



# Community Development

"Dedicated to Excellence in Public Service"

Adrian P. Freund, AICP, Community Development Director  
Blaine Cartledge, Legal Counsel



**Washoe County Planning Commission**  
William Weber, Chair  
Christy Magers, Vice Chair  
Neal Cobb

Roy H. Hibdon  
Keith Lockard  
Stephen D. Rogers  
Dian A. VanderWell

## AMENDED AGENDA

### MEETING OF

### WASHOE COUNTY PLANNING COMMISSION

Washoe County Commission Chambers

1001 East Ninth Street, Reno, Nevada

Tuesday, November 6, 2007

**THE FOLLOWING TIME LIMITS ARE TO BE OBSERVED:**

**15** minutes for staff presentation

**15** minutes for applicant presentation

**3** minutes for individual testimony

**5** minutes for testimony from a representative of a group

At the discretion of the Chair, additional time may be provided to any party if the request is made at least 24 hours in advance of the meeting start time.

\*\* Please be prepared to provide a copy of exhibits displayed. \*\*

6:30 p.m. **DETERMINATION OF QUORUM**

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF AGENDA**

**APPROVAL OF MINUTES**

September 18, 2007 and October 2, 2007

**APPOINTMENT OF STACIE HUGGINS, MERCEDES DE LA GARZA, AIA, AND TED PETERSEN, ASLA, TO THE DESIGN REVIEW COMMITTEE**

Agendas and staff reports are posted to the Washoe County website at [www.washoecounty.us/comdev/](http://www.washoecounty.us/comdev/), on Friday, four days prior to the meeting. To access the agenda and staff reports, choose **Boards and Commissions**, click on the **Planning Commission**, then **Agendas, Staff Reports, Minutes and Roster**.

Notes: Items on the agenda without a time designation may not necessarily be considered in the order in which they appear. The Commission may take action on any of the items listed.

Facilities in which this meeting is being held are accessible to the disabled. Persons with disabilities who require special accommodations or assistance (e.g. sign language interpreters or assisted listening devices) at the meeting should notify the Washoe County Department of Community Development, at 328-3600, 24 hours prior to the meeting.

In accordance with NRS 241.020, this agenda closes three (3) days prior to the meeting date. Only items of interest and not requiring Commission action may be added to the agenda within the three-day period. This agenda has been posted at the following locations: Washoe County Administration Building (1001 E. 9th Street), Washoe County Clerk's Office-Courthouse (Court and Virginia Streets), Washoe County Library (301 South Center Street), and Sparks Justice Court (630 Greenbrae Drive).

Post Office Box 11130, Reno, NV 89520-0027 – 1001 E. Ninth St., Reno, NV 89512

**Telephone: 775.328.3600 – Fax: 775.328.6133**

[www.washoecounty.us/comdev/](http://www.washoecounty.us/comdev/)

**"Your Community Development Department"**

**PUBLIC COMMENT** (Limited to items not on this agenda; three-minute time limit, however the Commission reserves the right to reduce this three-minute time limit, as well as limit the total time for public comment. The same applies to public testimony on each agenda item.)

**CONSENT ITEMS**

- A. **RESOLUTION FOR ACCEPTING STREETS** – Eagle Canyon II – Unit 6, Tract Map #4439, Document No. 3159423, recorded January 21, 2005.  
Staff Representative: Norman T. Lindeman, P.E., 775.328.2058
- B. **RESOLUTION FOR ACCEPTING STREETS** – Eagle Canyon II – Unit 7, Tract Map #4534, Document No. 3263576, recorded August 18, 2005.  
Staff Representative: Norman T. Lindeman, P.E., 775.328.2058
- C. **RESOLUTION FOR ACCEPTING STREETS** – Sky Ranch North – Unit 2J, Tract Map #4658, Document No. 3398268, recorded June 8, 2006..  
Staff Representative: Norman T. Lindeman, P.E., 775.328.2058
- D. **RESOLUTION FOR ACCEPTING STREETS** – Eagle Canyon IV – Unit 1, Tract Map #4485, Document No. 3218680, recorded May 24, 2005.  
Staff Representative: Norman T. Lindeman, P.E., 775.328.2058
- E. **RESOLUTION FOR ACCEPTING STREETS** – Eagle Canyon IV – Unit 2, Tract Map #4647, Document No. 3386313, recorded May 11, 2006.  
Staff Representative: Norman T. Lindeman, P.E., 775.328.2058

**PROJECT REVIEW ITEMS**

- 6:30 p.m. 1. **PUBLIC HEARING: AMENDMENT OF CONDITIONS CASE NO. AC07-014 (AMENDMENT OF SPECIAL USE PERMIT CASE NUMBER SW03-001 FOR THE ROCKLAND AGGREGATE PIT)** – To amend the approved special use permit, which allows the operation of an aggregate facility in the Truckee Canyon Planning Area, as authorized by Article 332 of the Development Code, to allow 24-hour-per-day, seven days a week operation from 12-hours-per-day. The parcels are located approximately 12.3 miles east of the Sparks city limits, and are on the north side of Interstate 80 at the Tracy Clark Interchange. The ±405-acre property is zoned Industrial (I) and General Rural (GR) in the Truckee Canyon Area Plan, and is situated within Sections 26 and 27, T20N, R22E, MDM, Washoe County, Nevada. The property is located within the East Truckee Canyon Citizen Advisory Board boundary and in Washoe County Commission District No. 4. (APN 084-120-28)  
Staff Representative: Roger Pelham, Senior Planner, 775.328.3622

**PLANNING ITEMS**

- 2. **WASHOE COUNTY REGIONAL OPEN SPACE AND NATURAL RESOURCE MANAGEMENT PLAN** – Presentation and discussion regarding a DRAFT of Washoe County Regional Open Space and Natural Resource Management Plan  
Staff Representative: Bill Whitney, Senior Planner, 775.328.3617

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*Most decisions rendered by the Planning Commission are appealable to the Board of County Commissioners. If you disagree with the decision of the Planning Commission and you want to appeal its action, call the Planning staff immediately, at 328-6100. You will be informed of the appeal procedure, application fee, and the time in which you must act. Appeal periods vary from seven (7) to fifteen (15) days, depending on the type of application.*

**OTHER ITEMS**

3. **2007 TRUCKEE MEADOWS REGIONAL PLAN** – Discussion and possible direction regarding 2007 Truckee Meadows Regional Plan amendments and Regional Plan issues including, but not limited to, size of the Truckee Meadows Service Area (TMSA) and definition of the Rural Development Area (RDA)  
Staff Representative: Adrian Freund, Director, 775.328.3606

**CHAIR AND COMMISSION ITEMS** (Unless otherwise listed with a topic description, this portion of the agenda is limited to announcements, discussion of items proposed for action at future meetings, and reports on planning issues and/or activities of organizations in which individual members may be involved.)

- a. Report on Previous Planning Commission Items

**DIRECTOR'S ITEMS** (Unless otherwise listed with a topic description, this portion of the agenda is limited to announcements, discussion of items proposed for action at future meetings, and reports on planning issues and/or activities of organizations in which individual members may be involved.)

**ADJOURNMENT**



# Community Development

*"Dedicated to Excellence in Public Service"*

Adrian P. Freund, AICP, Community Development Director



Agenda Item No: 2 (11/6/2007)

Staff Recommendation: **CONDITIONAL APPROVAL**

**WASHOE COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT  
STAFF REPORT**

**To:** Washoe County Planning Commission

**Re:** Amendment of Conditions Case Number AC07-014 (Rock West, LLC. Amendment of Special Use Permit Case Number SW03-001).

**Date:** October 22, 2007

**Prepared By:** Roger Pelham, Senior Planner

**GENERAL INFORMATION SUMMARY**

**Applicant:** Rock West, LLC.

**Requested Actions:**

**AMENDMENT OF CONDITIONS CASE NUMBER AC07-014:** To amend the approved special use permit, which allows the operation of an aggregate facility in the Truckee Canyon Planning Area, as authorized by Article 332 of the Development Code, to allow 24-hour-per-day, seven days a week operation from 12-hours-per-day. The parcels are located approximately 12.3 miles east of the Sparks city limits, and are on the north side of Interstate 80 at the Tracy Clark Interchange. The ±405-acre property is zoned Industrial (I) and General Rural (GR) in the Truckee Canyon Area Plan, and is situated within Sections 26 and 27, T20N, R22E, MDM, Washoe County, Nevada. The property is located within the East Truckee Canyon Citizen Advisory Board boundary and in Washoe County Commission District No. 4. (APN 084 120-28)

**RECOMMENDATIONS / FINDINGS**

Based upon the staff analysis, comments received, and the site inspection, staff recommends approval of the request, and offers the following motions:

- I move that the Washoe County Planning Commission conditionally approves Amendment of Conditions Case No. AC07-014 for Rock West, LLC. having made the following findings in accordance with Washoe County Development Code Section 110.810:
1. Consistency. That, with the modified conditions of approval, the proposed use is consistent with the action programs, policies, standards and maps of the Comprehensive Plan and the Truckee Canyon Area Plan;
  2. Improvements. That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the

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proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven;

3. Site Suitability. That the site is physically suitable for the type of development and for the intensity of the development;
4. Issuance Not Detrimental. That, with the modified conditions of approval, issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area;
5. Special Review Considerations. That the Planning Commission considered the Special Review Considerations as stated in Section 332.20(a)–(j) of the Development Code, listed below, and found that adequate provisions have been made to comply with these considerations:
  - (a) Conservation of topsoil;
  - (b) Protection of surface and subsurface water;
  - (c) Conservation of natural vegetation, wildlife habitats, and fish-eries;
  - (d) Control of erosion;
  - (e) Control of drainage and sedimentation;
  - (f) Provision of visual and noise buffering;
  - (g) Accommodation of heavy traffic on roadways;
  - (h) Provision of restoration and/or reuse of the site;
  - (i) Provision of a bonding program commensurate with the total costs of requirements imposed; and
  - (j) Preservation of the recreation opportunities, air quality, archaeological resources, character of the area and other conditions as necessary.
6. Reasoned Consideration. That the Planning Commissioners gave reasoned consideration to the information contained within the staff report and information received during the meeting.

<b>ANALYSIS</b>
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**Background:**

Approval of the aggregate mining operation was obtained in 2003. Conditions of approval to limit the hours of operation were imposed by Washoe County at that time. In anticipation of upcoming demand for aggregate material the applicant is now requesting the ability to operate the facility 24 hours a day, seven days a week. There are few if any impacts associated with the expansion of the hours of operation. There are no residential uses nearby and the facility is substantially screened from Interstate 80, the nearest roadway. Should the expansion of hours be approved and complaints are generated staff has included conditions of approval which will automatically result in the reversion to the previous hours of operation. It is instructive to note that based upon the previous conditions of approval expansion of the hours of operation were anticipated at the time of original approval.

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<b>EXISTING AND RECOMMENDED CONDITIONS</b>
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**Existing Condition #14:**

Hours of operation shall be from 6:00 A.M. to 6:00 P.M., Monday through Saturdays. Additional hours may be approved by the Department of Community Development or City of Sparks upon written request. The Department of Community Development or the City of Sparks shall determine compliance with this condition.

**Proposed Condition #14:**

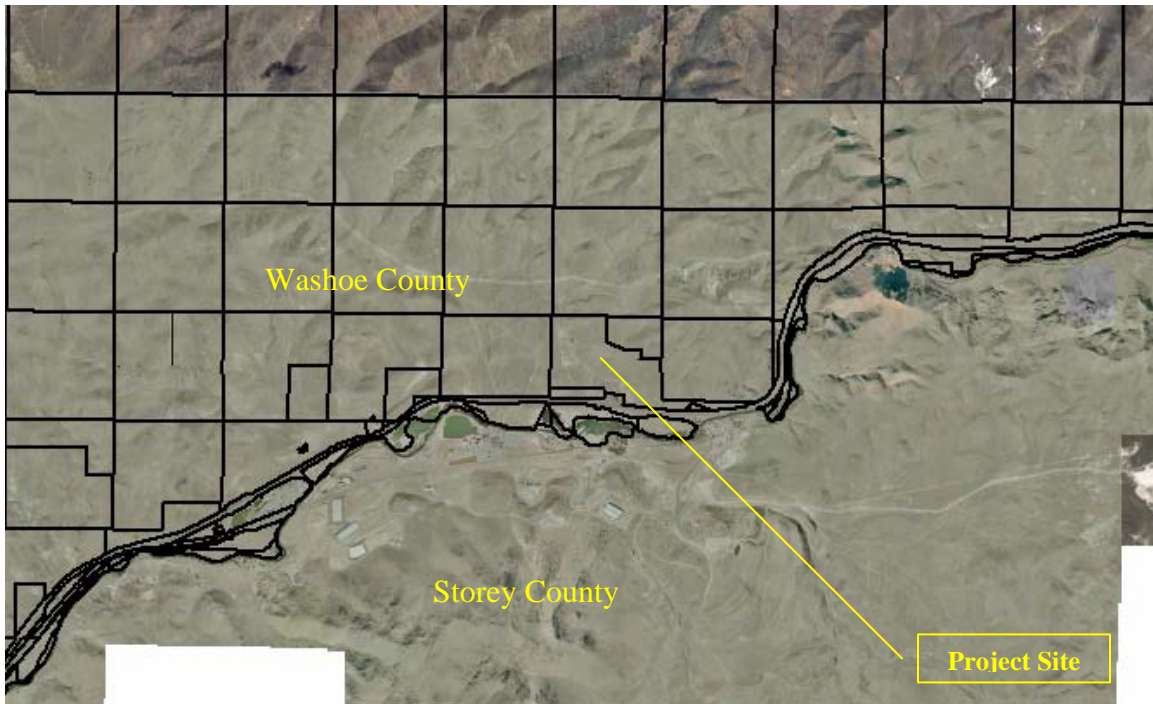
Hours of operation shall be

- 24 hours per day seven days a week.
- The Hours of operation shall revert to 6:00 A.M. to 6:00 P.M., Monday through Saturday only, if the Department of Community Development receives two or more verifiable noise complaints between the hours of 6PM and 6AM.
- Additional modification to the hours of operation may be approved by the Director of the Washoe County Department of Community Development or City of Sparks upon written request, and upon a finding of no detriment to the surrounding area.

The Department of Community Development or the City of Sparks shall determine compliance with this condition.



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**Site Analysis:**

The amendment of conditions request to change the hours of operation is not affected by the topography of the site.

**Impacts:**

It is the opinion of staff that there is a negligible differential in impacts associated with the additional hours of operation, given the remote location and the industrial nature of the uses surrounding the subject site.

**AGENCY COMMENTS**

The amendment request was submitted to appropriate County agencies. No adverse comments or recommendations for denial were received.

**CITIZEN ADVISORY BOARD COMMENTS**

The East Truckee Canyon CAB did not hold a meeting during the time that this project might have been reviewed, thus there are no comments from the CAB.

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<b>APPLICABLE REGULATIONS</b>
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Nevada Revised Statutes Chapter 278; Washoe County Code Chapter 110.

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Attachments: Conditions of Approval

xc: Property Owner: Rock West LLC. attn: Job Lazar, 1725 East Commercial Row, Reno, NV 89512

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**CONDITIONS FOR  
AMENDMENT OF CONDITIONS CASE NUMBER AC07-014  
(Special Use Permit Case Number SW03-001 for Rockland Aggregate Pit)  
(As recommended by Department of Community Development  
and attached to Staff Report dated October 22, 2007)**

**\*\*\*IMPORTANT - PLEASE READ\*\*\***

**UNLESS OTHERWISE SPECIFIED, ALL CONDITIONS MUST BE MET OR FINANCIAL ASSURANCES MUST BE PROVIDED TO SATISFY THE CONDITIONS PRIOR TO SUBMITTAL FOR A BUILDING PERMIT. THE AGENCY RESPONSIBLE FOR DETERMINING COMPLIANCE WITH A SPECIFIC CONDITION SHALL DETERMINE WHETHER THE CONDITION MUST BE FULLY COMPLETED OR WHETHER THE APPLICANT SHALL BE OFFERED THE OPTION OF PROVIDING FINANCIAL ASSURANCES. ALL AGREEMENTS, EASEMENTS, OR OTHER DOCUMENTATION REQUIRED BY THESE CONDITIONS SHALL HAVE A COPY FILED WITH THE COUNTY ENGINEER AND THE DEPARTMENT OF COMMUNITY DEVELOPMENT.**

**COMPLIANCE WITH THE CONDITIONS OF THIS SPECIAL USE PERMIT IS THE RESPONSIBILITY OF THE APPLICANT, ITS SUCCESSOR IN INTEREST, AND ALL OWNERS, ASSIGNEES, AND OCCUPANTS OF THE PROPERTY AND THEIR SUCCESSORS IN INTEREST. FAILURE TO COMPLY WITH ANY CONDITIONS IMPOSED IN THE ISSUANCE OF THE SPECIAL USE PERMIT MAY RESULT IN THE INSTITUTION OF REVOCATION PROCEDURES.**

**ANY OPERATIONS CONDITIONS ARE SUBJECT TO REVIEW BY THE DEPARTMENT OF COMMUNITY DEVELOPMENT PRIOR TO THE RENEWAL OF A BUSINESS LICENSE EACH YEAR. FAILURE TO ADHERE TO THE CONDITIONS MAY RESULT IN WITHHOLDING RENEWAL OF THE BUSINESS LICENSE UNTIL CONDITIONS ARE COMPLIED WITH TO THE SATISFACTION OF THE DEPARTMENT OF COMMUNITY DEVELOPMENT.**

**WASHOE COUNTY RESERVES THE RIGHT TO REVIEW AND REVISE THE CONDITIONS OF THIS APPROVAL SHOULD IT DETERMINE THAT A SUBSEQUENT LICENSE OR PERMIT ISSUED BY WASHOE COUNTY VIOLATES THE INTENT OF THIS APPROVAL.**

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

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### **GENERAL CONDITIONS**

*NOTE: Washoe County shall maintain jurisdiction and oversight of this special use permit until such time as the City of Sparks exerts extraterritorial jurisdiction over the area. At that time, all aspects of this permit shall be under the jurisdiction of the City of Sparks.*

1. The applicant shall demonstrate substantial conformance to the Mining and Reclamation Plan and the application submittal approved as part of this special use permit. The Department of Community Development or the City of Sparks shall determine compliance with this condition.
2. A copy of the Action Order stating conditional approval of this special use permit shall be attached to all applications for administrative permits issued by Washoe County, or subsequently the City of Sparks.
3. The applicant and any successors shall direct any potential purchaser/operator of the site and/or the special use permit to meet with the Department of Community Development or the City of Sparks to review conditions of approval prior to the final sale of the site and/or the special use permit. Any subsequent purchaser/operator of the site and/or the special use permit shall notify the Department of Community Development or the City of Sparks of the name, address, telephone number, and contact person of the new purchaser/operator within 30 days of the final sale.
4. Should any prehistoric or historic remains/artifacts be discovered during site development, work shall temporarily be halted at the specific site and the State Historic Preservation Office of the Department of Museums, Library and Arts, shall be notified to record and photograph the site. The period of temporary delay shall be limited to a maximum of two (2) working days from the date of notification.
5. During the period of operation, the owner and/or operator shall notify the Department of Community Development or the City of Sparks of seasonal or permanent shutdown occurrences.
6. Applicant shall in no way increase drainage and/or runoff water to or from any adjacent property. The County Engineer or City of Sparks Engineer shall determine compliance with this condition.
7. During the period of operation, the owner and/or operator shall provide adequate on-site dust control in the pit area, on stockpiles, on all haul roads, and for any material processing to the satisfaction of the District Health Department. Applicant shall submit a copy of the air quality operations permit to Community Development or the City of Sparks.
8. During the period of operation, all loads of material exiting the site shall be tarped or treated for dust or loose material, to the satisfaction of the District Health Department and Nevada Department of Transportation.
9. If the operation should cease for a period of twelve (12) months, the special use permit shall become null and void. Should the applicant desire to operate after this time period, the applicant will be required to file a new application with the Department of Community Development for appropriate review and approval.

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10. Applicant shall ensure that any financial assurances required by the provisions of the special use permit are maintained for the life of the project to the satisfaction of the Engineering Division or the City of Sparks. Should transfer of the site or the special use permit occur without the continuation of the financial assurances, the special use permit shall become null and void.
11. Applicant shall submit a yearly compliance report as required in Section 332.30 of the Development Code. In this report, the applicant shall detail how they have complied with each condition of the special use permit. If not in compliance with a particular condition, applicant shall detail how compliance will be reached together with a fixed timeline to reach compliance. Failure to comply with any of the conditions of approval shall be considered a violation of the Development Code and, subject to the provisions of Article 910, Enforcement, of the Development Code and may result in the institution of revocation procedures by the Board of County Commissioners, or, upon exertion of extra territorial jurisdiction by the City of Sparks, by their operational ordinances.
12. The Planning Commission shall review the conditions of approval at least every five (5) years from the initial special use permit approval date to ensure that the conditions of approval adequately provide for compatibility between aggregate operations and surrounding land uses. This review shall conform to the requirements of Section 332.40(a) of the Washoe County Development Code. The Department of Community Development or the City of Sparks shall determine compliance with this condition.
13. Exported materials shall not be sold without the proper business license. The Community Development Department or the City of Sparks shall determine compliance with this condition.
14. Hours of operation shall be
  - 24 hours per day seven days a week.
  - The Hours of operation shall revert to 6:00 A.M. to 6:00 P.M., Monday through Saturday only, if the Department of Community Development receives two or more verifiable noise complaints between the hours of 6PM and 6AM.
  - Additional modification to the hours of operation may be approved by the Director of the Washoe County Department of Community Development or City of Sparks upon written request, and upon a finding of no detriment to the surrounding area.The Department of Community Development or the City of Sparks shall determine compliance with this condition.
15. Vector control for the detention basin and the lined water storage basin shall be required, and shall meet all requirements of the District Health Department.
16. Equipment storage, material stockpiles, and crushing operations shall be screened from view from I-80 by earthen berms that follows the appearance of the natural terrain, as required. The Department of Community Development or City of Sparks shall determine compliance with this condition.
17. Concurrent reclamation shall take place during each phase of the project. Seed type, mix, and application quantity shall require approval of the Truckee-Storey Conservation District before application. All disturbed land shall be graded,

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- seeded, and covered with a tackifer no later than later than the month of March in the Spring or the month of November in the fall of the year mining activities in that area are completed. In the interim, adequate on-site dust control of the mining area shall be provided. Maximum disturbed area at any one time shall be thirty (30) acres. The Department of Community Development or the City of Sparks shall determine compliance with this condition.
18. The entrance shall be gated and locked when mining activities are not taking place. The Department of Community Development or the City of Sparks shall determine compliance with this condition.
  19. Jute erosion control blankets shall be used on all 2:1 slopes for slope reclamation. The Department of Community Development or the City of Sparks shall determine compliance with this condition.
  20. All slopes created because of road construction shall be immediately stabilized and reseeded. The Department of Community Development or the City of Sparks shall determine compliance with this condition.
  21. A gravel apron approximately 50 feet in length and 24 feet in width shall be provided at all access points that intersect paved rights-of way. The Department of Community Development or the City of Sparks shall determine compliance with this condition.
  22. On-site signs shall conform to code requirements and shall be approved by the Department of Community Development or the City of Sparks prior to their installation.
  23. A copy of the change of access point to the freeway right-of-way shall be submitted to the Department of Community Development or the City of Sparks before commencement of operations.
  24. The reclamation bond shall be transferred to the City of Sparks when the City exerts extraterritorial jurisdiction.
  25. No part of the mining activities shall be visible from I-80. All activities shall be hidden by the existing knolls, and by the construction of natural-looking, undulating earthen berms. The height of these berms shall be the minimum amount required to protect views from the highway. Applicant shall request an on-site meeting with staff to determine sight vistas before any excavation takes place on the northern and eastern hills.
  26. Applicant will be required to submit written evidence from NDOT that it has approved the use of the interchange, and that all other improvement requirements and concerns have been met. The Department of Community Development or the City of Sparks shall determine compliance with this condition.
  27. All conditions must be met within three (3) years, and operations commence, or this special use permit shall expire. A new special use permit application under the applicable code shall be required before the applicant can begin operations.

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### **ENGINEERING**

28. The following conditions shall be completed to the satisfaction of the Engineering Division:
- a. The applicant shall apply for a Mining Stormwater Discharge Permit from the Nevada Division of Environmental Protection and shall submit proof of application to the Engineering Division prior to mining activities.
  - b. A restoration bond of \$1,000/acre of disturbed area shall be provided to the Engineering Division prior to mining activities. The bond for Phase I shall be \$68,000.
  - c. Approved Occupancy Permits shall be obtained from the Nevada Department of Transportation (NDOT) for access to, from, or under roads and highways maintained by NDOT and a copy of said permit sent to the Engineering Division.

### **NEVADA DIVISION OF ENVIRONMENTAL PROTECTION**

29. The project will require a stormwater permit from the Bureau of Water Pollution Control. A copy of this permit shall be submitted to the Department of Community Development.

### **DISTRICT HEALTH DEPARTMENT**

30. Applicant shall submit a copy of the air quality permit to the Department of Community Development or the City of Sparks prior to commencing operations. The applicant shall provide a letter from the Health Department indicating all conditions of their letter dated February 4, 2003, have been met prior to issuance of a business license.

### **RENO FIRE DEPARTMENT**

31. The following items must be completed to the satisfaction of the Reno Fire Department, or the City of Sparks Fire Department if extraterritorial jurisdiction is exerted:
- a. Emergency vehicle access and turnaround complying with Chapter 60 of the Washoe County Code shall be provided and maintained.
  - b. Combustible liquid storage/dispensing shall comply with Chapter 60 of the Washoe County Code and be approved by the Reno Fire Department.
  - c. Further development will require fire protection water complying with duration and flow meeting the provisions of Chapter 60 of the Washoe County Code.
  - d. Fire fuel breaks around equipment and machinery shall be provided and maintained to avoid initiating wildland fire.
32. The following condition shall be completed to the satisfaction of Division of Water Resources:
- a. In accordance with Article 422 of the Washoe County Development Code, water rights associated with this permit shall be dedicated to Washoe County. Washoe County in turn will lease the subject water rights back to the applicant via a water sale agreement. This agreement will lease the

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water back for 99 years at no cost to the applicant. Necessary change applications have already been filed at the State Engineer office. Adequacy of the water rights for the project will be determined based on future pumping records from the wells.

**\*\*\*END OF CONDITIONS OF APPROVAL\*\*\***