

Washoe County Development Application

Your entire application is a public record. If you have a concern about releasing personal information, please contact Planning and Building staff at 775.328.6100.

Project Information		Staff Assigned Case No.: _____	
Project Name: Peterson Amendment of Conditions - Final Map Extension Request			
Project Description: This request seeks an Amendment of Conditions to amend certain conditions and to enter into a Development agreement granting an extension of time for the approved Tentative Map for Petersen Village, Phase 1 (Case No. WTM21-007).			
Project Address: 1050 Mud Springs Drive, 17901 Village Parkway, 17811 Village Parkway Washoe County			
Project Area (acres or square feet): 124.6± acres			
Project Location (with point of reference to major cross streets AND area locator): Located on the west side of Village Parkway, north of Cold Springs Drive in the Cold Springs Area Plan.			
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:
087-400-11	42.43	087-400-24	41.26
087-400-23	40.91	N/A	N/A
Indicate any previous Washoe County approvals associated with this application: Case No.(s). WTM21-007			
Applicant Information (attach additional sheets if necessary)			
Property Owner:		Professional Consultant:	
Name: PETERSEN VILLAGE PHASE I LLC		Name: Juniper & Sage Consulting	
Address: [REDACTED]		Address: [REDACTED]	
Reno, NV Zip: 89519		Reno, NV Zip: 89509	
Phone: [REDACTED] Fax: N/A		Phone: [REDACTED] Fax: N/A	
Email: [REDACTED]		Email: [REDACTED]	
Cell: N/A Other: N/A		Cell: N/A Other: N/A	
Contact Person: Robert Lissner		Contact Person: AnnMarie Lain	
Applicant/Developer:		Other Persons to be Contacted:	
Name: Same As Above		Name: N/A	
Address: N/A		Address: N/A	
N/A Zip: N/A		N/A Zip: N/A	
Phone: N/A Fax: N/A		Phone: N/A Fax: N/A	
Email: N/A		Email: N/A	
Cell: N/A Other: N/A		Cell: N/A Other: N/A	
Contact Person: N/A		Contact Person: N/A	
For Office Use Only			
Date Received: Initial:		Planning Area:	
County Commission District:		Master Plan Designation(s):	
CAB(s):		Regulatory Zoning(s):	

Amendment of Conditions Application Supplemental Information

(All required Information may be separately attached)

Required Information

1. The following information is required for an Amendment of Conditions:
 - a. Provide a written explanation of the proposed amendment, why you are asking for the amendment, and how the amendment will modify the approval.
 - b. Identify the specific Condition or Conditions that you are requesting to amend.
 - c. Provide the requested amendment language to each Condition or Conditions, and provide both the ***existing*** and ***proposed condition(s)***.

See attached narrative.

2. Describe any potential impacts to public health, safety, or welfare that could result from granting the amendment. Describe how the amendment affects the required findings as approved.

See attached narrative.

JUNIPER | SAGE

AMENDMENT OF CONDITIONS, FINAL MAP EXTENSION REQUEST (PETERSEN VILLAGE, PHASE 1)

Lifestyle Homes TND, LLC

JUNE 2025



FOCUSED STRATEGY.
INNOVATIVE RESULTS

Prepared for:

PETERSEN VILLAGE PHASE I LLC
4790 Caughlin Parkway, Suite 439
Reno, NV 89519

Prepared by:

Juniper & Sage Consulting
10580 N. McCarran Blvd, Ste 115-120
Reno, NV 89509

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APPENDICES

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Appendix B:	Owner Affidavit
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Appendix G:	Conditions of Approval
Appendix H:	Development Agreement
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Appendix J:	NDOW Mule Deer Migration Corridors

1.0 INTRODUCTION

1.1 General Information

Applicant:	PETERSEN VILLAGE PHASE I LLC 4790 Caughlin Parkway, Suite 439 Reno, NV 89519 Contact: Robert Lissner Phone: 775-750-5537 Email: rlissner@gmail.com
Prepared by:	Juniper & Sage Consulting, LLC 10580 N. McCarran Blvd, Ste 115-120 Reno, NV 89511 Contact: AnnMarie Lain Phone: 907-602-3382 Email: juniperandsage.consulting@gmail.com
Project Location:	1050 Mud Springs Drive, Washoe County 17901 Village Parkway, Washoe County 17811 Village Parkway, Washoe County
Parcel ID Numbers:	087-400-11 087-400-23 087-400-24
Zoning:	High Density Suburban (HDS) General Rural (GR)
Master Plan:	Suburban Residential (SR) Rural (R)

1.2 Supporting Documentation

This report has been prepared in support of the requested Amendment of Conditions for Tentative Subdivision Map Case Number WTM21-007 (Petersen Village, Phase 1). To provide complete documentation and support for this request, the following materials have been included as appendices:

- Appendix A: Amendment of Conditions (AOC) Application
- Appendix B: Owner Affidavit
- Appendix C: Site Plan
- Appendix D: Legal Description
- Appendix E: Preliminary Title Report
- Appendix F: Proof of Property Tax Payment

These appendices contain the required forms, ownership verification, and a visual representation of the project site necessary for the review and consideration of the proposed amendment. In addition, supplemental appendices G through J are introduced and discussed within the main body of this report, where they provide relevant technical, procedural, or agency coordination information to support the analysis and findings.

2.0 AMENDMENT OF CONDITIONS OVERVIEW

2.1 Amendment Request

This request seeks an Amendment of Conditions to amend certain conditions and to enter into a Development Agreement granting an extension of time for the approved Tentative Map for Petersen Village, Phase 1 (Case No. WTM21-007). The above-mentioned Tentative Map was approved by the Washoe County Planning Commission on September 7, 2021, and is set to expire on September 7, 2025 (*Appendix G: Conditions of Approval*).

The proposed Development Agreement seeks to extend the time allowed for recording the initial final map from the current expiration date of September 7, 2025, to a new expiration date of September 7, 2027.

2.2 Zoning and Master Plan

The subject site is within the Cold Springs Area Plan with a Master Plan designation of Suburban Residential and Rural. As depicted in Figure 1, the Regulatory Zone of the subject site is High Density Suburban (HDS) and General Rural (GR).

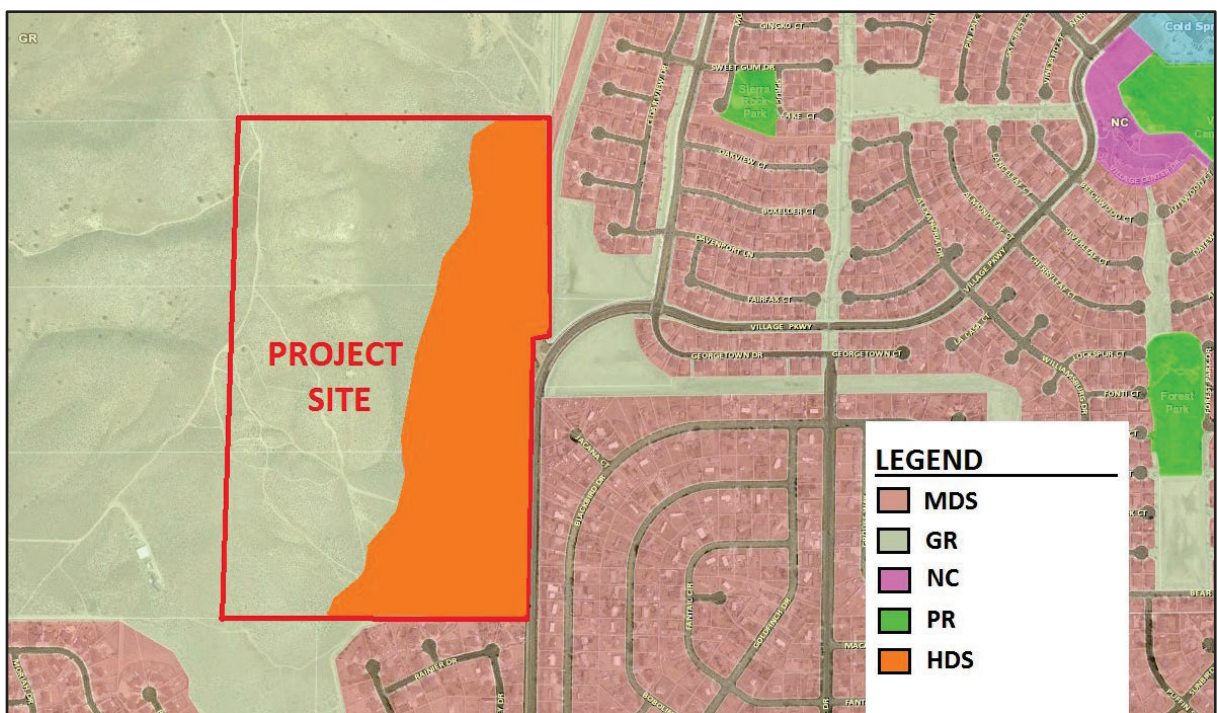


Figure 1: Regulatory Zoning

The approved Tentative Map for Petersen Village, Phase 1, allows for a 349-unit tentative subdivision map with developed area across approximately 47.2 acres and common open space across approximately 77.4 acres on three parcels totaling 124.6 acres. This results in a gross density of 2.8 dwelling units per acre across the 124.6-acre site. The subject site is located on the west side of Village Parkway, north of Cold Springs Drive in the Cold Springs Area Plan.



Figure 2: Project Site Location

3.0 APPROVAL CRITERIA

3.1 Purpose

Provide a written explanation of the proposed amendment, why you are asking for the amendment, and how the amendment will modify the approval.

Response - Development Agreement, Extension of Time: Prior to the approval of Tentative Map (WTM21-007 Petersen Village, Phase 1), initial market analyses supported a steady absorption rate for attached dwelling units. Market conditions have since shifted, and actual sales of a similar product located nearby have not met projected expectations for sales or revenue per unit. Several key factors have contributed to this slower-than-anticipated pace:

Market Demand & Buyer Preferences: The demand for attached housing products has softened due to evolving buyer preferences. Many prospective homeowners continue to seek more space and privacy, leading to stronger interest in detached or single-family units. This trend has persisted longer than anticipated post-pandemic and continues to impact attached unit absorption.

Economic Conditions: Broader economic factors, including interest rate volatility, construction cost increases, and inflationary pressures, have impacted affordability and buyer confidence. These conditions have particularly affected entry-level and first-time homebuyers, demographics that traditionally drive attached unit sales.

Strategic Phasing & Responsiveness to Market Signals: Rather than advancing construction ahead of absorption, the developer has taken a measured approach, responding to real-time market data to avoid overbuilding and to ensure financial feasibility and alignment with long-term community goals.

The approved Tentative Map allows for a 349-unit common open space subdivision, with a gross density of approximately 2.8 units per acre across the 124.6-acre site. While the map identifies 183 attached and 166 detached single-family homes, the developer now anticipates constructing more detached units and fewer attached units. This adjustment remains within the total unit cap and results in a net density reduction, which the applicant understands to be consistent with the approved map.

Additionally, although the tentative map includes lot sizes primarily at 87 feet deep by 46 feet wide, the developer foresees increasing lot widths to 53 or 60 feet to better meet current buyer demand. This change is also expected to reduce the overall unit count, further lowering project density while enhancing lot livability and market responsiveness.

The requested extension will provide the necessary time to implement an adaptive phasing strategy that aligns with current housing demand and purchasing behavior. The applicant remains committed to the long-term success of this project and believes that this extension is a reasonable and responsible step to ensure high-quality, well-timed development consistent with both the County's and the community's vision.

To date, the developer has made substantial investments in the project, including the purchase of sewer connections for approximately 100 lots (valued at \$600,000), acquisition of water rights to serve the full development, and over \$2 million in grading and construction of retaining walls. These improvements remain compatible with the proposed increase in lot sizes. With the additional time afforded by this extension, the applicant is confident that the project can proceed with due consideration and that the Final Map can be recorded within the proposed two-year extension period, should the Board of County Commissioners approve the request.

Response - Amendment of Conditions: The purpose of the proposed amendments is to align project conditions with current Washoe County Code, engineering standards, and state agency policy frameworks, while eliminating unnecessary or outdated requirements that may create procedural inefficiencies or conflict with the approved project design. Specifically, the requested revisions:

- Ensure open space and trail use regulations reflect the project's private ownership structure and do not unnecessarily restrict access.
- Incorporate feasibility language for passive heating provisions in accordance with Washoe County Code Section 110.604.40, ensuring energy conservation goals are achievable and practical.
- Align grading standards with current Washoe County Code (Sections 110.438.31 and 110.406) to provide clarity and consistency for implementation.
- Recognize that the project has proactively incorporated 77.4 acres of preserved open space into the subdivision layout, effectively avoiding impacts that might otherwise be considered "significant adverse" under NDOW Policy 62, and remove a condition that now serves as an unsubstantiated barrier to final map approval.

Together, these amendments support a more efficient and legally sound path to project completion, while preserving the County's goals for responsible development, recreational access, and design integrity.

3.2 Justification

Identify the specific Condition or Conditions that you are requesting to amend.

RESPONSE - Development Agreement, Extension of Time: Tentative Subdivision Map Case Number WTM21-007 (Petersen Village, Phase 1) was approved by the Washoe County Planning Commission on September 7, 2021, and is set to expire on September 7, 2025 (*Appendix G: Conditions of Approval*), pursuant to the provisions of NRS 278.360(1) and Washoe County Code Section 110.610.50. Under these regulations, unless the landowner has entered into a development agreement authorized by NRS 278.0201, a final map must be submitted for signature by the Director of Planning and Building prior to the tentative map's expiration.

The proposed Development Agreement seeks to extend the time allowed for recording the initial final map from the current expiration date of September 7, 2025, to a new expiration date of September 7, 2027 (*Appendix H: Development Agreement*). Unless otherwise terminated in accordance with Section 2.1.3 of the Agreement or applicable law, the Agreement shall remain in effect through September 7, 2027.

The Development Agreement is being submitted concurrently with a request to amend certain Conditions of Approval for Tentative Subdivision Map Case Number WTM21-007 (Petersen Village, Phase 1), and both the Development Agreement and amended conditions shall be considered for approval at the same public hearing by the Washoe County Board of County Commissioners. Upon approval, the revised conditions shall govern the development of the Property and survive termination of the Development Agreement.

RESPONSE - Amendment of Conditions: Conditions of Approval for Tentative Subdivision Map Case Number WTM21-007, are included as *Appendix G: Conditions of Approval*. The purpose of the proposed amendments is to align project conditions with current Washoe County Code, engineering standards, and state agency policy frameworks, while eliminating unnecessary or outdated requirements that may create procedural inefficiencies or conflict with the approved project design. Proposed condition amendments are presented below by agency division and corresponding condition number, proposed amendments are followed by a detailed sub-paragraph justifying the basis for the proposed change.

WASHOE COUNTY PLANNING AND BUILDING DIVISION CONDITIONS

CONDITION 1(o)(vii): "No motorized vehicles shall be allowed on the platted common area within areas with a regulatory zone of High Density Suburban."

Justification for Amendment to Condition 1(o)(vii): The approved tentative subdivision map encompasses a total of 124.6 acres, with

approximately 47.2 acres designated for residential development and 77.4 acres preserved as common open space across three parcels. This significant commitment to open space, comprising over 62% of the project area, demonstrates a clear intent to provide long-term recreational value within the community.

Condition 1(o)(vii) currently prohibits all motorized vehicles within common areas located in the High Density Suburban (HDS) regulatory zone. While well-intentioned, this condition may inadvertently restrict access to potential motorized trails located adjacent to the project but outside the HDS zone. Several of these adjacent trails have a long history of use for off-road and motorized recreation. In some instances, the only practical or feasible access to these trails may cross portions of the common area within the HDS zone. Strictly prohibiting all motorized vehicle access in these areas could unintentionally eliminate historic connections and limit recreational access that local users have come to rely on.

Moreover, other conditions already provide adequate safeguards for the management, liability, and maintenance of common open space and trail access: condition 1(o)(iii) requires that all common open space be privately maintained and perpetually funded by the homeowners association (HOA); condition 1(p) mandates that the open space be deeded to the HOA, ensuring long-term responsibility; condition 1(o)(iv) includes a hold harmless provision protecting Washoe County from liability related to recreational trail use; and condition 1(o)(iii) requires signage at all trail access points stating that individuals using motorized vehicles do so at their own risk.

Given these overlapping protections, Condition 1(o)(vii) is unnecessarily restrictive and may hinder the developer's ability to accommodate reasonable and appropriate trail access, particularly in areas intended to serve broader regional recreational needs.

The final layout of open space amenities and trail connectivity is still being refined. Removing this condition ensures that reasonable motorized access, whether for operational, emergency, or recreational purposes, can be accommodated if appropriate, without the need for future amendments. Similar subdivisions within the HDS zone are typically governed through HOA-established rules, rather than through blanket prohibitions in entitlement conditions. Removing this condition promotes consistency and avoids imposing unnecessarily rigid constraints on project implementation.

In conclusion, while the applicant fully supports responsible management of motorized access, the current condition is overly restrictive and may lead to unintended consequences. The removal of Condition 1(o)(vii) will allow for more practical, community-driven management of common areas and help preserve important trail connections that support the recreational character of the surrounding area.

CONDITION 1(w)(iii): “The applicant shall post signage at trail access points specifying which trails may be used for motorized vehicles and which may not. In addition to any signage that the applicant may require prohibiting the use of motorized vehicles on trails, the applicant shall provide signage at all trail access points stating: 1. Persons using motorized vehicles on trails assume the risk for their actions and all trail hazards; 2. These trails are not located on Washoe County property and Washoe County is not responsible for any adverse action that may occur from trail usage; 3. Use of hang gliders is expressly prohibited.”

Justification for Amendment to Condition 1(w)(iii): The applicant supports the use of trail signage that is clear, relevant, and focused on actual risks or permitted uses, such as distinguishing between motorized and non-motorized access or providing maintenance and liability disclaimers. Effective signage should be narrowly tailored to the specific conditions and operational realities of the site. As such, the applicant respectfully requests the deletion of Item 3 from Condition iii, which requires signage at all trail access points stating: “Use of hang gliders is expressly prohibited.”

This requirement is not applicable to the intended recreational uses of the site, and the required signage addresses a use that is part of the history and culture of Cold Springs. Notably, Nancy Gomes Elementary School, the local elementary school serving the Cold Springs community, uses the "Glider" as its mascot, a direct reference to the area's historical connection to hang-gliding. Prohibiting hang-gliding in this area would not only overlook a recreational activity tied to the community's identity but could also be viewed as being culturally insensitive to residents who value this longstanding symbol. Additionally, the trails in question will be privately owned and maintained by a homeowner's association (HOA), which retains full authority to regulate access and impose additional use restrictions as needed. If concerns related to hang gliding or similar activities ever arise, the HOA is fully empowered to address them through appropriate signage or enforcement within the scope of its governing documents.

Condition 1(w)(iii), Item 3 lacks a demonstrated connection to any project-related impact and imposes an obligation that is neither necessary nor proportionate to any identifiable risk.

For these reasons, the applicant respectfully requests that Item 3 be removed from the condition. Doing so ensures that trail signage remains relevant, enforceable, and within the scope of legitimate regulatory authority.

CONDITION 1(t): “Applicant shall provide proof of materials or techniques to provide passive or natural heating in the architectural master pages.”

Justification for Amendment to Condition 1(t): The requested amendment to Condition 1(t) is intended to align the condition with the applicable regulatory language found in Washoe County Code (WCC) Chapter 110, Article 408 (Solar Access). Specifically, WCC Section 110.408.05(b) states: “The design of a subdivision for which a tentative map is required shall provide, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.”

For the purposes of this section, “feasible” is defined as: “Capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.”

The current language of Condition 1(t) omits the “to the extent feasible” provision, potentially creating an unrealistic or overly rigid expectation that could conflict with site-specific design limitations or material availability. By incorporating the feasibility standard, the revised condition maintains the County’s intent to encourage sustainable design practices, while also acknowledging practical constraints that may arise during implementation.

This amendment ensures consistency with County Code and provides the applicant and reviewing agencies with clear, reasonable, and enforceable expectations during the architectural review process.

WASHOE COUNTY ENGINEERING AND CAPITAL PROJECTS CONDITIONS

CONDITION 2(l): “All slopes steeper than 3:1 shall be mechanically stabilized to control erosion. As an alternative to riprap, an engineered solution (geofabric, etc.) may be acceptable.”

Justification for Amendment to Condition 2(l): Since the approval of the

tentative map, Washoe County adopted updated grading standards under WDCA24-0001, which revised Section 110.438.31 (Grading Standards) of the Development Code. The updated standard states:

"Grading of slopes of three horizontal to one vertical (3:1) or flatter shall be stabilized and protected from erosion by appropriate revegetation or other means acceptable to the County Engineer."

This amendment modernizes the County's approach by recognizing revegetation and other erosion control methods as acceptable stabilization practices for slopes at or below the 3:1 ratio, subject to review and approval by the County Engineer. The updated code reflects current engineering best practices and offers flexibility while still ensuring environmental protection and erosion control.

Accordingly, the applicant respectfully requests that Condition 2(l) be amended to align with the revised County standards. The proposed amendment would eliminate the requirement for mechanical stabilization on slopes that meet the 3:1 or flatter threshold and allow stabilization methods consistent with current Washoe County code and engineering standards.

WASHOE COUNTY PARKS PROGRAM

CONDITION 6(a):

Justification for Amendment to Condition 5(a): The applicant respectfully requests that the condition requiring "all fill materials shall be certified weed free to prevent the spread of noxious weeds in the county" either be removed or amended to apply specifically to off-site imported fill materials only.

While the applicant fully supports the County's goal of minimizing the introduction and spread of noxious weeds, the current language is overly broad and presents several practical and regulatory concerns:

Lack of Code-Based Authority: A review of the Washoe County Development Code does not reveal any explicit requirement that all fill material, regardless of source, be certified as weed-free. While the County may recommend best practices related to noxious weed control, the requirement for certification of all materials goes beyond the scope of current codified regulations and lacks a clear statutory basis.

Impracticality for On-Site Materials: Applying this requirement to on-site or native materials is impractical and unenforceable. Native soil or fill moved from one area of the same site to another cannot be feasibly “certified” under existing noxious weed certification programs, which are designed for off-site sources such as hay, straw, mulch, gravel, or imported soils.

Appropriate Scope of Certification Programs: The Nevada Department of Agriculture’s Weed Free Certification Program, which aligns with national standards (NAISMA), is primarily designed for off-site, transportable materials such as forage, gravel, and mulch. Requiring certification for on-site fill or general grading operations creates a procedural burden not aligned with the program’s purpose.

To better reflect both the County’s weed prevention goals and the practical realities of development, the applicant proposes the following revised condition language: “All off-site imported fill materials shall be certified weed free to the extent feasible and consistent with Nevada Department of Agriculture certification standards, to minimize the risk of introducing noxious weeds into the project area.”

This language ensures that the intent of the condition, preventing invasive species, is preserved while also providing clarity, enforceability, and alignment with established certification programs.

NEVADA DEPARTMENT OF WILDLIFE CONDITIONS

CONDITION 5(a): “The applicant shall work with the Nevada Department of Wildlife (NDOW) to create a Wildlife Mitigation Plan acceptable to NDOW. Prior to the final map approval, the applicant shall provide evidence to the Planning and Development Division that such a plan has been created to NDOW’s satisfaction. Ensuring compliance with the elements of this plan shall be the responsibility of NDOW. NDOW Commission Policy 62 (Reference: NRS 501.105).”

Justification for Amendment to Condition 5(a): In accordance with Nevada Department of Wildlife (NDOW) Commission Policy 62 (*Appendix I*), which provides guidance on avoiding and mitigating significant adverse impacts to wildlife resources, the applicant has incorporated substantial measures into the project design to minimize potential impacts to local wildlife and habitat values.

A key component of this effort is the preservation of 77.4 acres of common open space across three parcels, representing more than 62% of the 124.6-acre project site. This open space has been strategically configured to preserve natural drainage corridors, wildlife movement areas, and native vegetation. The large, contiguous open space network not only reduces habitat fragmentation but also provides meaningful buffers between development and environmentally sensitive areas.

By proactively integrating this level of conservation into the subdivision layout, the project has avoided impacts that could otherwise rise to the level of “significant adverse” under the intent of NDOW Policy 62. Further, the use of common open space owned and managed by the homeowner’s association ensures long-term stewardship and maintenance of these preserved areas.

As noted in Policy 62, mitigation measures should be provided where *significant adverse* impacts are expected. In this case, through early planning and open space dedication, the project has effectively minimized potential impacts to wildlife to a level that does not trigger the need for further mitigation under the policy.

In addition, extensive mapping of thousands of GPS collar data points collected from mule deer reveals no evidence of mule deer activity within any portion of the 124-acre project site. Furthermore, according to data from the Nevada Department of Wildlife, the site is not located within a designated mule deer migration corridor (*Appendix J: NDOW Mule Deer Migration Corridors*).

The current condition states: “The applicant shall work with the Nevada Department of Wildlife (NDOW) to create a Wildlife Mitigation Plan acceptable to NDOW.” The applicant respectfully requests that this condition be amended or removed on the basis that NDOW did not provide any recommendations or identify significant adverse impacts during its review of the proposed tentative map, as provided for under Commission Policy 62, Policy 2. This policy affirms that it is the responsibility of the Department to offer recommendations for mitigation, enhancement, or replacement when significant adverse impacts to wildlife resources are expected to occur.

In this case, NDOW was duly notified and provided the opportunity to review the tentative map during the agency referral process. At no point did the Department submit formal comments that identified specific concerns or recommend mitigation measures. Given this procedural history, the imposition of a post-approval requirement for a Wildlife

Mitigation Plan, without any identified impact or supporting record, appears inconsistent with the intent and implementation framework of Policy 62.

Holding up final map approval on the basis of a discretionary condition without a supporting record or identified impact is not only inconsistent with Commission Policy 62 but also places an undue burden on the applicant. This post-approval requirement has the potential to significantly delay Final Map approval, which undermines the efficiency of the entitlement process and jeopardizes the timely implementation of a project that has already incorporated substantial wildlife-friendly design features.

As stated earlier, the applicant has already preserved 77.4 acres of common open space, accounting for over 62% of the total project area, which serves to protect habitat, reduce fragmentation, and maintain ecological continuity. This level of open space dedication represents a proactive and meaningful commitment to wildlife preservation and reduces the likelihood of significant impacts that would otherwise necessitate a formal mitigation plan.

Accordingly, and in the absence of any specific findings or recommendations from NDOW, the applicant respectfully requests that this condition be removed entirely as unsupported by the current administrative record.

3.3 Existing and Proposed Conditions

Provide the requested amendment language to each Condition or Conditions, and provide both the existing and proposed condition(s).

RESPONSE - Development Agreement, Extension of Time: The applicant is requesting an Amendment of Conditions to extend the expiration date of Tentative Subdivision Map Case Number WTM21-007 (Peterson Village, Phase 1) through the execution of a Development Agreement, as permitted under NRS 278.0201 and NRS 278.360(1).

The requested amendment is incorporated into the attached Development Agreement, which sets forth the extended deadline for final map recordation (*Appendix H – Development Agreement*).

RESPONSE - Amendment of Conditions: Requested condition amendments are organized by agency division and condition number, followed by both the existing and proposed language.

WASHOE COUNTY PLANNING AND BUILDING DIVISION CONDITIONS	
CONDITION 1(o)(vii)	
<u>Existing:</u>	No motorized vehicles shall be allowed on the platted common area within areas with a regulatory zone of High Density Suburban.
<u>Proposed:</u>	Delete Condition 1(o)(vii)
CONDITION 1(w)(iii)	
<u>Existing:</u>	The applicant shall post signage at trail access points specifying which trails may be used for motorized vehicles and which may not. In addition to any signage that the applicant may require prohibiting the use of motorized vehicles on trails, the applicant shall provide signage at all trail access points stating: 1. Persons using motorized vehicles on trails assume the risk for their actions and all trail hazards; 2. These trails are not located on Washoe County property and Washoe County is not responsible for any adverse action that may occur from trail usage; 3. Use of hang gliders is expressly prohibited.
<u>Proposed:</u>	The applicant shall post signage at trail access points specifying which trails may be used for motorized vehicles and which may not. In addition to any signage that the applicant may require prohibiting the use of motorized vehicles on trails, the applicant shall provide signage at all trail access points stating: 1. Persons using motorized vehicles on trails assume the risk for their actions and all trail hazards; 2. These trails are not located on Washoe County property and Washoe County is not responsible for any adverse action that may occur from trail usage.
CONDITION 1(t)	
<u>Existing:</u>	Applicant shall provide proof of materials or techniques to provide passive or natural heating in the architectural master pages.
<u>Proposed:</u>	The applicant shall provide proof of materials or techniques to support passive or natural heating in the architectural master pages, to the extent feasible as defined in WCC Section 110.604.40 (Energy Conservation).

WASHOE COUNTY ENGINEERING AND CAPITAL PROJECTS	
CONDITION 2(l)	
<u>Existing:</u>	All slopes steeper than 3:1 shall be mechanically stabilized to control erosion. As an alternative to riprap, an engineered solution (geofabric, etc.) may be acceptable.
<u>Proposed:</u>	Grading of slopes of three horizontal to one vertical (3:1) or flatter shall be stabilized and protected from erosion by appropriate revegetation or other means acceptable to the County Engineer. Grading of slopes steeper than three horizontal to one vertical (3:1) shall be in accordance with WCC Section 110.438.31 Grading Standards

WASHOE COUNTY PARKS PROGRAM CONDITIONS	
CONDITION 6(a)	
<u>Existing:</u>	All fill materials shall be “certified weed free” to prevent the spread of noxious weeds in the county.
<u>Proposed:</u>	All off-site imported fill materials shall be certified weed free to the extent feasible and consistent with Nevada Department of Agriculture certification standards, to minimize the risk of introducing noxious weeds into the project area.

NEVADA DEPARTMENT OF WILDLIFE CONDITIONS	
CONDITION 5(a)	
<u>Existing:</u>	Prior to recordation of all final maps the applicant shall provide a letter to the Planning and Building Division from the Nevada Department of Wildlife indicating that a Wildlife Mitigation Plan (WMP) to avoid, minimize and mitigate impacts to wildlife, has been

	approved by that Department and that the provisions of that plan have been included in the documents submitted with each final map.
<u>Proposed:</u>	Delete Condition 5(a)

3.4 Findings

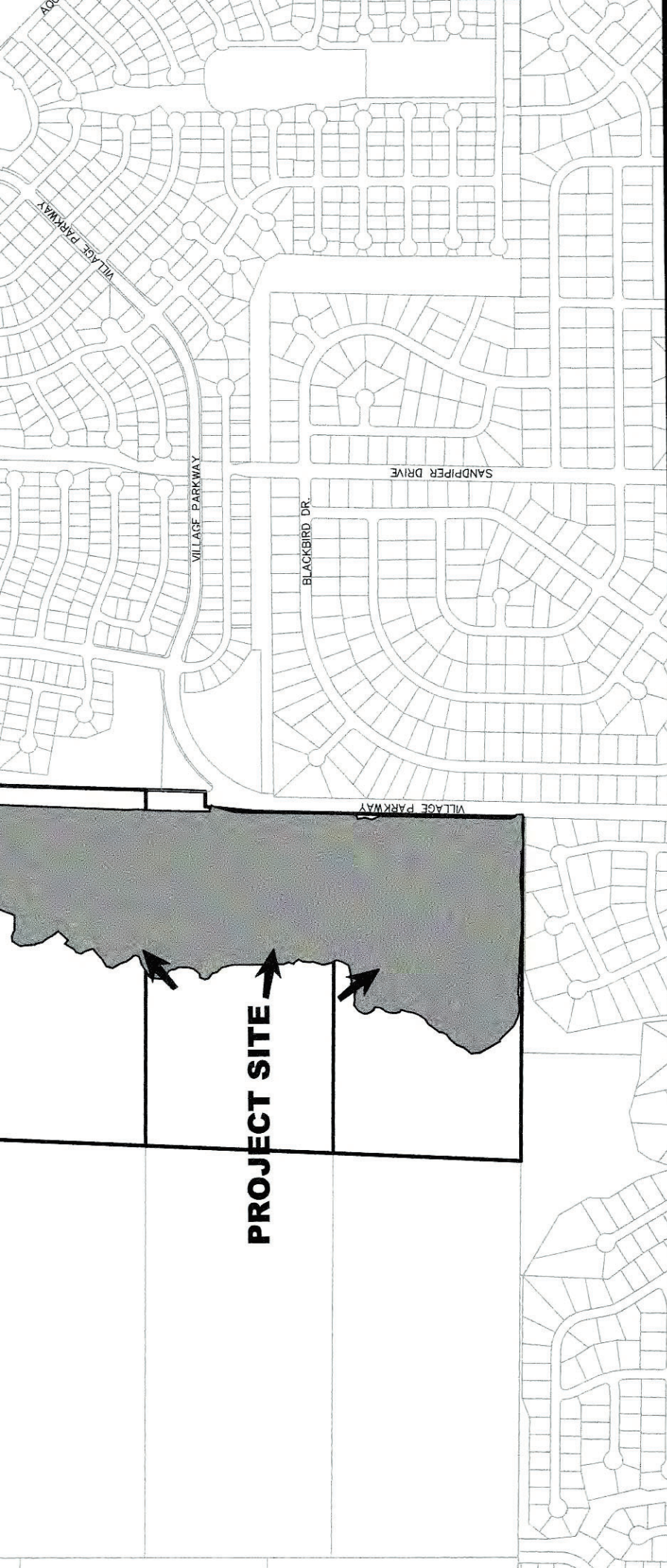
Describe any potential impacts to public health, safety, or welfare that could result from granting the amendment. Describe how the amendment affects the required findings as approved.

Response: The proposed time extension and amendments to conditions of approval do not result in any adverse impacts to public health, safety, or welfare. The requested changes do not alter the approved density, infrastructure requirements, or environmental conditions associated with the original tentative map. All other Conditions of Approval previously adopted by the Washoe County Board of County Commissioners remain in full force and effect and continue to govern the development of the site. None of the proposed amendments introduce new uses, increase impacts, or reduce protections related to infrastructure, access, or natural resources.

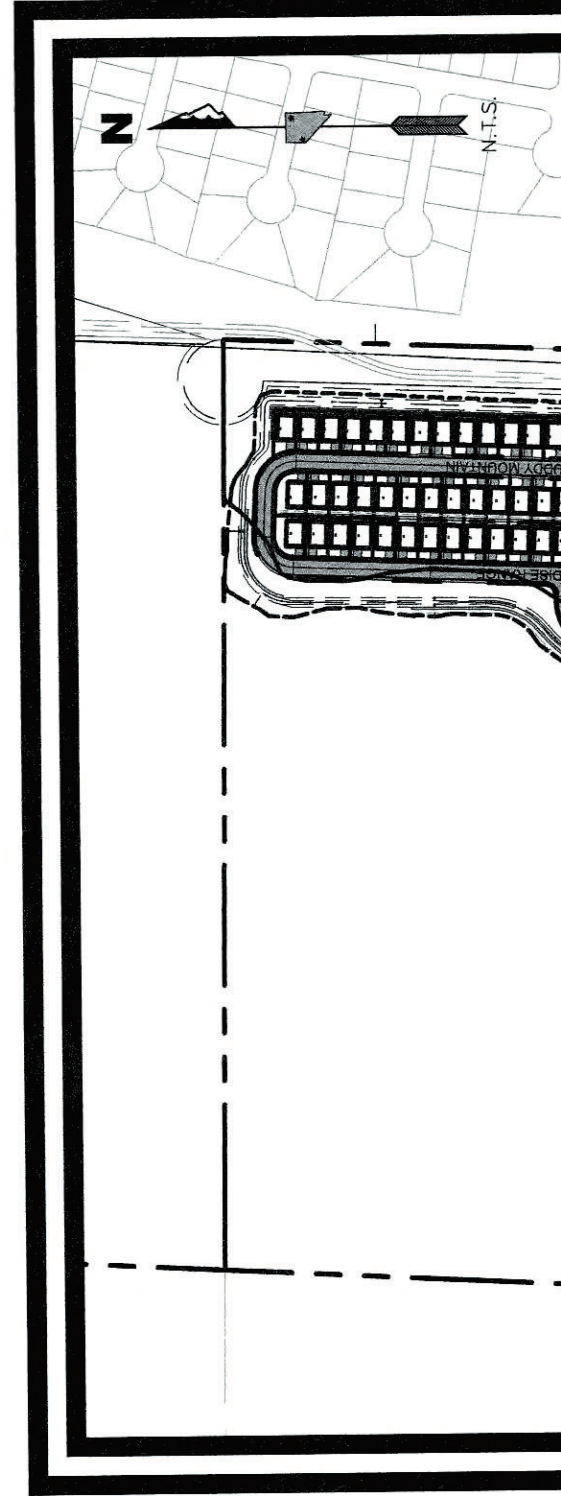
The proposed amendments and time extension do not affect the County's ability to make the findings required for tentative map approval under Washoe County Code Section 110.608.25 or applicable Nevada Revised Statutes. The original findings related to Master Plan conformance, improvements, development type, availability of services, environmental impacts, public health, easements, access, dedications, and energy conservation remain valid and unchanged.

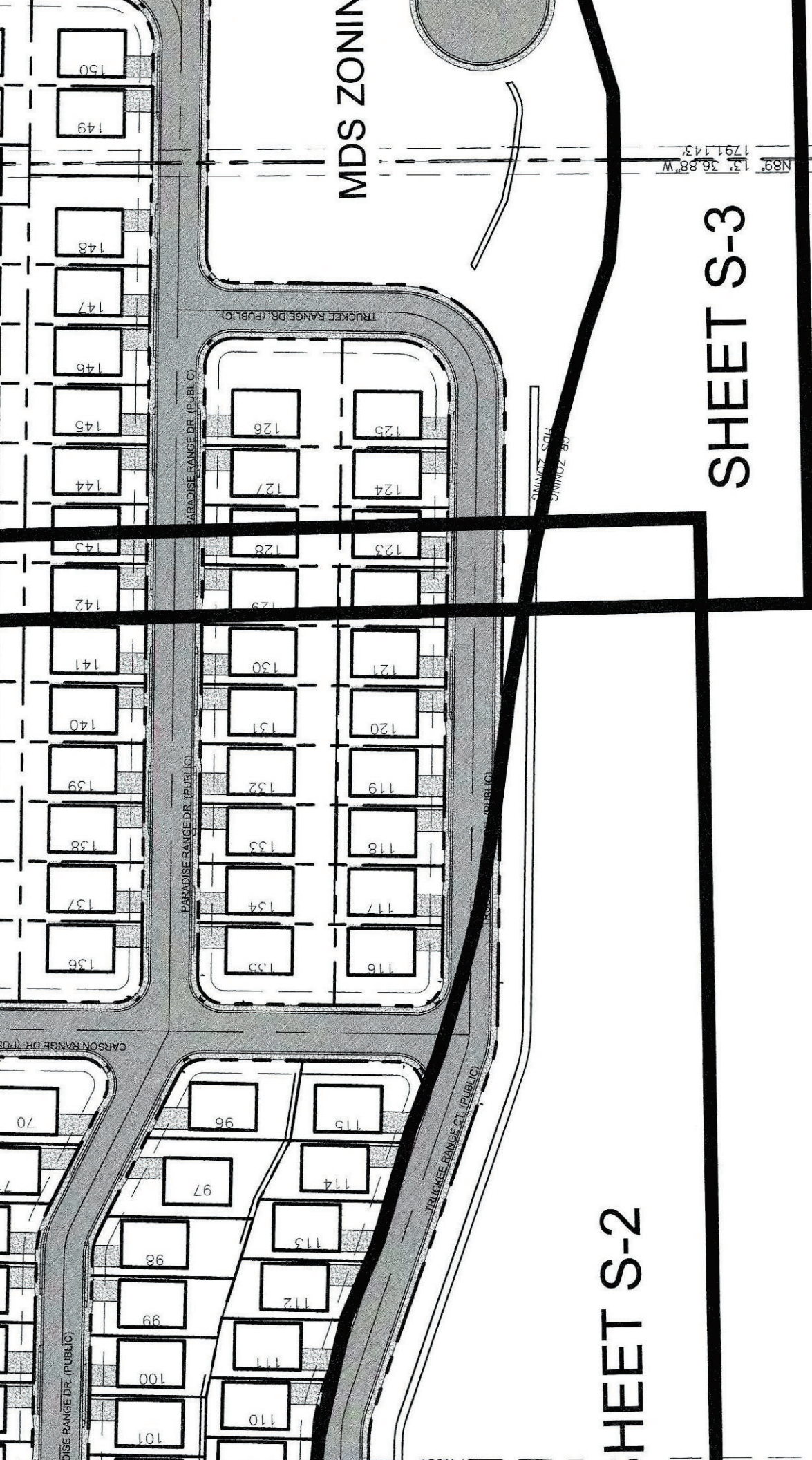
4.0 CONCLUSION

As evidenced throughout this narrative and attached exhibits, the requested Amendment of Conditions and the request to enter into a Development Agreement granting an extension of time for the approved Tentative Map for Petersen Village, Phase 1 (Case No. WTM21-007) is consistent with the governing approval. Therefore, the applicant respectfully requests Washoe County Board of County Commissioners approve this request.



VICINITY MAP N.T.S.





HEET S-2

SHEET S-3

SINGLE FAMILY DETACHED

TOTAL PROVIDED:
TOTAL ALLOWED:

SINGLE FAMILY ATTACHED

24'X40'X3
24'X40'X5
20'X50'X5
20'X50'X6
16'X50'X5

TOTAL PROVIDED:
TOTAL ALLOWED:

166 UNITS
181 UNITS

47.2 AC X 55% X 7 DU/AC =

4 BLDGS 12 UNITS
6 BLDGS 30 UNITS
7 BLDGS 35 UNITS
11 BLDGS 66 UNITS
8 BLDGS 40 UNITS

183 UNITS
191 UNITS

36 BLDGS
47.2 AC X 45% X 9 DU/AC =



WASHOE COUNTY
COMMUNITY SERVICES DEPARTMENT
Planning and Building Division
Planning Program

Attachment B
Page 23
1001 EAST 9TH STREET
RENO, NEVADA 89512-2845
PHONE (775) 328-6100
FAX (775) 328.6133

Planning Commission Action Order
Tentative Subdivision Map Case Number TM21-007

Decision: **Approval with Conditions**

Decision Date: September 7, 2021

Mailing/Filing Date: September 9, 2021

Property Owner: Lifestyle Homes TND
4790 Caughlin Pkwy, Ste 519
Reno, NV

Assigned Planner: Dan Cahalane, Planner
Washoe County Community Services Department
Planning and Building Division
Phone: 775.328.3628
E-Mail: dancahalane@washoecounty.us

Tentative Subdivision Case Number WTM21-007 (Village Parkway) – For hearing, discussion, and possible action to approve a tentative subdivision map for 166 detached single family dwelling units and 183 attached single family dwelling units in a common open space development on 3 parcels totaling 124.6 acres and associated major grading for 57.5 acres of ground disturbance, 326,548cy of cut and 255,214 cy of fill for the proposed tentative map.

- Applicant/Property Owner: Lifestyle Homes TND, LCC
- Location: West side of Village Parkway, north of Cold Springs Drive
- APN: 087-400-11, 087-400-23, 087-400-24
- Parcel Size: 124.6 acres total
- Master Plan: Rural, Suburban Residential
- Regulatory Zone: 62.1% General Rural, 37.9% High Density Suburban
- Area Plan: Cold Springs
- Development Code: Authorized in Article 608
- Commission District: 5 – Commissioner Herman

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 Subdivison 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:



INTEGRITY



**EFFECTIVE
COMMUNICATION**



**QUALITY
PUBLIC SERVICE**

To: Lifestyle Homes TND
Subject: WTM21-007 (Village Parkway)
Date: September 9, 2021
Page: Page 2 of 3

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 are 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

To: Lifestyle Homes TND
Subject: WTM21-007 (Village Parkway)
Date: September 9, 2021
Page: Page 3 of 3

TL/DC/lk

Enclosure: Conditions of Approval

Applicant/Owner: Lifestyle Homes TND
4790 Caughlin Pkwy, Ste 519
Reno, NV
rlissner@gmail.com

Representatives: Christy Corporation, LTD
1000 Kiley Pkwy
Sparks NV, 89436
mike@christynv.com

Action Order xc: Jen Gustafson, District Attorney's Office; Keirsten Beck, Assessor's Office; Rigo Lopez, Assessor's Office; Tim Simpson, Utilities; Jennifer Heeran, Engineering and Capital Projects; Dale Way, Truckee Meadows Fire Protection District; Nevada Division of Environmental Protection, 901 South Stewart Street, Suite. 4001, Carson City, NV 89701-5249; Regional Transportation Commission; Truckee Meadows Regional Planning Agency.



Conditions of Approval

Tentative Subdivision Map Case Number WTM21-007

The project approved under Tentative Subdivision Map Case Number WTM21-007 shall be carried out in accordance with the conditions of approval granted by the Planning Commission on Sept 7, 2021. Conditions of approval are requirements placed on a permit or development by each reviewing agency. These conditions of approval may require submittal of documents, applications, fees, inspections, amendments to plans, and more. These conditions do not relieve the applicant of the obligation to obtain any other approvals and licenses from relevant authorities required under any other act.

Unless otherwise specified, all conditions related to the approval of this tentative subdivision map shall be met or financial assurance must be provided to satisfy the conditions of approval prior to the recordation of a final subdivision map. The agency responsible for determining compliance with a specific condition shall determine whether the condition must be fully completed or whether the applicant shall be offered the option of providing financial assurance. All agreements, easements, or other documentation required by these conditions shall have a copy filed with the County Engineer and the Planning and Building Division.

Compliance with the conditions of approval related to this 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 institution 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 REGIONAL TRANSPORTATION COMMISSION (RTC)** is directed and governed by its own Board. Conditions recommended by the RTC may be required, at the discretion of Washoe County.

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 Building Division

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

Contact: Dan Cahalane, Planner, dcahalane@washoecounty.us, 775-328-3628

- a. The applicant shall demonstrate substantial conformance to the plans approved as part of this tentative subdivision map.
- b. 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. Specifically, the applicant shall address the following:
 - i. Applicant shall provide a pedestrian circulation plan in accordance with WCC 110.604.25. Washoe County Planning will make a determination on the completeness of said plan.
 - ii. Applicant shall provide street lighting at all major street intersections and hazardous street intersections as determined in the pedestrian circulation plan outlined in condition 1(b)(i), above.

- iii. Applicant shall provide a flashing crosswalk as the applicant proposed at the May 10, 2021 Citizen Advisory Board meeting at one (1) of the major or hazardous street intersections, as identified in the pedestrian circulation plan outlined in condition 1(b)(i), above. The location of the flashing crosswalk will be determined in consultation with Washoe County Planning and Engineering.
- iv. Applicant shall provide a phasing plan in accordance with WCC 110.608.10(z). This phasing plan shall act as the grading phasing plan in accordance with Cold Spring Area Plan policy CS 7.2.
- c. 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.
- d. In accordance with NRS 278.360, the sub-divider 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 one year 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.
- e. 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.
- f. All final maps shall contain the applicable portions of the following jurat:

THE TENTATIVE MAP FOR **WTM21-007** WAS APPROVED BY THE WASHOE COUNTY PLANNING COMMISSION ON **SEPTEMBER 7, 2021**.

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 ALL CONDITIONS HAVE BEEN MET.

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

THE NEXT FINAL MAP FOR **WTM21-007** MUST BE APPROVED AND ACCEPTED FOR RECORDATION BY THE PLANNING AND BUILDING 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 BUILDING DIRECTOR. THE OFFER OF DEDICATION FOR **STREETS, SEWERS, ETC.** IS REJECTED AT THIS TIME, BUT WILL REMAIN OPEN IN ACCORDANCE WITH NRS CHAPTER 278.

MOJRA HAUENSTEIN, DIRECTOR
PLANNING AND BUILDING

Jurat for ALL SUBSEQUENT FINAL MAPS

THE TENTATIVE MAP for WTM21-007 APPROVED BY THE WASHOE COUNTY PLANNING COMMISSION ON Sept 7, 2021. THE FIRST FINAL MAP FOR THIS TENTATIVE MAP WAS APPROVED AND ACCEPTED FOR RECORDATION ON *<date of Planning and Building Director's signature on first final map>*. [Omit the following if second map.] THE MOST RECENTLY RECORDED FINAL MAP, *<subdivision name and prior unit/phase #>* FOR THIS TENTATIVE MAP WAS APPROVED AND ACCEPTED FOR RECORDATION ON *<date of Planning and Building 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 *<date of last Planning Commission action to extend the tentative map>*.

THIS FINAL MAP, *<subdivision name and unit/phase #>*, MEETS ALL APPLICABLE STATUTES, ORDINANCES AND CODE PROVISIONS; IS IN SUBSTANTIAL CONFORMANCE WITH THE TENTATIVE MAP; AND ALL CONDITIONS HAVE BEEN MET.

Omit the following paragraph if this is the last final map.]

THE NEXT FINAL MAP FOR WTM21-007 MUST BE APPROVED AND ACCEPTED FOR RECORDATION BY THE PLANNING AND BUILDING DIRECTOR ON OR BEFORE THE EXPIRATION DATE, THE ____ DAY OF _____, 20____, *<add two years to the current expiration date unless that date is more than two years away>* OR AN EXTENSION OF TIME FOR THE TENTATIVE MAP MUST BE APPROVED BY THE WASHOE COUNTY PLANNING COMMISSION ON OR BEFORE SAID DATE.

<Insert Merger and Re-subdivision option as applicable>

THIS FINAL MAP IS APPROVED AND ACCEPTED FOR RECORDATION THIS ____ DAY OF _____, 20____ BY THE WASHOE COUNTY PLANNING AND BUILDING DIRECTOR. THE OFFER OF DEDICATION FOR *<streets, sewers>* IS REJECTED AT THIS TIME, BUT WILL REMAIN OPEN IN ACCORDANCE WITH NRS CHAPTER 278.

MOJRA HAUENSTEIN, DIRECTOR,
PLANNING AND BUILDING DIVISION

- g. A note shall be placed on all grading plans and construction drawings 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.

- h. 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.

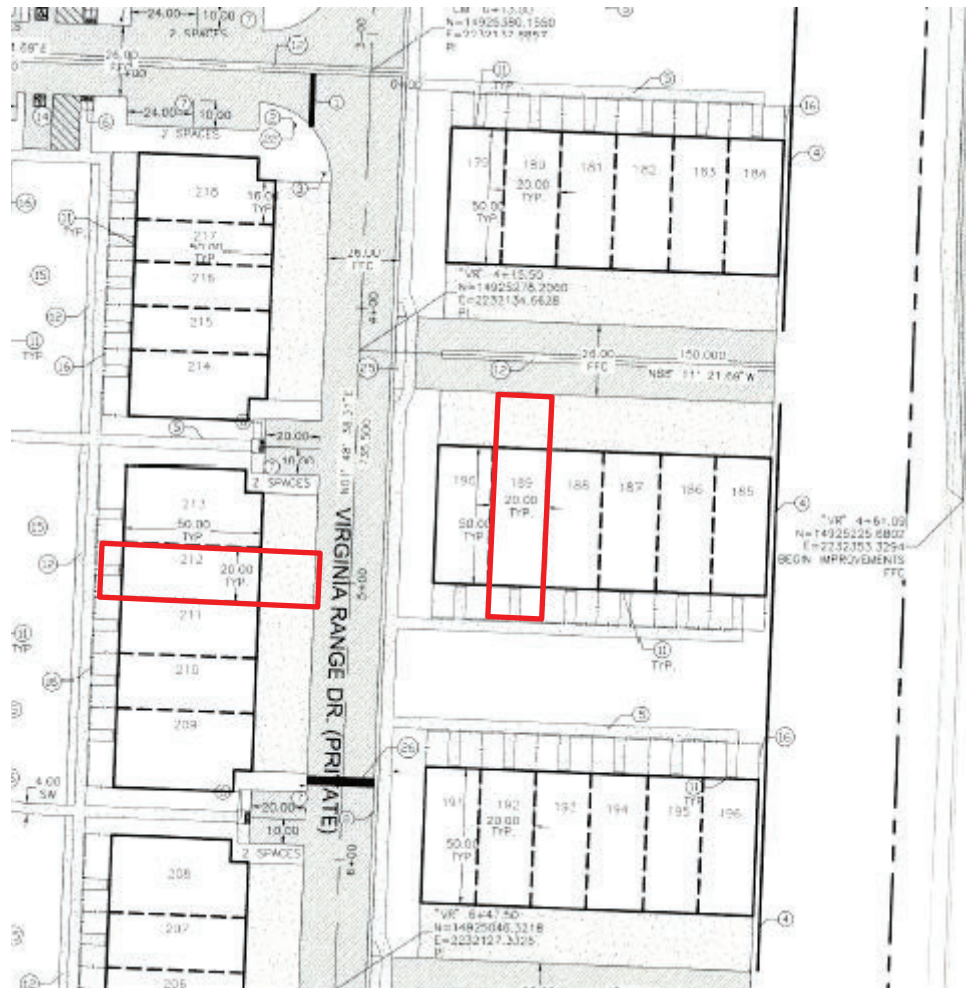
- i. Prior to acceptance of public improvements and release of any financial assurances, the developer shall furnish to the Engineering Division a complete set of reproducible as-built construction drawings prepared by a civil engineer registered in the State of Nevada.
- j. The developer shall be required to participate in any applicable General Improvement District or Special Assessment District formed by Washoe County.
- k. 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.
- l. The developer and all successors shall direct any potential purchaser of the site to meet with the Planning and Building 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 Building Division of the name, address, telephone number and contact person of the new purchaser within thirty (30) days of the final sale.
- m. All landscaping shall be maintained in accordance with the provisions found in Section 110.412.75, Maintenance. A three-year maintenance plan shall be submitted by a licensed landscape architect registered in the State of Nevada to the Planning and Building Division, prior to a Certificate of Occupancy. The plan shall be wet-stamped.
- i. At a minimum plants shall meet the 8 characteristics of fire resistive vegetation within the IWUI in accordance with 110.412.30(a)(3)
- ii. The following plants are expressly prohibited in accordance with WCC 110.424.50(d) as recommended by Truckee Meadows Fire Protection District:

Botanical Name	Common Name
Artemisia species	Sage or Wormwood
Calamagrostis acutiflora	Feather Reed Grass
Calocedrus decurrens	Incense Cedar
Cedrus atlantica 'Glaucous'	Blue Atlas Cedar
Chrysothamnus nauseosus	Rubber Rabbitbrush
Cupressus glabra	Arizona Cypress
Cytisus species	Broom
Genista species	Dwarf Broom
Juniperus species	Juniper
Picea glauca 'Conica'	Dwarf Alberta Spruce
Picea pungens	Spruce
Pinus species	Pine
Sequoiadendron giganteum	Giant Redwood
Thuja occidentalis	Arborvitae

- 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 Planning and Building staff for review and subsequent forwarding to the District Attorney for review. The final CC&Rs shall be signed and notarized by the owner(s) and submitted to Planning and Building 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:
- i. 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 maintenance plan for all common area and for the common open space area shall, as a minimum, address the following:
 - 1. Vegetation management;
 - a. Vegetation shall be maintained to ensure that there is at least a 10ft distance between all trees and structures in order to effectuate WCC 110.412.75 and 110.412.30(a)(3).
 - 2. Watershed management;
 - 3. Debris and litter removal;
 - 4. Fire access and suppression; and
 - 5. Maintenance of public access and/or maintenance of limitations to public access.
 - ii. All drainage facilities and roadways not maintained by Washoe County shall be privately maintained and perpetually funded by the homeowners association.
 - iii. 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.
 - iv. The project and adjacent undeveloped land shall maintain a fire fuel break of a minimum 30 feet in width until such time as the adjacent land is developed.
 - v. Locating habitable structures on potentially active (Holocene) fault lines, whether noted on the recorded map or disclosed during site preparation, is prohibited.
 - vi. All outdoor lighting on buildings and streets within the subdivision shall be down-shielded.
 - vii. No motorized vehicles shall be allowed on the platted common area within areas with a regulatory zone of High Density Suburban.

- viii. 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.
- ix. Mandatory solid waste collection.
- x. 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.
- p. The common open space, regardless of ownership at the time of recordation of the final map, shall be noted on the final map as "common open space" and the related deed of conveyance to the applicable homeowners' association shall specifically provide for the preservation of the common open space in perpetuity. The deed(s) to the common open space and common area shall reflect perpetual dedication for that purpose. The deed(s) shall be presented for review by Planning and Building staff and the District Attorney prior to the conveyance of common open space and/or common area to the applicable homeowners' association.
- q. All driveways shall be paved in accordance with WCC Article 410.
- r. Applicant shall provide pedestrian access to APN 087-560-03 in order to provide an integrated pedestrian network on the western half of the site to promote walking in accordance with LUTE policy 2.3.
- s. Applicant shall install at least 2 types of drought tolerant species as street trees throughout the subdivision in accordance with Cold Springs Area Plan policy CS 2.7.
- t. Applicant shall provide proof of materials or techniques to provide passive or natural heating in the architectural master pages.
- u. Attached housing lots shall include all Portland Cement Concrete driveways and walkway as generally outlined below to ensure compliance with WCC 110.604.15(b):



- v. Building setbacks for this subdivision shall be as follows:
- i. Attached Housing Units -
 1. Front – 15ft
 2. Side – 0ft
 3. Rear – 10ft
 - ii. Detached housing setbacks shall be:
 1. **Front – 10ft**
 2. **Side – 5ft**
 3. **Rear – 10ft**
- w. Proposed trails shall meet the following standards:
- i. Trails shall not traverse slopes in excess of 30%. In accordance with Cold Springs Area Plan policies 6.3 and 6.7, any existing trail permitted to be used which traverses slopes in excess of 30% shall be either closed down and fully revegetated or re-aligned. Staff recommends the use of a trail specialist to successfully rehabilitate/re-align the affected slopes.
 - ii. In accordance with Cold Springs Area Plan policy 6.7.1 and WCC 110.424.30(i), all trails shall conform to the table below which references Washoe County Green Book trail standards:

Trail Type	Slope	Cross Slope	Trail Surface	Trail Width	Lateral Clearance (from edge)	Max Cleared Width
Rural/Recreational	5-8%	3%	Granular Stone	6 ft -12 ft	3 ft	18 ft
Wildland Trail	Up to 15%	Up to 5%	Cleared Native Material	3 ft	2 ft	7 ft

iii. The applicant shall post signage at trail access points specifying which trails may be used for motorized vehicles and which may not. In addition to any signage that the applicant may require prohibiting the use of motorized vehicles on trails, the applicant shall provide signage at all trail access points stating:

1. Persons using motorized vehicles on trails assume the risk for their actions and all trail hazards.
2. These trails are not located on Washoe County property and Washoe County is not responsible for any adverse action that may occur from trail usage.
3. Use of hang gliders is expressly prohibited.

iv. Applicant shall record the following note on the final map:

Note

Property owners, property owners' successors and assigns and the applicable homeowners' association understand and agree that Washoe County is not responsible for maintenance of trails within this subdivision map, and further understand and agree that Washoe County is not warranting the safety of trails by approval of this subdivision map. The foregoing agree to hold Washoe County harmless for any adverse action that may occur through a person using recreational trails.

Washoe County Engineering and Capital Projects

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

Contact: Walt West, PE, wwest@washoecounty.us, (775) 328-2310

- a. 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.
- b. 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.
- c. 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.
- d. Any increase in stormwater runoff flow rate resulting from the development and based on the 5 year and 100 storm(s) shall be detained onsite to maintain pre-development flow rates.
- e. The project shall retain the increased stormwater volume produced from the development based on the 100 year–10 day storm event at a minimum factor of 1.3:1. Alternatives for

retention may include excavation of material within or adjacent to the existing Whites Lake flood zone creating additional effective flood volume or other means subject to approval by the County Engineer.

- f. The following note shall be added to each final map; "All properties, regardless if they are located within or outside of a FEMA Special Flood Hazard Area, may be subject to flooding. The property owner is required to maintain all drainage easements and natural drainages and not perform or allow unpermitted and unapproved modifications to the property that may have detrimental impacts to surrounding properties."
- g. Standard reinforced concrete headwalls or other approved alternatives shall be placed on the inlet and outlet of all drainage structures, and rock riprap shall be used to prevent erosion at the inlets and outlets of all culverts.
- h. The developer shall provide pretreatment for petrochemicals and silt for all storm drainage leaving the site.
- i. The Truckee Meadows Regional Stormwater Quality Management Program Construction Permit Submittal Checklists and Inspection Fee shall be submitted with each final map.
- j. 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 home owners association. The maintenance and funding of private drainage facilities shall also be addressed in the home owner's association documents to the satisfaction of the District Attorney's Office.
- k. 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.
- l. All slopes steeper than 3:1 shall be mechanically stabilized to control erosion. As an alternative to riprap, an engineered solution (geofabric, etc.) may be acceptable.
- m. Maintenance access and drainage easements shall be provided for all existing and proposed drainage facilities. All drainage facilities located within Common Area shall be constructed with an adjoining minimum 12' wide gravel access road. Maintenance access road shall be provided to the bottom of proposed detention basins as well as over County owned and maintained storm drainage facilities.
- n. Drainage easements shall be provided for all storm runoff that crosses more than one lot.
- o. 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.
- p. Prior to the finalization of the first final map, an operation and maintenance plan for the maintenance of the project's detention/retention basins and drainage facilities shall be developed in accordance with the Washoe County Code Article 421. The Operation and Maintenance Plan shall be incorporated into the project CC&R's to the satisfaction of the County Engineer and District Attorney's Office.
- q. Offsite drainage and common area drainage, draining onto residential lots shall be perpetuated around the residential lots and drainage facilities capable of passing a 100-year storm, shall be constructed with the subdivision improvements to perpetuate the storm water runoff to improved or natural drainage facilities. The maintenance of these drainage facilities shall be addressed in the home owner's association documents to the satisfaction of the County Engineer and the District Attorney's Office.

Washoe County Engineering and Capital Projects – Street Design Standards (County Code 110.436)

The following street design conditions are requirements of the Washoe County Engineering and Capital Projects which shall be responsible for determining compliance with these conditions.

Contact Information: Walter West, P.E (775) 328-2310 or Mitchell Fink (775) 328-2050

- r. 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.
- s. Street names shall be reviewed and approved by the Regional Street Naming Coordinator.
- t. An Encroachment and Excavation Permit shall be obtained from Washoe County Engineering and Capital Projects Division for any utilities or other encroachments/excavations constructed within existing County roadways/right-of-ways.
- u. Streetlights shall be constructed to Washoe County standards at locations to be determined at the final design stage.
- v. Appropriate transitions shall be provided between the existing and proposed improvements at all proposed street connections. This may include removal and replacement of existing pavement.
- w. All roadways shall be constructed with a minimum of 4 inches of hotmix asphalt meeting the requirements of Washoe County.
- x. Sidewalks shall be constructed on both sides of the all streets and shall meet ADA requirements.
- y. For single family lots on public roadways, a 20 foot minimum setback is required between the back of the sidewalk and the front of the garage.
- z. 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.
- aa. The subdivision streets will be evaluated by Washoe County to determine if traffic calming is warranted. The spacing and type of traffic calming devices shall be determined at the time of final design.
- bb. 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.
- cc. 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.
- dd. If the Engineering and Capital Projects Division does not inspect the subdivision improvements, prior to release of any financial assurances for the private improvements, the development shall provide the Engineering and Capital Projects 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.
- ee. Humboldt Range Drive shall be designed to residential collector standards with no landscaped median curb permitted unless approved by the County Engineer.
- ff. Review of NDOT's comments for the project recommend that the traffic study be updated to include analysis of the project's impact to the US-395/Village Parkway/Bordertown

interchange and identify required mitigations if applicable. The project traffic study shall be updated to include NDOT's request.

Washoe County Engineering Division – Utilities (County Code 422 & Sewer Ordinance)

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

Contact Information: Tim Simpson, P.E. (775) 954-4648

- gg. The 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.
- hh. All fees shall be paid or deferred in accordance with Washoe County Ordinance prior to the approval of each final map.
- ii. Improvement plans shall be submitted and approved by the Engineering and Capital Projects Division 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.
- jj. 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.
- kk. The applicant shall construct and/or provide the financial assurance for the construction of any on-site and off-site sanitary sewer collection systems prior to signature on each final map. The financial assurance must be in a form and amount acceptable to the Engineering and Capital Projects Division.
- ll. Approved improvement plans shall be used for the construction of on-site and off-site sanitary sewer collection system. The Engineering and Capital Projects Division will be responsible to inspect the construction of the sanitary sewer collection system.
- mm. Washoe County will inspect the construction of the sanitary sewer collection system.
- nn. The sanitary sewer collection system must be offered for dedication to Washoe County along with the recordation of each final map.
- oo. Easements and real property for all sanitary sewer collection systems and appurtenances shall be in accordance with Washoe County Design Standards and offered for dedication to Washoe County along with the recordation of each final map.
- pp. 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:
 - a. the estimated sewage flows generated by this project,
 - b. projected sewage flows from potential or existing development within tributary areas,
 - c. the impact on capacity of existing infrastructure,
 - d. slope of pipe, invert elevation and rim elevation for all manholes,
 - e. Proposed collection line sizes, on-site and off-site alignment, and half-full velocities.
- qq. No Certificate of Occupancy will be issued until all the sewer collection, conveyance, and treatment facilities necessary to serve each final map have been completed, accepted and engineer prepared as-built drawings are delivered to the utility. As-built drawings must be in a format acceptable to Washoe County.
- rr. No permanent structures (including rockery or retaining walls, building's, etc.) shall be allowed within or upon any County utility easement.

- ss. 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.
- tt. A minimum 12-foot wide all weather sanitary sewer access road shall be constructed to facilitate access to off-site sanitary sewer manholes.
- uu. The developer will be responsible to fund the design and construction of major infrastructure such as pump structures, controls, telemetry and appurtenances, lift stations, force mains, sewer mains, interceptor and wastewater treatment facilities necessary to accommodate the project. However, the actual design will be the responsibility of the Engineering and Capital Projects Division. Prior to initiation of design the Developer shall pay the estimated design costs to Washoe County. The Engineering and Capital Projects Division may either provide such design in-house, or select an outside consultant. When an outside consultant is to be selected, the Engineering and Capital Projects Division and the Developer shall jointly select that consultant.
- vv. The Engineering and Capital Projects Division shall reserve the right to over-size or realign the design of infrastructure to accommodate future development as determined by accepted engineering calculations. Funding shall be the responsibility of Washoe County. Washoe County shall either participate monetarily at the time of design and/or shall credit an appropriate dollar amount to the Developer at the time of recordation of the subdivision map.

Washoe County Health District

- 3. The following conditions are requirements of the Health District, which shall be responsible for determining compliance with these conditions. The District Board of Health has jurisdiction over all public health matters in the Health District. Any conditions set by the Health District must be appealed to the District Board of Health.

Contact: David Kelly, dakelly@washoecounty.us

- a. Prior to any final grading or other civil site improvements, a complete water system plan and Water Project submittal for the referenced proposal must be submitted to the WCHD. The plan must show that the water system will conform to the State of Nevada Design, Construction, Operation and Maintenance Regulations for Public Water Systems, NAC Chapter 445A, and the State of Nevada Regulations Governing Review of Plans for Subdivisions, Condominiums, and Planned Unit Developments, NAC 278.400 and 278.410.
 - i. The application for a Water Project shall conform to the requirements of NAC 445A.66695.
 - ii. Two copies of complete construction plans are required for review. All plans must include an overall site plan, additional phases that will eventually be built to indicate that the water system will be looped, all proposed final grading, utilities, and improvements for the proposed application.
 - 1. Water Projects must be submitted directly to WCHD for review.
 - 2. Review of the Water Project may be concurrent with other reviews.
- b. Mass grading may proceed after approval of the Tentative Map and after a favorable review by the WCHD of a grading permit application.
 - i. The final map submittal shall include the Permitted Public Water System annexation and discovery with the mass grading permit.
- c. Improvement plans for the water system may be constructed prior to final map submittal only after Water Project approval by the WCHD.
 - i. For improvement plans approved prior to final map submittal, the Developer shall provide certification by the Professional Engineer of record

that the improvement plans were not altered subsequent to final map submittal.

- ii. Any changes to previously approved improvement plans made prior to final map submittal shall be resubmitted to the WCHD for approval per NAC 278.290 and NAC 445A.66715.

The WCHD requires the following to be submitted with the final map application for review and approval:

- d. Construction plans for the development must be submitted to the WCHD for approval. The construction drawings must conform to the State of Nevada Regulations Concerning Review of Plans for Subdivisions, Condominiums and Planned Unit Developments, and any applicable requirements of the WCHD.
- e. Prior to approval of a final map for the referenced project and pursuant to NAC 278.370, the developer must have the design engineer or a third person submit to the satisfaction the WCHD an inspection plan for periodic inspection of the construction of the systems for water supply and community sewerage. The inspection plan must address the following and be included with the final map submittal:
 - i. a. The inspection plan must indicate if an authorized agency, city or county is performing inspection of the construction of the systems for water supply and community sewerage;
 - ii. The design engineer or third person shall, pursuant to the approved inspection plan, periodically certify in writing to the WCHD that the improvements are being installed in accordance with the approved plans and recognized practices of the trade;
 - iii. The developer must bear the cost of the inspections; and
 - iv. The developer may select a third-person inspector but the selection must be approved by the WCHD or local agency. A third-person inspector must be a disinterested person who is not an employee of the developer.
- f. Prior to final map approval, a "Commitment for Service" letter from the sewage purveyor committing sewer service for the entire proposed development shall be submitted to the WCHD. The letter must indicate that the community facility for treatment will not be caused to exceed its capacity and the discharge permit requirements by this added service, or the facility will be expanded to provide for the added service.
 - i. A copy of this letter must be included with the final map submittal.
- g. Prior to final map approval, a "Commitment for Water Service" letter from the water purveyor committing adequate water service for the entire proposed development must be submitted to the WCHD.
 - i. A copy of this letter must be included with the final map submittal.
- h. The final map submittal must include a letter from Nevada Division of Environmental Protection to the WCHD certifying their approval of the final map.
- i. The final map application packet must include a letter from Division of Water Resources certifying their approval of the final map.
- j. Pursuant to NAC 278.360 of the State of Nevada Regulations Governing Review of plans for Subdivision, Condominiums, and Planned Unit Developments, the development of the subdivision must be carried on in a manner which will minimize water pollution.
 - i. Construction plans shall clearly show how the subdivision will comply with NAC 278.360.

- k. Prior to approval of the final map, the applicant must submit to the WCHD the final map fee.
- l. All grading and development activities must be in compliance with the DBOH Regulations Governing the Prevention of Vector-Borne Diseases.

Washoe County Health District Emergency Medical Services

- 4. The following conditions are requirements of the Washoe County Health District Emergency Medical Services, which shall be responsible for determining compliance with these conditions. The Regional Transportation Commission is directed and governed by its own board. Therefore, any conditions set by the Regional Transportation Commission must be appealed to that board.

Contact: Julie Hunter, jdhunter@washoecounty.us

- a. The address number shall be clearly marked on the curb and the structure(s) so that individuals can be quickly located by public safety agencies.
- b. Ensure that all curbs/sidewalk meet ADA requirements, as appropriate.

Nevada Department of Wildlife

- 5. The following conditions are requirements of the Nevada Department of Wildlife, which shall be responsible for determining compliance with these conditions.

Contact: Mark Freese, markfreese@ndow.org

- a. The applicant shall work with the Nevada Department of Wildlife (NDOW) to create a Wildlife Mitigation Plan acceptable to NDOW. Prior to the final map approval, the applicant shall provide evidence to the Planning and Development Division that such a plan has been created to NDOW's satisfaction. Ensuring compliance with the elements of this plan shall be the responsibility of NDOW. NDOW Commission Policy 62 (Reference: NRS 501.105).

Washoe County Parks Program

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

Contact: Sophia Kirschenman, skirschenman@washoecounty.us

- a. All fill materials shall be "certified weed free" to prevent the spread of noxious weeds in the county.
- b. The existing and proposed trails shall be owned and maintained by the homeowner's association in perpetuity. Trail maintenance provisions shall be included in the CC&Rs.
- c. A public non-motorized trail easement shall be recorded over all trails on the subject site. This easement shall be identified on the final map.

Nevada Division of Water Resources

- 7. The following conditions are requirements of the Nevada Division of Water Resources, which shall be responsible for determining compliance with these conditions.

Contact: Steve Shell, Water Resource Specialist. sshell@water.nv.gov

- a. A Will Serve from Great Basin Water Company and mylar map of the proposed project must be presented to the State Engineer for approval and signed through his office prior to development.
- b. Approval of **Village Parkway** will be based on acceptance of Water Will Serve by Great Basin Water Company.

Washoe County Air Quality Management

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

Contact: Genine Rosa, Grosa@washoecounty.us

- a. Dust Control Permit will be required prior to breaking ground, failure to do so may result in enforcement action resulting in a Notice of Violation with associated fines. For Dust Control Permit questions call AQMD at 775-784-7200 or visit www.OurCleanAir.com.

United States Army Corps of Engineering

9. The following conditions are requirements of the United States Army Corps of Engineering, which shall be responsible for determining compliance with these conditions.

Contact: Jennifer C Thomason, Jennifer.c.thomason@usace.army.mil

- a. It is the project proponent's responsibility to document the jurisdiction on their property and to coordinate with our office as needed to determine the need for a permit.

Truckee Meadows Fire Protection District

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

Contact: Dale Way / Brittany Lemon, 775.326.6000, dway@tmfpd.us / blemon@tmfpd.us

- a. The Truckee Meadows Fire Protection District (TMFPD) will require that this project meet the requirements of Washoe County Code 60 to include infrastructure, access, and water for fire suppression. This project is in a HIGH WUI Hazard Classification zone.

*** End of Conditions ***

APN: 087-400-11, 087-400-23, 087-400-24

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
(PETERSEN VILLAGE, PHASE 1)

THIS DEVELOPMENT AGREEMENT ("Agreement") is made by and between **PETERSEN VILLAGE PHASE I, 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 124.6 acres within the Cold Springs Area Plan (the "Property") as more particularly described in Exhibit A, attached hereto.
- 1.2 Tentative Map. The Property has an approved tentative map for 349 residential lots known as Tentative Subdivision Map Case File No. WTM21-007 (Petersen Village, Phase 1) (the "Tentative Map"). Said approval was granted by the Washoe County Board of County Commissioners on September 7, 2025.
- 1.3 Final Maps. To date, no final maps have been recorded. The development of the Property must be conducted pursuant to the provisions of the Tentative Map and the Washoe County Development Code (the "Code").
- 1.4 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 September 7, 2025.
- 1.5 Circumstances Warranting an Extension of Time for the Tentative Map. The two-year extension for the Petersen Village Phase 1 Tentative Map has been requested to

allow time to adjust to shifting market conditions. Since approval of the Tentative Map, demand for attached units has declined due to changing buyer preferences and economic factors impacting affordability. In response, the developer plans to construct more detached homes and widen lot sizes, resulting in fewer attached units and a reduction in overall density, still within the limits of the approved map. This extension will support a phased, market-responsive approach that ensures high-quality development aligned with community needs and enables timely final map recordation.

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

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 124.6 acres within the Cold Springs Area Plan, more particularly described in Exhibit A: Legal Description.
 - 2.1.2 This Agreement extends the time for recording the final map until September 7, 2027. Unless terminated earlier in accordance with section 2.1.3 or applicable law, the duration of this Agreement shall be until September 7, 2027, 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 is being submitted concurrently with a request to amend certain Conditions of Approval for Tentative Subdivision Map Case Number WTM21-007 (Petersen Village, Phase 1), and both the Development Agreement and amended conditions shall be considered for approval at the same public hearing by the Washoe County Board of County Commissioners. Upon approval, the revised conditions shall govern the development of the Property and survive termination of this Agreement.
 - 2.1.3 This Agreement shall terminate upon recordation of the first final map. Upon termination, all applicable amended conditions of approval for WTM21-007, as approved concurrently with this Agreement, shall remain in full force and effect and continue to govern development of the Property in accordance with Washoe County Code and applicable law.
 - 2.1.4 The permitted uses on the Property and the density or intensity of its use, are as provided in the Tentative Map. The permitted use of the Property pursuant to the Tentative Map is for a 349-unit common open space subdivision, with a gross density of approximately 2.8 units per acre comprising both attached and detached single-family dwellings, which complies with the Property's land use designations.

- 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 first 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 conditions of the Tentative Subdivision Map as referenced in section 2.1.2 of this development agreement, attached hereto as Exhibits B. This Agreement is being submitted concurrently with a request to amend certain Conditions of Approval for Tentative Subdivision Map Case Number WTM21-007 (Petersen Village, Phase 1), and both the Development Agreement and amended conditions shall be considered for approval at the same public hearing by the Washoe County Board of County Commissioners. Upon approval, the revised conditions shall govern the development of the Property and survive termination of this Agreement.
- 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:

**PETERSEN VILLAGE PHASE I, 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 Petersen Village Phase I, 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

Exhibit “B”

Conditions of Approval

STATE OF NEVADA
BOARD OF WILDLIFE COMMISSIONERS

Commission Policy Number 62

Number: **P-62**
Title: Mitigation Policy
Reference: NRS 501.105
Effective Date: January 23, 1987
Amended Date: December 1, 2001
Reviewed Date 2002

PURPOSE

The purpose of this policy is to guide the Department of Wildlife in mitigation of activities which have the potential to adversely impact fish and wildlife resources in Nevada.

BACKGROUND

The natural expansion of human populations in Nevada has resulted in increased demands on many of the natural resources of the state, which in numerous cases has had an adverse impact on fish and wildlife resources and their habitat. One only needs to look at the continued loss of wetland habitat in the Truckee Meadows, the loss of deer winter range along the Sierra front, the historical decrease in numbers and distribution patterns of bighorn sheep, and loss of their habitats, or the large scale conversions of natural shrub and grasslands to significantly degraded conditions. As some of these losses may be considered acceptable as the price paid for improving the quality of life and insuring the stability of economic development and diversification, it is important that we not take wildlife for granted in assuming that this important natural resource will always receive appropriate consideration.

The real challenge in fish, wildlife and habitat protection stems from the fact that most of man's activities affect these resource values in one way or another, either beneficially or detrimentally. The methods by which problems are addressed are further compounded in Nevada because of the large number of federal, state and local government agencies responsible for land use planning and associated project development. Each of these agencies has their own set of rules, regulations and policies governing individual actions or project proposals. An approach by our agency aimed at minimizing adverse impacts for a specific proposal may be acceptable to one agency, but unrealistic or unacceptable for another.

The basis for the development of this program and procedure lies in the Department's statutory charge that the protection of fish and wildlife values are in the public interest and that proper land use planning, including wildlife input and consideration, can result in positive protective measures. The overall objective of the Department and this policy is to guide or mitigate those activities which have the potential to adversely impact fish and wildlife resources in Nevada.

JUSTIFICATION

The Department's basic responsibility as a conservation agency is derived by state law which gives the Commission the authority to "...establish policies and adopt regulations necessary to the preservation, protection, management and restoration of wildlife and its habitat." (NRS 501.105). Numerous other state laws outside of Title 45 also provide for the consideration and protection of wildlife in the state. Some of the more prominent state statutes are as follows:

NRS 321.5977 – "The public lands of Nevada must be administered in such a manner as to conserve and preserve natural resources, wildlife habitat, ...and to permit the development of compatible public uses for recreation, agriculture, ranching, mining..."

NRS 278.160 – As part of the master planning process, conservation plans are to be developed "For the conservation, development and utilization of natural resources, including water, ...fisheries, wildlife, ...and other natural resources."

NRS 278.020 – With respect to the improvement of land as regulated by cities and counties: "(2) Any such regulation, restriction and control shall take into account the potential impairment of natural resources and the total population which the available natural resources will support without unreasonable impairment."

NRS 445.132 – The legislature declares that it is the policy of this state and the purpose of NRS 445.131 to 445.354 inclusive: "To maintain the quality of the waters of the state consistent with the public health and enjoyment, the propagation and protection of terrestrial and aquatic life, ..."

NRS 445.244 – "The water quality standards must reflect water quality criteria which define the conditions necessary to support, protect and allow the propagation of fish, shellfish and other wildlife and to provide for recreation in and on the water if these objectives are reasonably attainable."

NRS 528.053 – "No felling of trees, skidding, rigging or construction of tractor or truck lands or landings, or the operation of vehicles, may take place within 200 feet, measured on the slope, of the high water mark of any lake, reservoir, stream or other body of water unless a variance is first obtained from a committee composed of the state forester fire warden, the Director of the Department of Wildlife and the state engineer."

NRS 533.367 – "Before a person may obtain a right to the use of water from a spring or water which has seeped to the surface of the ground, he must ensure that wildlife which customarily uses the water will have access to it."

NRS 503.400 – "Every person who has erected, or who may hereafter erect, any dams, water weirs or other obstructions to the free passage of fish in the rivers, streams, lakes, or other waters of the State of Nevada shall construct and keep in repair to the

satisfaction of the Department fishways or fish ladders at all such dams, water weirs or other obstructions so that at all seasons of the year fish may ascend above such dams, water weirs or other obstruction to deposit their spawn.”

In an effort to recognize the importance of mitigation as a tool in minimizing wildlife losses, the policy plan which was adopted by the Commission on December 9, 1983 and endorsed by the Governor on August 20, 1984 identified the following Department goals:

“Recommend alternative approaches in federal, state or private projects to prevent or minimize degradation of fishery habitat or seek mitigation.”

“Maintain close coordination and cooperation with user groups and land managers, seeking the most favorable land use alternatives for big game and emphasizing mitigative measures to replace irrevocable losses.”

Since approximately 87% of the land in Nevada is public domain administered by several different agencies of the federal government, and because these lands provide diverse habitat types supporting a wide variation of wildlife species, it is important that federal law pertaining to state agency involvement be reviewed. These federal regulations also provide opportunities for state involvement in potential mitigation matters involving federal lands or the use of federal funds which may or may not be applicable to private lands. In addition to the public trust doctrine which is founded in common law, a few of the more important regulations pertaining to mitigation include the following:

Fish and Wildlife Coordination Act authorized ...state agencies responsible for fish and wildlife resources to investigate all proposed federal undertakings and nonfederal actions needing a federal permit or license which would impound, divert, deepen, or otherwise control or modify a stream or other body of water and to make mitigation and enhancement recommendations to the involved federal agency.

National Environmental Policy Act (NEPA) gives all governmental agencies in addition to private citizens an opportunity for greater involvement for all federal projects and private projects involving federal funds or federal land. One of the primary purposes of NEPA as listed in section 2 is “To promote efforts which will prevent or eliminate damage to the environment.”

POLICIES

1. It is the policy of the Commission that the Department will continue to emphasize a program of wildlife data collection and dissemination so that wildlife values can be fully and accurately considered in the land use decision making process.

In order to insure that wildlife resources are adequately considered in various planning processes at the local, state and federal levels, the Department will continue to provide

all available data in a useable form. Emphasis in this arena will be toward the development of a standard report format describing resource values within geographic areas of the state and will include economic considerations. These data will be made available for a reasonable fee, where appropriate to government agencies, private consultants, and others where it is determined that information is needed in the land use planning and/or decision making process and for individual project proposals on an as needed basis.

2. It is the policy of the Commission that the Department will provide recommendations for mitigation, enhancement and/or replacement as appropriate for individual project proposals where without such actions significant adverse impacts to the wildlife resources are expected to occur, recognizing that mitigation can not always equally replace loss.

The approach of the Department relative to mitigation matters takes into account the public need for fish and wildlife habitat protection measures while at the same time recognizing other public needs for sometimes conflicting activities. The program is further intended to provide recommendations or guidance for project development which will help to decrease or minimize adverse impacts rather than being used as a tool to stop proposed projects.

3. It is the policy of the Commission that costs associated with mitigation are all normal costs of land or water development projects and therefore should be borne by the developers and/or beneficiaries of the project.
4. It is the policy of the Commission that cash payments or donations may only be accepted: 1) to support projects designed to directly offset potential resource losses related to the development of the project; or 2) for deposit into a special habitat mitigation account. Monies from this account are to be used for habitat restoration, enhancement, or acquisition projects as determined by the development of a cooperative mitigation agreement between the project proponent and the Nevada Department of Wildlife.

PROCEDURES

The Department will implement the above listed policies in accordance with the definitions as described in the National Environmental Policy Act and as promulgated in the federal regulations under 40 CFR 1508.20. Mitigation will include in order of priority implementation:

1. Avoiding the impact altogether by not taking a certain action or parts of an action

The Department's major program emphasis will be directed toward providing wildlife input and associated recommendations which avoid or divert conflicting land uses with an overall objective of maintaining as much existing natural habitat as possible. This approach is particularly important for projects conflicting with threatened or endangered species and in areas of critical environmental concern

or key habitat types. Emphasis on the preservation of wetlands should also fall under this category because of the limited nature and resultant importance of these habitat types. In accomplishing this objective, it is important that the Department provide sufficient supporting information to the decision makers as a means of justifying the need for protection. Recommendations in this arena would normally be for a no action alternative or for relocation of the proposed action into a less sensitive area.

2. Minimizing impacts by limiting the degree or magnitude of the action or its implementation

This mitigative approach to habitat management is directed at making any impacts less severe or to minimize potential losses. Minimal habitat disruptions often may be achieved through permit stipulations and/or alterations in project design. Necessary activity in the vicinity of a deer winter range, for example, might be less disruptive if confined to the summer months. Although habitat and associated animals might be stressed temporarily, this approach assumes that recovery will take place through natural processes within a reasonable time frame.

3. Rectifying the impact by repairing, rehabilitating, or restoring the affected environment

The primary objective of this measure is to restore the same functions in an affected area to pre-disturbance conditions. Since many proposed activities create temporary disruptions, it is often possible to mitigate adverse impacts by restoring or even improving conditions. Examples of such activities might include revegetation of temporary roads needed for exploratory purposes or streambank stabilization after completion of a bridge project. Although the Department recognizes there may be situations where complete rehabilitation is not possible or feasible, it should be a consideration in the review process and implementation of other mitigation (compensation) evaluated as an alternative to the loss of habitat.

4. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action

The primary objective of this measure is to offset potential losses by project design which may require operation and maintenance obligations. The use of a fence to protect wildlife species from cyanide ponds used in mining operations, for example, not only needs to be designed to accomplish specified objectives but also needs to be maintained during the life of the project to insure continued protection.

5. Compensating for the impact by replacing or providing substitute resources or environments

It should be noted that compensation or replacement for habitat losses affecting wildlife resources under the normal multiple use concept of federal land management is not a requirement of the land managing agencies. Requests for recommendations for this type of mitigation where significant or irrevocable damage is likely to occur, however, is a reasonable approach and may be used as a viable alternative to protect the public interest. Compensation must necessarily be addressed through negotiation since all parties should be in agreement with the type and amount of compensation necessary for each proposed action. This form of mitigative action is the least desirable since it accepts the loss of natural habitat values at the outset and oftentimes cannot result in total reparation for those losses. It can be a viable method of offsetting losses, however, for those actions which will occur regardless of other natural resource values. Since compensation may be a highly sensitive subject and has the potential for considerable controversy, the following specific procedures will be in effect:

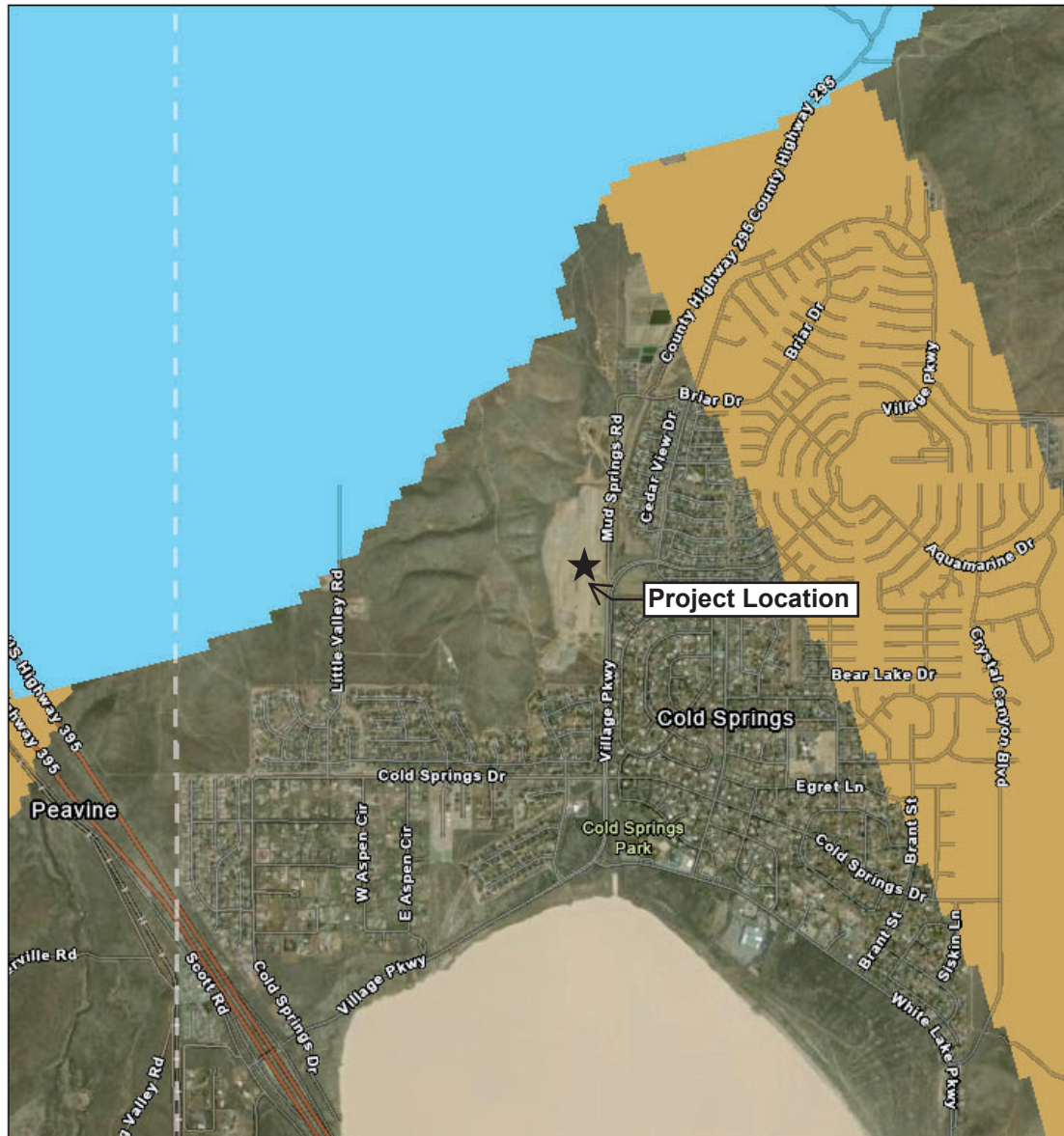
- a. The Department will accept monetary contributions or donations as mitigation which are tied to programs or activities designed to offset potential resource losses or for mitigation banking for habitat restoration, enhancement, and/or acquisition projects provided that an appropriate and cooperatively developed mitigation agreement has been finalized between the project proponent and the Nevada Department of Wildlife.
- b. Compensation or replacement mitigation should be oriented within or adjacent to the project area and designed to rectify the same functions, habitat types and species being impacted wherever possible. Off-site compensation should be considered when mitigative measures cannot be applied to adjacent areas or to benefit the same species that are impacted.
- c. All final actions associated with compensation mitigation will be approved by the Director to insure that agreements are consistent with Commission policy and program direction. This measure is not intended to preclude Bureau personnel, under appropriate program and procedures, from negotiations but it is directed at insuring a uniform statewide approach to wildlife mitigation.

This policy shall remain in effect until amended, modified or repealed by the Board of Wildlife Commissioners

BY ORDER OF THE BOARD OF WILDLIFE COMMISSIONERS IN REGULAR
SESSION, DECEMBER 1, 2001.

John T. Moran, Jr., Chairman
Board of Wildlife Commissioners

ArcGIS Web Map

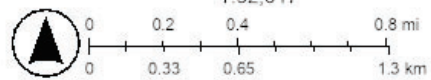


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Nevada Mule deer and Pronghorn Migration Corridors

- Winter Range
- Stopover
- Medium
- Low

World Imagery
Low Resolution 15m Imagery
High Resolution 60cm Imagery
High Resolution 30cm Imagery
Citations



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community, Maxar