
Notice: Per NRS 239B.030, this document does not contain personal information as defined in NRS 603A.040

Summary: To adopt a development agreement for Sun Mesa (TM04-001) to extend the deadline for recording the Phase 4 final map to April 28, 2025, and adopt amended conditions of approval (WAC24-0005).

BILL NO. _____

ORDINANCE NO. _____

TITLE:

AN ORDINANCE PURSUANT TO NEVADA REVISED STATUTES 278.0201 THROUGH 278.0207 APPROVING A DEVELOPMENT AGREEMENT BETWEEN WASHOE COUNTY AND MESA VIEW RENO, LLC. FOR SUN MESA, A RESIDENTIAL SUBDIVISION (TENTATIVE SUBDIVISION MAP CASE NO. TM04-001). THE PURPOSE OF THE DEVELOPMENT AGREEMENT IS TO EXTEND THE DEADLINE FOR RECORDING THE NEXT FINAL MAP FROM APRIL 28, 2024, TO APRIL 28, 2025, AND TO ADOPT AMENDED CONDITIONS OF APPROVAL (WAC24-0005). THE PROJECT IS LOCATED ALONG THE EASTERN TERMINUS OF SUN VALLEY DRIVE AND RISING RIDGE DRIVE IN SUN VALLEY. THE PROJECT ENCOMPASSES A TOTAL OF APPROXIMATELY 24.89 ACRES, AND THE TOTAL NUMBER OF RESIDENTIAL LOTS ALLOWED BY THE APPROVED TENTATIVE MAP IS 207 WITH 149 LOTS RECORDED AND 58 LOTS REMAINING TO BE RECORDED. THE PARCEL IS LOCATED WITHIN THE SUN VALLEY PLANNING AREA AND WASHOE COUNTY COMMISSION DISTRICT NO. 3. (APN: 504-460-03.)

WHEREAS:

- A. A tentative subdivision map for Sun Mesa was approved by the Planning Commission on April 20, 2004 (TM04-001) for a 207-lot residential subdivision; and
- B. The most recent final map was submitted to Washoe County for review on December 11, 2023 (Phase 4); and
- C. The Landowner has submitted an application for a development agreement to extend the time to record the next final map to April 28, 2025; and
- D. For good cause appearing, the Board of County Commissioners ("Board") desires to adopt the development agreement attached

hereto to extend the time to record the next final map to April 28, 2025; and to adopt amended conditions of approval as set forth in WAC24-0005, which amended conditions shall survive termination of the development agreement; and

- E. The Board has determined that the proposed development agreement is consistent with the Master Plan for Washoe County.

THEREFORE:

- A. Following a first reading and publication as required by NRS 244.100(1), and after a duly noticed public hearing, this Board of County Commissioners desires to adopt this Ordinance; and
- B. This Board has determined that this ordinance is being adopted pursuant to requirements set forth in NRS 278.0205; and is therefore not a "rule" as defined in NRS 237.060 requiring a business impact statement.

SECTION 1.

The development agreement for Sun Mesa, attached hereto as Attachment A-1 and inclusive of all attachments, including amended conditions of approval as set forth in WAC24-0005 is hereby APPROVED by this ordinance. Mesa View Reno, LLC shall ensure that the development agreement is recorded in the Office of the Washoe County Recorder, with all requisite attachments, on or after the effective date of this ordinance. The Chair is also authorized to execute and deliver this ordinance for recording in the official records of Washoe County.

SECTION 2. General Terms.

1. All actions, proceedings, matters and things heretofore taken, had and done by the County and its officers not inconsistent with the provisions of this Ordinance are ratified and approved.
2. The Chair of the Board and the officers of the County are authorized to take all action necessary or appropriate to effectuate the provisions of this ordinance. The District Attorney is authorized to make non-substantive edits and corrections to this Ordinance.
3. All ordinances, resolutions, bylaws and orders, or parts thereof, in conflict with the provisions of this ordinance

are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance, resolution, bylaw or order, or part thereof, heretofore repealed.

4. Each term and provision of this ordinance shall be valid and shall be enforced to the extent permitted by law. If any term or provision of this ordinance or the application thereof shall be deemed by a court of competent jurisdiction to be in violation of law or public policy, then it shall be deemed modified, ipso facto, to bring it within the limits of validity or enforceability, but if it cannot be so modified, then it shall be excised from this ordinance. In any event, the remainder of this ordinance, or the application of such term or provision to circumstances other than those to which it is invalid or unenforceable, shall not be affected.

Proposed on _____ (month) _____ (day), 2024.

Proposed by Commissioner _____.

Passed _____ (month) _____ (day), 2024.

Vote:

Ayes: Commissioners _____

Nays: Commissioners _____

Absent: Commissioners _____.

Attest:

Janis Galassini, County Clerk

Alexis Hill, Chair
Washoe County Commission

This ordinance shall be in force and effect from and after the 26th day of the month of July of the year 2024.

APN: 504-460-03

The undersigned hereby affirms that this document, including any exhibit, hereby submitted for recording does not contain the personal information of any person or persons (per NRS 239B.030).

WHEN RECORDED RETURN TO:

**Washoe County CSD
Planning and Building Division
1001 East Ninth Street
Reno NV, 89512**

SPACE ABOVE FOR RECORDER'S
USE

Attachment A-1

DEVELOPMENT AGREEMENT
(SUN MESA)

THIS DEVELOPMENT AGREEMENT ("Agreement") is made by and between **MESA VIEW RENO, LLC**, a Nevada 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 consisting of approximately 24.89 acres in Sun Valley (the "Property") as more particularly described in Exhibit A, attached hereto.

1.2 Tentative Map. The Property has an approved tentative map for 207 residential lots known as Tentative Subdivision Map Case File No. TM04-001 (Sun Mesa) (the "Tentative Map"). Said approval was granted by the Washoe County Planning Commission on April 20, 2004. To date, 3 final maps have been recorded for a total of 149 lots. Landowner has been filing final maps in a series as authorized by NRS 278.360(1)(a). 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 has recorded three final maps in the office of the Washoe County recorder resulting in 149 legal residential lots being created for portions of the project consisting of the following Tract Maps: TM 4618, TM 4780, and TM 5371.

1.4 Prior Development Agreements. On April 28, 2009, Washoe County and Mesa View Reno, LLC, (the Landowner) entered into an agreement (DA09-002) which took affect on May 8, 2009, concerning the development of the land as authorized by NRS 278.0201 and Article 814 of the Washoe County Development Code to provide an extension of time until April 28, 2014, for the landowner to record the next in a series of final maps (Ordinance No. 1399). On August 27, 2013, the Washoe County Board of County Commissioners approved Amendment of Conditions Case

Number AC13-006, updating the development agreement so that the deadline to record the next final map was extended to April 28, 2019.

April 9, 2019, The Washoe County Board of County Commissioners approved Amendment of Conditions WAC19-0001, updating the development agreement again so that the deadline to record the next final map for Phase 3 of the subdivision was extended to April 28, 2020.

On February 1, 2022, the Washoe County Planning Commission granted an Extension of Time Request for Tentative Subdivision Map Case Number TM04-001 (Sun Mesa) by approving an extension of time for expiration of the approval of the subdivision, for two years, from April 28, 2022, until April 28, 2024, in accordance with NRS 278.360.

1.5 Next Final Map Requirement. Pursuant to NRS 278.360(1), unless the parties have entered into this agreement concerning the development of land authorized by NRS 278.0201, the Landowner must cause a final map (the “Final Map”) to be presented for signature by the Director of Planning and Building in accordance with section 110.610.50 of the Washoe County Code, prior to the expiration of the Tentative Map on April 28, 2024.

1.6 Circumstances Warranting an Extension of Time for the Tentative Map. The Landowner has requested additional time to record a final map to work through issues related to this development. The key issue is to allow sufficient time for review of the Phase 4 final map submitted to Washoe County Engineering for review on December 11, 2023. Comments from Washoe County Engineering were received by the applicant on February 27, 2024. In addition, as part of the review by the Sun Valley General Improvement District (SVGID), SVGID asked Mesa View Reno, LLC to combine the water projects for phases 3 and 4, which requires a new set of improvement plans. The extra work requested by the SVGID coupled with the date of receiving comments from Washoe County Engineering created delays such that the Phase 4 final map would not be recorded by the April 28, 2024, deadline.

Mesa View Reno, LLC, is in the process of addressing the SVGID requirements on a combined water project, which also requires review by Northern Nevada Public Health – Environmental Health Division.

The parties believe it is in the public interest to enter into this Agreement to provide additional time to finish the final map review and record the final map for Phase 4.

2. AGREEMENT CONCERNING DEVELOPMENT OF LAND.

2.1 Compliance with NRS 278.0201 and Washoe County Development Code. This Agreement is an agreement concerning the development of land under NRS 278.0201 and Article 814 of the Washoe County Development Code (“Code”). The Landowner is the owner of fee title to the Property, and therefore has a legal interest in the Property. 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 approximately 24.89 acres in Sun Valley, more particularly described in Exhibit A: Legal Description.

2.1.2. This Agreement extends the time for recording the final map until April 28, 2025. Unless terminated earlier in accordance with section 2.1.3 or applicable law, the duration of this Agreement shall be until April 28, 2025, 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. This Agreement also incorporates the Amended Conditions of Approval in Amendment of Conditions Case Number WAC24-0005 for Tentative Subdivision Map Case Number TM04-001 (Sun Mesa), attached hereto as Exhibit C. The parties agree that these Amended Conditions of Approval (WAC24-0005) as well as the original Conditions of Approval for Tentative Subdivision Map Case Number TM04-001 (as approved by the Washoe County Planning Commission on April 20, 2004, and amended by the Planning Commission on February 1, 2022), are the operable conditions of approval and survive termination of this Agreement.

2.1.3. This agreement shall terminate and all amended and original conditions of approval for TM04-001 shall be in full force and effect upon recordation of the next final map. Changes in federal, state or county law concerning public health, safety or welfare will apply to any final map or other permit. Future final maps, if any, must then be presented in accordance with NRS 278.360 and Washoe County Code Section 110.610.50.

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 for a 207-lot single-family dwelling residential development on 70.28 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.

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 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 next final map shall be a minimum of five residential lots, and shall be recorded 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 residential lots. Unless otherwise provided herein, the deadlines for any future final maps shall be governed by NRS 278.360.

2.1.10 Development standards for the Project are set forth in the amended conditions of approval and the conditions of the Tentative Map as referenced in section 2.1.2 of this development agreement, attached hereto as Exhibits B and C, 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.

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, if any, shall be approved as provided in NRS 278.0205.

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:

**MESA VIEW RENO, LLC, a Nevada
LIMITED LIABILITY COMPANY**

By: _____

Date: _____

Name: _____

Title: _____

COUNTY:

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

By: _____

Date: _____

Name: Alexis Hill

Title: Chair, Washoe County Commission

ATTEST:

Janis Galassini, County Clerk

STATE OF NEVADA)
)ss.
COUNTY OF WASHOE)

This instrument was acknowledged before me on _____, 20__, by _____ as a _____ of Mesa View Reno, LLC., a Nevada corporation.

Notary Public
My Commission Expires: _____

STATE OF NEVADA)
)ss.
COUNTY OF WASHOE)

This instrument was acknowledged before me on _____, 20__, by _____, as Chair of the Washoe County Commission, County of Washoe.

Notary Public
My Commission Expires: _____

Exhibit "A"

LEGAL DESCRIPTION OF PROJECT PROPERTY

All that certain real property situated in the County of Washoe, State of Nevada, more particularly described as follows:

Lot 105 through 110, inclusive, 114 through 144, inclusive, 148 through 155, inclusive, Parcel E, Sun Mesa Drive, Horizon Heights Drive, Highland Vista Way, Aspiration Drive and that portion of Rising Ridge Drive, as shown on the official plat of Sun Mesa Phase 3, Tract Map No. 5371, according to the map thereof, filed in the office of the County Recorder of Washoe County, State of Nevada, on April 21, 2020, as File No. 5021221, Official Records.

APN: 504-460-03

Exhibit “B”

**Amended Conditions of Approval
(Amendment of Conditions Case Number WAC19-0001 and Extension of Time Approved
on February 1, 2022, by the Planning Commission for Tentative Subdivision Map Case
Number TM04-001 (Sun Mesa))**

Exhibit B

**AMENDED CONDITIONS FOR
TENTATIVE SUBDIVISION MAP CASE NO. TM04-001
SUN MESA SUBDIVISION
(As approved by the Washoe County Planning Commission on April 20,
2004, and February 1, 2022)**

INSTRUCTIONS

*****IMPORTANT—PLEASE READ*****

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

UNLESS OTHERWISE STATED, PRIOR TO FINALIZATION OF ANY PORTION OF THE TENTATIVE SUBDIVISION MAP, ALL CONDITIONS MUST BE MET OR FINANCIAL ASSURANCES TO ENSURE COMPLETION OF THE CONDITIONS MUST BE PROVIDED. THE AGENCY RESPONSIBLE FOR DETERMINING COMPLIANCE WITH A SPECIFIC CONDITION SHALL DETERMINE WHETHER THE CONDITION MUST BE FULLY COMPLETED OR WHETHER THE APPLICANT SHALL BE OFFERED THE OPTION OF PROVIDING FINANCIAL ASSURANCES.

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

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

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

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

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

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

GENERAL CONDITIONS

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

| Regulatory Zone for Review Purposes | Common Open Space Development MDS (Max. 3 unit/acre) |
|--|---|
| Minimum Lot Area Required | 6,534 square feet |
| Minimum Lot Width | 65-feet |
| Minimum Front Yard | 20-feet |
| Minimum Side Yard | 8-feet |
| Minimum Rear Yard | 20-feet |
| Maximum Building Height | 35 feet / 2-story maximum |

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

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

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

- 2. Final maps and final construction drawings shall comply with all applicable statutes, ordinances, rules, regulations and policies in effect at the time of submittal of the tentative map or, if requested by the developer and approved by the applicable agency, those in effect at the time of approval of the final map.

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

- 3. The subdivider shall present to Washoe County a final map, prepared in accordance with the tentative map, for the entire area for which a tentative map has been approved, or one of a series of final maps, each covering a portion of the approved tentative map, within two years after the date of approval of the tentative map or within one year of the date of approval for subsequent final maps. On subsequent final maps, that date may be extended by one year if the extension request is received prior to the expiration date. Final maps shall be in substantial compliance with all plans and documents submitted with and made part of this tentative map request, as may be amended by action of the final approving authority. Substantial compliance shall be determined by the applicable agency and the Department of Community Development.

Final Map Verification: Phase/Unit No.: _____ *Date Submitted:* _____

Where/How Condition is Satisfied: _____

- 4. Prior to acceptance of public improvements and release of any financial assurances, the developer shall furnish to the water and sewer provider and Engineering Division a complete set of reproducible as-built construction drawings prepared by a civil engineer registered in the State of Nevada.

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

- 5. 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 determine compliance with this condition.

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

- 6. 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.

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

- 7. The final map shall designate faults that have been active during the Holocene epoch of geological time and the final map shall contain the following note:

NOTE

No habitable structures shall be located on a fault that has been active during the Holocene epoch of geological time.

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

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

- 8. The developer shall provide written approval from the U.S. Postal Service concerning the installation and type of mail delivery facilities. The system, other

than individual mailboxes, must be shown on the project construction plans and installed as part of the on-site improvements. The County Engineer shall determine compliance with this condition.

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

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

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

10. 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 and shall include detailed plans for grading and drainage on each lot, erosion control, slope stabilization and mosquito abatement. Placement or disposal of any excavated material shall be indicated on the grading plan. The Engineering Division shall determine compliance with this condition.

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

11. 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 Homeowner's Association. The County Engineer shall be responsible for determining 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.

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

12. Prior to finalization of the first final map, a fault study shall be provided that addresses fault location, age and setback requirements for any faults that affect the site. The County Engineer shall determine compliance with this condition.

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

13. Appropriate public access easement(s) shall be provided over all common areas intended to be a community amenity. The County Engineer shall determine compliance with this condition.

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

14. Any existing easements or utilities that conflict with the development shall be relocated, quitclaimed and/or abandoned. The County Engineer shall determine compliance with this condition.

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

15. Any easement documents recorded for the project shall include an exhibit map showing the location and limits of the easement in relationship to the project. The County Engineer shall determine compliance with this condition.

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

DRAINAGE

Drainage (County Code 110.420)

16. The master hydrology/hydraulic report shall address the overflow and/or draining of the existing water tank located just south of the site. An overflow route shall be provided through the subdivision for any water tank flows that impact the site. The report shall show that water tank flows can be carried in the proposed overflow system or storm drain system when there are no storm flows in the system. The County Engineer shall determine compliance with this condition.

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

17. The master hydrology/hydraulic report shall address the need for the existing rock filled ditch located on site and referenced in the Feasibility-Level Geotechnical Investigation prepared by Black Eagle Consulting, Inc., dated May 23, 2001. Any flows associated with this trench shall be perpetuated. The County Engineer shall determine compliance with this condition.

Final Map Verification: Phase/Unit No.: _____ *Date Submitted:* _____

Where/How Condition is Satisfied: _____

18. The master hydrology/hydraulic report shall address any impacts of Sun Mesa discharging storm drain flows to the existing Stone Canyon detention pond north of 5th Avenue. The report shall analyze the impacts of both altered hydrograph inflow timing and hydrograph volume due to development of Sun Mesa. The storm frequencies used in these calculations shall match those used for the original Stone Canyon detention pond design. Mitigation shall be provided for any adverse effects on the existing Stone Canyon pond due to development of Sun Mesa. The County Engineer shall determine compliance with this condition.

Final Map Verification: Phase/Unit No.: _____ Date Submitted: _____

Where/How Condition is Satisfied: _____

19. All hydrology reports shall use the current rainfall data in the Washoe County Hydrologic Criteria and Drainage Design Manual. The County Engineer shall determine compliance with this condition.

Final Map Verification: Phase/Unit No.: _____ Date Submitted: _____

Where/How Condition is Satisfied: _____

20. Stormwater detention pond design shall be based on an acceptable pond routing calculation method that includes routing inflow hydrographs through the pond to obtain the associated outflow hydrographs. The County Engineer shall determine compliance with this condition.

Final Map Verification: Phase/Unit No.: _____ Date Submitted: _____

Where/How Condition is Satisfied: _____

21. Maintenance access is required for all proposed drainage facilities. Improved vehicular access is required for all detention ponds. The County Engineer shall determine compliance with this condition.

Final Map Verification: Phase/Unit No.: _____ Date Submitted: _____

Where/How Condition is Satisfied: _____

22. No slopes, other than appropriately armored ditches or retaining walls, shall be graded steeper than 3:1. The County Engineer shall determine compliance with this condition.

Final Map Verification: Phase/Unit No.: _____ Date Submitted: _____

Where/How Condition is Satisfied: _____

23. 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.

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

24. Due to the limited capacity in the existing drainage system on Whitehorse Avenue, flows shall not be increased to Whitehorse Avenue unless the existing system is improved to handle the increased flow. The County Engineer shall be responsible for determining compliance with this condition.

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

25. Type-11 drop inlets proposed in the Conceptual Drainage Report are not acceptable for use in County streets. Type-4 catch basins with slotted drains or a series of Type-4 catch basins shall be substituted for the Type-11 drop inlets. The County Engineer shall be responsible for determining compliance with this condition.

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

26. Drainage easements shall be provided over all drainage features located outside of a street right-of-way. The County Engineer shall determine compliance with this condition.

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

27. Slopes and retaining walls shall be set back from the exterior project boundary in accordance with the following:

- a) Top of Cut Slope/Retaining Wall. The top of cut slopes/retaining walls shall not be made nearer to the exterior project boundary line than 1/5 of the vertical height of cut with a minimum of a 2-foot setback and a maximum of

a 10-foot setback. The setback shall be increased as necessary to accommodate any required interceptor drains.

- b) Toe of Fill Slope/Retaining Wall. The toe of fill slopes/retaining walls shall not be made nearer to the exterior project boundary line than $\frac{1}{2}$ the vertical height of the slope with a minimum of a 2-foot setback and a maximum of a 20-foot setback. The setback shall be increased as necessary to accommodate any required interceptor drains. The County Engineer shall determine compliance with this condition.

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

28. The conditional approval of this tentative map shall not be construed as final approval of the drainage facilities shown on the tentative map. Final approval of the drainage facilities will occur during the final map review and will be based upon the final hydrology report. The Engineering Division shall determine compliance with this condition.

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

29. Prior to finalization of the first final map, a master hydrology/hydraulic report and a master storm drainage plan shall be submitted to the County Engineer for approval. The Engineering Division shall determine compliance with this condition.

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

30. Prior to the finalization of any portion of the tentative map, a final, detailed hydrology/hydraulic report for that unit shall be submitted to the County Engineer. All storm drainage improvements necessary to serve the project shall be designed and constructed to County standards and specifications and/or financial assurances in an appropriate form and amount shall be provided. The County Engineer shall be responsible for determining compliance with this condition.

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

31. Any increase in stormwater runoff resulting from the development and based on the 5- and 100-year storm(s) shall be detained. The County Engineer shall be responsible for determining compliance with this condition.

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

32. The 100-year floodplain boundaries and flood elevations shall appear on each final map. If the floodplain boundary has been changed by a Federal Emergency Management Agency (FEMA) Conditional Letter of Map Amendment or Conditional Letter of Map Revision, the date of that letter and a note to that effect shall appear on the final map. The County Engineer shall be responsible for determining compliance with this condition. Grading or building permits shall not be issued for areas currently shown as "A" zones on the FEMA floodplain maps until a Letter of Map Amendment or Letter of Map Revision is submitted or until conformance with Washoe County flood construction standards is determined by the County Engineer. The Engineering Division shall determine compliance with this condition.

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

33. 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 pipe culverts to the satisfaction of the Engineering Division.

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

34. The developer shall provide for pretreatment for petrochemicals and silt for all storm drainage from the site to the satisfaction of the Engineering Division.

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

35. 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 be responsible for determining compliance with this condition.

Final Map Verification: Phase/Unit No.: _____ *Date Submitted:* _____

Where/How Condition is Satisfied: _____

36. 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 homeowner's association. As an alternative to a homeowner's 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 is 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 be responsible for determining 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.

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

37. 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.

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

TRAFFIC

Traffic (County Code No. 110.436)

38. All roadway improvements necessary to serve the project shall be designed and constructed to the County standards and specifications and/or financial assurances in an appropriate form and amount shall be provided. The County Engineer shall be responsible for determining compliance with this condition.

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

39. For any utilities placed in existing County streets, the streets shall be repaired to the satisfaction of the County Engineer. At a minimum, this will require full depth removal and replacement of asphalt for half the street width, or replacement of non-woven pavement reinforcing fabric with a 2" asphalt overlay for half the street width. Type II slurry seal is required for the entire street width with either option.

Full width street improvements may be required if the proposed utility location is too close to the centerline of the existing street. The County Engineer shall determine compliance with this condition.

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

40. An offset distance of more than 200' is required between all intersections including between the following intersections.
- a. Future Klondike Drive/5th Avenue and Sun Mesa Drive/5th Avenue.
 - b. Sunburst Lane/Sun Mesa Drive and Sunrise Way/Sun Mesa Drive.
- The County Engineer shall determine compliance with this condition.

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

41. Sun Mesa Drive shall be constructed to a collector standard (52' right-of-way) from 5th Avenue to the first intersection of Sun Mesa Drive/Sunrise Way. The County Engineer shall determine compliance with this condition.

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

42. Proposed landscaping, signage, retaining walls and/or fencing along street rights-of-way shall be designed to meet the American Association of State Highway and Transportation Officials (AASHTO) sight distances and safety guidelines. AASHTO intersection sight distances at the intersection of 5th Avenue/Sun Mesa Drive shall be based on a 35 mph design speed. AASHTO intersection sight distances at all other intersections within the subdivision shall be based on a 30 mph design speed. The County shall have the right to prohibit or remove any obstructions within the sight distance easement. The County Engineer shall determine compliance with this condition.

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

43. A minimum 100' tangent length shall be provided between the two horizontal curves on Sun Mesa Drive in the vicinity of lots 76 and 77. The County Engineer shall determine compliance with this condition.

Final Map Verification: Phase/Unit No.: _____ *Date Submitted:* _____

Where/How Condition is Satisfied: _____

44. Sun Mesa Drive shall intersect 5th Avenue at a 90° angle. The County Engineer shall determine compliance with this condition.

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

45. Street names shall be reviewed and approved by the Regional Street Naming Coordinator. No street shall intersect another street at more than one location. The existing Whitehorse Avenue street name shall be extended into the subdivision to the satisfaction of the Regional Street Naming Coordinator. The County Engineer shall determine compliance with this condition.

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

46. 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 be responsible for determining compliance with this condition.

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

47. 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 meeting County standards. The County Engineer shall determine compliance with this condition.

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

48. No retaining walls that retain soil from the County right-of-way shall be located within a plowed snow storage easement. The County Engineer shall be responsible for determining compliance with this condition.

Final Map Verification: Phase/Unit No.: _____ Date Submitted: _____

Where/How Condition is Satisfied: _____

49. Prior to approval of the first final map, provide documentation that establishes the location of the presumed public road identified on the map titled "Public Roads Reno" (dated March 1999 and prepared by Washoe County) that is in the immediate vicinity of the southwestern portion of the subdivision. If the presumed public road is located within the subdivision, a travel way shall be perpetuated for the presumed public road with each affected final map. The County Surveyor shall determine compliance with this condition.

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

50. A note on the final map shall state that no direct access from individual lots shall be allowed onto the 30' access easement created by Land Map 67 and adjacent to the northern boundary of the subdivision. The County Engineer shall determine compliance with this condition. This note shall also be included in the CC&Rs to the satisfaction of the District Attorney's office.

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

51. A 5' wide concrete sidewalk shall be constructed on the south side of 5th Avenue adjacent to the project site. The sidewalk shall extend westward to the existing driveway apron in the Klondike Drive right-of-way. The County Engineer shall determine compliance with this condition.

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

52. A 4" diameter subdrain shall be placed along all street rights-of-way and shall be tied into the storm drain system. The subdrain shall be placed between 3' and 4.5' deep and shall be backfilled with Class B backfill. The subdrain shall be wrapped with approved geofabric. The County Engineer shall determine compliance with this condition.

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

53. A geotechnical report shall be submitted for each final map. All fine grained or expansive soils shall be overexcavated beneath all sidewalks, curb and gutter, driveway aprons, and asphalt pavement. Depth of overexcavation below subgrade elevation shall be in conformance with the following chart to the satisfaction of the County Engineer.

| <u>Plasticity Index</u> | <u>Depth of Over excavation, ft.</u> |
|-------------------------|--------------------------------------|
| 10-20 | 2 |
| 20-30 | 3 |
| 30-40 | 4 |
| 40-50 | 5 |
| >50 | 6 |

The County Engineer shall determine compliance with this condition.

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

54. The geotechnical report shall address water migrating through utility service trenches ultimately saturating the roadway subgrade. The County Engineer shall determine compliance with this condition.

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

55. No tree shall overhang the curb line of a County street. The County Engineer shall determine compliance with this condition.

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

56. No knuckle (Sunrise Court) shall be constructed to Sunset Way. Sunrise Court shall be eliminated or redesigned such that it is long enough to form a standard intersection with Sunset Way. The County Engineer shall determine compliance with this condition.

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

CONDITIONS, COVENANTS AND RESTRICTIONS

57. Conditions, covenants, and restrictions (CC&Rs), including any supplemental CC&Rs, shall be reviewed, approved and recorded by the District Attorney’s office.

The final CC&Rs shall be signed and notarized by the owner(s) and submitted to the District Attorney’s office 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, be under the authority of the same homeowners association, and be under the authority of the same architectural control committee. 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 property and the individual property owner’s responsibilities for the funding of maintenance, replacement, and perpetuation of the following items, at a minimum:

- a. Mandatory solid waste collection.
- b. The availability of a curbside recycling program.
- c. Fence material, height, and location limitations. Fencing of individual lot lines adjacent to common open space or public lands along the southern property line is limited to vinyl-coated chain link, colored either dark brown or black. Along the three open space access ways, fence construction shall be limited to either solid fences which may be up to four and one-half (4.5) feet in height, or vinyl-covered chain link fencing colored black or dark brown, which may be allowed up to six (6) feet in height.
- d. Open space access. Access to the open space shall be from the one designated access point on the map (between lots 47 & 48). No individual gates joining private lots to the open space shall be allowed.
- e. Maintenance of the public access easement(s), common areas, and common open spaces.
- f. Maintenance of detention basins and drainage facilities.
- g. Passive or natural heating or cooling opportunities.
- h. Maintenance of fire fuel breaks and vegetation mitigation/controls.
- i. Landscaping, including trees, shrubs, and groundcover, appropriate to the local soil type and climate shall be provided for the common area on the south side of Fifth Avenue around the proposed detention basin and the main subdivision entryway. Irrigation and maintenance plans for the landscaping shall be specified in the CC&Rs and shall be the responsibility of the Homeowner’s Association. Community Development will determine compliance with this condition.

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

PARKS AND RECREATION

58. The open space access easement, located between lots 47 and 48, shall be clearly signed as “Public Access” and “Non-Motorized Use Only”. The applicant shall confer with the Parks and Recreation Department as to the creation of the public access to surrounding common open space on east side prior to recordation of the first final map. The Department of Community Development and the Parks and Recreation Department shall determine compliance with this condition.

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

59. The applicant shall work with the Parks and Recreation Department for the possible construction and dedication of the park site location within the subdivision. If the Parks Department does not accept the park site into its system, then the park site shall become the detention basin for the subdivision, and be designed with grass and trees as shown in the attached photo, and to the standards of the County Engineer. If the site becomes the detention basin, then it should be under the ownership of the Homeowner’s Association (HOA), and maintained by the HOA as well. The Department of Community Development, Parks and Recreation and the County Engineer shall work with the applicant on final design of this site, park or detention basin. Compliance with this condition shall be determined by all three departments mentioned above.

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

WASHOE COUNTY SCHOOL DISTRICT

60. The developer shall be required to meet with the Washoe County School District (WCSD), Engineering and Community Development staff to consider alternatives to extend a sidewalk or path to Sun Valley Elementary School, thereby ensuring a safe route for children walking from this project to that school. The Department of Community Development shall determine compliance with this condition.

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

WATER AND SEWER

61. Water rights necessary to serve this project shall be dedicated to Washoe County, per Article 422 of the Washoe County Development Code. A water rights lease

agreement shall be executed between Washoe County and Sun Valley General Improvement District. The Department of Water Resources shall determine compliance with this condition.

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

62. Said property must be successfully annexed to the Sun Valley General Improvement District (GID) service area prior to recordation of any final map, and shall adhere to all Sun Valley GID requirements for all services provided by the Sun Valley GID to the development. The Department of Water Resources shall determine compliance with this condition.

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

63. Washoe County Water Rights Certificate Signature block needs to be added to jurat. The Department of Water Resources shall determine compliance with this condition.

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

64. In accordance with applicable ordinances, all sewer service connection fees shall be paid for each service, within the boundaries of the final map, prior to the Department of Water Resources approval. The Department of Water Resources shall determine compliance with this condition.

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

FIRE SAFETY

65. A fire fuel break which is acceptable to the Reno Fire Department shall be provided and maintained around the perimeter of the subdivision and in and around the common spaces. Provide a written plan for approval by the Reno Fire Department detailing who will be responsible for maintenance of the fire fuel breaks and how often maintenance will be provided. Reno Fire Department shall determine compliance with this condition.

Final Map Verification: Phase/Unit No.: _____ *Date Submitted:* _____

Where/How Condition is Satisfied: _____

66. Water protection shall meet duration and flow requirements as outlined in Washoe County Code 60. Hydrant locations shall be submitted for approval to the Reno Fire Department who shall determine compliance with this condition.

Final Map Verification: Phase/Unit No.: _____ Date Submitted: _____

Where/How Condition is Satisfied: _____

WASHOE—STOREY CONSERVATION DISTRICT

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

Final Map Verification: Phase/Unit No.: _____ Date Submitted: _____

Where/How Condition is Satisfied: _____

68. Applicant shall be required to limit slopes on lots to a 3:1 slope and revegetate all altered slopes to Washoe-Storey Conservation District recommendations. The County Engineer shall determine compliance with this condition.

Final Map Verification: Phase/Unit No.: _____ Date Submitted: _____

Where/How Condition is Satisfied: _____

LANDSCAPING AND COMMON OPEN SPACE

69. All open space shall be identified as common area on the final map. A note of the final map shall indicate that all common areas shall be privately maintained and perpetually funded by the Homeowner's Association. The County Engineer shall be responsible for determining 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.

Final Map Verification: Phase/Unit No.: _____ Date Submitted: _____

Where/How Condition is Satisfied: _____

70. Prior to approval of the first final map, the developer shall submit the following plans and provisions for the common open space areas. The County Engineer and the Department of Community Development shall be responsible for determining compliance with this condition.
- a. Three-Year Maintenance Plan: 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, at a minimum, address the following:
 - 1) Vegetation management;
 - 2) Watershed management;
 - 3) Debris and litter removal;
 - 4) Fire access and suppression;
 - 5) Maintenance of public access and/or maintenance of limitations to public access; and
 - 6) Specify who will maintain common areas and how frequently maintenance will be done.
 - 7) Other factors deemed necessary by the Director of Community Development, the Planning Commission or the Board of County Commissioners.
 - b. Permanent Preservation and Maintenance: Provisions shall be made for the permanent preservation and ongoing maintenance of the common open space and other common areas using a legal instrument acceptable to Washoe County.
 - c. Screening and Buffering of Adjoining Development: Provisions shall be made to assure adequate screening and buffering of existing and potential developments adjoining the proposed common open space development.
 - d. Common Open Space Restrictions: Designated common open space shall not include areas devoted to public or private vehicular streets or any land which has been, or is to be, conveyed to a public agency via a purchase agreement for such uses as parks, schools or other public facilities.
 - e. Design Review Committee: The applicant shall be required to go the Design Review Committee (DRC) in the event that the Parks Department does not accept the park site into the county park system. The DRC shall review the design of the detention basin to correspond to the attached photograph. (see Exhibit-A).

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

71. Development shall be in substantial compliance with the provisions of the Article 408 – Common Open Space Development, of the Development Code. The permitted

exceptions to the Development Code allow: a minimum lot size of 6,534 square feet, a minimum front and rear yard setback requirements of 20 feet, a minimum side yard setback requirement of 8 feet. The first and each succeeding final map shall not exceed the average gross density of 2.9 units per acre. Each final map shall contain a cumulative table of the above information. The Department of Community Development shall be responsible for determining compliance with this condition.

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

72. The applicant shall be required to provide “split-level” home design(s) in order to accommodate the proposed grading for the project site. The Department of Community Development shall determine compliance with this condition.

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

73. The applicant will be responsible for meeting with the Design Review Committee (DRC) to review and finalize all plans as they relate to all proposed landscaping of the subdivision; (entry and along Fifth Avenue) to include; types and sizes of all plants and plant materials; irrigation, fencing materials, and project signage.

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

AVIGATION EASEMENT

74. The property owner(s) shall grant an Avigation Easement to, and acceptable to, the Airport Authority of Washoe County over the entire property. The property owner(s) shall provide the Planning Department with appropriate documentation indicating the Avigation Easement has been granted and accepted by the Airport Authority of Washoe County, prior to the issuance of a building permit. The Airport Authority and the Department of Community Development shall determine compliance with this condition.

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

75. The applicant(s) and/or property owner(s) shall provide a list, verified by a qualified acoustical consultant, of construction methods to be utilized for noise attenuation to

a maximum interior noise level of 45 dBA Ldn prior to the issuance of a building permit. The Airport Authority shall determine compliance with this condition.

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

76. Prior to the use of explosives or blasting materials the applicant will be required to give 72-hours notice to all adjacent property owners within a 750-foot radius. Blasting hours will be limited to 8:00 a.m. to 5:00 p.m., Monday through Friday only. A copy of the notice will be submitted to the Department of Community Development one week prior to the occurrence of blasting, with a preliminary schedule of all blasting to take place. The Department of Community Development shall determine compliance with this condition.

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

Exhibit "C"

Amended Conditions of Approval
(Amendment of Conditions Case Number WAC24-0005 for Tentative Subdivision Map
Case Number TM04-001 (Sun Mesa))



Amended Conditions of Approval

Amendment of Conditions Case Number WAC24-0005
For Tentative Subdivision Map Case Number TM04-001

The project approved under Amendment of Conditions Case Number WAC24-0005 for Tentative Subdivision Map Case Number TM04-001 shall be carried out in accordance with the Amended Conditions of Approval granted by the Board of County Commissioners on July 16, 2024, these amended conditions of approval, as well as the amended conditions approved by the Planning Commission on February 1, 2022. To the extent that these amended conditions of approval conflict with the conditions of February 1, 2022, these conditions shall prevail. 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 (Case Number WAC24-0005) associated with the 2024 Development Agreement for Tentative Subdivision Map Case Number TM04-001 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 the 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 regarding the approved 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 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 Engineering and Capital Projects

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

Contact Name – Janelle Thomas, P.E., 775.328.3603, JKThomas@washoecounty.gov

- a. Replace Condition 2 of TM04-001 Action Order: Final maps and final construction drawings shall comply with all applicable statutes, ordinances, rules, regulations, and policies in effect at the time of approval of the final map. Additionally, individual parcel building, grading, and/or wall permits shall comply with applicable building code requirements at the time of approval of the permits.
- b. Replace Condition 3 of TM04-001 Action Order to comply with NRS 278.360 Requirements for Presentation of Final Map or Series of Final Maps: The subdivider shall present to Washoe County final maps, prepared in accordance with NRS 278.360 Requirements for Presentation of Final Map or Series of Final Maps.
- c. Add new Condition to TM04-001 Action Order: Operations and Maintenance (O&M) Manual: The developer shall submit an O&M manual for use by the Landscape Maintenance Association (LMA), Homeowners' Association (HOA), or sub association thereof, that identifies ongoing and long-term maintenance of infrastructure items including, but not necessarily limited to, private roadways, graded slopes, private storm drainage infrastructure, landscaping, community amenities, retaining walls, rockery walls, and pedestrian sidewalks or pathways within common areas for review and approval by the County Engineer prior to the approval of the final map and associated civil improvement plans for this project. The O&M manual shall address inspection frequency, storm intensity triggers for inspection and/or repair, types of equipment to be used for the operation and maintenance of the common area improvements, and a site plan that graphically depicts the access points and features that will be owned and maintained by the LMA or HOA.

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

- d. Replace Condition 38 of TM04-001 Action Order: All roadway improvements necessary to serve the project shall be designed and constructed to the County standards and specifications. The County Engineer shall determine compliance with this condition.
- e. Replace Condition 52 of TM04-001 Action Order: At the back face of curb and sidewalk along all street rights-of-way a minimum 30 mil. thick HDPE root barrier product shall extend a minimum of 24" into the subgrade from the ground surface. The County Engineer shall determine compliance with this condition.
- f. Replace Condition 53 of TM04-001 Action Order: Street right-of-way subgrade preparation, over excavation, and the roadway structural section shall be designed to the following minimum standards:
 - I. Moisture condition and rework the upper 2-feet of previously placed fill per the project geotechnical report recommendations. Where there is no fill, prepare the upper 1-foot of native material in accordance with the project geotechnical report.
 - II. The upper 3-feet of the roadway subgrade shall be structural fill, with an R-value of 30 or greater, meeting Orange Book specifications.

- III. The over excavation dimensions should be in accordance with the project geotechnical report, but no less than 18 inches or one-half the required over excavation depth, whichever is greater.
- IV. The asphalt thickness shall be 4 inches overlying 11 inches of Type 2 Class B Aggregate Base, per Orange Book and County specifications.

The County Engineer shall determine compliance with this condition.

Contact Name – Timber Weiss, P.E., 775.954.4626, TWeiss@washoecounty.gov

- g. Replace Condition 61 of TM04-001 Action Order: Water and Sewer Resource Requirements Certificate shall be added to the Jurat as follows: "The water and sewer resource requirements set forth in Article 422 of the Washoe County Development Code, related to the dedication of water resources, have been satisfied."
- h. Replace Condition 62 of TM04-001 Action Order: Sun Valley General Improvement District (SVGID): The following conditions are requirements of the SVGID, which shall be responsible for determining compliance with these conditions.

Contact: Chris Melton, 775.673.2253, CMelton@svgid.com

- a. The parcels (508-020-41 & 43) will need to be annexed into Sun Valley GID's service territory.
- b. Any water rights that may be required for the development will be required to be dedicated to Sun Valley GID via Wholesale Will Serve provided by Truckee Meadows Water Authority.
- c. The development will be subject to Sun Valley GID's Water and Wastewater Facility Fees.
- d. Sun Valley GID signature shall be included on the Jurat.
- e. The development will comply with all applicable regulations and policies of the Sun Valley GID.

*** End of Amended Conditions ***