



Conditions of Approval

Special Use Permit Case Number WSUP18-0017

The project approved under Special Use Permit Case Number WSUP18-0017 shall be carried out in accordance with the Conditions of Approval granted by the Board of Adjustment on October 4, 2018. 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 Special Use Permit shall be met or financial assurance must be provided to satisfy the conditions of approval prior to issuance of a grading or building permit. The agency responsible for determining compliance with a specific condition shall determine whether the condition must be fully completed or whether the applicant shall be offered the option of providing financial assurance. All agreements, easements, or other documentation required by these conditions shall have a copy filed with the County Engineer and the Planning and Building Division.

Compliance with the conditions of approval related to this Special Use Permit 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 Special Use Permit may result in the institution of revocation procedures.

Washoe County reserves the right to review and revise the conditions of approval related to this Special Use Permit should it be determined that a subsequent license or permit issued by Washoe County violates the intent of this approval.

For the purpose of conditions imposed by Washoe County, "may" is permissive and "shall" or "must" is mandatory.

Conditions of Approval are usually complied with at different stages of the proposed project. Those stages are typically:

- Prior to permit issuance (i.e., grading permits, building permits, etc.).
- Prior to obtaining a final inspection and/or a certificate of occupancy.
- Prior to the issuance of a business license or other permits/licenses.
- Some "Conditions of Approval" are referred to as "Operational Conditions." These conditions must be continually complied with for the life of the project or business.

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FOLLOWING ARE CONDITIONS OF APPROVAL REQUIRED BY THE REVIEWING AGENCIES. EACH CONDITION MUST BE MET TO THE SATISFACTION OF THE ISSUING AGENCY.

1. Washoe County Planning and Building Division

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

Contact Name: Julee Olander, (775)328-3627, jolander@washoecounty.us

- a. The applicant shall comply with all conditions of approval within 6 months from the date of approval by Washoe County. The applicant shall provide documentation showing how each of the conditions has been completed. Determination that each condition is complete shall be determined by the Planning and Building Division.
- b. A note shall be placed on all construction drawings and grading plans 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.

- c. The applicant shall return to the Board of Adjustment within prior to October 4, 2019 for a review to determine if all conditions are completed. The Board of Adjustment may direct Washoe County staff to pursue further enforcement actions based on non-completion of conditions.
- d. The applicant shall obtain a Grading Permit for all work on the subject site. At the discretion of the Director of the Planning and Building Division, permit fees may be increased by up to four times the standard applicable fees (not to exceed \$4,000) in accordance with WCC Section 100.133.3.1 for any work commenced prior to permit issuance.
- e. All trash and debris within the project area shall be removed.
- f. The applicant shall develop and submit a restoration plan to the Washoe County Planning and Building Division that includes revegetation with native riparian plant species and measures for erosion and weed control. The revegetation shall protect Thomas Creek and both the critical and sensitive stream zone buffer areas. The plan will include the amount of shrubs and trees, will include evergreen trees at least seven (7) feet in height and deciduous trees e at least two (2) inch caliper, and the pounds per acre of the seed mix. The plan will be submitted with the Building permit for grading. Washoe County Planning and Building Division will consult with Nevada Division of Forestry (NDF) and will be in compliance with the Master Plan policies concerning the appropriateness and viability of the plan for the area to be restored at the project site.

2. Washoe County Engineering and Capital Projects Division

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

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

- a. A complete set of construction improvement drawings, including an on-site grading plan illustrating both completed and proposed grading, shall be submitted when applying for a building/grading permit. Grading shall comply with best management practices (BMP's) and shall include detailed plans for grading, site drainage, erosion control (including BMP locations and installation details), slope stabilization, and mosquito abatement. Placement or removal of any excavated materials shall be indicated on the grading plan. Silts shall be controlled on-site and not allowed onto adjacent properties or into Thomas Creek.
- b. Prior to final approval of a grading permit, the applicant shall obtain all required state and federal permits. The permits may include, but are not limited to, Nevada Division of Environmental Protection's Working in Waterways Permit, Construction Stormwater Permit, 401 Water Quality Certification (or waiver), and U.S. Army Corps of Engineers 404 permit. Copies of all permits shall be provided to Washoe County Engineering Program.
- c. Prior to final approval of the grading permit, the applicant shall demonstrate that the Cease and Desist order or enforcement cases initiated by Nevada Division of Environmental Protection and the U.S. Army Corps of Engineers (SPK-2018-00705) have been or will be satisfied with the scope of work identified in the grading permit application and plans.
- d. The Truckee Meadows Regional Stormwater Quality Management Program Construction Permit Submittal Checklists and Inspection Fee shall be submitted with the grading permit application.
- e. A construction estimate shall be prepared by a licensed engineer for the work required to restore the disturbed areas and a financial assurance in the amount 120% of the estimated assessment, as approved by the Washoe County Engineering Program, shall be submitted as part of the grading permit application. The financial assurance shall be returned upon establishment of vegetation to the satisfaction of Washoe County Planning and Building Division.
- f. Cross-sections indicating cuts and fills shall be submitted when applying for a grading permit. Estimated total volumes shall be indicated on submitted plans.
- g. All disturbed areas left undeveloped for more than 30 days shall be treated with a dust palliative. Disturbed areas left undeveloped for more than 45 days shall be revegetated. Specifications for revegetation procedure and seed mix shall be prepared by a licensed landscape architect.
- h. No fencing is allowed across the drainage easement maintained by Washoe County. Grading permit plan submittal shall accurately reflect the alignment of fencing approved under the previously issued fence permit for the property(s).
- i. There are two areas of proposed grading along the west property line on steep sloping terrain. The application showing the grading of these areas will provide sufficient detail as to finished grades/slope of land proposed. All proposed grading shall comply with Washoe County Code Chapter 110, Article 438.
- j. The FEMA 100-year floodplain, floodway, and/or shaded X boundaries with associated flood elevations shall appear on the site plan to the satisfaction of the County Engineer. Building permits for structures and fill in these areas shall be in conformance with the Washoe County Code Article 416

3. Nevada Division of Environmental Protection (NDEP)

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

Contact Name: Katrina Pascual, (775)687-9435, kpascual@ndep.nv.gov

- a. The applicant will obtain a Construction Stormwater Permit and a Working in Waterways permit, *as required by NDEP.*

4. Nevada Division of Wildlife (NDOW)

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

Contact Name: Mark Freese, (775)688-1145, markfreese@ndow.org

- a. The applicant shall use Best Management Practices for any dirt work (e.g. sediment control devices).
- b. The applicant shall reseed to minimize erosion issues and install sediment control devices on the exposed banks at water line to help vegetation establish.

*** End of Conditions ***