



# Community Development

*"Dedicated to Excellence in Public Service"*

Adrian P. Freund, FAICP, Community Development Director  
Blaine Cartlidge, Legal Counsel



## Washoe County Planning Commission

Christy Magers, Chair  
Dian A. VanderWell, Vice Chair  
Neal Cobb

Roger M. Edwards  
Roy H. Hibdon  
Keith Lockard  
William Weber

## AMENDED AGENDA

### MEETING OF

## WASHOE COUNTY PLANNING COMMISSION

Washoe County Commission Chambers

1001 East Ninth Street, Reno, Nevada

Tuesday, August 5, 2008

**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**

July 1, 2008

**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.)

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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).

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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"***

## CONSENT ITEMS

### A. APPROVAL OF CANCELLATION OF AUGUST 19, 2008 PLANNING COMMISSION MEETING.

Staff Representative: Michael Harper, FAICP, Planning Manager, 775.328.3604

## PROJECT REVIEW ITEMS

- 6:30 p.m. 1. **PUBLIC HEARING: ABANDONMENT CASE NO. AB08-007 (GORDON AND HEIDI COWAN)** – To abandon an unnamed 100-foot diameter bulb-shaped access easement located in the southeastern corner of the subject parcel, as authorized by Article 806 of the Washoe County Development Code. **The property is located at 180 Ox Yoke Lane, approximately 600 feet south of its intersection with Rhodes Road. The subject easement is located approximately 725 feet west of the terminus of the developed portion of Chance Lane, and approximately 1,050 feet west of the intersection of Chance Lane and Rhodes Road.** The ±8.8-acre parcel is designated Low Density Rural (LDR) in the South Valleys Area Plan, and is situated in a portion of Section 4, T17N, R20E, MDM, Washoe County, Nevada. The property is located in the Galena-Steamboat Citizen Advisory Board boundary and Washoe County Commission District No. 2. (APN 017-400-34)  
Staff Representative: Kelly Mullin, Planner, 775.328.6187
2. **PUBLIC HEARING: SPECIAL USE PERMIT CASE NO. SW08-007 (TALLAC TOWER GROUP, LLC)** – To develop a 70-foot-tall monopole for the purpose of wireless communication as authorized in Article 324 of the Washoe County Development Code. **The project is located within a 40-acre parcel directly east of the intersection of Cielo Vista Drive and Santiago Court (both unpaved public rights-of-way).** The ±40-acre parcel is designated General Rural (GR) in the Spanish Springs Area Plan, and is situated in a portion of Section 31, T21N, R21E, MDM, Washoe County, Nevada. The property is located in the Spanish Springs Citizen Advisory Board boundary and Washoe County Commission District No. 4. (APN 076-390-14)  
Staff Representative: Roger Pelham, Senior Planner, 775.328.3622

## PLANNING ITEMS

## OTHER ITEMS

**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
- b. Appointment of Alternate Member to the Design Review Committee

**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: **1 (8/5/08)**

Staff Recommendation: **APPROVE WITH CONDITIONS**

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

**To:** Washoe County Planning Commission

**Re:** Abandonment Case No. AB08-007

**Date:** July 24, 2008

**Prepared By:** Kelly Mullin, Planner

**GENERAL INFORMATION SUMMARY**

**Applicant:** Gordon and Heidi Cowan

**Requested Action:** To abandon an unnamed 100-foot diameter bulb-shaped access easement located in the southeastern corner of the subject parcel, as authorized by Article 806 of the Washoe County Development Code. The property is located at 180 Ox Yoke Lane, approximately 600 feet south of its intersection with Rhodes Road. The subject easement is located approximately 725 feet west of the terminus of the developed portion of Chance Lane, and approximately 1,050 feet west of the intersection of Chance Lane and Rhodes Road. The ±8.8-acre parcel is designated Low Density Rural (LDR) in the South Valleys Area Plan, and is situated in a portion of Section 4, T17N, R20E, MDM, Washoe County, Nevada. The property is located in the Galena-Steamboat Citizen Advisory Board boundary and Washoe County Commission District No. 2. (APN 017-400-34)

**RECOMMENDATION/FINDINGS**

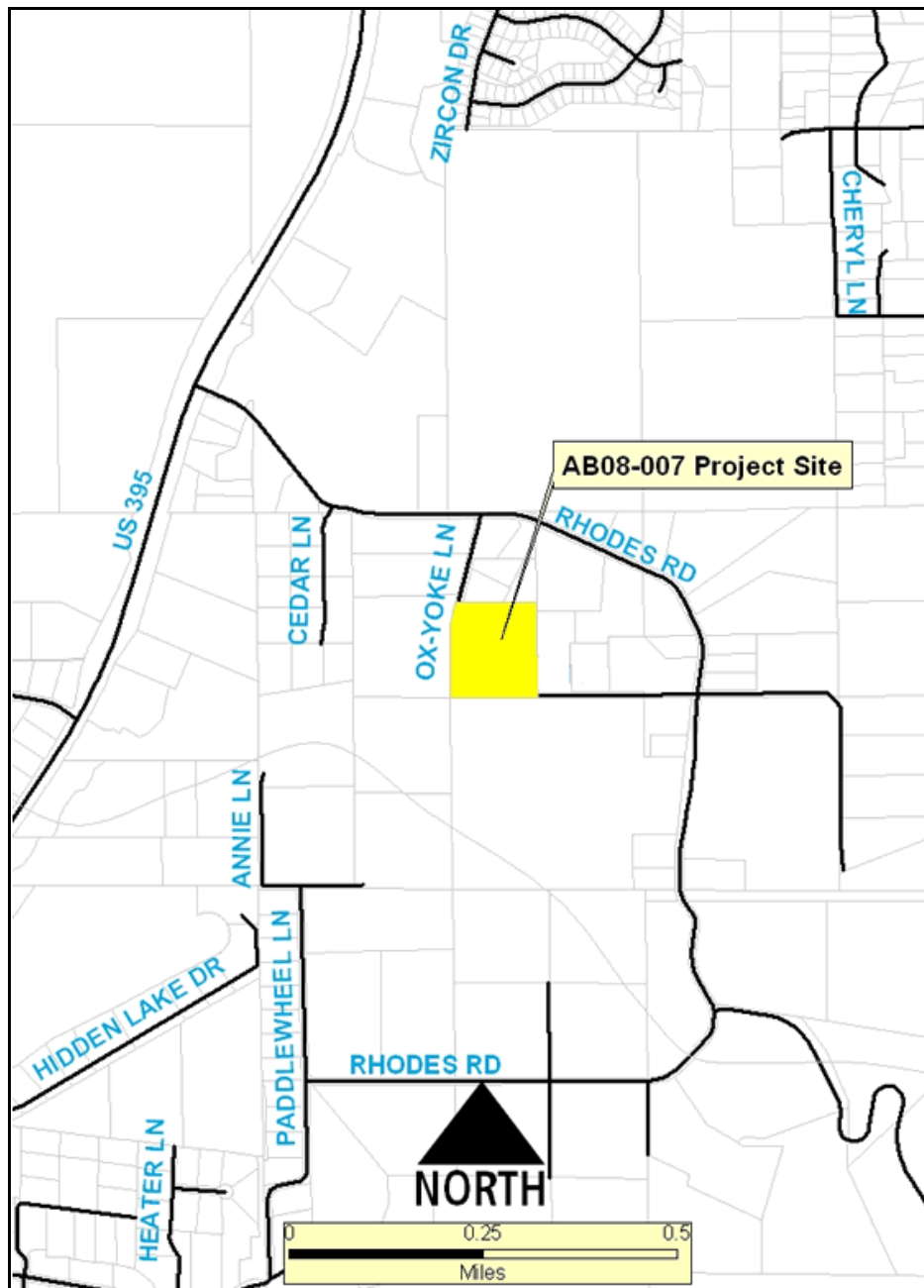
Based upon the staff analysis, comments received, and the site inspection, staff recommends approval of the request with conditions and offers the following motion for your consideration:

I move that the Washoe County Planning Commission approves with conditions Abandonment Case No. AB08-007 for the abandonment of a 100-foot diameter access easement having made the following findings in accordance with Washoe County Development Code Section 110.806.20:

1. Comprehensive Plan. That the abandonment or vacation is consistent with the policies, action programs, standards and maps of the Comprehensive Plan and the South Valleys area plan;
2. No Detriment. That the abandonment or vacation does not result in a material injury to the public;

3. Existing Easements. That all existing public utility easements on the property will be retained or relocated; and
4. Reasoned Consideration. That the Planning Commissioners gave reasoned consideration to the information contained within the staff report and information received during the meeting.

VICINITY MAP

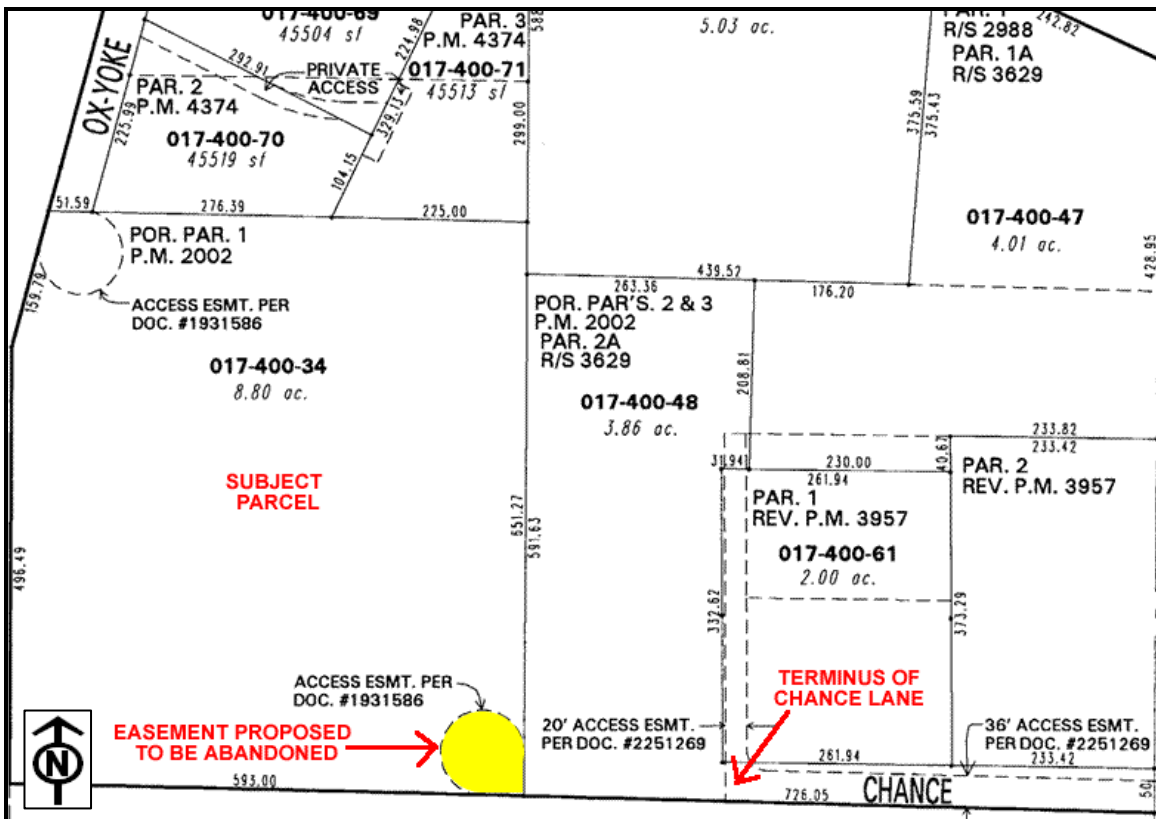


To: Washoe County Planning Commission  
Re: AB08-007 (Gordon and Heidi Cowan)  
Date: July 24, 2008  
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## ANALYSIS

### **Background:**

The applicant is seeking to abandon a 100-foot diameter bulb-shaped access easement located in the southeastern corner of the subject parcel. The other bulb easement located in the northwestern corner of the property is not part of this request. The abandonment request is depicted below, with the shaded section representing the area requested for abandonment by the applicant.



The applicant has indicated that the area proposed to be abandoned will remain in its current state as pasture. The bulb easement was previously the terminus of Chance Lane. However, the property owner to the east (APN 017-400-48) abandoned the portion of Chance Lane located on their property. This caused the subject bulb-shaped easement to be disconnected from any other access, and as a result, it is no longer either necessary or of any use. Consequently, neighboring property owners will not have their access affected by the proposed abandonment.

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Re: AB08-007 (Gordon and Heidi Cowan)  
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**Impacts:**

Staff has identified no potential negative impact to the adjoining properties. All adjacent property owners who are potentially impacted by this request have been notified of the applicant's request.

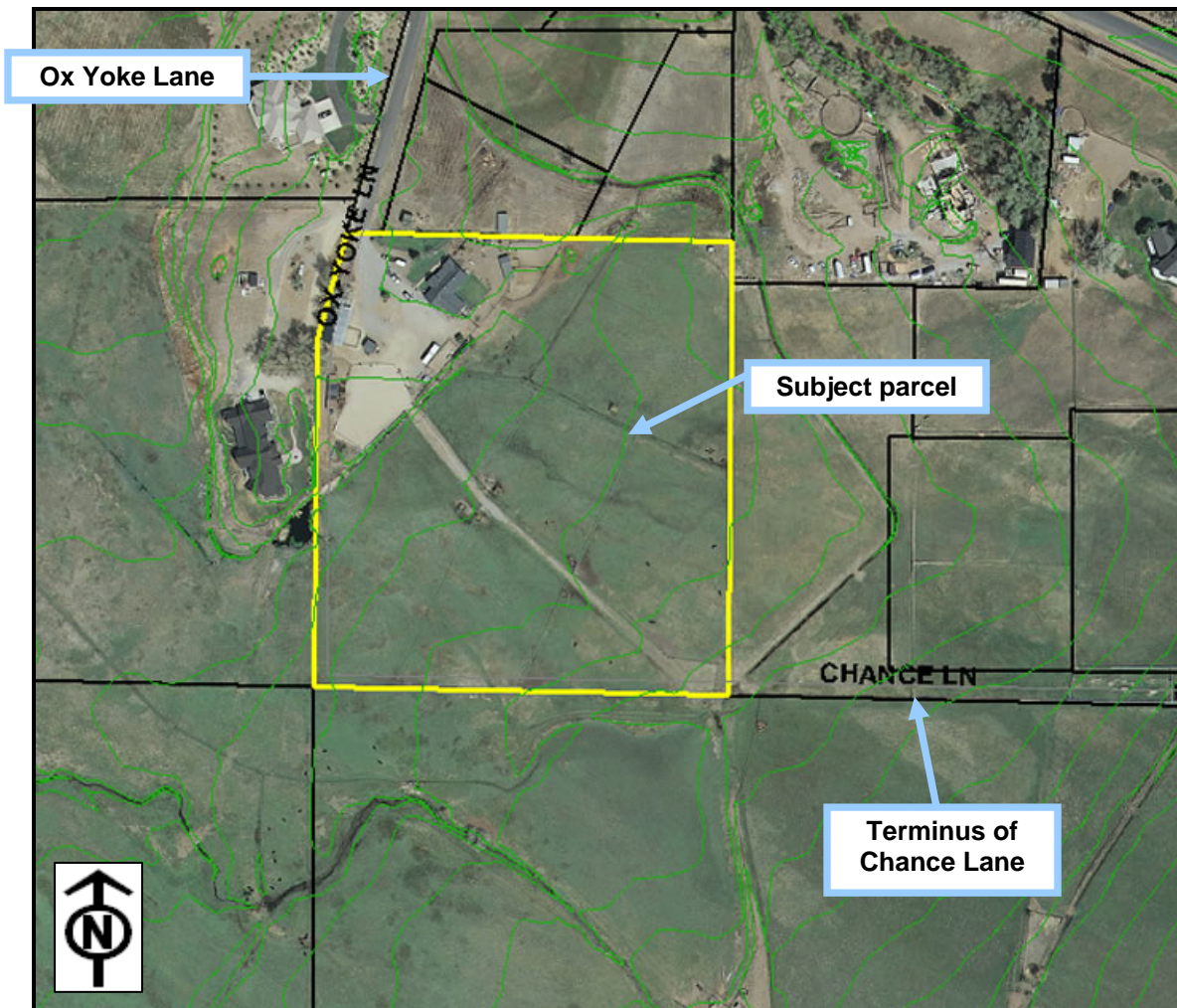
**Land Use:**

The subject parcel has a land use designation of Low Density Rural (LDR).

**Site Analysis:**

According to the South Valleys Area Plan Development Suitability Map, the majority of the parcel is designated as "both a potential flood hazard and potential wetlands".

**AERIAL PHOTO**



To: Washoe County Planning Commission  
Re: AB08-007 (Gordon and Heidi Cowan)  
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**AGENCY COMMENTS**

The plans were submitted to involved agencies and comments were received from the County Engineer. No adverse comments were received and no unique or extraordinary conditions of approval were requested. All of the conditions are related to the service needs and/or development impacts of the reviewing agencies resulting from the abandonment proposal.

**APPLICABLE REGULATIONS**

Nevada Revised Statutes Chapter 278; Washoe County Code Chapter 110.

xc:

Applicant/Property Owner: Gordon and Heidi Cowan, 180 Ox Yoke Lane, Reno, NV  
89521

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Re: AB08-007 (Gordon and Heidi Cowan)  
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**CONDITIONS FOR  
ABANDONMENT CASE NO. AB08-007  
Gordon and Heidi Cowan  
(As recommended by the Department of Community Development  
and attached to the Staff Report dated July 24, 2008)**

**\*\*\*IMPORTANT—PLEASE READ\*\*\***

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

**GENERAL CONDITIONS**

**UNLESS OTHERWISE SPECIFIED, ALL CONDITIONS MUST BE MET OR FINANCIAL ASSURANCES MUST BE PROVIDED TO SATISFY THE CONDITIONS PRIOR TO SUBMITTAL OF DOCUMENTS TO BE RECORDED TO EFFECTUATE THE VACATION AND ABANDONMENT OF EASEMENTS OR STREETS. 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 VACATION AND ABANDONMENT OF EASEMENTS OR STREETS IS THE RESPONSIBILITY OF THE APPLICANT, 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 VACATION AND ABANDONMENT OF EASEMENTS OR STREETS IS JUST CAUSE TO WITHHOLD RECORDATION OF ANY DOCUMENTS TO EFFECTUATE THE VACATION AND ABANDONMENT OF EASEMENTS OR STREETS.**

**ALL CONDITIONS LISTED WITHIN THIS APPROVAL MUST BE SATISFIED TO EFFECTUATE THIS VACATION AND ABANDONMENT OF EASEMENTS OR STREETS APPROVAL. THE PROPERTY OWNER AND/OR APPLICANT ARE RESPONSIBLE FOR COMPLYING WITH ALL RELEVANT RULES, REGULATIONS, DEVELOPMENT STANDARDS, POLICIES AND PROCEDURES OF WASHOE COUNTY. WASHOE COUNTY RETAINS THE RIGHT TO ENFORCE ALL APPLICABLE ORDINANCES THAT ARE NOT WAIVED OR VARIED BY THE APPROVAL OF THIS APPLICATION.**

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Re: AB08-007 (Gordon and Heidi Cowan)  
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**SPECIFIC CONDITIONS FOR ABANDONMENT CASE NO. AB08-007**

1. The applicant shall demonstrate substantial conformance to the plans approved as part of this abandonment action. The Community Development Department and the County Engineer shall determine compliance with this condition.

**ENGINEERING CONDITIONS**

2. The following conditions are requirements of the County Engineer and he shall be responsible for determining compliance with these conditions:
  - a. Prior to recordation of the Order of Abandonment, the applicant must submit to the County Engineer for review and approval legal descriptions prepared by a registered professional for the area of abandonment.
  - b. The applicant shall comply with all conditions necessary to effect the Resolution and Order of Abandonment within two years from the date of the action by the Planning Commission or this conditional abandonment will be null and void.

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



# Community Development

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Agenda Item No: **2 (8/5/2008)**

Staff Recommendation: **APPROVE WITH CONDITIONS**

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

**To:** Washoe County Planning Commission

**Re:** Special Use Permit Case No. SW08-007 (Tallac Tower Group)

**Date:** July 24, 2008

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

**GENERAL INFORMATION SUMMARY**

**Applicant:** FMHC Corporation

**Requested Action:** To develop a 70-foot tall monopole for the purpose of wireless communication as authorized in Section 110.324 of the Washoe County Development Code. The project is located within a ±40-acre parcel directly east of the intersection of Cielo Vista Drive and Santiago Court (both unpaved public rights-of-way). The ±40-acre parcel is designated General Rural (GR) in the Spanish Springs Area Plan, and is situated in a portion of Section 31, T21N, R21E, MDM, Washoe County, Nevada. The property is located in the Spanish Springs Citizen Advisory Board boundary and Washoe County Commission District No. 4. (APN: 076-390-14)

**RECOMMENDATION/FINDINGS**

Based upon the staff analysis, comments received, and the site inspection, staff recommends approval of the request with conditions and offers the following motion for your consideration:

I move that the Washoe County Planning Commission approves with conditions Special Use Permit Case No. SW08-007 for the Tallac Tower Group having made the following findings in accordance with Washoe County Development Code Section 110.810.30:

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Comprehensive Plan and the Spanish Springs Area Plan;
2. Improvements. That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven;

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Re: Special Use Permit Case No. SW08-007  
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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 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. Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation; and
6. Reasoned Consideration. That the Planning Commissioners gave reasoned consideration to the information contained within the staff report and information received during the meeting.

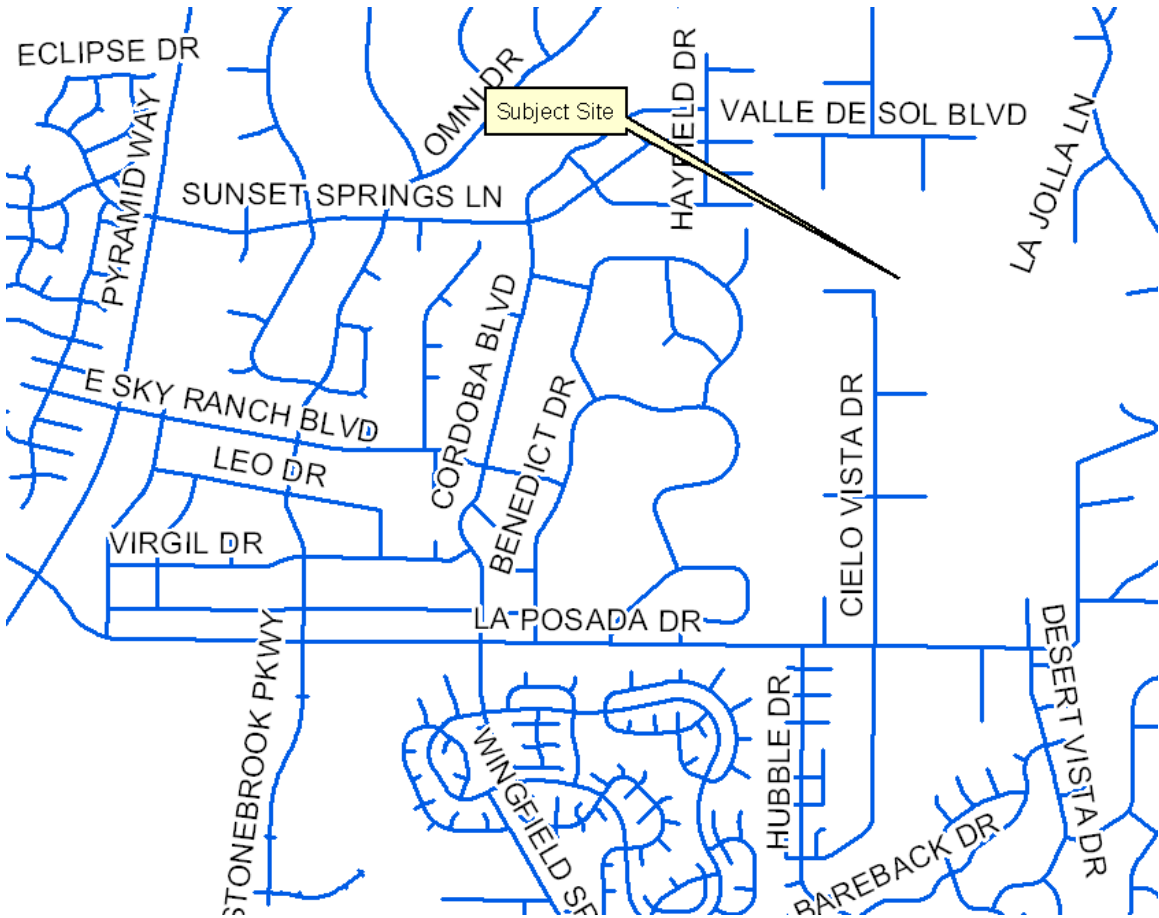
<b>ANALYSIS</b>
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**Background:**

Tallac Tower Group is requesting to construct a 70-foot tall monopole for the purpose of wireless communication and two associated ground equipment shelters to serve the Spanish Springs Area. The monopole and associated equipment will be located within a 2000 square-foot fenced area near the center of a 40-acre parcel owned by Jerry and Beverly Casale, and addressed as 2327 Cielo Vista Drive. On site power and telephone utilities will be connected to the facility.

In addition to the proposed tower the owner resides on the parcel in a residence with a detached garage.

**VICINITY MAP**



**Site Analysis:**

The subject property currently consists of a home with a detached garage, but is otherwise essentially undeveloped. The subject site gently rises in elevation from west to east toward the ridgeline behind it.

**Impacts:**

Only minimal impacts are anticipated with the proposed wireless communication facility. The monopole height and the slim-line design are intended to minimize visual impacts. Furthermore, the site of the proposed facility is located at the base of a ridgeline and the pole will not "skylight" in the view of the adjacent neighbors. The proposed facility will utilize existing access roads and graded areas.

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Re: Special Use Permit Case No. SW08-007  
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**Landscaping and Fencing:**

The applicant has provided a landscape plan that appears to meet the minimum 20 percent required by code. The proposed site of the facility will not be very visible from neighboring residences or adjoining streets. Additionally, the applicant has proposed chain-link fencing with slats that will adequately shield the related equipment.

**Location of Proposed Monopole**



**LAND USE SUMMARY**

**Land Use Designation:**

To: Washoe County Planning Commission  
Re: Special Use Permit Case No. SW08-007  
Date: July 24, 2008  
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General Rural

**Surrounding Land Uses:**

The subject parcel is surrounded on all sides by the General Rural Land Use designation.

**Development Suitability Constraints:**

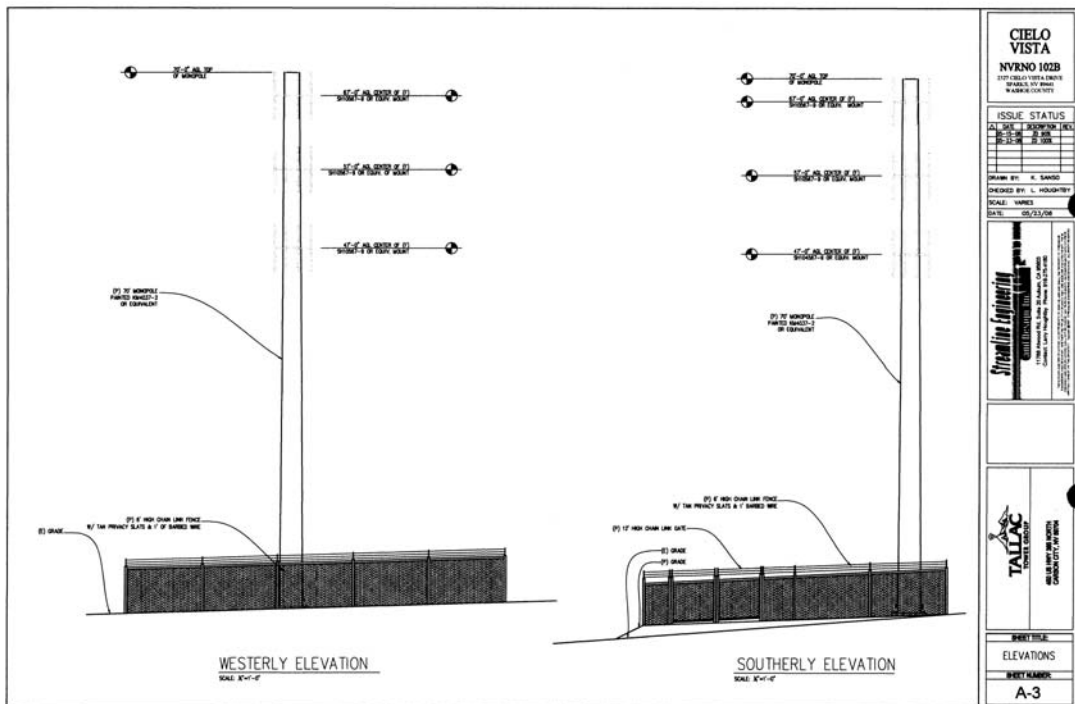
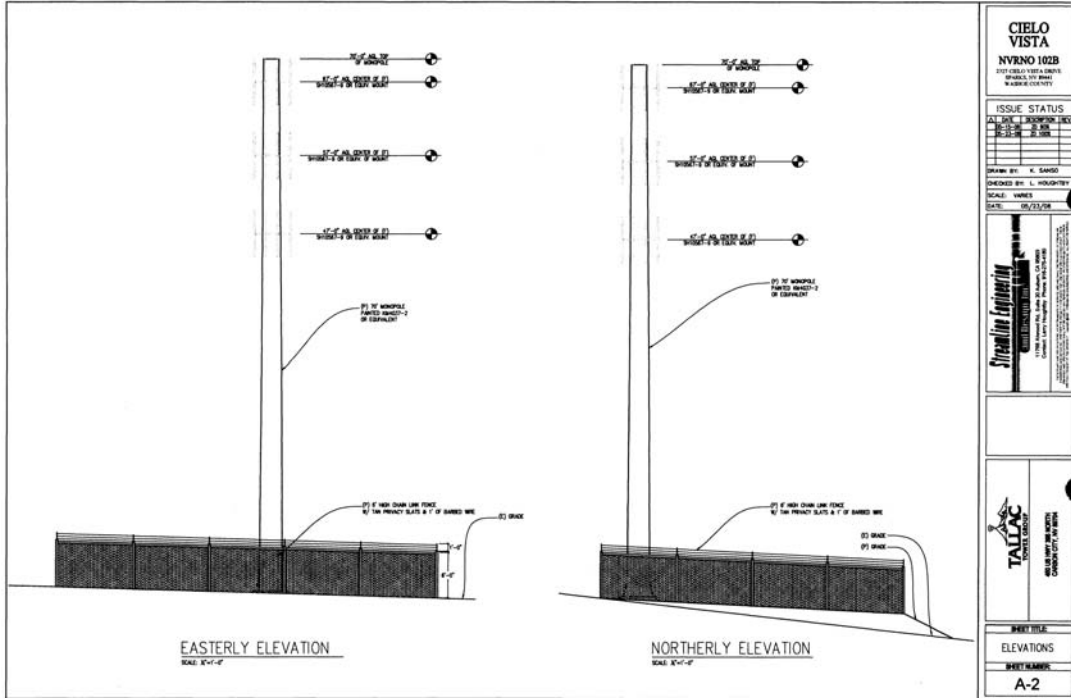
There are no development constraints identified on the Spanish Springs Development Suitability map.

**Parking Required and Parking Provided:**

Parking shall only be needed intermittently for maintenance purposes. Sufficient parking spaces are provided around the facility to support the intermittent parking needs.

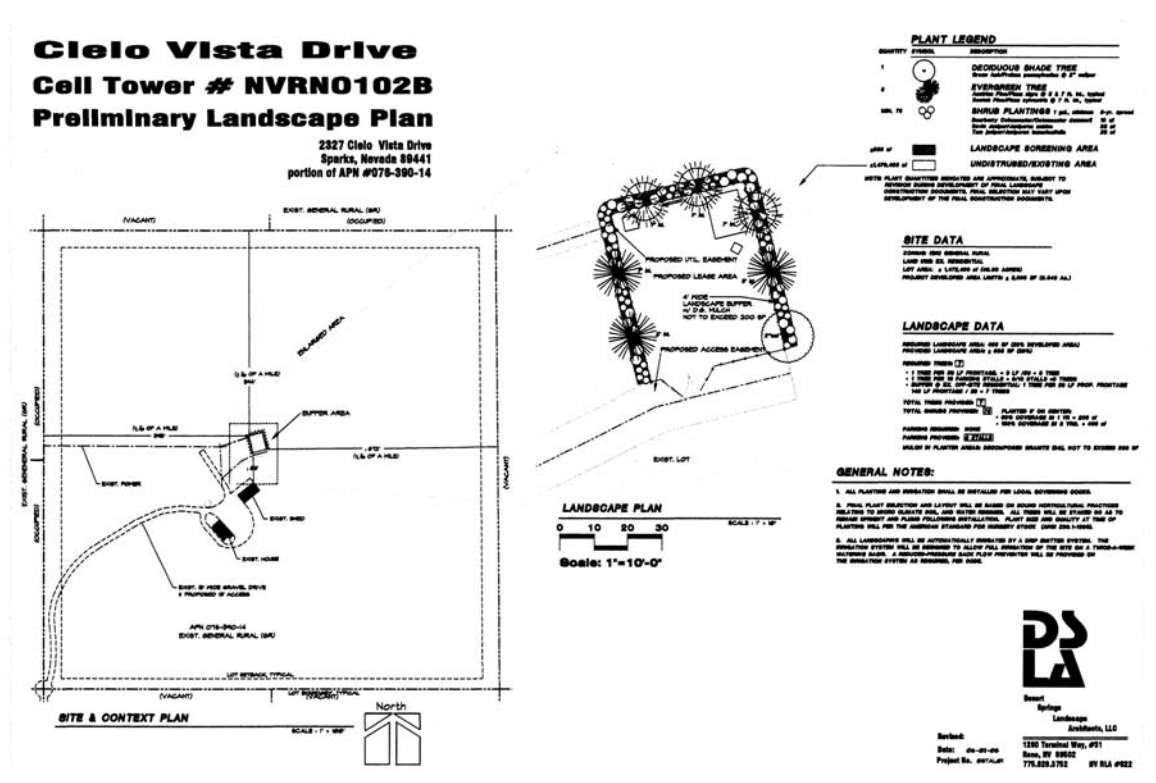


**FACILITY ELEVATIONS**



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 Re: Special Use Permit Case No. SW08-007  
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**LANDSCAPING PLAN**



**AGENCY COMMENTS**

The plans were submitted to involved agencies and no adverse comments were received. Technical conditions have been provided by the Engineering Division and the Department of Water Resources.

No unique or extraordinary conditions of approval were requested. All of the conditions are related to the service needs and/or development impacts of the reviewing agencies resulting from the special use permit proposal.

**CITIZEN ADVISORY BOARD COMMENTS**

The proposed plans were submitted to the Spanish Springs Citizen Advisory Board and were discussed during the July 9, 2008 meeting. The CAB unanimously recommended approval of the request. A copy of their correspondence is attached for your reference.

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Re: Special Use Permit Case No. SW08-007  
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<b>APPLICABLE REGULATIONS</b>
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Nevada Revised Statutes Chapter 278; Washoe County Code Chapter 110.

h:\my documents\2008 cases\sw08-007\_tallac\_tower\_group\sw08-007\_staff\_report.doc

Attachments: Conditions, SSCAB notes

xc: Property Owner: Jerry and Beverly Casale, 2327 Cielo Vista Drive, Sparks, NV  
89411

Applicant/Developer: Tallac Tower Group c/o Jim Higgins, 450 US Hwy 395 North,  
Carson City, NV 89704

Agencies: Spanish Springs Citizen Advisory Board Chair

To: Washoe County Planning Commission  
Re: Special Use Permit Case No. SW08-007  
Date: July 24, 2008  
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## **SPANISH SPRINGS CITIZEN ADVISORY BOARD**



### **MEMORANDUM**

TO: Roger Pelham, Staff Representative  
FROM: Allayne Donnelly-Everett, Recording Secretary  
DATE: July 15, 2008  
SUBJECT: Special Use Permit SW08-007 (Tallac Tower Group, LLC)

The following is a portion of the draft minutes of the regular meeting of the Spanish Springs Citizen Advisory Board held July 9, 2008.

**Special Use Permit SW08-007 (Tallac Tower Group, LLC)** – Jim Higgins, Tallac Tower Group presented the request to develop a 70-foot-tall monopole for the purpose of wireless communication as authorized in Article 324 of the Washoe County Development Code. The project is located within a 40-acre parcel directly east of the intersection of Cielo Vista Drive and Santiago Court (both unpaved public rights-of-way). The ±40-acre parcel is designated General Rural (GR) in the Spanish Springs Area Plan, and is situated in a portion of Section 31, T21N, R21E, MDM, Washoe County, Nevada. (APN: 076-390-14) Staff Representative: Roger Pelham, Senior Planner, was available to address process and policy issues. Property Owner: Jerry and Beverly Casale. This application is tentatively scheduled for review by the Washoe County Planning Commission on August 5, 2008. **MOTION:** Kimberly Dawson moved to recommend approval of SW08-007 Tallac Tower Group as presented. Steve Grosz seconded the motion. The motion carried.

#### **Comments and Concerns**

- Wil Brown stated that he was originally approached to allow this tower to be installed on his property. Mr. Brown stated that the tower would have been a negative visual impact to the adjacent properties. Mr. Brown stated that he referred the applicant to Mr. and Mrs. Casale and supports the installation on the Casale property.
  - Support was stated for removal of the tower once it becomes obsolete.
  - In response to questions raised, Mr. Higgins stated that one area that would be covered is it Wingfield Springs.
  - Support was stated for some effort to camouflage the tower.
  - Mr. Higgins stated that these are individually licensed frequencies.
  - There were no statements in opposition to the proposed project.
- c: Robert Larkin, Commissioner  
Vaughn Hartung, Chair.  
Bob Webb, Planning Manager  
Lorrie Adams, Community Outreach Coordinator

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Re: Special Use Permit Case No. SW08-007  
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**CONDITIONS FOR  
SPECIAL USE PERMIT CASE NO. SW08-007**

Tallac Tower Group

(As recommended by Department of Community Development  
and attached to Staff Report dated July 24, 2008)

**\*\*\*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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Re: Special Use Permit Case No. SW08-007  
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### **GENERAL CONDITIONS**

1. The applicant shall demonstrate substantial conformance to the plans approved as part of this special use permit. The Department of Community Development shall determine compliance with this condition.
2. The applicant shall obtain valid building permits for all structures used to further the operation of the special use permit within two years from the date of approval by Washoe County. The applicant shall complete construction in accordance with the limitations on those building permits. Should the applicant fail to obtain the necessary permits within the specified time, the approval of this special use permit shall be null and void. Compliance with this condition shall be determined by the Department of Community Development.
3. This special use permit shall remain in effect as long as the business is in operation and maintains a valid business license.
4. This special use permit shall remain in effect until or unless it is revoked or is inactive for one year.
5. Failure to comply with the conditions of approval shall render this approval null and void. Compliance with this condition shall be determined by the Department of Community Development.
6. A copy of the Final Order stating conditional approval of this special use permit shall be attached to all applications for administrative permits (including building permits) issued by Washoe County.
7. The applicant and any successors shall direct any potential purchaser/operator of the special use permit to meet with the Department of Community Development to review conditions of approval prior to the final sale of the special use permit. The subsequent purchaser/operator of the special use permit shall notify the Department of Community Development of the name, address, telephone number, and contact person of the new purchaser/operator within 30 days of the final sale.
8. A note shall be placed on all construction drawings and grading plans stating:

#### NOTE

Should any prehistoric or historic remains/artifacts be discovered during site development, work shall temporarily be halted at the specific site and the State Historic Preservation Office of the Department of Museums, Library and Arts, shall be notified to record and photograph the site. The period of temporary delay shall be limited to a maximum of two (2) working days from the date of notification.

9. Fencing for screening (as indicated on the site plan submitted as part of the application) shall be six-foot-tall chain link with vinyl slats. Fencing shall be

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Re: Special Use Permit Case No. SW08-007  
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“Privacy Link,” “Priva-Max” or the equivalent that provides 95% visual screening or greater. Slats shall be tan or brown non-reflective in color to blend in with the surrounding area to the greatest extent practicable. Wire for the fencing shall be non-reflective. All fencing shall be installed prior to operation of the tower facility. Compliance with this condition shall be determined by the Department of Community Development.

10. Compliance with the following conditions shall be determined by the Department of Water Resources (DWR).
  - A. The applicant shall dedicate necessary water rights prior to issuance of the building permit. The dedication of water rights shall be in accordance with Article 422, the Spanish Springs Area Plan. Water rights must be in good standing with the State of Nevada Division of Water Resources and the point of diversion, place and manner of use must be acceptable to the DWR.
  - B. Landscape plans shall be submitted to DWR for review of the additional Water Rights to be dedicated.
  - C. All fees shall be paid in accordance with Washoe County Ordinance prior to release of building permit.
  - D. The Developer shall connect the landscape water supply into the DWR’s water main located to the front of the property. According to NRS 534.013, commercial projects can not connect into wells used for domestic purposes.
  - E. Improvement plans shall be submitted and approved by DWR prior to issuance of building permit. They shall be in compliance with Washoe County Design Standards, NAC445A, and be designed by a Professional Engineer licensed to practice in the State of Nevada.
  - F. DWR approved improvement plans shall be used for the new water service and the DWR will be responsible for the inspection of the new water service.
  
11. The applicant shall provide permanent easements for the lease area, access and utilities. A copy of the easements shall be submitted to the Engineering Division prior to issuance of a building permit. The County Engineer shall be responsible for determining compliance with this condition.

\*\*\* End of Conditions \*\*\*