

**Official Record**Recording requested By  
TORESON INDUSTRIES, INC.

Lincoln County - NV

Leslie Boucher - Recorder

Fee: \$16.00

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RPTT:

Recorded By: LB

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**CONDITIONS OF APPROVAL****Applicant: Toreson Industries, Inc**  
**Assessor Parcel Number: Various**Public Hearing Date: August 14, September 11, 2008  
Zoning District: Industrial  
Master Plan Designation: Low Density Residential  
Request: Special Use Permit for a 1500 bed prison  
File Number: 08-102-SUP-M-PC

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**CONDITIONS:****Within 90 days of this decision the applicant shall:**

1. Record all conditions of approval with the Lincoln County Recorders office in the prescribed format.
2. Submit a completed application for a master plan amendment and submit findings of fact for each applicable master plan policy and justification for such a master plan amendment.

**Within 18 months of this decision the applicant shall:**

1. Submit a completed site plan for planning commission review along with other studies for the site including geotechnical report, landscaping, traffic and drainage plans prior to final approval of the proposed use. (within 18 months) The site plan must be submitted for review prior to any development agreement acceptance by the county. The site plan and associated plans will be reviewed by the planning commission or other applicable review bodies, prior to final approval. Setbacks may be imposed on both the prison parcel and adjacent parcels. The site plan shall include **mitigation efforts and a visual protection plan including but not limited to; siting, screening and the use of natural earth tone building materials and colors and non-reflective materials to minimize the appearance of the facility on surrounding areas.**

Elevation drawings for all proposed buildings and utilities will be required with site plan review prior to any site development. Setbacks will be enforced based on standards of the M2 zone and any additional setbacks necessary for the protection of adjacent uses and or public impacts. A notice of intent by an operator for a prison facility must be submitted with the Site Plan for this decision to become finalized (subject to conditions).

2. Submit a business plan and fiscal impact analysis for the proposed project and related development activities.

**Within 24 months the applicant and other affected parties shall submit:**

1. A completed development and operating agreement application to Lincoln County to address issues including but not limited to; provisions for public services and facilities, emergency management and fire facilities, transportation and drainage, geotechnical studies, interim funding for county personnel, parks and recreation, community services, long term bonding for facility removal or re-use, related developed such as commercial and residential uses and phasing of facilities.



2. A fiscal impact analysis and public facility needs assessment under described in county code for the area and funding for professional services review of the facility and related development by the county. This report would require an independent evaluation of the proposal by the county and the findings would be the basis for the negotiation of a development agreement between the County and operator/landowner to mitigate any fiscal impacts or public service demands.

**Prior to the first earth moving permit the applicant shall:**

1. Sign and record a farm management easement to protect existing permitted farm uses and activities customarily associated with such operations.
2. Acquire all necessary local state and federal permits to comply with this project. Grading and encroachment permits are required for all work within the county right of way for roads and for any site disturbances greater than ½ acre. The grading plan will include a weed management plan in accordance with county standards.
3. Submit traffic and parking studies for the proposed site and uses included with a detailed proposal. This study may require 3<sup>rd</sup> party review by the county (a contracted engineer) for final approval. These costs will be provided by the applicant to the county either through direct costs or by fees charged by the county for an internal review. This study will include permitting for NDOT access permits from SR 375, county access permits for ingress/egress from any county roadways and any on site or off site traffic impacts generated as a result of this proposal and supporting facilities and uses. All improvements must adhere to Lincoln County Roadway Standards and Lincoln County Code.
4. Submit a lighting plan with architectural drawings indicating the types of lighting and fixtures, the locations of fixtures, lumens of lighting, and the areas illuminated by the lighting plan. All future lighting fixtures shall be hooded and shielded, face downward, located within soffits and directed away from adjacent parcels. All outdoor lighting will be approved in accordance with county code lighting standards.

**Development Conditions:**

1. Any sanitary facilities for the prison shall meet state and local standards for permitting.
2. In the event that archeological resources are discovered, the applicant will cease all work and notify the State Historic Preservation Office, Lincoln County planning Department and BLM for further direction.
3. Any signs required for the facility or related operation shall be submitted to Lincoln County for approval and a sign permit.
4. The applicant or operator will need to provide a will-serve letter for electricity, water and sewer prior to the occupancy of the facility.

**Miscellaneous conditions:**

1. The applicant and/or operator shall provide for or obtain water resources for the proposed facility either through direct allocation of water rights or acquisition of water rights from the Lincoln County Water District. These water rights and conveyance, recovery and re-use systems must be described in the development agreement. Efforts will be made and described for the re-use of any treated effluent for appropriate irrigation or landscaping uses. A facilities plan will be required by the county as part of the site plan review.

