

DRAFT: March 13, 2020

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INFORMATION ONLY

REGULAR TEXT: NO CHANGE IN LANGUAGE

~~STRIKEOUT TEXT: DELETED LANGUAGE~~

BOLD TEXT: NEW LANGUAGE

Notice: Per NRS 239B.030, this document does not contain personal information as defined in NRS 603A.040

Summary: Amended and Restated Development Agreement extends the deadline for filing the next in a series of final maps for the Sierra Reflections subdivision (Tentative Map Case Number TM06-001) to June 14, 2022, and to amend the approved 2006 conditions of approval.

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BILL NO. _____

ORDINANCE NO. _____

TITLE: An ordinance approving an "Amended and Restated Development Agreement (Sierra Reflections)" originally approved in 2008 (DA08-003) regarding Sierra Reflections Subdivision (approved in 2006 as Tentative Map TM06-001). The project is a 938-lot, single-family residential, common open space subdivision as authorized in Article 408 of the Washoe County Development Code. This agreement extends the deadline for filing the next in a series of final maps from June 14, 2020 to June 14, 2022;

And

To approve an amendment to conditions of approval for Tentative Subdivision Map Case Number TM06-001 (Sierra reflections) to update and remove outdated language including the following:

1. Remove Department of Water Resources conditions; Truckee Meadows Water Authority (TMWA) is now the water provider;
2. Remove Vector Control conditions; Washoe County District Health has updated conditions and added conditions for water and grading requirements;

DRAFT: March 13, 2020

3. Amend Fire Safety provisions with current fire code requirements; and
4. Remove two conditions and updated the other condition for the Regional Transportation Commission (RTC).

The project is bordered on the north by Pagni Lane, on the east by old US Highway 395, on the south and as far south as Little Washoe Lake in the Pleasant Valley area. The project encompasses a total of 29 parcels that total approximately 759.6 acres. The parcels are located within the South Valleys Area Plan. The property is located within the South Truckee Meadows/Washoe Valley Citizen Advisory Board boundaries and within Washoe County Commission District No. 2. (APNs 046-060-45 and 47; 046-080-40; 046-090-01, 04 through 18, and 23 through 26; and 046-100-02 through 04, 07, 09 and 10).

WHEREAS:

- A. A tentative subdivision map for the proposed Sierra Reflections Subdivision was approved on or about May 2, 2006 as TM06-001; and
- B. As set forth in the recitals to the attached amendment, the deadline for filing a final map under NRS 278.360 was under a Development Agreement entered into and approved by the Board of County Commissioners on March 18, 2008 and recorded on May 2, 2013 as Document 4232960, Official Records of Washoe County; and
- C. The deadline for filing a final map was further extended to June 14, 2014, under an Amended and Restated Agreement, as approved by the Board of County Commissioners on June 4, 2010 and recorded on June 10, 2010 as Document 3889997; and
- D. The deadline for filing a final map was further extended to June 14, 2018, with a possible further extension to June 14, 2020, at the discretion of the Director of Planning and Development for Washoe County, under an Amended and Restated Agreement, as approved by the Board of County Commissioners on May 13, 2014 and recorded on May 16, 2014 as Document 4354830; and
- E. For good cause appearing, the Board of County Commissioners desires to further amend and restate the development

DRAFT: March 13, 2020

agreement to further extend the deadline for filing a final map to June 14, 2022; and

- F. The Board has determined that the proposed amendment is consistent with the Master Plan for Washoe County.
- G. The Board determines that this action is being taken under NRS 278.0205, and therefore is not a rule within the meaning of NRS 237.060;

NOW THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE DOES HEREBY ORDAIN:

SECTION 1.

The "Amended and Restated Development Agreement (Sierra Reflections)" and amended conditions of approval attached hereto as Attachment A-1 are hereby APPROVED by this ordinance. The Chairman is authorized to execute and deliver it for recording in the official records of Washoe County.

SECTION 2. General Terms.

1. All actions, proceedings, matters and things heretofore taken, had and done by the County and its officers not inconsistent with the provisions of this Ordinance are ratified and approved.
2. The Chairman of the Board and the officers of the County are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this ordinance. The District Attorney is authorized to make non-substantive edits and corrections to this Ordinance and the attached agreement.
3. All ordinances, resolutions, bylaws and orders, or parts thereof, in conflict with the provisions of this ordinance are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance, resolution, bylaw or order, or part thereof, heretofore repealed.
4. Each term and provision of this ordinance shall be valid and shall be enforced to the extent permitted by law. If any term or provision of this ordinance or the application thereof shall be deemed by a court of competent jurisdiction to be in violation of law or public policy, then it shall be deemed modified, ipso facto, to bring it within the limits of validity or enforceability, but if it cannot be so modified, then it shall be excised from this ordinance. In

DRAFT: March 13, 2020

any event, the remainder of this ordinance, or the application of such term or provision to circumstances other than those to which it is invalid or unenforceable, shall not be affected.

- 5. This ordinance shall be in effect from and after its execution and publication as required by NRS 244.100 and any other enabling laws.

Passage and Effective Date

Proposed on _____ (month) _____ (day), 2020.

Proposed by Commissioner _____.

Passed on _____ (month) _____ (day), 2020.

Vote:

Ayes:

Nays:

Absent:

Bob Lucey, Chair
Washoe County Commission

ATTEST:

Nancy Parent, County Clerk

This ordinance shall be in force and effect from and after the _____ day of the month of _____ of the year _____.