

DEVELOPMENT HANDBOOK

TAHOE-RENO INDUSTRIAL CENTER

STOREY COUNTY, NEVADA

Drafted By The Architectural Review Committee
of the TRI Owners Association, a Nevada nonprofit corporation

First Edition, approved on February 1, 2000

EXHIBIT "C"

TABLE OF CONTENTS

ARTICLE I
INTRODUCTION -1-

ARTICLE II
PROJECT OVERVIEW -3-

Section 1. Location -3-

Section 2. Background -3-

Section 3. Project Entitlements And Approvals -3-

Section 4. Project Issues -4-

Subsection 4.1 Wetlands -4-

Subsection 4.2 Seismic Activity -5-

Subsection 4.3 Traffic and Access -5-

Subsection 4.4 Storm Drainage -5-

Subsection 4.5 Water and Sewer Service -5-

Subsection 4.6 Other Utility Services -5-

Subsection 4.7 Soils And Site Grading -6-

Subsection 4.8 Environmental Status -6-

Subsection 4.9 Zoning/Permitted And Prohibited Uses -6-

ARTICLE III
DEFINITIONS -7-

Section 1. Definitions -7-

Subsection 1.1 "ARC" -7-

Subsection 1.2 "Association" -7-

Subsection 1.3 "CC&Rs" -7-

Subsection 1.4 "Code" -7-

Subsection 1.5 "Company" -7-

Subsection 1.6 "Company Rules" -7-

Subsection 1.7 "Construction Standards" -7-

Subsection 1.8 "County Board" -7-

Subsection 1.9 "Developer" -7-

Subsection 1.10 "Development" -7-

Subsection 1.11 "Director of Public Works" -7-

Subsection 1.12 "Drainage Plan" -8-

Subsection 1.13 "Drainage Report" -8-

Subsection 1.14 "Engineer" -8-

Subsection 1.15 "Fire Chief" -8-

Subsection 1.16 "Major Drainage Facility" -8-

Subsection 1.17 "Master Developer" -8-

Subsection 1.18 "Mechanical Stabilization" -8-

Subsection 1.19 "Natural Watercourse" -8-

Subsection 1.20 "NRS" -8-

Subsection 1.21 "Owner" -8-

TABLE OF CONTENTS (Contd.)

Subsection 1.22	"Parcel Map"	-8-
Subsection 1.23	"Record of Survey"	-8-
Subsection 1.24	"Stable Rock"	-9-
Subsection 1.25	"Standard Specifications"	-9-
Subsection 1.26	"Street-Private"	-9-
Subsection 1.27	"Street-Public"	-9-
Subsection 1.28	"Surveyor"	-9-
Subsection 1.29	"TRI Center"	-9-
Subsection 1.30	"TRI Center Engineer"	-9-
Subsection 1.31	"TRI Center Standards"	-9-
ARTICLE IV		
ADOPTION OF BUILDING CODES AND STANDARDS-10-		
ARTICLE V		
DESIGN REVIEW PROCESS-11-		
Section 1.	Introduction	-11-
Section 2.	Approvals	-11-
Section 3.	Pre-Design Conference	-11-
Section 4.	Preliminary Plan Submittal (New Development)	-12-
Section 5.	Construction Document Submittal (New Development)	-13-
Section 6.	Preliminary Plan Submittal (Alterations or Additions)	-14-
Section 7.	Construction Document Submittal (Alteration, Addition, or Change of Use)	-14-
Section 8.	Variances	-15-
Section 9.	Construction Commencement	-15-
Section 10.	Construction Completion	-16-
Section 11.	No Liability	-16-
Section 12.	Compliance Checklist/ARC Approval	-16-
Section 13.	Handbook Amendments	-16-
Section 14.	Enforcement, Governing Law and Severability	-17-
Section 15.	Inspection, Testing, Verification and Quality Assurance Program (applies only to improvements to be dedicated to Company, Association or County)	-17-
Subsection 15.1	General	-17-
Subsection 15.2	Responsibilities	-17-
Subsection 15.3	Engineer of Record (EOR)	-18-
Subsection 15.4	TRI Center Engineer	-19-
Subsection 15.5	Contractor	-19-
Subsection 15.6	Inspection Requirements	-20-
Subsection 15.7	Testing Requirements	-22-

TABLE OF CONTENTS (Contd.)

ARTICLE VI		
SITE DESIGN GUIDELINES-23-		
Section 1.	Site Design Standards	-23-
Subsection 1.1	Minimum Site Size	-23-
Subsection 1.2	Building Site Coverage	-23-
Subsection 1.3	Building Height	-23-
Subsection 1.4	Building Setbacks And Landscape Buffer	-23-
Subsection 1.5	Building Exterior Boundaries	-24-
Subsection 1.6	Grading and Drainage	-24-
Subsection 1.7	Access and Circulation	-24-
Subsection 1.8	Entrance Improvements	-25-
Subsection 1.9	Service And Utility Areas	-25-
Subsection 1.10	Existing Improvements	-25-
Subsection 1.11	Mixed Use	-25-
Subsection 1.12	Screening of Exterior Mechanical Equipment In Commercial Areas	-25-
Section 2.	Architectural Standards	-25-
Subsection 2.1	Introduction	-25-
Section 3.	Architectural Styles	-26-
Subsection 3.1	Contemporary Appearance	-26-
Subsection 3.2	Commercial Uses	-26-
Subsection 3.3	Materials	-26-
Subsection 3.4	Color Schemes	-26-
Subsection 3.5	Building Massing	-27-
Subsection 3.6	Roof Materials	-27-
Subsection 3.7	Commercial Rooftop Screening	-27-
Subsection 3.8	New Technologies and Synthetics	-27-
Section 4.	Landscape Design Standards	-27-
Subsection 4.1	Introduction	-27-
Subsection 4.2	Reference Standards	-27-
Subsection 4.3	Landscape Area Requirements	-28-
Subsection 4.4	Tree Count Requirements	-28-
Subsection 4.5	Berms	-28-
Subsection 4.6	Commercial Site Landscape	-28-
Subsection 4.7	Parking Area Landscape	-28-
Subsection 4.8	Sight Lines	-29-
Subsection 4.9	Lawn	-29-
Subsection 4.10	Ground Cover	-29-
Subsection 4.11	Landscape Materials/Paved Pedestrian Areas	-29-
Subsection 4.12	Plant Materials/Erosion Control	-29-
Subsection 4.13	Plant Material Sizes and Mix	-29-
Subsection 4.14	Irrigation	-29-
Section 5.	Screening And Fencing	-37-

TABLE OF CONTENTS (Contd.)

Subsection 5.1 Screening Between Incompatible Land Uses -37-
 Subsection 5.2 Fence Materials -37-
 Section 6. Lighting And Signage -37-
 Subsection 6.1 Site Lighting -37-
 Subsection 6.2 Light Source Hardware -37-
 Subsection 6.3 Lighting Controls -37-
 Subsection 6.4 Signage-Parcel Identification -37-
 Subsection 6.5 Signage-Office Occupants -37-
 Subsection 6.6 Signage-Temporary Signs -38-
 Subsection 6.7 Lighting and Signs Not Allowed -38-
 Section 7. Slope Stabilization - for Slopes Steeper than 3:1 -38-
 Subsection 7.1 Design Requirements -38-
 Section 8. Parking and Loading -38-
 Subsection 8.1 New Uses/Remodels -38-
 Subsection 8.2 All Parking On Site -39-
 Subsection 8.3 Driveways -39-
 Subsection 8.4 Parking Space Requirements -39-
 Subsection 8.5 Handicapped Parking -39-
 Subsection 8.6 Surfacing -40-
 Subsection 8.7 Conflicts -40-
 Subsection 8.8 Curbing -40-
 Subsection 8.9 Security Lighting -40-
 Subsection 8.10 Striping and Marking -40-
 Subsection 8.11 Screening Adjacent To Arterial Or
 Collector Streets -41-
 Subsection 8.12 Circulation -41-
 Subsection 8.13 Loading -41-
 Subsection 8.14 No Reduction -41-
 Subsection 8.15 Off-Street Parking Requirements -41-

ARTICLE VII
STREETS AND SIDEWALK DESIGN STANDARDS -44-
 Section 1. General -44-
 Section 2. Design Requirements -44-
 Section 3. Curb and Gutters, Driveway Approaches, Curb-Cuts,
 Alleys and Bikeways -49-

ARTICLE VIII
STORM DRAINAGE -50-
 Section 1. General -50-
 Section 2. Drainage Report -51-
 Section 3. Design Requirements (Public and Private) -53-
 Section 4. Lot Drainage Swales (Private) -57-

TABLE OF CONTENTS (Contd.)

ARTICLE IX
STREET ENCROACHMENTS AND EXCAVATIONS -58-
 Section 1. Scope And Applicability -58-
 Section 2. Traffic Control Requirements -58-
 Section 3. Application -58-
 Subsection 3.1 Form Of Request -58-
 Subsection 3.2 Advance Notice -58-
 Subsection 3.3 Exceptions -58-
 Section 4. Fees -59-
 Subsection 4.1 Amount -59-
 Subsection 4.2 Work Beginning Early -59-
 Subsection 4.3 Exemption -59-
 Subsection 4.4 Usage Fee -59-
 Section 5. Hours Of Work -60-
 Subsection 5.1 Limits -60-
 Subsection 5.2 Delay -60-
 Section 6. Basis For Denial Of Application -60-
 Section 7. Excavation Work -60-
 Subsection 7.1 Interference With Traffic -60-
 Subsection 7.2 Interference With Existing Facilities -60-
 Subsection 7.3 Disturbance Of Monuments -61-
 Subsection 7.4 Protection Of Adjoining Properties -61-
 Subsection 7.5 Interference With Drainage System -61-
 Subsection 7.6 Removal Of Material From Street -61-
 Subsection 7.7 Barriers, Warning Devices -61-
 Subsection 7.8 Access To Essential Facilities And
 Private Driveways -61-
 Subsection 7.9 Placement Of Excavated Material -61-
 Subsection 7.10 Conditions For Granting Permits -61-
 Section 8. Backfilling And Restoration After Excavation -62-
 Subsection 8.1 Generally -62-
 Subsection 8.2 Temporary Patching -62-
 Subsection 8.3 Final Restoration Of Paving Surface -62-
 Subsection 8.4 Resurfacing Instead Of Patching -62-
 Subsection 8.5 Performance Of Work Diligently -62-
 Subsection 8.6 Inspections -62-
 Subsection 8.7 Abandonment Of Facilities -62-
 Subsection 8.8 Depth Of Facilities -63-
 Subsection 8.9 Certificate Of Final Inspection -63-
 Section 9. Transfer -63-
 Section 10. Term -63-
 Section 11. Revocation -63-

TABLE OF CONTENTS (Contd.)

Section 12. Penalties	-63-
Section 13. Violations	-63-
Subsection 13.1 Unpermitted Work To Cease	-63-
Subsection 13.2 Other Violations	-64-
Section 14. Insurance	-64-

**ARTICLE I
INTRODUCTION**

This Design Handbook is promulgated by the Architectural Review Committee of the TRI Owners Association to provide standards for construction of improvements in the Tahoe-Reno Industrial Center in Storey County, Nevada. The concept for Tahoe-Reno Industrial Center ("TRI Center") envisions industrial and commercial parcels unified by a framework of vehicular circulation, utility infrastructure and landscape/open spaces, for a distinctive identity through project build-out.

The purpose of the Site Design Guidelines (Article VI) is to provide development guidelines for each building site, so that the project is developed with a consistent quality over time in a manner that will enhance TRI Center's overall image and value. The Site Design Guidelines shall be binding on all owners who propose to construct a building or improvements on a site while the Declaration Of Covenants, Conditions And Restrictions for Tahoe-Reno Industrial Center recorded on February 19, 1999 as Document No. 84415 in the office of the Recorder of Storey County, Nevada ("CC&Rs") are in effect. No improvements shall be constructed within a site without having first been approved by the Architectural Review Committee ("ARC"). The ARC has been established to administer the design review and approval process for plans regarding all site improvements.

The purpose of the infrastructure design portions of this Handbook (Articles VII through IX) is to assure that the public is protected by providing safe and orderly public infrastructure and developments, by establishing minimum requirements for design and construction. The requirements, unless otherwise noted, apply to public and private improvements which will be used by the general public. Articles VII through IX make reference to and are to be used in conjunction with the Standard Specifications for Public Works Construction and Standard Details for Public Works Construction, latest editions. Sewer and water facilities and extensions are not included in this Handbook, since this infrastructure is governed by the Company Rules, as defined below in Subsection 1.6 of Article II.

This Handbook is intended to cover only normal situations encountered in design. It can be expected that engineering problems will arise which will not be completely covered. Therefore, any items or situations not included in this Handbook shall be designed in accordance with accepted engineering practices, including (as applicable) the Standard Specifications for Public Works Construction, Standard Details for Public Works Construction, and shall be subject to the approval of the ARC. Unusual or extraordinary situations may arise with respect to situations covered. In such cases, the ARC may at its discretion authorize alternative standards, provided that any such alternative standards are in accordance with accepted engineering practices.

The owners and prospective occupants of each site should become familiar with the intent and requirements of applicable government codes. No requirements of government codes, laws and regulations are superceded by the provisions of this Handbook. Proposed site development plans shall be submitted to the ARC for review and approval as described in the design review process, Article V.

This Handbook is intended as a guide to site owners and their design and construction professionals and, in combination with the CC&Rs, is intended to provide design and planning parameters so owners may plan, design, build, and use improvements. This Handbook has been developed by the ARC pursuant to the provisions of the CC&Rs. In the event of any conflict between this Handbook and the CC&Rs, the CC&Rs shall control.

ARTICLE II PROJECT OVERVIEW

Section 1. Location.

The Tahoe-Reno Industrial Center ("TRI Center" or "project") is located in Storey County, Nevada, approximately seven miles east of the Reno-Sparks area on the I-80 freeway. The project is a 15-minute drive from the Reno-Tahoe International Airport. The main entrances to the project are the Patrick and Tracy interchanges from I-80. The Union Pacific Railway and the Burlington Northern Santa Fe Railway tracks border the project on the north and serve selected areas of the project.

Section 2. Background.

TRI Center is a portion of the former Asamera Ranch, a 102,000 acre tract of private land owned by one of the project master developers, Tahoe-Reno Industrial Center, LLC, comprising approximately 54% of the land area of Storey County. Storey County is a sparsely populated rural Nevada county. Its small population is primarily centered in the Virginia City area, southwest of the project, which is not connected to the TRI Center by paved roads. Figure 1 shows the general location of the project. Figure 2 shows the project area at a larger scale. TRI Center currently consists of approximately 6,000 acres zoned for industrial use, and may expand in the future subject to Storey County approval.

TRI Center is intended to be a mixed use nonresidential development consisting of a wide range of industrial, office and commercial businesses. Figure 3 illustrates the conceptual land use plan for a portion of the project.

Development of the project is guided by a development agreement between the master developers and the county (Attachment A (without exhibits)), which incorporates this handbook and the Storey County Zoning Ordinance (Attachment B). A legal description of the project is Attachment C.

The entire project is zoned "I-2 Heavy Industrial" under the zoning ordinance, which category allows almost all types of industrial and commercial uses. The terms of the development agreement and the zoning ordinance allow maximum flexibility for land uses, but provide for a consistent, compatible development theme among the various land use possibilities in the actual project siting. The project CC&Rs and this Handbook further refine the uses allowed in the development process. In the spirit of "performance zoning", any use that complies with the zoning and the CC&Rs, and any development plan which complies with this Handbook, is permitted to be developed.

Section 3. Project Entitlements And Approvals.

On July 1, 1999 the Storey County Zoning Ordinance was adopted (Attachment B). As mentioned above, all of the TRI Center was zoned at that time "I-2 Heavy Industrial", which allows most industrial uses without any further discretionary permits, such as special use permits or conditional use permits. A few high-impact heavy industrial uses require special use permits (e.g.,

blast furnaces, explosives manufacture, chemical production). See Chapter 17.37 of Attachment B for a complete list. Most industrial uses can go straight to architectural review and building permits in order to develop. Commercial uses are allowed subject to county site plan review in an amount not to exceed 10% of the total land area and also require no additional permitting.

On _____ the Development Agreement for the project was approved by Storey County, executed by the parties and incorporated into ordinance (Attachment A). This Handbook is a part of the Development Agreement. The agreement has several other components, including: limitations on new county development regulations, fees and exactions; county commitments for services (streets, flood control, parks, police and fire safety, administrative support) and for infrastructure reimbursement (streets, freeway bridges and ramps, flood control, parks, public safety improvements, parks, rail facilities); approval of private water and sewer service; and development processing.

As a result of these entitlements, TRI Center has no state or local government development fees or exactions (e.g., no special government impact fees or connection fees to pay for schools, roads, utilities, sewer or water, or any other purposes). The only connection fees of any kind are charged by the private water and sewer provider, TRI Water And Sewer Company, and these fees are fixed under the Development Agreement and the Company Rules.

The master developers are allowed, at their discretion, to develop under the industrial subdivision map process proscribed by the state law. These maps will not adversely affect industrial site development requirements.

The CC&Rs are recorded provisions governing use and development in the project. The CC&Rs establish the TRI Owners Association to own and maintain common area (primarily landscaping, rail facilities and open space), as well as the Architectural Review Committee ("ARC") to process and approve all development proposals for conformance with design guidelines. The CC&Rs provide for assessments payable by TRI Center owners, prohibit and restrict uses, and provide enforcement standards and procedures to insure, protect and preserve quality development and operation of uses in the project.

Once the ARC has approved a site development plan, a building permit can be submitted to Storey County. County staff will then review the site plans for consistency with the development agreement standards and county ordinances.

Section 4. Project Issues.

When assessing development feasibility of any specific site in any development project, certain topics usually arise for review, including wetlands, seismic activity, street access, storm drainage, water and sewer service, other utility services, environmental status, soils and site preparation constraints, environmental issues and permitted uses. These project issues are introduced below, with references to sources for additional or more specific information.

Subsection 4.1 Wetlands. TRI Center is located in a high desert environment. There are no delineated wetlands in TRI Center. The Truckee River flows near the northern project boundary.

There are no streams or springs on building sites in the project. Several washes and gullies run water during storm events and spring runoff, but building sites generally are not located in these areas. The master developer does not intend to sell as development sites any areas which are classified as wetlands under federal law, if any exist in the project.

Subsection 4.2 Seismic Activity. There is no known earthquake damage potential on the project any different than anywhere else in the surrounding area. Faulting and earthquake potential exists in Northern Nevada. No special construction techniques will be needed on most sites in the TRI Center to mitigate the variable earthquake damage potential, but site specific investigations with appropriate geotechnical and structural recommendations may be necessary for each individual development project.

Subsection 4.3 Traffic and Access. Streets within the project will be designed and constructed to carry traffic adequately as development occurs. Generally, individual sites have street access when sold, or the master developer constructs necessary off-site access prior to completion of site development. Storey County accepts dedication of all improved public streets and maintains them (including snow removal) after completion.

The Patrick and Tracy Interchange of I-80 provide freeway access to the project. Both interchanges are anticipated to be upgraded when needed as traffic volumes rise. The Tracey Interchange is planned to be relocated to the east of its current location in order to be the primary project entry. Storey County has committed through the project development agreement to financing all interchange and access road construction costs, if state and federal funding sources are not provided.

Subsection 4.4 Storm Drainage. Major storm drainage improvements (i.e., flood channels and basins) are constructed by the master developer as development occurs. Storey County has committed to reimburse these construction costs. Site developers are required to design and construct on-site storm drain facilities to contain the 5-year flood event on site, which are not reimbursable. Storey County will maintain major storm drainage improvements. Parcel owners will own and maintain on-site improvements.

Subsection 4.5 Water and Sewer Service. A private utility company, the TRI Water And Sewer Company, supplies community water and sewer service. The water resources come from groundwater approved by existing state permits and pumped from wells on the project. Additional wells, tanks and distribution lines are constructed as development occurs. Sewage treatment is provided for TRI Center from treatment plant facilities within the project and the effluent disposal system is designed for reuse in irrigation or industrial applications. The state approves all water and sewer facility designs and the county has approved the company's operating rules and regulations, including connection fees and rates, which are available upon request. The Nevada Public Utility Commission does not regulate the private water and sewer purveyor as a public utility.

Subsection 4.6 Other Utility Services. Sierra Pacific Power Company provides electrical power and natural gas from main transmission lines at the north end of the project. Line extensions for power and gas meeting normal industrial demands are supplied to individual sites by the master developers. Sierra Pacific Power Company is a regulated public utility.

Telephone and cable TV (as well as power) are supplied from overhead lines to individual sites. Nevada Bell provides telephone service and TCI supplies cable TV.

Subsection 4.7 Soils And Site Grading. Soils testing and site grading design for each site must be performed by each site developer. In general, extraordinary soils problems for industrial and commercial uses have not been encountered with soils in TRI Center. Industrial site characteristics, however, will vary.

Subsection 4.8 Environmental Status. Most areas in the project are arid undeveloped open space and have not been previously used by man, except for sparse livestock grazing, so man-caused environmental problems are generally not an issue. The master developers perform will make available blanket "Phase I" site evaluations on the Project. Air quality permitting by the Nevada Department of Environmental Protection may be required for uses which discharge pollutants into the air.

Subsection 4.9 Zoning/Permitted And Prohibited Uses. As mentioned above, Chapter 17.37 of the Storey County Zoning Ordinance (Attachment B) defines the "I-2 Heavy Industrial Zone", which is the zoning classification for the entire project. The ordinance incorporates light industrial zoning and commercial zoning (up to 10% of total land area). Most types of industrial uses are permitted outright. Only a few uses require special use permits (Attachment B, p. _____), so the vast majority of industrial users in TRI Center can develop individual sites with a county building permit.

Commercial uses are specified in Chapter 17.28 of the ordinance (see, Attachment B). No special use permits are required of commercial uses. Site plans for commercial uses are reviewed by county staff as part of the building permit process for conformance with the zoning code.

The CC&Rs do not prohibit industrial uses beyond the minimal zoning code prohibitions, but contain some restrictions on certain allowed uses. The site design guidelines in this Handbook further proscribe how allowed uses may be developed.

ARTICLE III DEFINITIONS

Section 1. Definitions

The following words and phrases, when used in this Manual, shall have the meanings respectively ascribed to them:

Subsection 1.1 "ARC" means the Architectural Review Committee established by the Association pursuant to the CC&Rs.

Subsection 1.2 "Association" means the TRI Owners Association, a Nevada nonprofit corporation, as described in the CC&Rs.

Subsection 1.3 "CC&Rs" means the Declaration Of Covenants, Conditions And Restrictions For Tahoe-Reno Industrial Center recorded on February 19, 1999 as Document No. 84415 in the office of the Recorder of Storey County, as amended from time to time.

Subsection 1.4 "Code" means the Storey County Zoning Ordinance, which is Ordinance No. 159, Storey County Code Title 17, enacted July 1, 1999. The Code is attached as Attachment B for reference.

Subsection 1.5 "Company" shall mean the TRI Water And Sewer Company, a Delaware corporation, which supplies community water and sewer service to the Project pursuant to the Company Rules.

Subsection 1.6 "Company Rules" are the Rules, Regulations And Rates Of The TRI Water And Sewer Company For Water Service and the Rules, Regulations And Rates Of The TRI Water And Sewer Company For Sewer Service, as promulgated by Company and amended from time to time, subject to the required approvals by County.

Subsection 1.7 "Construction Standards" means "The Standard Details for Public Works Construction" and "The Public Works Design Manual" as adopted by the ARC.

Subsection 1.8 "County Board" means the Storey County Board of County Commissioners.

Subsection 1.9 "Developer" means any party who causes property to be improved or developed.

Subsection 1.10 "Development" means any man-made changes being made to real property in TRI Center.

Subsection 1.11 "Director of Public Works" means that official charged with the title of Director of Public Works of the County of Storey, or his/her designee.

Subsection 1.12 "Drainage Plan" means a plan prepared and sealed by a Nevada Registered Professional Civil Engineer, for the collection, transporting, treatment and discharge of stormwater within and from a Development.

Subsection 1.13 "Drainage Report" means a technical engineering report prepared and sealed by a Nevada Registered Professional Civil Engineer, whose purpose is to identify and define drainage characteristics associated with a proposed development and to define possible problems and conceptual solutions. In its final form, the drainage report shall transform the defined conceptual solutions to a final drainage plan.

Subsection 1.14 "Engineer" means any person who is retained as a consultant by the owner/developer and is legally authorized to practice civil engineering in the State of Nevada in accordance with NRS Chapter 625, and includes Project Engineer as used in this Handbook.

Subsection 1.15 "Fire Chief" means that official charged with the title of Fire Chief of Storey County, or his/her designee.

Subsection 1.16 "Major Drainage Facility" means a channel that has a drainage basin of 100 acres or greater.

Subsection 1.17 "Master Developer" means collectively DP Operating Partnership, L.P., a Delaware limited partnership, but only as to that portion of the Property (which is also a portion of the Project) described on Exhibit "A" as the "DPOP Property", and Tahoe-Reno Industrial Center, LLC, a Nevada limited liability company, as to the remainder of the Property, together with successors in interest to all or any portion of their respective Property.

Subsection 1.18 "Mechanical Stabilization" means the application or use of structural measures such as rock rip-rap, gabions, turf stone or an approved equal, to provide sufficient soil cover to prevent soil movement by action of wind or water. Stabilization may include incorporation of vegetative measures if approved, so that in combination the structural and vegetative measures will provide the same level of protection that structural measures alone would provide.

Subsection 1.19 "Natural Watercourse" means a natural creek, stream or river, or a gully, ravine or other depression through which surface water flows naturally on an intermittent basis.

Subsection 1.20 "NRS" means Nevada Revised Statutes.

Subsection 1.21 "Owner" means the person, partnership, firm, corporation, or association having sufficient proprietary interest in the land sought to be developed to commence and maintain proceedings to develop the same under this Handbook.

Subsection 1.22 "Parcel Map" means a map filed pursuant to NRS 278.461 to 278.469 inclusive, which creates 4 or fewer lots or parcels.

Subsection 1.23 "Record of Survey" means a map other than a parcel map filed pursuant to NRS which creates a separate legal parcel.

Subsection 1.24 "Stable Rock" means a rock slope that will stand near vertical and provide stability against weathering.

Subsection 1.25 "Standard Specifications" means the Washoe County "Standard Specifications for Public Works Construction" hereinafter referred to as SSPWC, as adopted by the ARC.

Subsection 1.26 "Street-Private" means a way for vehicular traffic to access two or more parcels which is to be owned and maintained by parties other than the Association or the County.

Subsection 1.27 "Street-Public" means a way for vehicular traffic owned by County or by Association and designed for general public use, whether designated as a street, freeway, highway, parkway, thoroughway, road, avenue, drive, lane, boulevard, place, or however otherwise designated, but not including alleys or private streets.

Subsection 1.28 "Surveyor" means a person who is retained by the owner or developer and is currently licensed to practice land surveying in the State of Nevada in accordance with NRS Chapter 625.

Subsection 1.29 "TRI Center" means the Tahoe-Reno Industrial Center located in Storey County, Nevada.

Subsection 1.30 "TRI Center Engineer" means that person charged with the title of TRI Center Engineer by appointment of the ARC, or his/her designee.

Subsection 1.31 "TRI Center Standards" means the adopted edition of "Construction Standards" and "Standard Specifications", as defined herein.

ARTICLE IV
ADOPTION OF BUILDING CODES AND STANDARDS

All construction within TRI Center shall comply with the following codes and design manuals:

Uniform Building Code Volumes 1, 2 and 3	1994 Edition
Uniform Plumbing Code	1997 Edition
Uniform Mechanical Code	1994 Edition
National Electrical Code	1996 Edition
Uniform Code for Building Conservation	1994 Edition
Uniform Fire Code	1994 Edition
Uniform Administrative Code	1994 Edition
The Standard Specifications For Public Works Construction	
(Regional Transportation Commission of Washoe County	Edition
The Public Works Design Manual	latest Edition

If the ARC or the county, pursuant to the Development Agreement, adopt different editions of these codes or manuals, then the subsequently adopted editions shall apply. The ARC may adopt or otherwise use other industry standards which augment these references or cover subject matter not covered therein.

ARTICLE V
DESIGN REVIEW PROCESS

Section 1. Introduction.

To ensure that the design standards for the TRI Center are followed, a series of plan submissions to the ARC will be required at different stages of the design process. All buildings and landscaping plans shall be designed by a licensed professional registered in the State of Nevada and shall bear the professional's license number and seal when submitted for design review. All submitted plans are reviewed by the ARC for acceptability of design in compliance with the CC&Rs and this Handbook.

The guidelines and requirements of this Handbook are in no way intended to supersede any applicable statutes, codes, ordinances, or regulations of controlling governmental jurisdictions, except in the limited instances approved as part of the project Development Agreement. The applicant shall have the sole responsibility for compliance with all applicable statutes, codes, ordinances, or other regulations for all work performed on the premises by or on behalf of the applicant. The ARC's approval of submitted documents does not imply or assure that federal, state, or local requirements have been met.

Section 2. Approvals.

Upon completion of review by the ARC, one set of submitted plans will be returned to the applicant along with a letter summarizing comments, recommendations, requirements, and findings. The returned plans will be marked "Approved", "Approved Subject to Conditions", or "Not Approved".

1. "Approved" - Approved documents permit the applicant to proceed to the next stage of the approval process.
2. "Approved Subject to Conditions" - Documents so marked permit the applicant to proceed to the next stage of the approval process, provided the applicant complies with the conditions specified by the ARC. If the applicant takes exception to the specified conditions, the applicant must do so in writing to the Committee within 10 days from the date of the applicant's receipt of the returned documents. Unless such action is taken, the Committee will assume that all conditions are acceptable to the applicant.
3. "Not Approved" - These documents will be returned to the applicant with comments describing the basis for disapproval. Revised documents must be resubmitted if approval is sought.

Section 3. Pre-Design Conference.

To establish the design concept, the owner or architect should schedule a Pre-Design Conference with the ARC or its designated representative to discuss and consider approaches, ideas,

and designs and to review any preliminary design sketches that have been prepared. The ARC will review the design approach in order to provide preliminary confirmation of adherence to the Handbook and the appropriateness of the design concepts. There is no review fee for the Pre-Design Conference.

Section 4. Preliminary Plan Submittal (New Development)

The Preliminary Plan submission is required to convey specific information about the site planning and architecture of the proposed development. The Preliminary Plan package must be submitted to the ARC prior to submission of the plans to the county. Preliminary plans are to be submitted and approved before construction documents are submitted. Four sets of plans containing the specific information described below shall be submitted with a \$1,000 review fee.

The Preliminary Plan submission requires each of the following exhibits:

1. Site Plan indicating the following:
 - a. Building footprints and dimensions to property lines.
 - b. Building roof overhangs.
 - c. Configuration of parking and vehicular circulation areas.
 - d. Location of parking lot lighting.
 - e. Truck service, loading area, screening, trash enclosures.
 - f. Lines of setbacks and easements.
 - g. Locations of on-site transformers, electrical switch gear, and gas meters.
 - h. Adjacent roadways including curblines, medians, and median openings.
 - i. Tabulations of:
 - Parcel area
 - Total building floor area
 - Site coverage
 - Building coverage
 - Total parking provided
 - Total parking required
2. Conceptual Grading and Drainage Plan indicating:
 - a. Proposed finish grades, slopes, and building pad elevations.
 - b. Site drainage structures and systems.
 - c. Grades of existing streets and curbs.
 - d. Locations of street lighting and utility structures.
3. Conceptual Landscape Plan indicating:
 - a. Plant materials, sizes, and spacing.
 - b. Locations of landscaped areas and disturbed areas to be revegetated.
 - c. Walkways and paved areas.
 - d. Other landscape design features.
4. Building Elevations of all sides of all proposed buildings indicating:
 - a. Wall and roof materials, textures and colors.

- b. Locations of wall-mounted signs and lighting.
 - c. Roof and parapet heights above ground floor line.
 - d. If applicable, view of building from I-80 freeway indicating the street elevation as a basis of reference.
5. Building Roof Plans indicating:
 - a. Roof elevations above finish floor.
 - b. Heights and locations of roof-mounted mechanical equipment.
6. Outline specifications of all building materials, including samples of colors and exterior building materials.
7. Conceptual Graphics and Wall-Mounted Signs:
 - a. Ground signs and wall-mounted signs:
 - Locations
 - Designs, materials, textures, colors, heights, size
 - Illumination
 - Typography
 - b. Directional and information signs:
 - Locations
 - Designs, materials, textures, colors, heights, size
 - Illumination
 - Typography
8. Identification and explanation of any instances where the proposed design deviates from this Handbook or the CC&Rs.
9. Compliance Checklist

Section 5. Construction Document Submittal (New Development)

The construction document submission requires four sets of the following:

1. Final Grading and Drainage Plan.
2. Architectural, structural, mechanical, plumbing, and electrical drawings.
3. Construction Specifications.
4. Landscape Planting and Irrigation Plans including paving, walls, signs, and lighting.
5. Compliance Checklist.

All applicants are required to submit copies of the same construction documents approved by the ARC to Storey County for approval in order to demonstrate the precise construction details for implementing the approved Preliminary Plans.

Section 6. Preliminary Plan Submittal (Alterations or Additions).

Preliminary plans may be required to be submitted for major revisions, alternations or additions to approved or existing developments within the project which alter the exterior of building, or add structures to the site. A determination of whether plan review is required will be made by the ARC. All owners must submit concept summaries of proposed major revisions, alterations or additions in order to acquire ARC determinations of whether plan reviews will be necessary. Preliminary plans which are required must be submitted and approved before construction documents are submitted and before the commencement of construction. Four sets of plans shall be submitted with a \$1,000 review fee.

The Preliminary Plan submission requires each of the following exhibits (if applicable):

1. A written description of the nature and extent of the proposed revision, alteration or addition to be undertaken.
2. Indications of proposed revisions, alterations, additions, or changes to:
 - a. The site plan.
 - b. The grading and drainage plan.
 - c. The landscape plan.
 - d. The building elevations including:
 - Wall and roof materials, textures, and colors
 - Locations of wall-mounted signing and lighting
 - Roof and parapet heights above the ground-floor line
 - e. The building floor plans.
3. Tabulations of:
 - a. The new total building floor area.
 - b. The new site coverage.
 - c. The new building coverage.
 - d. The new parking provided.
 - e. Calculations demonstrating the new required parking.
 - f. Water usage and dedication requirements.
4. Outline specifications of construction materials, including samples of colors and exterior materials.
5. Explanation of any instances where the proposed revision, alteration or addition deviates from this Handbook or the CC&Rs.
6. Compliance Checklist.

Section 7. Construction Document Submittal (Alteration, Addition, or Change of Use).

All applicants are required to submit copies of the same construction documents stamped approved by the ARC to Storey County for approval in order to demonstrate precise construction

details for implementing approved preliminary plans. The construction document submission requires four sets of the following:

1. Final grading and drainage plan.
2. Architectural, structural, mechanical, plumbing, and electrical drawings.
3. Construction specifications.
4. Landscape planting and irrigation plans including paving, walls, signs, and lighting.
5. Compliance Checklist.

Section 8. Variances.

The Committee may grant variances from the provisions of this Handbook in cases where literal application of the standards would result in unnecessary hardship or if the granting of the variance will, in the opinion of the ARC, not be materially detrimental or injurious to other owners in the TRI Center. The Preliminary Plan Submittals for new development and for revisions, alterations, additions, or changes of use require the applicant to identify and explain any proposed deviations from this Handbook or the CC&Rs. If plans are approved without the applicant identifying and explaining proposed deviations, and without the ARC granting a variance, the undisclosed aspect of the plans which so deviate shall be deemed to be disapproved, despite the approval of the ARC. The granting of a variance in one circumstance shall not constitute a precedent for future variances, nor shall it be deemed a waiver of the design standard subject to the variance in future instances.

Section 9. Construction Commencement.

Upon approval by the ARC, the plans are ready for building permit application and construction. Along with the ARC's approval a refundable construction deposit, which must be submitted to the ARC prior to beginning construction. The construction deposit is \$500 per acre with a maximum of \$5,000 per project. These funds will be used by the ARC or the master developer to repair damage caused by construction personnel or equipment to off-site property or used to clean construction debris on or leading from the site. Deposits will be refundable, less deductions, upon completion of the job and submittal of as-built drawings to the ARC.

During construction, all owners and general contractors must abide by the following rules:

- a. Construction sites shall be maintained in a neat and orderly fashion. Debris shall be removed. The owner and general contractors are responsible for the conduct of all subcontractors and materialmen associated with site construction.
- b. No debris shall be dumped onto any off-site parcels.
- c. All construction signs must be approved by the ARC.
- d. Noise and lighting must be subdued in order to avoid unnecessary disturbance of other project owners.
- e. The source of construction water must be specified by the ARC.

- f. Dust shall not be emitted from any site and contractors must comply with the all air quality requirements of the State Health Department and Storey County.
- g. If haul routes are identified by the ARC, general contractors and subcontractors must use those routes.
- h. Dirt on the streets must be immediately cleaned up.
- i. All vehicles (e.g., employees, construction, service) must be parked on the parcel or other approved area. All vehicles and equipment that are not in use must be parked on the parcel or other approved area.
- j. No construction materials shall be stored on other project parcels.
- k. Waste materials must be hauled away unless a disposal site is identified on the site by the ARC.

Section 10. Construction Completion.

Upon completion of all construction, the ARC may make a final site inspection. As-built drawing shall be submitted to the ARC and shall include a certificate signed by the architect, engineer, and landscape architect that the project has been built in accordance with the approved plans. Construction shall be completed within 15 months of approval of the plans by the ARC, unless otherwise specified, or unless construction time is extended by the ARC. Landscaping must be completed within 30 days of issuance of a certificate of occupancy by Storey County, unless weather causes delay, in which case as soon as practicable thereafter.

Section 11. No Liability.

Inspection of improvements by the ARC, construction in accordance with approved plans, or failure to construct in accordance with approved plans shall not subject the ARC to liability from the applicant or any third party due to any latent or patent defect in design or construction. The ARC disclaims as such liability, and may decline to inspect improvements at all.

Section 12. Compliance Checklist/ARC Approval.

Upon final plan approval of construction plans, an ARC representative shall sign the compliance checklist of the applicant. The checklist must be submitted to Storey County officials with the building permit to certify review and approval by ARC, which is a precondition to approval of a building permit by Storey County. The ARC shall keep and maintain final construction plans.

Section 13. Handbook Amendments.

This Handbook may be amended at any time by the ARC without advance notice to owners or occupants. Buildings or improvements shall be constructed in accordance with the Handbook standards in effect as of the date submittal of preliminary plans by the applicant.

Section 14. Enforcement, Governing Law and Severability.

The TRI Owners Association shall have the right (but not the duty or obligation) to enforce the provisions of this Handbook. Such enforcement shall be in the form of any proceeding at law or in equity against the person(s) or entity(ies) violating or attempting to violate this Handbook provided, however, that any failure by the Association to enforce the provisions of these design guidelines shall not be deemed a waiver of such right. In the event of any arbitration or litigation pursuant to this Handbook, the prevailing party shall be entitled to recover reasonable attorneys' fees and costs from the non-prevailing party. The provisions of this Handbook and all questions relating to their validity, interpretation, and enforcement shall be governed by and construed in accordance with the laws of the State of Nevada. Invalidation of any one or more of the provisions of this Handbook shall not have the effect of rendering any of the other provisions hereof illegal, inoperative, unenforceable or invalid.

Section 15. Inspection, Testing, Verification and Quality Assurance Program (applies only to improvements to be dedicated to Company, Association or County).

Subsection 15.1 General. It is the intent of this chapter to set forth the requirements and responsibilities of those parties involved in the inspection, testing, verification, and acceptance of infrastructure improvements or other new construction which will be dedicated to Company, Association or County, as well as to provide consistent and satisfactory quality of such improvements.

All new construction shall have an Engineer of Record (EOR), when required by the ARC, retained by the Owner and reporting to the TRI Center Engineer. The contractor may retain the EOR. The EOR may be the contractor. The EOR shall be responsible for all inspection, testing and verification of the constructed improvements as to compliance with this Handbook, the improvement plans of record and with TRI Center Standards. The EOR is not responsible for means, methods, techniques, sequences or procedures of construction nor safety of the construction site. The EOR shall be a licensed Engineer. In addition, all new construction requiring an EOR shall have a testing firm responsible to the EOR and reporting to the EOR.

Subsection 15.2 Responsibilities.

- 1. Owner
 - a) Shall retain the services of an EOR.
 - b) Shall retain the services of a testing firm which shall be responsible to the EOR and report to the EOR.
 - c) Shall make every reasonable effort to retain as the EOR, the services of the firms or persons responsible for the preparation of the approved soils report and the improvement plans of record.
 - d) Shall retain the services of a contractor and notify said contractor of the requirements of this Handbook.

- e) Shall be responsible to the ARC for the adequacy of completed work covered under this Handbook. Any defective material, equipment, or workmanship, or any unsatisfactory work which may be discovered before final acceptance, or within 1 year thereafter, shall be corrected immediately on the requirement of the EOR or TRI Center Engineer, without extra charge, notwithstanding that it may have been overlooked in previous inspections. Failure to ensure adequate inspection of the work shall not relieve the Owner from any obligation to perform sound and reliable work.

Subsection 15.3 Engineer of Record (EOR):

- a) Shall initiate a pre-construction conference for construction of improvements at least one day in advance of initial construction. Representatives of the Owner, contractor, TRI Center Engineer, company, EOR and testing firm shall attend.
- b) Shall provide a contact list with all parties' contact information to the Owner, contractor and the TRI Center Engineer, and shall also notify the participants of any significant changes in writing at least 2 working days in advance of implementing the changes.
- c) Shall notify the TRI Center Engineer of the date that work shall commence.
- d) Shall make available for review, prior to initiation of the preconstruction conference, the qualifications of the testing firm and the field inspection and testing technician personnel for the project.
- e) Shall make inspection and verification of workmanship and materials in accordance with this Handbook. No work nor materials will be accepted without such inspection. The EOR will make every reasonable effort to perform inspection and testing services in a manner which will accommodate the construction schedule.
- f) Shall make available to the TRI Center Engineer, on a bi-weekly basis, copies of the daily inspection/testing reports for the previous 2 weeks.
- g) Shall immediately notify the TRI Center Engineer of any proposed changes from the improvement drawings of record that are in the EOR's opinion are major in nature.
- h) Shall notify the Owner, contractor and the TRI Center Engineer, if during the course of construction the EOR finds that defective materials or workmanship not meeting TRI Center Standards have been constructed and not satisfactorily corrected by the contractor within one week of verbal notification to the contractor. The notification shall be supported by field reports and/or test results.
- i) Shall, upon completion of construction of improvements, provide the TRI Center Engineer with a letter of verification on the format approved by the ARC, verifying the adequacy of the improvements; and, that construction, inspection, and testing

were performed in compliance with this Handbook, improvement plans of record and TRI Center Standards; and, provide sepia-mylars of any changes from the approved improvement plans of record or a statement that no changes were made; and, provide copies of inspection and test reports, if not already provided. The final completion and acceptance of all such improvements shall be subject to the approval of the EOR and Owner.

- j) Shall sign and wet-stamp, or cause to be signed and wet-stamped by an Engineer, all drawings of record all reports, test data, and forward such to the ARC, Owner and the contractor.
- k) Shall evaluate the performance of the EOR's field inspection personnel, however, the TRI Center Engineer shall have the authority to reject the selection of the testing firm, testing technicians or field inspection personnel for the project. The TRI Center Engineer shall also have the authority to reject the field inspection personnel or testing technician and direct substitute personnel in the event of unsatisfactory performance by said personnel in the opinion of the TRI Center Engineer.

Subsection 15.4 TRI Center Engineer:

- a) Shall assign a primary contact to the EOR who shall serve as the TRI Center Engineer's representative during construction improvements. This primary contact shall be known as the TRI Center Quality Assurance Inspector (QAI). The qualifications of the QAI, as a minimum, will meet the qualifications of a Public Works Construction Inspector.
- b) Shall attend the preconstruction conference initiated by the EOR.
- c) Shall check periodically that inspection personnel are on-site during the construction of improvements. Should the QAI determine that personnel are not available on-site for inspection, the QAI shall immediately advise the EOR of the situation and so record the incident in his daily report.
- d) Shall keep project report of construction activities he observes, including pertinent conversations with the EOR.

Subsection 15.5 Contractor:

- a) Shall be responsible for construction of improvements. This responsibility shall include the means, methods, techniques, sequence, and procedures of construction and safety of the construction site. All such construction shall conform to the requirements of both the adopted and listed version of the Standard Specifications for Public Works Construction (SSPWC) and the requirements of this Handbook.
- b) Shall attend the preconstruction conference initiated by the EOR. The Contractor shall verbally present a proposed construction schedule including construction

milestones, and designate a representative who has the authority to resolve issues during construction.

- c) Shall provide accessibility and exposure of all construction work subject to inspection.
- d) Shall notify the EOR one working day in advance of initiating construction or resuming construction after any unscheduled interruptions.
- e) Shall be responsible for damage to all streets and utilities, or property of others.

Subsection 15.6 Inspection Requirements.

1. General:

For the purpose of implementing the requirements of this chapter, inspection shall mean the EOR or his field inspector shall be present periodically to observe the operations of the contractor during the designated construction activity.

2. Grading, Excavation, and Fills:

Periodic inspection of all materials, native or imported, to evaluate their compliance with the SSPWC and this chapter: that the subgrade is prepared according to the SSPWC; that all subgrade materials encountered are as expected according to the approved soils report, or if not, are appropriately addressed by overexcavation and stabilization with suitable material or as otherwise recommended in the approved soils report or by redesign of the pavement section.

3. Street:

Inspection to determine that alignment and grade of the street conforms to the improvement plans of record.

4. Underground Utilities:

- a) Inspection of pipe materials and bedding prior to the placing of pipe to evaluate conformance with the SSPWC.
- b) Inspection of installation of pipe laid to grade, mortar jointed or gasketed pipe prior to placing any material around or above pipe to evaluate conformance with the SSPWC.
- c) Periodic inspection of each lift of backfill to evaluate conformance with the SSPWC.
- d) Inspection for pipe installation, not including backfill, by utility company shall be the responsibility of the appropriate utility.

- e) Inspection of construction and/or installation of manholes, catch basins, and drop inlets to evaluate compliance with the SSPWC.
- f) Inspection of alignment and elevations to evaluate compliance with the improvement plans of record and specifications.

5. Aggregate Base Courses for Streets, Curbs, Gutters, Sidewalks, and Alleys: Inspection of all material brought to the site to evaluate uniformity with tested and approved samples; inspection of placement and compaction of aggregate base to evaluate compliance with the SSPWC and this Handbook and to confirm that grades conform to those specified in the improvement plans of record.

6. Reinforcing Steel, Forms and Falsework:

Inspection of reinforcing steel, forms, and falsework prior to placement of concrete to evaluate compliance with the improvement plans of record, specifications, shop drawings and the SSPWC.

7. Portland Cement Concrete:

Periodic inspection of all concrete pours including curb, gutter, sidewalks, driveway apron, alleys, valley gutters, structures, headwalls, slope paving and roadway pavement to evaluate compliance with the improvement plans of record, specifications, details, the SSPWC and this Handbook.

8. Asphalt Concrete:

- a) Periodic inspection to evaluate compliance with the improvement plans of record, details, specifications, the SSPWC, and this Handbook.
- b) Inspection at the plant may be required by the TRI Center Engineer or the EOR to monitor oil content, aggregate grading, mineral filler content and temperature.

9. Prime Coat, Tack Coat, Seal Coat and Surface Treatment:

Sufficient inspection to evaluate compliance with the SSPWC.

10. Sewer and Pressure Lines:

In addition to inspection required in Paragraph 4b above;

- a) Sewer Lines: Ball and flushing operation shall be done in presence of the EOR or his field inspector and the Company sewer lines inspector.

b) Pressure Tests: To be accomplished in presence of the EOR or his field inspector to evaluate conformance with the SSPWC and this Handbook.

11. Landscaping within the public right-of-way or within a Public Improvement Easement, Common Area Amenities:

Sufficient inspections to evaluate compliance with SSPWC, the improvement plans of record, and specifications.

Subsection 15.7 Testing Requirements. Testing shall comply to the requirements set forth in the SSPWC.

ARTICLE VI SITE DESIGN GUIDELINES

Section 1. Site Design Standards.

Subsection 1.1 Minimum Site Size. The minimum site size established by the Code for industrial sites at TRI Center is one acre for heavy industrial uses and 15,000 square feet for light industrial uses, but smaller sites can be approved by the county (see, Attachment A, Subsection 5.6). There is no minimum on commercial sites.

Subsection 1.2 Building Site Coverage. Site coverage (defined as the building-ground contact area divided by the total gross lot area) shall not exceed the following in each of the zones:

Heavy Industrial Zone	55%
Light Industrial Zone	50%
Commercial Zone	35%

Subsection 1.3 Building Height. Maximum building height is set by the Code, as summarized below:

Heavy Industrial Zone	6 stories or 75 feet
Light Industrial Zone	4 stories or 50 feet
Commercial Zone	3 stories or 45 feet

Proposed height of structures associated with industrial uses (which does not include silos, stacks and equipment) exceeding the above-referenced height limitations shall be subject to the issuance of a variance from the ARC and special use permit by the county.

Subsection 1.4 Building Setbacks And Landscape Buffer. Setbacks (distance from building structure to property line) required by the Code and landscape buffer areas required by these Design Guidelines, are outlined below:

	<u>SIDE</u>	<u>REAR</u>	<u>FRONT</u>
Heavy Industrial Zone	50/10*	50/10	50/10
Light Industrial Zone	20/10	20/10	20/10
Commercial Zone	20/10	20/10	20/20

*50/10 = 50' building setback with 10' minimum landscape buffer adjacent to parcel boundary line

Narrower setbacks can be approved (see, Attachment A, Subsection 5.6)

Setbacks and buffers shall be increased by 5 feet in all directions for parcels over 5 acres and over to 20 acres. Setbacks shall be increased by 10 feet for parcels 20 acres and above (i.e., a 21-acre light industrial parcel shall have 30/20 side, 30/20 rear and 30/20 front setback/landscape requirements). Setbacks must comply with railway company requirements.

Subsection 1.5 **Building Exterior Boundaries.** Buildings may be constructed in any configuration permitted by the Uniform Building Code and other adopted codes, manuals and regulations.

Subsection 1.6 **Grading and Drainage.** Minimum grade on plane-graded areas (paved or unpaved) and unpaved swales shall be 1 percent. Minimum grade on paved swales shall be 0.4 percent. Buildings within FEMA Flood Zone A (100-year flood) shall have the finished grade of the basement floor or the bottom of the lowest floor beam elevated to at least one foot above highest flood water elevation. Parking areas shall be graded to drain away from buildings.

If on-site storm water detention is required, parking areas may be used for detention, provided that the maximum water depth does not exceed 9 inches in automobile parking areas or 24 inches in truck parking areas. Erosion control procedures shall be provided on all parcels so that no water/soil erosion encroaches onto adjacent parcels.

Slope areas of 2:1 or flatter, less than 10 feet in height, may be provided with landscape treatments for stabilization. Slopes steeper than 2:1 may be acceptable in materials suitable for steeper slopes with ARC approval. Where concentrated surface drainage occurs on slopes, adequate measures shall be taken to prevent erosion, such as rip-rap or swales.

Subsection 1.7 **Access and Circulation.** Adjacent parcels are encouraged to share main access drives to parking areas. The minimum distance between intersections from the centerline of drives shall be as follows:

Arterial	235 feet
Collector	150 feet
Interior or local (except cul de sacs)	50 feet

The maximum width of drives shall be 35 feet for non-industrial uses. The maximum width of drives shall be 50 feet for industrial uses. Minimum distances for rail crossings must comply with railway company requirements.

Required planting areas for parking lots shall be coordinated with overall site planning and the locations of parking area lights. Curbs on-site will be optional and are discouraged to prevent concentration of run off. Curbs may be eliminated at truck maneuvering areas adjacent to loading docks on sides of buildings away from streets. Truck docks are acceptable, but should either face the internal side streets, or rear yard when possible to screen the truck area from view, except in cross-dock situations.

Truck trailer parking areas are covered in the Service And Utility Area section below. Adequate clearance and maneuvering room shall be provided on-site for all truck deliveries. No parking for automobiles, truck tractors, or truck trailers shall be designed to use streets or driveway access points.

Fire and emergency access shall be provided as required by the Uniform Fire Code.

Parking standards are covered in more detail below.

Subsection 1.8 **Entrance Improvements.** Street sections on all TRI Center streets may not include curb or sidewalk adjacent to roadway. Parcel developers are encouraged to upgrade their entrances with curb and gutter and turn pockets if necessary for on-site development.

Subsection 1.9 **Service And Utility Areas.** Utility areas provided for exterior storage, trash containers, equipment and other such uses shall not be allowed in the front setback. To ensure that all service, storage, and trash collection areas are properly screened while still allowing efficient collection, the following standards shall apply:

- ▶ Storage, service and maintenance areas shall be located either inside enclosed buildings or behind a visual barrier from public streets and adjacent parcels.
- ▶ Loading docks shall be set back from the front property line a minimum of 50 feet.
- ▶ Trash enclosures shall be screened. Transformers and utility equipment may share the same enclosure with the trash if properly sized.

Subsection 1.10 **Existing Improvements.** All owners shall coordinate new construction to retain existing improvements, including landscape and irrigation installed on street frontages.

Subsection 1.11 **Mixed Use.** Mixed land uses (i.e., commercial and industrial) on a single site may occur as allowed by the Code, and as approved by the ARC on a case by case basis.

Subsection 1.12 **Screening of Exterior Mechanical Equipment In Commercial Areas.** In areas of predominately commercial uses, exterior mechanical equipment visible from the upper floors of adjacent buildings shall be kept to a minimum, shall be designed in an orderly, compact manner, and shall be painted a color to blend with the adjacent background. All roof-mounted equipment shall be hidden from view with parapet walls or screening. Screens shall be attractive in appearance and reflect or compliment the architecture and color of the building. Mechanical equipment shall not extend above the enclosing wall or screen. Exterior-mounted electrical equipment shall be mounted in a location where it is substantially screened from public view. Exterior electrical equipment shall not be mounted on the street side of any building. Transformers visible from adjacent lots or streets shall be screened with plantings. No antenna, transmission, or reception device visible from ground level shall be permitted without specific approval of the Committee.

Section 2. Architectural Standards.

Subsection 2.1 **Introduction.** The purpose of this Subsection is to identify design criteria necessary to ensure both a consistent level of design quality and visual unity throughout TRI Center.

Warehouse and distribution facilities will make up a large portion of the users, and present a unique challenge to the architect or building designer. The very nature of the use of these facilities demands large structures that are as open as possible so as not to inhibit the free flow of goods within them. Large open floors without obstructions or intrusions lend themselves to the most efficient operations. These facilities require security for goods stored, require only a minimal amount of office spaces and thus discourage large quantities of glass. Glass, where used, is generally concentrated in office areas and commercial uses, or used to accent or interrupt long exterior horizontal or vertical walls.

Section 3. Architectural Styles.

Subsection 3.1 Contemporary Appearance. Though no one architectural style is required, all buildings will have a contemporary appearance (see, architectural style illustrations). This architectural style is typically utilized for larger buildings where the mass of the building predominates over artistic detailing. The architecture will feature clean lines and elements provided to reduce the apparent scale of large building walls and other features. Large professional office buildings shall emphasize glass in the architectural style. The use of classical or other period themes is prohibited. Where more than one structure is built in a complex or unit, structures shall have a similar style or theme. Architectural style should be simple with careful attention given to concentrate details and fenestration along main street elevations and at building entries. It is reorganized and acknowledged that the function and use of buildings, particularly large buildings and buildings used for manufacturing purposes as well as building sites with heavy reliance on truck or rail transportation, will dictate the style and other appearance of the structure. In these cases strict adherence to the provisions of this Section 3 may not be advisable or even possible. In those cases in which function and use of buildings and sites dictate design and exterior appearance the need to accommodate function and use should be the higher priority over design and appearance.

Subsection 3.2 Commercial Uses. Buildings in commercial areas may utilize contemporary or Mediterranean styles, and include additional architectural details for smaller buildings. Mediterranean style can be characterized by roofs of shallow pitch and clean building forms. Windows are typically simple recessed rectangular openings with various forms of ornamentation such as iron grilles, tile or plaster surrounds, and shutters. Doors may include more ornamentation and detailing than windows.

Subsection 3.3 Materials. Materials and construction techniques comparable in color, finish, durability and quality may be submitted for consideration by the ARC. The guidelines do not suggest or require that any particular manufacturer be used.

The use of pre-cast concrete, cast in place concrete or concrete tilt-up is encouraged. Masonry and/or split face concrete block is acceptable. Metal buildings are acceptable, subject to ARC review of building accents and partial masking front facades. Accented upgrade front office/entrance areas are encouraged, especially on large industrial buildings with little architectural detail.

Subsection 3.4 Color Schemes. There shall be a limited range of primary material colors. The goal of restricting the color palette is to create a timeless architectural environment where building structures and use of materials takes precedence over color schemes.

The main colors of buildings in the industrial zones will be earth tone with earth tone accent trim. Colors for commercial zones shall be complementary to surrounding industrial uses. The color palette for commercial building materials shall be limited to a maximum of three colors (main building color and two accent colors) that are generally visible from adjacent streets.

Subsection 3.5 Building Massing. The function and use of industrial buildings in general usually requires long rectangular buildings. Building mass shall be broken up by the creative design of entries and the use of color, texture, reveals, and landscaping.

Subsection 3.6 Roof Materials. All roofing shall be non-reflective and light in color, and generally compatible with the building wall colors. Roof pavers are acceptable, and must be harmonious in color with the other areas of the roof.

Subsection 3.7 Commercial Rooftop Screening. Roof-mounted equipment shall be screened on commercial buildings from view from adjacent streets, with architecturally integrated screens in commercial areas. Screening may be either integral to the building structure or added, freestanding elements. Roof parapets may be continuous, stepped or varied in height, or omitted where no roof mounted equipment is proposed. All roof apparatus, whether ventilation, HVAC, or other, shall be consistent in color with roof finish.

Subsection 3.8 New Technologies and Synthetics. The use of new technologies and materials, as well as the use of known technologies and materials in new ways and for new uses, is encouraged.

Section 4. Landscape Design Standards.

Subsection 4.1 Introduction. The TRI Center reflects the scale of the Great Basin of Nevada, with a combination of expansive vistas and adjacent dramatic mountain ranges. The intent of this landscape section is to reflect this visual character in ways to conserve natural resources for maintenance. The landscape development of sites shall create a hierarchy of landscape architectural elements, in order to generate landscape concentration and maximize aesthetic impact to the site.

Site landscaping shall be comprised of a mixture of improved landscape and native landscape areas. Improved landscape areas shall include at a minimum: trees; shrubs; ground cover; and permanent automatic irrigation systems. Native landscape areas shall include at a minimum native plant materials and a temporary irrigation system sufficient to reestablish native plant materials after land disturbance. Native landscape areas may also include areas that have not been disturbed by development, for which no irrigation shall be required.

Subsection 4.2 Reference Standards. The plant material of this Subsection shall conform to the nursery standards of the 1990 edition of the American Standard for Nursery Stock published by the American Association of Nurserymen (ANSI Z60.1-1990). Landscaping shall comply with the latest edition of Landscape Maintenance Specifications / Standards Manual, produced by the Nevada Landscape Association. Nomenclature for plant names and varieties shall be in accordance with the latest edition of "Standardized Plant Names" prepared by the American Joint Committee on Horticultural Nomenclature.

Subsection 4.3 Landscape Area Requirements. The minimum area of combined improved and native landscape at TRI Center shall be as follows:

Industrial Sites	6% of total parcel size
Non-Industrial Sites	15% of total parcel size

Areas off of the site may not be used as part of the minimum landscape area (i.e., right-of-way area between roadway pavement edge and the site property line). Improved landscaping shall be prioritized first to areas which are near streets, second to areas contiguous with the facility entrance and lastly in dock areas, rear yards and slope areas away from the street. The priority of improved landscape to native landscape shall be the same. The developer shall incorporate existing on-site vegetation into planting schemes whenever possible and not disturb native vegetation outside grading limits unless improved landscaping is being installed.

Disturbed areas of the site not otherwise indicated for landscape treatments shall be treated to prevent being a nuisance to others. This may include native revegetation or soil stabilization, and includes areas of future building expansion.

Subsection 4.4 Tree Count Requirements. Trees shall be planted at a rate of 1 tree per 500 square feet of required total combined landscape area (site area trees). In addition, 1 tree per 20 parking spaces shall be provided (refer to the Parking Area Landscape section). In addition, if a project has street frontage, one tree shall be required for every 40 feet of adjacent street frontage. All trees shall be selected from the attached Plant Materials Lists.

Subsection 4.5 Berms. Earth berms may be used along the street frontage areas and other portions of the site, as may be needed to moderate views into the site. The use of berms is encouraged to screen parking areas and reduce the apparent scale of the site by focusing attention on architectural features of the building entry area, where berms may be lower. Berms shall have side slopes along street frontages of 3:1 maximum, and shall be 36 to 48 inches high minimum. Berms shall be held back from drive areas to maintain visibility, and slopes shall be flatter at ends. Manholes, clean outs or other points of utility access shall be maintained during berm construction. Other ground surface configurations resulting from site grading may be submitted for consideration by the ARC.

Subsection 4.6 Commercial Site Landscape. Commercial sites are required to have improved landscape plantings on the entire front of the site within the full width of landscape buffers. Perimeter improved landscape does not necessarily have to be located at the rear or side property lines (e.g., native vegetation may suffice), but may serve as transition areas between built up and undeveloped portions of the site.

Subsection 4.7 Parking Area Landscape. Site parking areas shall be provided with shade trees to reduce heat build up and glare from paved surfaces.

On commercial sites one planter area, the same size as a standard parking space, shall be provided at a minimum of one per 20 parking spaces for tree and shrub planting. Trees shall be provided at a rate of one per 20 parking spaces. Parking area planters shall be provided with concrete

curbs or other devices to prevent vehicles from damaging landscape. Evergreen trees shall be located to minimize shading of paved surfaces that create icy areas during periods of freezing temperatures.

On industrial sites, trees shall be provided at a rate of one per 20 parking spaces. Parking area planters are not required, but if used, may be provided without concrete curbs. Trees shall be spaced equally around the perimeter of the parking lot when planter islands are not provided.

Subsection 4.8 Sight Lines. Landscape treatments shall not interfere with visibility in an area three to six feet above grade at street or driveway intersections in a triangle of 30' as measured from the curb faces or edge of pavement. Additional clearance may be required where heavy truck traffic is anticipated. It shall be the responsibility of the property owner to cut trees and shrubs in landscape areas to maintain sight distances.

Subsection 4.9 Lawn. In order to promote water conservation, lawn areas shall constitute no more than five percent (5%) of the total site and shall be restricted on slope areas to ground which is 3:1 or flatter. Irregular and long narrow lawn strips should be avoided. Lawn areas shall have a minimum width of eight (8) feet. Lawn areas shall be configured and located to encourage use by employees and to be near pedestrian-related areas of the site.

Subsection 4.10. Ground Cover. Ground cover and shrub plantings may be used to soften and cool down improved landscape areas. Plants shall be spaced to provide at least forty percent (40%) coverage after a 5-year period. Mulches will be required in all improved landscape areas without ground cover. Mulches shall consist of either rock or a shredded bark, to a minimum 3-inch depth. The intent is to keep the soil in place during windy periods, retain moisture, discourage weed growth, and improve the overall aesthetic features of the site.

Subsection 4.11 Landscape Materials/Paved Pedestrian Areas. Materials used in the landscape shall be durable with a minimum of maintenance required. Pedestrian circulation between paved parking areas and building entries shall be paved.

Subsection 4.12 Plant Materials/Erosion Control. Plant materials shall be selected from the attached Plant Material Lists. Use of native and drought tolerant plants is encouraged. A list of recommended seed types is included for slope re-vegetation and erosion control. Since site soils are often very sandy and subject to winds, it will be important for developers to provide erosion control. Plants other than those listed in the Plant Material List may be proposed, provided that adequate documentation for such substitution is submitted to the ARC.

Subsection 4.13 Plant Material Sizes and Mix. Tree types shall include both deciduous and evergreen trees for every site, in an approximate 40 / 60 mix, respectively. Approximately 40% of all deciduous trees shall be 2" minimum caliper or larger, 60% of all deciduous trees may be 1-1 1/2" caliper minimum. All evergreen trees shall be 6' minimum height. Reduction in total tree count may be authorized by the ARC if the landscape design incorporates mature (box) trees as part of the site landscape design.

Subsection 4.14 Irrigation. All improved landscaping on parcels shall have a permanent automatic irrigation system installed, operated and maintained by the owner or occupant. Drip

irrigation is required for shrubs and trees to promote water conservation and shall be buried below the rock or bark mulch. All lawns will require spray irrigation systems, with automatic valves and controllers. Irrigation design shall be submitted with final construction plans for review by the ARC. All disturbed native vegetation areas shall have a temporary irrigation system sufficient to reestablish vegetation.

Certain areas of TRI Center shall be designed to use nonpotable water irrigation (sewer plant effluent). In those areas, a separate water distribution system (purple pipes, valves, meters) must be installed in compliance with Company Rules and state standards.

Plant Material List - Trees						
Common Name	Botanical Name	Deer Resistant	Drought Tolerant	Revegetation	Erosion Control	Remarks
Deciduous Trees						
Sugar Maple	Acer saccharum		X			Good fall color
Amur Maple	Acer ginnala		X	X		Good fall color
Amur Chokecherry	Prunus maackii		X		X	Very fast growth
Fremont Cottonwood	Populus fremontii				X	
Globe Willow	Salix matsudana			X		Sierra native
Aspen	Populus tremuloides					Good shade tree
Hackberry	Celtis occidentalis		X		X	Large shade tree
London Plane	Platanus acerifolia		X			Showy flowers
Idaho Locust	Robinia ambigua 'Idahoensis'		X	X		Laterns interesting
Goldenrain Tree	Koeleruteria paniculata		X	X		Grey green foliage
Russian Olive	Elaeagnus angustifolia		X			
Western Catalpa	Catalpa speciosa					
Newport Flowering	Prunus cerasifera 'Newport'		X			
California White Oak	Quercus lobata	X	X	X		Large shade tree
Bur Oak	Quercus macrocarpa		X			
Red Oak	Quercus rubra		X	X		
Blue Ash	Fraxinus quadrangulata	X	X			
Columnar English Oak	Quercus robur 'Columnaris'					Dark green leaves

Plant Material List - Shrubs Deciduous and Evergreen Shrubs						
Common Name	Botanical Name	Deer Resistant	Drought Tolerant	Revegetation	Erosion Control	Remarks
Deciduous Shrubs						
Cinquefoil	Potentilla fruticosa	X	X		X	Berries attract birds
Alpine Currant	Ribes alpinum	X			X	Berries attract birds
Golden Currant	Ribes aureum	X	X	X	X	
Siberian Peashrub	Caragana arborescens		X	X	X	Streambank vegetation
Redosier Dogwood	Cornus stolonifera		X	X	X	Good bank cover
Staghorn Sumac	Rhus typhina		X	X	X	Spring flowers
Tamarix	Tamarix parvifolia		X	X	X	Good fall color
Snowberry	Symphoricarpos albus		X		X	Good bank cover
Amur Maple (tough)	Acer ginnala		X		X	Interesting flowers
Buffaloberry	Shepherdia argentea		X		X	
Rose varieties	Rosa spp.		X	X	X	
Smoke Tree	Cotinus coggygia	X	X		X	
Tartarian Honeysuckle	Lonicera tatarica		X	X	X	
Western Chokeberry	Prunus virginiana var.		X		X	Berries attract birds
Western Sand Cherry	Prunus besseyi		X		X	Berries attract birds
Sweet Mockorange	Philadelphus coronarius		X		X	Fragrant
Nanking Cherry	Prunus tomentosa		X	X	X	
Smooth Sumac	Rhus glabra		X	X	X	Good bank cover
Squawbush Sumac	Rhus trilobata		X		X	
Spiraea	Spiraea spp.		some var.	X	X	

Plant Material List - Trees Deciduous and Evergreen Trees						
Common Name	Botanical Name	Deer Resistant	Drought Tolerant	Revegetation	Erosion Control	Remarks
Evergreen Trees						
Jeffrey Pine	Pinus jeffreyi	X	X			Sierra native
Ponderosa Pine	Pinus ponderosa	X	X	X		
Lodgepole Pine	Pinus contorta	X	X			Interesting berries
Rocky Mountain Juniper	Juniperus scopulorum	X	X			
Arizona Cypress	Cupressus arizonica	X	X	X		Fast growth
Austrian Black Pine	Pinus nigra					
Pinon Pine	Pinus edulis	X	X			
Rocky Mountain	Juniperus scopulorum	X	X			
Scotch Pine	Pinus sylvestris	X	X			
Singleleaf Pinon Pine	Pinus monophylla	X	X	X		Nevada state tree
White Fir	Abies concolor	X	X	X		Sierra native
Giant Sequoia	Sequoiadendron gigantea	X	X			Sierra native
Colorado Blue Spruce	Picea pungens glauca	X				Blue color

Plant Material List - Ground Cover Ground Cover Plantings and Grasses						
Common Name	Botanical Name	Deer Resistant	Drought Tolerant	Revegetation	Erosion Control	Remarks
Ground Cover Plantings						
Bearberry	arctostaphylos uva-ursi	X	X	X	X	Makes a green carpet
Lavender Cotton	Santolina chamaecyparissus	X	X			Showy flowers
Winter Creeper	Euonymus fortunei					
Snow in Summer	Ceratium tomentosum	X	X		X	Invasive
Periwinkle	Vinca major				X	Invasive
Brooms	Genista spp.	X	X		X	
Hill's Japanese Honeyuckle	Lonicera japonica				X	Fragrant flowers
Potentilla	Potentilla verna					
Virginia Creeper	Parthenocissus quinquefolia				X	Good fall color invasive
Woolly Yarrow	Achillea tomentosa		X			
Grasses and Erosion Control						
Fairway Crested	Agropyron cristatum				X	
Siberian Wheatgrass	Agropyron sibiricum				X	
Western Wheatgrass	Agropyron smithii				X	
Thickspike Wheatgrass	Agropyron dasystachyum				X	
'Covar' Sheep Fescue	Festuca ovina 'Covar'				X	
Tall Wheatgrass	Agropyron elongatum				X	
Indian Ricegrass	Arrizopsis hymenoides				X	

Plant Material List - Shrubs Deciduous and Evergreen Shrubs						
Common Name	Botanical Name	Deer Resistant	Drought Tolerant	Revegetation	Erosion Control	Remarks
Potentilla	Potentilla fruticosa var.	X	X	X		
Forsythia	Forsythia intermedia					
Common Lilac	Syringia vulgaris		some var.			
Menor Barberry	Berberis x mentorensis	X	X		X	
Peking Cotoneaster	Cotoneaster acutifolius	X	X		X	
Evergreen Shrubs						
Big Sagebrush	Artemisia tridentata		X	X	X	
Bitterbrush	Persia tridentata		X	X	X	Sierra native
Seagreen Juniper	Juniperus chinensis Mint	X	X			Sierra native
Fourwing Saltbrush	Atriplex canescens		X	X		
Greenleaf Manzanita	Arctostaphylos patula	X	X	X		Sierra native
Scotch Broom	Cytisus scoparius	X				Sierra native
Mountain Mahogany	Cercocarpus ledifolius		X	X	X	
Chinese Juniper	Juniperus chinensis	X	X	X		For dry sites
Horizontal Juniper	Juniperus horizontalis	X	X		X	
Oregon Grapeholly	Mahonia aquifolium	X				
Mugo Pine	Pinus mugo	X				Medicinal berries

