

1. The following conditions are requirements of the Planning and Development Division, which shall be responsible for determining compliance with these conditions.

Contact Name – Trevor Lloyd, 775.328.3620

- a. The applicant shall demonstrate substantial conformance to the plans approved as part of this special use permit.
- b. The tentative map shall be in substantial compliance with the Approved Tentative Map and provisions of Washoe County Development Code Article 608, Common Open Space Development, and Article 608, Tentative Subdivision Maps.

Regulatory Zone for Review Purposes	General Rural (GR) Low Density Suburban (LDS) High Density Rural (HDR)
Minimum Lot Area Proposed	Common Open Space Development
Minimum Lot Width	Common Open Space Development
Minimum Front Yard	30 feet
Minimum Side Yard	12 feet
Minimum Rear Yard	30 feet
Maximum Building Height	35 feet

Notes: Variances to these standards may be processed per Washoe County Code.

- c. The subdivision shall be in substantial conformance with the provisions of Washoe County Development Code Article 604, Design Requirements, and Article 608, Tentative Subdivision Maps.
- d. 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.
- e. 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 four years after the date of approval of the tentative map or within two years 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.
- f. 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.
- g. All final maps shall contain the applicable portions of the following Jurat:

The Tentative Map for TM16-005 (The Ridges at Hunter Creek)
was APPROVED BY THE WASHOE COUNTY PLANNING
COMMISSION ON JULY 5, 2016.

THIS FINAL MAP, MAP NAME AND UNIT/PHASE #, MEETS ALL APPLICABLE STATUTES, ORDINANCES AND CODE PROVISIONS, IS IN SUBSTANTIAL CONFORMANCE WITH THE TENTATIVE MAP AND ITS CONDITIONS, WHICH ARE INCORPORATED HEREIN BY THIS REFERENCE, AND THOSE CONDITIONS HAVE BEEN SATISFIED FOR RECORDATION OF THIS MAP, EXCEPT THAT THE "OPERATIONAL CONDITIONS" CONTAINED IN THE RECORDED ACTION ORDER SHALL REMAIN IN FULL FORCE AND EFFECT IN PERPETUITY.

IF ALL LOTS ON THIS MAP ARE REVERTED TO ACREAGE AND A NEW SUBDIVISION APPROVAL IS OBTAINED AT A FUTURE DATE, THE PROVISIONS OF THIS APPROVAL SHALL BE NULL AND VOID, UPON APPROVAL BY WASHOE COUNTY OF THOSE ACTIONS.

[Omit the following paragraph if this is the first and last (only) final map.]

THE FIRST FINAL MAP FOR THIS TENTATIVE MAP WAS APPROVED AND ACCEPTED FOR RECORDATION ON date of Planning and Development Director's signature on first final map. THE MOST RECENTLY RECORDED FINAL MAP WAS APPROVED AND ACCEPTED FOR RECORDATION ON date of Planning and Development 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 _____.

THE NEXT FINAL MAP FOR <TM CASE NUMBER> MUST BE APPROVED AND ACCEPTED FOR RECORDATION BY THE PLANNING AND DEVELOPMENT 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 PLANNING AND DEVELOPMENT DIRECTOR. THE OFFER OF DEDICATION FOR STREETS, SEWERS, ETC. IS REJECTED AT THIS TIME, BUT WILL REMAIN OPEN IN ACCORDANCE WITH NRS CHAPTER 278.

WILLIAM H. WHITNEY, DIRECTOR,
PLANNING AND DEVELOPMENT DIVISION

- h. Prior to acceptance of public improvements and release of any financial assurances, the developer shall furnish to the Engineering and Capital Projects Division a complete set of reproducible as-built construction drawings prepared by a civil engineer registered in the State of Nevada.
- i. The developer shall be required to participate in any applicable General Improvement District or Special Assessment District formed by Washoe County.
- j. 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.

- k. 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.

- l. 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.
- m. The developer and all successors shall direct any potential purchaser of the site to meet with the Planning and Development 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 Development Division of the name, address, telephone number and contact person of the new purchaser within thirty (30) days of the final sale.
- n. Failure to comply with the conditions of approval shall render this approval null and void.
- o. Conditions, covenants, and restrictions (CC&Rs), including any supplemental CC&Rs, shall be submitted to the Planning and 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 Planning and Development Division 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 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. Slopes shall be three (3) horizontal to one (1) vertical (3:1) or flatter.
 12. 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.
 13. Development of slopes in excess of thirty (30) percent is prohibited.
- p. 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 the Planning and Development staff and the District Attorney.
 - q. In coordination with the Washoe County Health Department, the University of Nevada Cooperative Extension, and/or the Washoe-Storey Conservation District, the applicant shall prepare and submit a noxious weeds control plan.
 - r. The final map shall identify all areas of general rural (GR) regulatory zone within all residential lots and a note shall be placed on the map shall state that no structures shall be placed within any area identified as GR.
 - s. The final map shall contain the following note: No structures shall be placed within 10 feet from the edge of the transmission line easement.

Washoe County Engineering and Capital Projects Division

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

Contact Name – Walt West, 775.328.2310

- 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 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. The County Engineer shall determine compliance with this condition.
- e. 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.
- f. 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.
- g. 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.
- h. 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.
- i. 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 for project roadways, erosion control (including BMP locations and installation details), slope stabilization and mosquito abatement. A conceptual grading and drainage scheme shall be indicated for each lot on the grading plan. If drainage from one lot to another is proposed, then appropriate drainage easements shall be provided. Disposal of any excavated material onsite shall be indicated on the grading plans. The County Engineer shall determine compliance with this condition.
- j. Any roadway crossings of overhead power facilities shall be designed in accordance with NV Energy standards. Prior the recordation of any affected map, a letter from NV Energy shall be provided to the County Engineer approving the design and location of roadways with respect the overhead utility lines. The County Engineer shall determine compliance with this condition. (modified during the July 5, 2016 Planning Commission public hearing)
- k. Existing overhead power lines, such as those that traverse lots 8 through 11 and lot 53 shall be relocated underground and easements abandoned with the

recordation of the final map. The County Engineer shall determine compliance with this condition.

Drainage

- l. 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.
- m. 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.
- n. 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. The County Engineer shall determine compliance with this condition.
- o. 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.
- p. The developer shall provide pretreatment for petrochemicals and silt for all storm drainage leaving the site to the satisfaction of the Engineering Division.
- q. DELETE (removed during the July 5, 2016 Planning Commission public hearing)
- r. 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.
- s. 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. The County Engineer shall determine compliance with this condition.
- t. 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.

- u. 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.
- v. A note on all affected final maps shall state that the owner, buyers, assigns or interest holders of any lots hereon, hereby agree that all existing irrigation flows crossing these parcels shall be perpetuated. Any legal rights to water from the ditches crossing this property shall be honored and the right of access for maintenance and operation will not be denied to valid holders of those rights. The County Engineer shall determine compliance with this condition.
- w. Maintenance access and drainage easements shall be provided for all existing and proposed drainage facilities. The County Engineer shall determine compliance with this condition.
- x. Drainage easements shall be provided across individual lots on the official map for all storm runoff that crosses more than one lot. The County Engineer shall determine compliance with this condition.
- y. Any increase in stormwater runoff resulting from the development and based on the 5 year and 100 year storm(s) shall be detained onsite. The detention facility shall be owned and maintained by a homeowners association. The County Engineer shall determine compliance with this condition.
- z. Any rights-of-way/easements for irrigation ditches or water supply ditches, associate structures and their maintenance shall be reserved with the finalization of the affected final map or prior to issuance of a grading permit. Any relocation of irrigation or water supply facilities shall maintain the quantity, quality, elevation and point of delivery of the ditch unless an alternate alignment and discharge point is approved by the owners of the irrigation and water supply facilities. The County Engineer shall determine compliance with this condition.
- aa. Common Area or offsite drainage draining onto residential lots shall be perpetuated through or around residential lots and drainage facilities capable of passing a 100-year storm shall be designed with the subdivision improvements to perpetuate the storm water runoff to improved or natural drainage facilities. The County Engineer shall determine compliance with this condition. (modified during the July 5, 2016 Planning Commission public hearing)

Traffic and Roadways

Discussion

The application indicates that the project roadways may be public roads. The existing Phase 1 was recorded and improved with private streets having 36' wide easements. Should the applicant want Phase 2 roadways to be offered for dedication to Washoe County and maintained as public roadways, all existing streets within Phase 1 shall meet current Washoe County standards including an offer of dedication of right-of-way,

pavement width, repair and sealing of existing pavement as directed by the County Engineer, structural section thickness, construction of structural retaining walls adjacent to right-of-ways, and construction of concrete sidewalks

- bb. 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. The County Engineer shall determine compliance with this condition.
- cc. Street names shall be reviewed and approved by the Regional Street Naming Coordinator.
- dd. 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.
- ee. 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.
- ff. 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. The County Engineer shall determine compliance with this condition.
- gg. 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. The County Engineer shall determine compliance with this condition.
- hh. No retaining walls that retain soil from the County right-of-way or private right-of-way shall be located within a plowed snow storage easement. The County Engineer shall determine compliance with this condition.
- ii. 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.
- jj. Adequate snow storage easements shall be identified on the final plat. The County Engineer shall determine compliance with this condition.
- kk. 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.

- ll. The diameter of the cul-de-sac bulb island and anything located within the island, such as landscaping, parking, etc., shall be designed to provide safe sight distances and an adequate turning radius for garbage trucks, snow plows and moving vans. The County Engineer shall determine compliance with this condition.
- mm. 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.
- nn. If the project roadways for this tentative map are to be publically owned and maintained by Washoe County, all existing roadways within The Ridges at Hunter Creek Phase 1 development shall meet Washoe County Standards including but not limited to the following:
 - i) Existing roadway right-of-ways shall be offered for dedication to Washoe County being a minimum of 42 feet in width.
 - ii) All streets shall meet standard width requirements with Type 1 curb and gutter and sidewalk in accordance with Washoe County Code requirements.
 - iii) Any roadway improvements comprised of concrete block pavers shall be removed and replaced with standard asphaltic or concrete paving. Alternatively, in lieu of concrete paver removal and roadway reconstruction, the County may allow for maintenance of pavers by a Home Owners Association.
 - iv) All existing roadway islands shall be located in right-of-way granted to Washoe County and a revocable encroachment permit shall be obtained from Washoe County.
 - v) All existing rockery walls that are adjacent to, provide support for or retain soil from the County right-of-way shall not be allowed and shall be re-constructed of reinforced masonry block or reinforced concrete and designed by an engineer licensed in the State of Nevada.

Washoe County Utilities

- 3. The following conditions are requirements of Washoe County Utilities, which shall be responsible for determining compliance with these conditions.

Contact Name – Tim Simpson, 775.954.4648

- a. All fees shall be paid in accordance with Washoe County Ordinance prior to the approval of each final map.

- b. 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.
- c. Improvement plans shall be submitted and approved by CSD 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.
- d. 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.
- e. Approved improvement plans shall be used for the construction of on-site and off-site sanitary sewer collection systems. The CSD will be responsible to inspect the construction of the sanitary sewer collection systems.
- f. Any on-site or off-site previously constructed sanitary sewer collection system not previously accepted by Washoe County shall be adequately flushed, vacuum tested, and video inspected to the satisfaction of the CSD.
- g. The sanitary sewer collection systems must be offered for dedication to Washoe County along with the recordation of each final map.
- h. Easements and real property for all sanitary sewer collection systems and appurtenances shall be offered for dedication to Washoe County along with the recordation of each final map.
- i. 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 proposed collection line sizes, on-site and off-site alignment, and half-full velocities.
- j. No Certificate of Occupancy will be issued until all the potable water and sewer collection facilities necessary to serve each final map have been completed and accepted.
- k. No permanent structures (including rockery or retaining walls, building's, etc.) shall be allowed within or upon any County maintained utility easement.
- l. 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.
- m. A minimum 12-foot wide all weather sanitary sewer access road shall be constructed to facilitate access to off-site sanitary sewer manholes

Washoe County Health District

4. 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 Name – James English and J.L. Shaffer, 775.328.2434

- a. A Water Project per NAC 445A.66695 must be submitted and approved by this Division. Prior to any water system construction, a complete water system plan and Water Project submittal for the referenced proposal must be submitted to this Division. The plan must show that the water system will conform to the State of Nevada Public Water Supply Regulations, NAC Chapter NAC 445A.65505 to 445A.6731, inclusive.
 - 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.
- b. Mass grading may proceed after approval of a favorable review by this Division of a separate mass grading permit application. The application shall include a Truckee Meadows Water Authority annexation and onsite water discovery if applicable.
- c. Prior to approval of any building or site permit for this project, any septic systems on the subject properties shall be abandoned in compliance with the Washoe County Health District Regulations Governing Sewage, Wastewater and Sanitation.
- d. If private streets are proposed for this subdivision the private catch basins will require a water quality insert placed within all basins to improve water quality downstream and prevent mosquitoes from colonizing this infrastructure (Health Regulations Governing the Prevention of Vector-Borne Diseases 040.013).
- e. With rockery walls proposed, the voids in the rockery wall shall be filled by placing smaller rock within the face of the wall for the entire height of the wall (Health Regulations Governing the Prevention of Vector-Borne Diseases 040.081).
- f. If roadside ditches are proposed for the project, the flow line of this infrastructure shall be lined with 4-6 inch rock (Health Regulations Governing the Prevention of Vector-Borne Diseases 040.021).
- g. Prior to the sign off of the building plans the above detail designs are required on the plans and a scheduled compliance inspection with the Vector-Borne Diseases Program is required for the above condition(s).

Truckee Meadows Fire Protection District (TMFPD)

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

Contact Name – Amy Ray, 775.326.6000

- a. Any developments on the property shall meet the requirements of WCC 60.
- b. Plans shall be submitted for review and approval to TMFPD.
- c. A Vegetation Management Plan is required for the project in accordance with the requirements of the *International Wildland Urban Interface Code, 2012 Ed.* shall be submitted for approval by TMFPD.
- d. HOA and CC& R requirements and conditions shall be submitted for review, comment and approval by TMFPD prior to recording, adoption and use.
- e. Open spaces and drainages shall be maintained in accordance with WC Code 60, the Vegetation Management Plan and conditions placed in the HOA and CC&R documents, ensuring vegetation management and maintenance in those areas.

Washoe County Parks and Open Space

6. The following conditions are requirements of the Washoe County Parks and Open Space, which shall be responsible for determining compliance with these conditions.

Contact Name – Dennis Troy, 775.328.2059

- a. Washoe County Parks has been working closely with the United States Forest Service (USFS) to improve the trail crossing at Hunter Creek. The existing USFS fire access road is not conducive to trail users and is inaccessible during periods of high flows (Spring runoff, storm periods, etc.). The County would like to expand the existing easement boundaries (Easement Document #3592575) to include an area for a future alignment of a non-motorized pedestrian bridge over Hunter Creek. Please see attachment “A” for this proposed alignment. The County has committed staff resources to prepare these legal descriptions.
- b. It is the County’s desire that the applicant provide a relocatable trail easement to Washoe County such that a future trail alignment can correspond with the USFS trails plan. Preliminary discussions with the USFS have identified a trail alignment on the adjacent property to the south of APN 041-650-02. The trail would ultimately tie into the Hunter Creek trail system and need to cross a portion of APN 041-650-02.

Washoe County School District

7. The following condition(s) are requirements of the Washoe County School District, which shall be responsible for determining compliance with these conditions.

Contact Name – Mike Boster, 775.789.3810

- a. A disclosure shall be made by the developer to each homebuyer on their closing documents that K-12 students in this subdivision may be assigned to the nearest WCSD school(s) with available capacity in the event that the zoned schools cannot accommodate additional students.

*** End of Conditions ***



Planning Commission Action Order

Amendment of Conditions Case Number WAC22-0001 and Special Use Permit Case Number WSUP22-0007 (Ridges at Hunter Creek)

Decision: **Approval with Conditions**
Decision Date: June 7, 2022
Mailing/Filing Date: June 8, 2022
Property Owner: Kia Ora, LLC
Staff Planner: Julee Olander, Planner
Phone Number: 775.328.3627
E-mail: jolander@washoecounty.gov

Amendment of Conditions Case Number WAC22-0001 and Special Use Permit Case Number WSUP22-0007 (Ridges at Hunter Creek) – For hearing, discussion, and possible action to approve an amendment of conditions for Tentative Subdivision Map Case Number TM16-005 (Ridges at Hunter Creek) to allow a new and different lot configuration, to add a guardhouse, and to add a clubhouse as a common area amenity. And to approve a special use permit for major grading, including approximately 159,400 cubic yards of excavation to include approximately 93,400 cubic yards of import material and approximately 2,026,890 SF of surface disturbance. As part of the special use permit, the applicant is asking to vary several sections of Washoe County Code Chapter 110, Article 438, specifically sections 110.438.45(a), (b), (c), and (j) and 110.438.50(a).

- Applicant: New Edge Living
- Property Owners: Kia Ora, LLC
- Location: South of Woodchuck Circle and Hunters Peak Road and West of Hawken Drive
- APN: 041-661-02 through 05, 08 through 11; 041-662-01,03, 04, 06, 08 through 13; 041-671-02 and 014-650-03
- Parcel Size: ±155 acres
- Master Plan: Suburban Residential (SR), Rural Residential (RR) and Rural (R)
- Regulatory Zone: General Rural (GR), Low Density Suburban (LDS) and High Density Rural (HDR)
- Area Plan: Southwest Truckee Meadows
- Development Code: Authorized in Article 408, Common Open Space Developments; Article 424, Hillside Development; and, Article 608, Tentative Subdivision Maps, Article 438, Grading
- Commission District: 1 – Commissioner Hill

Notice is hereby given that the Washoe County Planning Commission granted approval with conditions of the above referenced case number based on the findings in accordance with Washoe County Code Chapter 110 (Development Code) Article 408, *Common Open Space*

Developments; Article 424, Hillside Development; Article 608, Tentative Subdivision Maps; and Article 438, Grading. If no appeals have been filed within 10 calendar days after the Mailing/Filing date shown on this Action Order, the approval by the Washoe County Planning Commission is final. If filed, an appeal stays any further action on the permit until final resolution of the appeal. An appeal shall be filed in accordance with the provisions found in Article 912, *Establishment of Commissions, Boards and Hearing Examiners*, of the Development Code. This decision is based on having made all ten findings in accordance with Washoe County Code Section 110.608.25:

- 1) Plan Consistency. That the proposed map is consistent with the Master Plan and any specific plan;
- 2) Design or Improvement. That the design or improvement of the proposed subdivision is consistent with the Master Plan and any specific plan;
- 3) Type of Development. That the site is physically suited for the type of development proposed;
- 4) Availability of Services. That the subdivision will meet the requirements of Article 702, Adequate Public Facilities Management System;
- 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 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 Master Plan; and
- 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 the ability to make all five findings in accordance with Washoe County Code Section 110.810.30:

- (a) Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Southwest Truckee Meadows Area Plan;
- (b) Improvements. That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven;
- (c) Site Suitability. That the site is physically suitable for grading., and for the intensity of such a development;

To: Kia Ora, LLC
Subject: WAC22-0001 & WSUP22-0007 (Ridges at Hunter Creek)
Mailing Date: June 8, 2022
Page: Page 3 of 3

- (d) Issuance Not Detrimental. That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area;
- (e) Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

And approve the applicant's request to vary the grading standards set forth in Washoe County Code Sections 110.438.45(a), (b), (c) and (j) and 110.438.50(a) as set forth in this staff report.

This Action Order is issued subject to the attached conditions and Washoe County development standards. Please contact the planner assigned to your project at the above-referenced phone number within seven days of receipt of this Order to review the steps necessary to satisfy the Conditions of Approval. Any business license, certificate of occupancy or final approval shall not be issued until all of the Conditions of Approval (attached) are satisfied. Additionally, compliance shall be required with all federal, state and local statutes, ordinances, and regulations applicable to the approved project.

This Action Order does not authorize any development, to include building construction and grading, without the required permits from the Washoe County Planning and Building Division, Building Program.

Washoe County Community Services Department
Planning and Building Division



Trevor Lloyd
Secretary to the Planning Commission

TL/JO/LK

Enclosure: Conditions of Approval



Amended Conditions of Approval

Amendment of Conditions Case Number WAC22-0001 for Ridges at Hunter Creek Tentative Subdivision Map Permit Case Number TM16-005 and Special Use Permit Case Number WSUP22-0007

The project approved under Amendment of Conditions Case Number WAC22-0001 for Tentative Subdivision Map Permit Case Number TM16-005 (Ridges at Hunter Creek) and Special Use Permit Case Number WSUP22-0007 (Ridges at Hunter Creek) shall be carried out in accordance with the Amended Conditions of Approval for Tentative Subdivision Map Permit Case Number TM16-005 (Ridges at Hunter Creek) and the Conditions of Approval for WSUP22-0007 (Ridges at Hunter Creek) granted by the Planning Commission on June 7, 2022. 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 amendment of conditions approval regarding the Tentative Subdivision Map Permit Case Number TM16-005 (Ridges at Hunter Creek) and Special Use Permit Case Number WSUP22-0007 (Ridges at Hunter Creek) 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 amended conditions of approval related to Tentative Subdivision Map Permit Case Number TM16-005 and conditions of approval related to Special Use Permit Case Number WSUP22-0007 are 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 amended conditions imposed regarding the approved Tentative Subdivision Map Permit Case Number TM16-005 (Ridges at Hunter Creek) and conditions imposed regarding the approved Special Use Permit Case Number WSUP22-0007 (Ridges at Hunter Creek) may result in the initiation of revocation procedures.

Washoe County reserves the right to review and revise the amended conditions of approval related to Tentative Subdivision Map Permit Case Number TM16-005 (Ridges at Hunter Creek) and conditions of approval related to Special Use Permit Case Number WSUP22-0007 (Ridges at Hunter Creek) 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 Division

1. The following conditions are requirements of Planning and Building, which shall be responsible for determining compliance with these conditions.

Contact Name – Julee Olander, Planner, 775.328.3627, jolander@washoecounty.gov

- a. **The applicant shall attach a copy of the action order approving this project to all permits and applications (including building permits) applied for as part of this approval.**
- b. The applicant shall demonstrate substantial conformance to the amended map approved as part of the amendment of conditions (WAC22-0001) for tentative subdivision map Ridges at Hunter Creek (TM16-005).
- c. The applicant shall also meet all conditions of approval previously approved on July 5, 2016 by tentative subdivision map Ridges at Hunter Creek (TM16-005).
- 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. Construction work hours will be limited to 7am to 7pm Monday to Saturday.
- f. Any imported earthen materials shall be “certified weed free” in order to prevent the spread of noxious weeds within the county.
- g. The grading on site shall be in compliance with applicable best management practices to minimize erosion.

Washoe County Engineering and Capital Projects

2. The following conditions are requirements of Engineering and Capitol Projects, which shall be responsible for determining compliance with these conditions.

Contact Name – Robert Wimer, P.E. , 775.328.2059, rwimer@washoecounty.gov

- a. The applicant shall meet all conditions previously approved by tentative subdivision map Ridges at Hunter Creek (TM16-005).

TRAFFIC AND ROADWAY (COUNTY CODE 110.436)

Contact Name – Mitchell Fink, P.E., 775.328.2050, mfink@washoecounty.gov

- b. Prior to ground-disturbing activity, a proposed Construction Traffic Haul Route Plan, including locations to receive the export materials, shall be submitted to the Engineering Division for review and approval. Any existing or proposed roads that will be used as construction haul routes and are not designated truck routes must be evaluated by a geotechnical study to determine the existing structural section and its load capacity. If the pavement section is inadequate to support the proposed construction loadings, the roadway must be redesigned or reconstructed as needed to provide a 20-year design life in accordance with the AASHTO Interim Guide for Flexible Pavement.

Washoe County Health District- Air Quality

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 Name – Genine Rosa, Environmental Engineer II, 775.784.7204, groso@washoecounty.gov

- a. Any dust generating activity, regardless of size of disturbance, will be subject to the Washoe County District Board of Health Regulation Governing the Air Quality Management Division, 040.030 Dust Control. Except when engaged in commercial agricultural operations, no person may disturb the topsoil by removing, altering, or overlaying the ground cover through scraping, burning, excavating, storing of fill, application of palliative, or any other method on any real property unless reasonable precautions are taken to prevent generation of dust during both the active development phases and thereafter if the property is to remain unoccupied, unused, vacant or undeveloped.
- b. A Dust Control Permit is required prior to breaking ground on any project resulting in disturbance of 1 acre or greater, failure to do so may result in enforcement action resulting in a Notice of Violation with associated fines.

Washoe County Health District- Environment

4. 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 Name – James English, EHS Supervisor 775.328.2434, jenglish@washoecounty.gov

- a. The applicant shall meet all conditions previously approved by tentative subdivision map Ridges at Hunter Creek (TM16-005).

Truckee Meadows Fire Protection District

5. The following condition is a requirement of the Truckee Meadows Fire Protection District, which shall be responsible for determining compliance with this condition.

Contact Name – Jenny Williamson Fire Marshall, 775.26.6079, jewilliamson@tmfpd.us

- a. This project shall meet and comply with all requirements of currently adopted TMFPD fire codes, ordinances, and standards at the time of construction to include infrastructure for fire apparatus access roads and water supply.” <https://tmfpd.us/fire-code/>

6. **Washoe County Building Division**

The following condition is a requirement of the Washoe County Building Division, which shall be responsible for determining compliance with this condition.

Contact Name – Rosa Landis, 775.328.2034, rlandis@washoecounty.gov

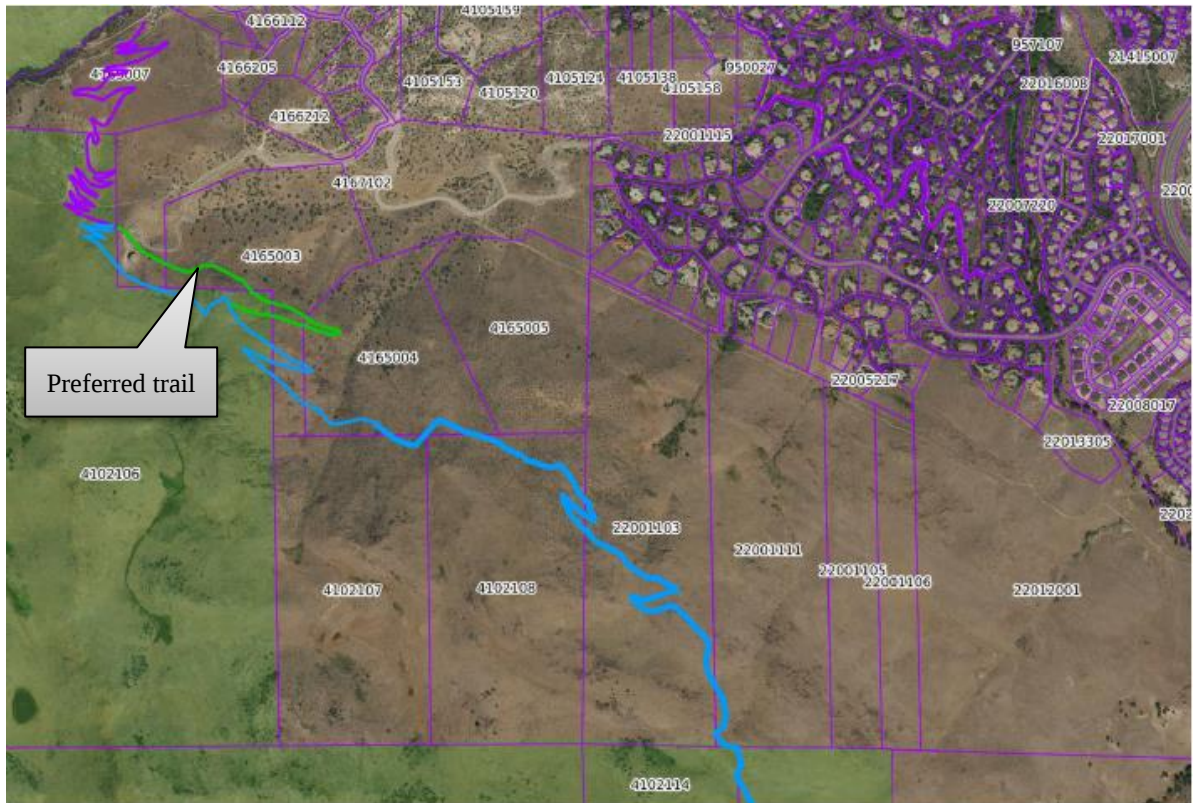
- a. All construction on the residential lots must comply with the 2018 International Residential Code and the proposed clubhouse must comply with the 2018 International Building Code.

7. **Washoe County Building Parks**

The following condition is a requirement of the Washoe County Building Division, which shall be responsible for determining compliance with this condition.

Contact Name – Faye-Marie Pekar, Park Planner, 775.328.3623, fpekar@washoecounty.gov

- a. All imported materials shall be “Certified Weed Free” to prevent the spread of noxious and invasive weeds.
- b. The project shall comply with Washoe County Code Section 110.412.67, Revegetation.
- c. Prior to the issuance of building or grading permits, the applicant shall submit a revegetation/planting plan, prepared by a biologist or other qualified professional to the Parks Program for review and approval. At a minimum, the plan will include: the selection of native/perennial adapted plants or seed mixes to be utilized on the undeveloped, disturbed areas of the subject site; revegetation success criteria; appropriate monitoring provisions; and measures to prevent the spread of noxious and invasive weeds (see the highlighted portion of Exhibit 2 for suggestions).
- d. Prior to the issuance of building or grading permits, the applicant shall dedicate a 15'-wide, non-motorized, multi-use, public trail easement following one of the two alignments identified in the map below (with preference given to the alignment shown in green). The easement shall be identified on the final map.



- e. The applicant is encouraged to construct a trail connection extending from the Recreation Center to the future Sierra Front Trail to provide access for future residents of the Ridges at Hunter Creek.

*** End of Amended Conditions ***