



Conditions of Approval

Tentative Subdivision Map Case Number WTM21-012

The project approved under Tentative Subdivision Map Case Number WTM21-012 shall be carried out in accordance with the conditions of approval granted by the Planning Commission on September 5, 2023. 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.**

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 Name – Courtney Weiche, Senior Planner, 775.328.3608,
cweiche@washoecounty.gov

- a. The applicant shall demonstrate substantial conformance to the plans approved as part of this tentative subdivision map.
- b. The applicant shall include a condition response memorandum with each subsequent permit application. That memorandum shall list each condition of approval, shall provide a narrative describing how each condition has been complied with, and the location of the information showing compliance with each condition within the improvement plan set that has been submitted.

- c. The subdivision shall be in substantial conformance with the provisions of Washoe County Development Code Article 220.1, Tahoe Area Design Standards, Article 604, Design Requirements, and Article 608, Tentative Subdivision Maps.
- d. Final maps and final construction drawings shall comply with all applicable statutes, ordinances, rules, regulations and policies in effect at the time of submittal of the tentative map or, if requested by the developer and approved by the applicable agency, those in effect at the time of approval of the final map.
- e. 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 two years of the date of approval for subsequent final maps. On subsequent final maps, that date may be extended by two years if the extension request is received prior to the expiration date. Per WCC section 110.610.50(b), the date of the signing of the final map by the Director of Planning and Building (formally the Director of Community Development) shall constitute the date of presentation of the final map for purposes of NRS 278.
- f. Final maps shall be in substantial compliance with all plans and documents submitted with and made part of this tentative map request, as may be amended by action of the final approving authority.
- g. All final maps shall contain the applicable portions of the following jurat:

THE TENTATIVE MAP FOR WTM21-012 WAS APPROVED BY THE WASHOE COUNTY PLANNING COMMISSION ON SEPTEMBER 5, 2023.

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.

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.

KELLY MULLIN, DIRECTOR
PLANNING AND BUILDING

- h. 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.

- i. 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.

- j. Prior to acceptance of public improvements and release of any financial assurances, the developer shall furnish to Engineering Division a complete set of reproducible as-built construction drawings prepared by a civil engineer registered in the State of Nevada.
- k. The developer shall be required to participate in any applicable General Improvement District or Special Assessment District formed by Washoe County.
- l. The developer shall provide written approval from the U.S. Postal Service concerning the installation and type of mail delivery facilities. The system, other than individual mailboxes, must be shown on the project construction plans and installed as part of the on-site improvements.
- 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. Construction activities shall be limited to the hours between 7am to 7pm, Monday through Saturday only. Any construction machinery activity or any noise associated with the construction activity are also limited to these hours.
- n. Prior to any ground disturbing activity, the applicant shall submit a landscaping/architectural design plan to Planning and Building for review and approval. Said plan shall address, but not be limited to: type and color of building materials, general architectural design, parking, parking lot circulation and striping, signage, exterior lighting, fencing, trash enclosures, landscaping material (if plant material: type, size at time of planting, maturation size at full growth, period of time between planting and full growth), landscaping location, landscaping irrigation system, and financial assurances that landscaping will be planted and maintained.
- o. A certification letter or series of letters by a registered landscape architect or other persons permitted to prepare landscaping and irrigation plans pursuant to NRS 623A shall be submitted to and approved by Planning and Building. The letter(s) shall certify that all applicable landscaping provisions of Articles **[220.1, 408, 410 and 412]** of the Development Code have been met. Any landscaping plans and the letter shall be wet-stamped. The letter shall indicate any provisions of the code that the Director of Planning and Building Division has waived.
- p. 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.
- q. Failure to comply with the conditions of approval shall render this approval null and void.

- r. 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:
1. Maintenance of public access easements, common areas, and any common open spaces, as applicable. Provisions shall be made to monitor and maintain, for a period of three (3) years regardless of ownership, a maintenance plan for the common area or common open space area. The maintenance plan for the common area or common open space area shall, as a minimum, address the following:
 - a. Vegetation management;
 - b. Watershed management;
 - c. Debris and litter removal;
 - d. Fire access and suppression; and
 - e. Maintenance of public access and/or maintenance of limitations to public access.
 2. All drainage facilities and roadways not maintained by Washoe County shall be privately maintained and perpetually funded by the homeowners' association.
 3. All open space identified as common area on the final map shall be privately maintained and perpetually funded by the homeowners' association. The deed to the open space and common area shall reflect perpetual dedication for that purpose. The maintenance of the common areas and related improvements shall be addressed in the CC&Rs to the satisfaction of the District Attorney's Office.
 4. Locating habitable structures on potentially active (Holocene) fault lines, whether noted on the recorded map or disclosed during site preparation, is prohibited.
 5. All outdoor lighting on buildings and streets within the subdivision shall be down-shielded and in compliance with Article 220.1.
 6. 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.
 7. Mandatory solid waste collection.

Washoe County Engineering and Capital Projects

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

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

Washoe County Engineering and Capital Projects – General Land Development and Grading Standards (County Code 110.438)

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

Contact Name: Robert Wimer, P.E. (775) 328-2059

- a. Final maps and final construction drawings shall comply with all applicable statutes, ordinances, rules, regulations, and policies in effect at the time of submittal of the tentative map or, if requested by the developer and approved by the applicable agency, those in effect at the time of approval of the final map.
- b. Prior to acceptance of public improvements and release of any financial assurances, the developer shall provide as-built construction drawings in an acceptable digital format prepared by a civil engineer licensed in the State of Nevada.
- c. The developer shall provide written approval from the U.S. Postal Service (USPS) concerning the installation and type of mail delivery facilities. The system, other than individual mailboxes, must be shown on the project construction plans and installed as part of the onsite improvements.
- d. A complete set of construction improvement drawings, including an onsite grading plan, shall be submitted to the County Engineer for approval prior to finalization of any portion of the tentative map. Grading shall comply with best management practices (BMPs) and shall include detailed plans for grading and drainage on each lot, erosion control (including BMP locations and installation details), slope stabilization and mosquito abatement. Placement or disposal of any excavated material shall be indicated on the grading plan.
- e. All open space shall be identified as common area on the final map. A note on the final map shall indicate that all common areas shall be privately maintained and perpetually funded by the Homeowners Association. The maintenance of the common areas shall also be addressed in the CC&Rs to the satisfaction of the District Attorney's Office.
- f. Any existing easements, facilities or utilities that conflict with the development shall be relocated, quitclaimed, and/or abandoned, as appropriate.
- g. Any easement documents recorded for the project shall include an exhibit map that shows the location and limits of the easement in relationship to the project.
- h. With each affected final map, provide written approval from all utility provider(s) for any improvements located within their easement or under or over their facilities.
- i. Appropriate easements shall be granted for any existing or new utilities, with each affected final map.
- j. A design level geotechnical investigation with fault study shall be provided with the submittal of each final map.
- k. Cut slopes, fill slopes, and berms shall be setback from parcel lines and access easements in accordance with Washoe County Code Article 438.
- l. Applicant shall indicate on the plans where exported materials will be taken and a grading permit shall be obtained for the import site.

Washoe County Engineering and Capital Projects – Flood Hazards (County Code 110.416), Storm Drainage Standards (County Code 110.420), and Storm Water Discharge Program (County Code 110.421)

Contact Name: Robert Wimer, P.E. (775) 328-2059

- 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.
- b. Prior to finalization of the first final map, a master hydrology/hydraulic report and a master storm drainage plan shall be submitted 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.
- d. Any increase in storm water runoff flow rate resulting from the development and based on the 5-year and 100-year storm(s) shall be detained onsite.
- e. Prior to the finalization of the first final map, an operation and maintenance plan for the maintenance of the project's storm water basin(s) and drainage channel(s) shall be developed in accordance with the Washoe County Code Article 421. The Operation and Maintenance Plan shall be incorporated into the project CC&Rs.
- f. The 100-year floodplain boundaries and flood elevations shall appear on each final map. If the floodplain boundary has been conditionally changed by a Federal Emergency Management Agency (FEMA) Conditional Letter of Map Amendment (CLMA) or Conditional Letter of Map Revision (CLOMR), the date of that letter and a note to that effect shall appear on the final map. All grading and construction in these areas shall be in conformance with the Washoe County Code Article 416.
- g. The following note shall be added to each final map; "All properties, regardless of 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."
- h. The developer shall provide pretreatment for petrochemicals and silt for all storm drainage leaving the site.
- i. The Truckee Meadows Regional Storm Water Quality Management Program Construction Permit Submittal Checklist 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 perpetually maintained by a homeowner's association. The maintenance and funding of private drainage facilities shall also be addressed in the CC&Rs to the satisfaction of the District Attorney's Office.
- k. 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-foot-wide all-weather access road. Maintenance access road(s) shall be provided to the bottom of proposed storm water basins as well as over County owned and maintained storm drainage facilities.

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

Contact Information: Mitchell Fink, P.E. (775) 328-2050

- a. 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 submitted.
- b. An Occupancy Permit 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 shall be submitted to the County Engineer prior to finalization of the affected final map.

- c. Street names shall be reviewed and approved by the Regional Street Naming Coordinator.
- d. Proposed landscaping and/or fencing along street rights-of-way and within median islands shall be designed to meet American Association of State Highway and Transportation Officials (AASHTO) sight distances and safety guidelines. No tree shall overhang the curb line of any public street.
- e. 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/rights-of-way.
- f. Streetlights shall be constructed to Washoe County standards at locations to be determined at the final design stage.
- g. Appropriate transitions shall be provided between the existing and proposed improvements at all proposed street connections. This may include removal of existing pavement.
- h. 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.
- i. Adequate snow storage easements shall be identified on the final plat.
- j. 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.

Incline Village Improvement District

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

Contact Name – Tim Buxton, IVGID Chief Inspector, 775.832.1246, tlb@ivgid.org

- a. The project will require a Washoe County Building Construction Permit as it will provide potential impact to our existing IVGID Water, Wastewater, Trash and Recreational Ordinances. IVGID will require the submittal of a utility plans signed and wet stamped by a Nevada Licensed Engineer for all water, wastewater and trash services. The "IVGID Board of Trustee" must approve all utilities in which IVGID would supply to this recognized project.

Washoe County Health District

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

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

- 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.

- a. The application for a Water Project shall conform to the requirements of NAC 445A.66695.
- b. 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.
 - i. Water Projects must be submitted directly to WCHD for review.
 - ii. 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.
 - a. 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.
 - a. 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.
 - b. 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.
- 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:
 - 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;
 - b. 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;
 - c. The developer must bear the cost of the inspections; and
 - d. 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.

- a. 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.
 - a. 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.
 - a. 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 Water Rights Coordinator

5. The following conditions are requirements of Utilities, which shall be responsible for determining compliance with these conditions.

Contact Name – Timber Weiss, PE | Professional Engineer, 775.954.4626, tweiss@washoecounty.gov

- a. There are no water rights conditions for approval of this tentative map. Following the possible approval of the tentative subdivision map, the potential future project will require water supply and sewer service which in turn will require the expansion of water and sewer services.
- b. Valid water and sewer will serve letters will be required prior to approval of the final map proposed by this tentative map.

Nevada Department of Transportation

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

Contact Name – Jeff Graham – Traffic Engineer, 775.834.8382,

- c. All work proposed within or adjacent to the SR28 right of way will require an encroachment permit and must comply with NDOT’s Standard Plans, Access Management System and Standards, Terms and Conditions Relating to Right-of-Way Occupancy Permits, and the Drainage Manual current version at the time of application. Please contact the NDOT District II Permits Office at (775) 834-8330 for information about obtaining NDOT occupancy permits.

- d. The proposed construction entrance onto SR28 on page C2 in the Demo Plan cannot impede pedestrian and vehicular traffic. This will be further evaluated at a later date.
- e. Since the site is located directly adjacent to SR 28 and has the potential to effect area drainage patterns, the applicant shall obtain an occupancy permit from NDOT for the drainage encroachment.
- f. NDOT's letter does not provide for approval or disapproval of any improvements proposed by the project. NDOT review, during the occupancy permit process, may result in modification to the proposed improvements or denial.
- g. The State defers to municipal government for land use development decisions. Public involvement for community development related improvements within NDOT right of way should be considered during the municipal land use development process. Significant improvements proposed within NDOT right of way may require additional public involvement. It is the responsibility of the applicant to perform such additional public involvement.

*** End of Conditions ***