

# Conditions of Approval for TSM21004

## Tentative Subdivision Map

1. APPROVAL:

THE PROJECT IS APPROVED AS SUBMITTED AND CONDITIONED. ANY SUBSTANTIVE CHANGE SHALL REQUIRE REVIEW AND APPROVAL BY THE PLANNING COMMISSION AND CITY COUNCIL AS AN AMENDMENT TO THIS TENTATIVE MAP.

2. PROJECT DESCRIPTION:

THE PROJECT APPROVAL IS LIMITED TO SINGLE FAMILY RESIDENTIAL DEVELOPMENT WITH A MAXIMUM OF 282 SINGLE FAMILY RESIDENTIAL LOTS ON ±86.7 ACRES.

3. EXPIRATION DATE:

THE TENTATIVE MAP SHALL EXPIRE WITHIN FOUR (4) YEARS OF THE DATE OF THE CITY COUNCIL APPROVAL UNLESS THE FINAL MAP HAS BEEN RECORDED IN ACCORDANCE WITH NEVADA REVISED STATUTES (N.R.S.) 278.360.

4. WATER RIGHTS:

THE DEVELOPER SHALL COMPLY WITH ALL CITY OF FERNLEY MUNICIPAL CODES REGARDING THE DEDICATION OF WATER RIGHTS, INCLUDING ASSOCIATED FEES, FOR THE CONNECTION TO THE CITY'S MUNICIPAL WATER SYSTEM IN THE AMOUNT THAT IS REQUIRED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT FOR THE PROJECT.

5. SANITARY SEWER:

THE DEVELOPER SHALL PROVIDE A SEWER REPORT DEMONSTRATING THE DEVELOPMENT CAN BE SERVED BY THE CITY'S SANITARY SEWER SYSTEM. THE DEVELOPER SHALL BE RESPONSIBLE FOR ANY IMPROVEMENTS DEEMED NECESSARY TO SERVE THE PROJECT TO THE APPROVAL OF THE CITY ENGINEER. THE DEVELOPER SHALL COMPLY WITH ALL CITY OF FERNLEY MUNICIPAL CODES REGARDING THE SANITARY SEWER SYSTEM, INCLUDING ASSOCIATED FEES, FOR THE CONNECTION TO THE CITY'S SANITARY SEWER SYSTEM IN THE AMOUNT THAT IS REQUIRED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT FOR THE PROJECT.

6. WATER & SEWER MAINS AND SERVICES:

THE DEVELOPER SHALL COMPLY WITH ALL STANDARDS, CODES, AND REQUIREMENTS REGARDING CONNECTION TO THE CITY'S SANITARY SEWER AND POTABLE WATER SYSTEMS, INCLUDING BUT NOT LIMITED TO, ASSOCIATED FEES, EASEMENTS, DESIGN STANDARDS, SYSTEM LOOPING, DEVELOPMENT CODE REQUIREMENTS, AND STATE REQUIREMENTS. PRIOR TO THE RECORDATION OF A FINAL MAP FOR ANY PHASE OF THE PROJECT, THE DEVELOPER SHALL PROVIDE THE CITY WITH A UTILITY PLAN FOR WATER AND SANITARY SEWER THAT IS IN CONFORMANCE WITH THE CITY OF FERNLEY'S MUNICIPAL CODE AND PUBLIC WORKS DESIGN MANUAL TO THE APPROVAL OF THE CITY ENGINEER, PUBLIC WORKS DIRECTOR, AND ADMINISTRATOR. EACH PHASE MUST ALSO BE REVIEWED AND APPROVED BY THE NEVADA DEPARTMENT OF ENVIRONMENTAL PRIOR TO CONSTRUCTION.

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7. UTILITY EASEMENTS:

THE DEVELOPER SHALL PROVIDE EASEMENTS TO THE CITY OF FERNLEY FOR THE MAINTENANCE OF THE PUBLIC INFRASTRUCTURE BEING INSTALLED ON PRIVATE PROPERTY. THE EASEMENTS SHALL INCLUDE THE CITY OF FERNLEY'S STANDARD EASEMENT LANGUAGE AND SHALL BE RECORDED ALONG WITH THE FINAL MAP.

8. DESIGN STANDARDS:

THE DEVELOPER SHALL COMPLY WITH THE DESIGN STANDARDS AND REGULATIONS AS SET FORTH IN THE CITY OF FERNLEY'S DEVELOPMENT CODE AND PUBLIC WORKS DESIGN MANUAL UNLESS IN CONFLICT WITH THE LOCAL, STATE, OR FEDERAL REGULATIONS, IN WHICH CASE THE MORE STRINGENT REGULATION WILL TAKE PRECEDENCE.

9. LANDSCAPING/IRRIGATION:

THE DEVELOPER SHALL SUBMIT A LANDSCAPING AND IRRIGATION PLAN FOR THE PROJECT IN CONFORMANCE WITH TITLE 32 OF THE FERNLEY MUNICIPAL CODE FOR REVIEW AND APPROVAL BY THE ADMINISTRATOR PRIOR TO APPROVAL AND RECORDATION OF A FINAL MAP FOR EACH PHASE. THE LANDSCAPING AND IRRIGATION SHALL BE INSTALLED PER THE APPROVED PLANS TO THE APPROVAL OF THE ADMINISTRATOR.

10. ARCHITECTURE/BUILDING ELEVATIONS:

ARCHITECTURAL BUILDING ELEVATIONS SHALL COMPLY WITH THE DESIGN CRITERIA IN CHAPTER 32.06 OF THE FERNLEY MUNICIPAL CODE TO THE APPROVAL OF THE ADMINISTRATOR.

11. ENGINEERING DIVISION:

THE DEVELOPER SHALL COMPLY WITH ALL ENGINEERING REQUIREMENTS WITHIN THE FERNLEY MUNICIPAL CODE TITLE 32, INCLUDING BUT NOT LIMITED TO, COMPLIANCE WITH SITE DEVELOPMENT STANDARDS, FLOODPLAIN MANAGEMENT, ROADWAYS, UNDERGROUNDING OF UTILITIES, AND WATER AND WASTEWATER FACILITIES TO THE APPROVAL OF THE ADMINISTRATOR, CITY ENGINEER, AND PUBLIC WORKS DIRECTOR PRIOR TO THE RECORDATION OF ANY FINAL MAP FOR THE PROJECT.

12. STREETS:

THE DEVELOPER SHALL CONSTRUCT ANY ROADWAY IMPROVEMENTS NECESSARY TO SERVE THE PROJECT IN ACCORDANCE WITH THE PUBLIC WORKS DESIGN MANUAL TO THE APPROVAL OF THE ADMINISTRATOR, CITY ENGINEER, AND PUBLIC WORKS DIRECTOR.

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#### 13. DRAINAGE & GRADING:

THE DEVELOPER SHALL COMPLY WITH ALL REQUIREMENTS OF THE FERNLEY MUNICIPAL CODE CHAPTER 32 (DRAINAGE AND GRADING) AND CHAPTER 10 OF THE CITY OF FERNLEY'S PUBLIC WORKS DESIGN MANUAL TO THE APPROVAL OF ADMINISTRATOR, CITY ENGINEER, AND PUBLIC WORKS DIRECTOR.

THE DEVELOPER SHALL PROVIDE A DRAINAGE REPORT FOR THE PROJECT IN CONFORMANCE WITH THE CITY'S DEVELOPMENT CODE, MUNICIPAL CODE, AND THE PUBLIC WORKS DESIGN MANUAL FOR REVIEW AND APPROVAL BY THE CITY ENGINEER. EACH SUCCESSIVE PHASE OF THE PROJECT SHALL SUBMIT AN UPDATED DRAINAGE REPORT FOR REVIEW AND APPROVAL BY THE CITY ENGINEER SHOWING THE CUMULATIVE EFFECT OF THE DEVELOPED PORTION OF THE PROJECT ALONG WITH THE PROPOSED PHASE'S EFFECT ON THE TOTAL DISCHARGE INTO THE DRAINAGE SYSTEM.

#### 14. GRADING PERMIT:

THE DEVELOPER SHALL SUBMIT A GRADING PLAN FOR ANY PHASE OF THE PROJECT TO THE APPROVAL OF THE CITY ENGINEER. PRIOR TO THE ISSUANCE OF A GRADING PERMIT FOR THE DEVELOPMENT, THE DEVELOPER SHALL POST A SURETY BOND FOR REGRADING AND RECLAMATION OF THE SITE. THE DEVELOPER SHALL PROVIDE A STAMPED ENGINEER'S ESTIMATE FOR REGRADING AND RECLAMATION OF THE SITE. THE DEVELOPER SHALL COMPLY WITH ALL GRADING REQUIREMENTS SET FORTH IN THE CITY OF FERNLEY'S DEVELOPMENT CODE AS WELL AS ALL STATE AND FEDERAL REGULATIONS. THE DEVELOPER OR THEIR DESIGNEE SHALL BE RESPONSIBLE FOR OBTAINING AND MAINTAINING A STORM WATER POLLUTION PREVENTION PERMIT WITH THE STATE OF NEVADA AS WELL AS A SURFACE AREA DISTURBANCE.

#### 15. GEOTECHNICAL REPORT:

THE DEVELOPER SHALL PROVIDE A FINAL GEOTECHNICAL REPORT FOR THE PROJECT IN CONFORMANCE WITH THE DEVELOPMENT CODE FOR REVIEW AND APPROVAL BY THE ADMINISTRATOR, CITY ENGINEER, PUBLIC WORKS DIRECTOR PRIOR TO THE RECORDATION OF A FINAL MAP FOR ANY PORTION OF THE PROJECT.

#### 16. IMPROVEMENT PLANS:

WITH THE SUBMITTAL OF ANY FINAL MAP APPLICATION, THE DEVELOPER SHALL SUBMIT THE ASSOCIATED IMPROVEMENT PLANS FOR REVIEW AND APPROVAL. THE IMPROVEMENT PLANS SHALL BE APPROVED PRIOR TO THE RECORDATION OF THE FINAL MAP. THE UTILITIES AND INFRASTRUCTURE FOR EACH PHASE MUST OPERATE INDEPENDENTLY OF FUTURE PHASES YET TO BE CONSTRUCTED.

PRIOR TO THE APPROVAL AND RECORDATION OF A FINAL MAP FOR THE PROJECT, THE DEVELOPER SHALL CONSTRUCT ALL REQUIRED PUBLIC IMPROVEMENTS, INCLUDING BUT NOT LIMITED TO, PUBLIC UTILITY AND ROADWAY INFRASTRUCTURE ASSOCIATED WITH THE PROJECT OR PROVIDE A SURETY BOND IN ACCORDANCE WITH THE PROVISIONS SET FORTH IN FERNLEY

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MUNICIPAL CODE CHAPTER 32.13 - IMPROVEMENTS AND AGREEMENTS, OF THE FERNLEY MUNICIPAL CODE.

17. NORTH LYON FIRE PROTECTION DISTRICT:

THE DEVELOPER SHALL COMPLY WITH ALL REQUIREMENTS OF THE NORTH LYON COUNTY FIRE PROTECTION DISTRICT, INCLUDING BUT NOT LIMITED TO PROVIDING SECONDARY EMERGENCY ACCESS TO THE APPROVAL OF THE ADMINISTRATOR AND FIRE CHIEF PRIOR TO THE ISSUANCE OF ANY FINAL MAP FOR THE PROJECT.

18. RESIDENTIAL CONSTRUCTION TAX:

THE DEVELOPER IS SUBJECT TO THE PROVISIONS OF FERNLEY MUNICIPAL CODE RELATED TO RESIDENTIAL CONSTRUCTION TAX. THE RESIDENTIAL CONSTRUCTION TAX FEE SHALL BE PAID PRIOR TO THE ISSUANCE OF A BUILDING PERMIT FOR EACH SINGLE-FAMILY RESIDENCE.

19. ADDRESSING AND STREET NAMES:

THE DEVELOPER SHALL SUBMIT A REQUEST FOR ADDRESSING AND STREET NAME RESERVATION TO THE CITY OF FERNLEY FOR REVIEW AND APPROVAL. ALL ADDRESSING OF LOTS SHALL BE COMPLETED BY THE CITY. STREET NAMES SHALL BE APPROVED BY THE CITY PRIOR TO THE SUBMITTAL OF A FINAL MAP FOR THE PROJECT.

20. TRUCKEE CARSON IRRIGATION DISTRICT (TIC)/BUREAU OF RECLAMATION:

THE DEVELOPER SHALL COMPLY WITH ALL REQUIREMENTS OF THE NEVADA DEPARTMENT OF THE TRUCKEE CARSON IRRIGATION DISTRICT AND/OR THE BUREAU OF RECLAMATION RELATED TO ANY FACILITY OR EASEMENT WITHIN THE PROJECT BOUNDARY TO THE APPROVAL OF THE ADMINISTRATOR PRIOR TO THE APPROVAL AND RECORDATION OF A FINAL MAP.

21. NEVADA DEPARTMENT OF ENVIRONMENTAL PROTECTION:

THE DEVELOPER SHALL COMPLY WITH ALL REQUIREMENTS OF THE NEVADA DEPARTMENT OF ENVIRONMENTAL PROTECTION – BUREAU OF SAFE DRINKING WATER AND BUREAU OF WATER POLLUTION CONTROL FOR THE WATER AND SEWER INFRASTRUCTURE DESIGN AND CONSTRUCTION TO THE APPROVAL OF THE ADMINISTRATOR, CITY ENGINEER, AND PUBLIC WORKS DIRECTOR.

22. PROJECT PHASING:

THE PROJECT SHALL BE DEVELOPED IN ACCORDANCE WITH THE PHASING PLAN INCLUDED AS PART OF THIS APPROVAL. EACH PHASE SUBMITTED MUST BE DESIGNED TO MEET THE PUBLIC FACILITIES AND IMPROVEMENT STANDARDS AND BE ABLE TO OPERATE INDEPENDENTLY AND AS PART OF THE OVERALL DESIGN. CHANGES TO THE PHASING PLAN WILL REQUIRE REVIEW AND APPROVAL BY THE ADMINISTRATOR, CITY ENGINEER, AND PUBLIC WORKS DIRECTOR PRIOR TO BEING IMPLEMENTED.

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23. WASTE MANAGEMENT:

THE DEVELOPER SHALL PROVIDE A WILL SERVE FROM WASTE MANAGEMENT TO THE APPROVAL OF THE ADMINISTRATOR PRIOR TO THE APPROVAL AND RECORDATION OF A FINAL MAP.

24. UNITED STATES POSTAL SERVICE:

THE DEVELOPER SHALL PROVIDE AN EASEMENT FOR ANY NEW CLUSTER MAILBOX LOCATION TO THE APPROVAL OF THE ADMINISTRATOR AND LOCAL POSTAL INSPECTOR PRIOR TO THE APPROVAL AND RECORDATION OF A FINAL MAP.

25. TRUCKEE LANE AND MAIN STREET INTERSECTION:

THE DEVELOPER SHALL SUBMIT A PROPOSED REDEVELOPMENT PLAN FOR THE TRUCKEE LANE/MAIN STREET INTERSECTION, TO THE APPROVAL OF THE CITY ENGINEER, ADMINISTRATOR, PUBLIC WORKS DIRECTOR, AND THE NEVADA DEPARTMENT OF TRANSPORTATION.

26. NEVADA DEPARTMENT OF TRANSPORTATION (NDOT):

THE DEVELOPER SHALL OBTAIN APPROVAL FROM THE NEVADA DEPARTMENT OF TRANSPORTATION PRIOR TO THE RECORDATION OF ANY FINAL MAP FOR THIS PROJECT. SHOULD NDOT NOT APPROVE OF THE ACCESS PLANS FROM MAIN STREET (SR-427), THE DEVELOPER SHALL PROVIDE THE APPROPRIATE EASEMENTS AND IMPROVEMENT PLANS AS MAY BE REQUIRED BY NDOT.

27. FENCING PLANS:

AT THE TIME OF FINAL MAP SUBMITTAL, THE DEVELOPER SHALL SUBMIT A FENCING PLAN IN ACCORDANCE WITH THE REQUIREMENTS SET FORTH IN THE CITY'S MUNICIPAL CODE TO THE APPROVAL OF THE ADMINISTRATOR, CITY ENGINEER, AND PUBLIC WORKS DIRECTOR.

28. COMPLIANCE WITH DEVELOPMENT AGREEMENT (DA20002):

THE DEVELOPER SHALL FOLLOW ALL PROCEDURES AND AGREEMENTS OUTLINED IN THE DEVELOPMENT AGREEMENT PREVIOUSLY APPROVED FOR THIS PROJECT, INCLUDING BUT NOT LIMITED TO THE ADJACENCY STANDARDS, BUFFER ZONE DEVELOPMENT, DENSITY REQUIREMENTS, AND SPECIFIC HEIGHT/STORY REQUIREMENTS, AS OUTLINED IN THE DEVELOPMENT AGREEMENT.

29. MAPPING:

BECAUSE THE PROPOSED DEVELOPMENT IS A PORTION ( $\pm 86.7$  ACRES) OF A LARGER SITE (129.9 ACRES), THE DEVELOPER SHALL SUBMIT AND PROCESS THE APPROPRIATE MAPPING APPLICATION(S) WHICH MAY INCLUDE A BOUNDARY LINE ADJUSTMENT OR A MERGER AND RESUBDIVISION MAP PRIOR TO THE SUBMITTAL OF A FINAL MAP FOR THE PROPOSED SUBDIVISION TO THE APPROVAL OF THE ADMINISTRATOR.

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30. PARK SITE:

IN ACCORDANCE WITH THE ADOPTED CITY OF FERNLEY PARKS MASTER PLAN, THE DEVELOPER SHALL DEDICATE LAND FOR A PARK SITE LOCATED IN THE SOUTHEAST PORTION OF THE DEVELOPMENT ALONG MILLER LANE. THE DEVELOPER AND CITY SHALL REACH AN AGREEMENT REGARDING COST, AND THE TIMING FOR THE DEDICATION OF THE LAND AND CONSTRUCTION OF THE PARK FACILITY PRIOR TO THE SUBMITTAL OF THE FIRST FINAL MAP FOR THE PROJECT TO THE APPROVAL OF THE ADMINISTRATOR.

31. COVENANTS, CONDITIONS, AND RESTRICTIONS (CC&R'S):

THE APPLICANT SHALL PROVIDE COVENANTS, CONDITIONS, AND RESTRICTIONS (CC&R'S) WITH THE FIRST FINAL MAP AND SHALL BE SUBJECT TO REVIEW AND APPROVAL BY THE ADMINISTRATOR AND CITY ATTORNEY. CC&R'S SHALL BE RECORDED CONCURRENTLY WITH THE FINAL SUBDIVISION MAP.

THE APPLICANT SHALL INCLUDE IN THE CC&R'S PROVISIONS OUTLINING MAINTENANCE RESPONSIBILITIES OF COMMON AREAS, LANDSCAPE MEDIANS, OR OTHER COMMON ELEMENTS THE APPROVAL OF THE ADMINISTRATOR, CITY ENGINEER, AND PUBLIC WORKS DIRECTOR.

32. RIGHT TO FARM:

THE DEVELOPER SHALL PLACE A NOTE ON THE FINAL MAP PROVIDING NOTICE TO ANY AND ALL SUBSEQUENT PURCHASERS OF "THE RIGHT TO FARM" PROVISIONS INCLUDED IN NEVADA REVISED STATUTES 40.140 AND THE DEVELOPMENT CODE.