

### Affidavit of Publication

STATE OF NEVADA,  
County of Washoe—SS.

Mary Hefling

being duly sworn, deposes and says that he is the  
Record Clerk

of The SPARKS TRIBUNE, a weekly newspaper,  
published in Sparks, Washoe County, Nevada; that  
he has charge of and knows the advertising ap-  
pearing in said newspaper, and the

Notice of County Ordinance

Bill No. 598, Ordinance No. 427

of which a copy is hereunto attached, was first  
published in said newspaper in its issue dated  
September 19, 19 79.

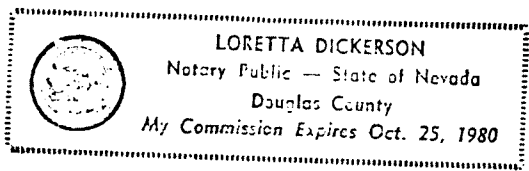
and was published in each of the following issues  
thereafter:  
the date of the last publication being in the issue  
of September 26, 19 79.

*Mary Hefling*

Subscribed and sworn to before me this, the  
26th day of September, 19 79.

*Loretta Dickerson*  
Douglas,  
Notary Public in and for the County of ~~Washoe~~  
State of Nevada.

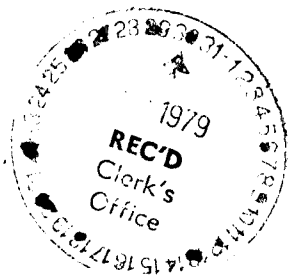
My Commission expires: October 25, 1980



**NOTICE OF COUNTY ORDINANCE**  
NOTICE IS HEREBY GIVEN that Bill No. 598, Ordinance No. 427, amending Ordinance No. 57 entitled "An Ordinance amending, repealing in part and re-establishing a land use plan within the unincorporated area of Washoe County, regulating and restricting the use of land; the location, use, bulk, height, and number of stories of structures; the density of population; the proportion of land to be covered by structures; establishing setback lines; providing for adjustment, enforcement and amendment of said land use plan and its ordinances; prescribing penalties for the violation thereof and other matters properly relating thereto" by defining "vacation time sharing projects" and regulating and restricting the development of such projects in the unincorporated area of Washoe County was adopted on September 11, 1979, by Commissioners Farr, Storess, Brown and Ferrari with Commissioner Underwood voting "no".  
Typewritten copies of the Ordinance are available for inspection by all interested persons at the office of the County Clerk.  
JUDI BAILEY  
COUNTY CLERK  
Publish: 9-19, 26, 1979.

79-1407

RENO NEWSPAPERS, INC. Publishers of  
RENO EVENING GAZETTE and NEVADA STATE JOURNAL  
PHONE: 786-8989 • P.O. BOX 280 • RENO, NEVADA 89520



- Washoe County Clerk
- P.O. Box 1170
- Reno, Nv. 89504

DESCRIPTION OF LEGAL ADVERTISING

Hearing Sept. 11th.

3349008

TERMS: NET, PLEASE PAY FROM THIS INVOICE. IT'S DUE UPON PRESENTATION AND IS PAST DUE AFTER 15 DAYS.

LEGAL AD \_\_\_\_\_  
 EXTRA PROOFS \_\_\_\_\_  
 TOTAL AMOUNT DUE 9.80

MONTH	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
August																											X				

PROOF OF PUBLICATION

STATE OF NEVADA, }  
COUNTY OF WASHOE } ss.

Alice Buffaloe

being first duly sworn, deposes and says: That as the legal clerk of  
 THE RENO EVENING GAZETTE, a daily newspaper published in Reno,  
 in Washoe County, in the State of Nevada. That the notice \_\_\_\_\_  
Hearing Sept. 11th.

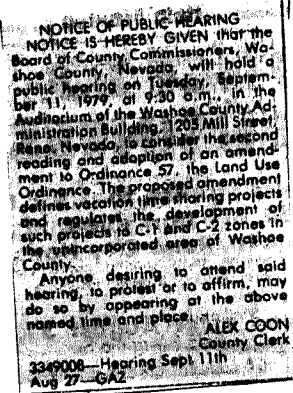
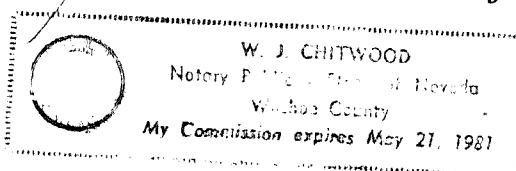
\_\_\_\_\_ of which a copy is hereto  
 attached, was first published in said newspaper in its issue dated the  
27th. day of Aug., 19 79 and, \_\_\_\_\_  
 the full period of 1 days, the last publication thereof being in  
 the issue of Aug. 27th., 19 79

Signed Alice Buffaloe

Subscribed and sworn to before me this

27th day of August, 19 79

W. J. Chitwood  
Notary Public



79-1407

SUMMARY: Amends Washoe County Ordinance No. 57 by defining "vacation time sharing projects" and regulating and restricting the development of such projects in the unincorporated area of Washoe County.

BILL NO. 598

ORDINANCE NO. 427

AN ORDINANCE AMENDING "AN ORDINANCE AMENDING, REPEALING IN PART AND RE-ESTABLISHING A LAND USE PLAN WITHIN THE UNINCORPORATED AREA OF WASHOE COUNTY, REGULATING AND RESTRICTING THE USE OF LAND; THE LOCATION, USE, BULK, HEIGHT, AND NUMBER OF STORIES OF STRUCTURES; THE DENSITY OF POPULATION; THE PROPORTION OF LAND TO BE COVERED BY STRUCTURES; ESTABLISHING SETBACK LINES; PROVIDING FOR ADJUSTMENT, ENFORCEMENT AND AMENDMENT OF SAID LAND USE PLAN AND ITS ORDINANCES; PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF AND OTHER MATTERS RELATING THERETO" BY DEFINING "VACATION TIME SHARING PROJECTS" AND REGULATING AND RESTRICTING THE DEVELOPMENT OF SUCH PROJECTS IN THE UNINCORPORATED AREA OF WASHOE COUNTY.

THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY DO ORDAIN:

SECTION 1.

Section 5 of Washoe County Ordinance No. 57 is hereby amended to read as follows:

ARTICLE 5 GENERAL PROVISIONS

A. Accessory Buildings:

1. It shall be unlawful to construct, erect or locate in any residence, district, private garages or other accessory building without a permissive main building except: a temporary building may be constructed and occupied as a legal use pending the construction of a permanent use, providing such temporary building does not exceed 15 feet in height, be not larger than 450 square feet in floor area, and be at least 75 feet from the front lot line and not closer than 20 feet to the designated site of the final permanent structure. Further provided that no permit shall be issued for such temporary structure unless a permit also be issued at the same time for the permanent building. If it be proposed to convert said temporary structure to a permissive accessory use upon completion of the main structure, said conversion shall occur upon completion of the final structure or be removed at that time or within a period of one year from the date of issuance of the original permit. A mobile home may be occupied as a legal use pending construction of a permanent residence or permanent use, providing no permit shall be issued for such mobile home unless a permit also be issued at the same time for the permanent residence or permanent use. The permanent residence or permanent use shall be completed and the mobile home removed within one year from date of building permit. No permit shall be issued for temporary use of mobile home

79-1407

12.7

pending construction of a permanent use if such temporary use of a mobile home is prohibited or not authorized by any Washoe County ordinance or state statute.

2. A detached accessory building, not exceeding 15 feet in height, may occupy not more than one-half of the total area of a rear yard providing no such accessory building shall be nearer than 5 feet to the rear and side property line nor closer than is provided herein to main buildings on the same or adjacent lots. In no event shall any detached accessory building occupy a front of any lot, except as provided in subsection 4 of this section.
3. In case of a corner lot abutting two streets, no accessory building shall be erected so as to encroach upon the front half of such lots.
4. A detached accessory building, for use as a private garage, may be built to the street line on any interior lot where the slope of the front half of the lot is greater than two foot rise (or fall) for every 10 feet above or below the established street grade, provided such structure shall not exceed 8 feet in height.

B. Temporary Real Estate Offices and Signs:

1. Subdivision offices and sales signs: In any agricultural or residential Land Use District, temporary real estate offices may be permitted within a subdivision, provided that the general real estate business shall not be conducted at such offices. Temporary off-site real estate offices for subdivision sales may be permitted, subject to the issuance of a Special Use Permit reviewed by the Board of Adjustment. General real estate business shall not be conducted at such offices. Temporary signs, not to exceed in aggregate four hundred square feet in size may be permitted within a subdivision for the purpose of selling lots or houses within such subdivision. Such offices and signs shall be removed at such time as the original sales program has resulted in the sale of 90% of the lots in such subdivision or subdivisions.

C. Business Telephone:

1. Business telephone service may be permitted in any agricultural or residential districts provided that the premises so served are not used for business storage, advertising and provided that no employees outside the immediate family use such premises.

D. Utility and Public Uses:

1. Utility and public uses, such as, water storage tanks and reservoirs, pumping and

booster stations; electrical substations, boosters and conversion plants; television and radio transmitter towers and stations; microwave stations; and other similar public utility uses may be permissible in any agricultural or residential zone subject to the issuance of a Special Use Permit, reviewed by the Board of Adjustment.

2. Public use events not exceeding one week in duration held upon public property may be permissible in any agricultural, residential, or non-residential district, subject to the issuance of a Special Use Permit, reviewed by the Board of Adjustment. Such public use events shall include, but not be limited to, the following: amusement arcades and parks; automobile shows; horse, dog, or pet shows; carnivals; exhibitions; art shows; fairs; and other theater events.

E. Building Height:

1. Requirements of this ordinance shall not apply to church spires, belfries, cupolas, domes, chimneys, flues, or flagpoles, or to water towers, radio towers, and the like, except where such may be deemed a hazard.
2. Requirements of this ordinance shall not apply to parapet walls extending 4 feet or less above the limiting height of the building on which they rest, or to bulk heads, elevator towers, one-story penthouses, water tanks or similar structures, provided that the aggregate floor area of such structures is not greater than one-half of the total roof area.
3. Churches, schools and public buildings may exceed maximum height limitations of the respective Land Use District subject to the issuance of a Special Use Permit reviewed by the Board of Adjustment.

F. Area Regulations:

1. No lot or parcel shall be so reduced in areas as to be less in any dimension than is required by the requirements applicable to the Land Use District in which such lot is located.
2. No portion of any lot or parcel of land which is part of the required area for an existing building shall be used as a part of the required area of any other lot or parcel or proposed building. When a portion of any lot or parcel is sold or transferred and the area of that portion or the portion remaining no longer conforms to the required area as defined in the Land Use District in which such lot or parcel is located, the portion sold or transferred and the portion remaining shall be considered as one parcel only in

determining the permissible number and location of buildings allowed to be placed on both parcels.

G. Yard Requirements:

1. No required yard or open space around an existing building or any building hereafter erected, shall be considered a yard or open space for any other building on an adjoining lot or parcel.
2. Where yards are required by this ordinance, they shall be open and unobstructed from the ground to the sky, except as provided in this article.
3. Front Yards:
  - (a) On through lots, either end lot line may be considered the front line, in which case the minimum rear yard shall not be less than the required front yard in the district in which such lot is located.
  - (b) There shall be no planting, fences, shrubbery, or other obstruction to vision more than three (3) feet higher than curb level within twenty (20) feet of the intersection of any two (2) streets on any corner lot.
  - (c) On a corner lot, yards abutting streets shall be considered as front yards.
  - (d) Cornices, canopies, chimneys, eaves or other similar architectural features may extend into a required front yard not to exceed two (2) feet.
4. Side Yards:
  - (a) Outside stairs or landing places, if unroofed or unenclosed, may extend into a required side yard for a distance not to exceed three (3) feet.
  - (b) Cornices, canopies, chimneys, eaves or other similar architectural features may extend into a required side yard not to exceed two (2) feet.
5. Rear Yards:
  - (a) An outside stair or landing place, if unroofed or unenclosed, may extend into a rear yard for a distance not to exceed five (5) feet.
  - (b) Cornices, canopies, chimneys, eaves or other similar architectural features may extend into a required side yard not to exceed two (2) feet.
6. Walls, fences, planting and other visual obstructions not over 6 feet in height may

be grown, placed or erected on lot lines, except in required front yard areas. Walls, fences, planting and other visual obstructions not over 4-1/2 feet in height may be grown, placed or erected anywhere on the lot, except as provided in subsection 3(b) hereof.

7. Any lighting facilities shall be so installed as to reflect away from adjoining properties.

H. Density Zoning:

1. Subject to the issuance of a Special Use Permit following review by the Planning Commission and filing of a tentative and final subdivision plat, variations in lot size and yard requirements may be made in agricultural and residential Land Use Districts, provided the total number of dwelling units in the proposed development does not exceed the number permitted under existing zoning.

Either of the following may be used in calculating the number of units permitted under existing zoning:

- (a) Utilize the lot yield of a conventional subdivision design for the subject parcel, or
  - (b) Calculate net site area (gross site area minus 15%). Divide net site area by Required Area of existing zoning of the subject parcel.
2. The person seeking to use the Density Zoning provisions of this ordinance shall submit a tentative subdivision plat showing variations in lot size and/or yard requirements, and apply for a Special Use Permit pursuant to the provisions of this ordinance based on the tentative plat. In addition to other conditions, the Special Use Permit shall be conditioned upon approval of the final subdivision plat.

I. Access:

1. Access ways for the purposes of this section shall be defined as ways dedicated to public use or secured by easement to the owner of the parcel proposed to be built upon for the full length extending to a suitable dedicated public way. Required width of access ways shall refer to the full dedicated or easement width, without reference to width of developed roadway within such width.
2. In non-subdivided areas where no official approved map is on file in the County Recorder's Office, an applicant for a building permit must demonstrate by title company report or other means acceptable to the Building Official the existence of a required access

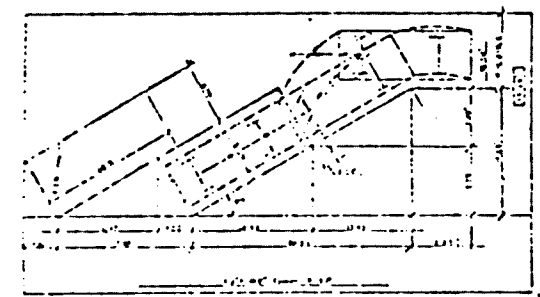
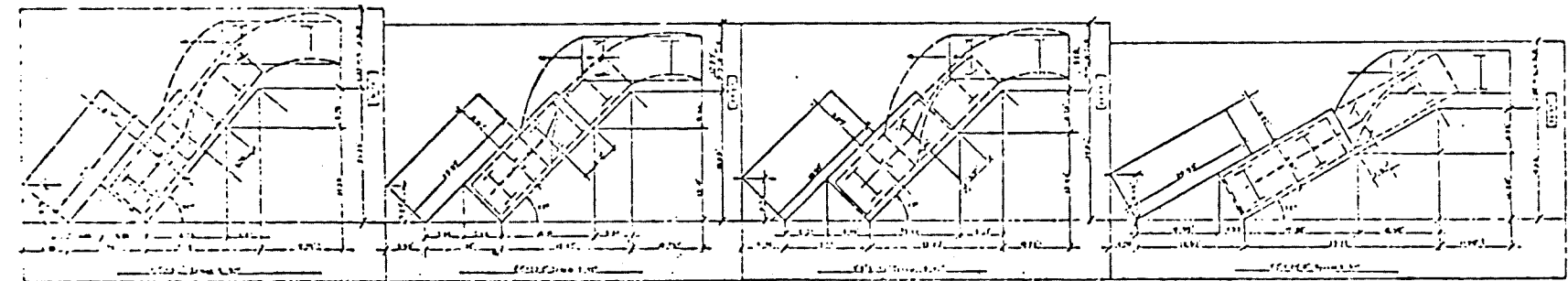
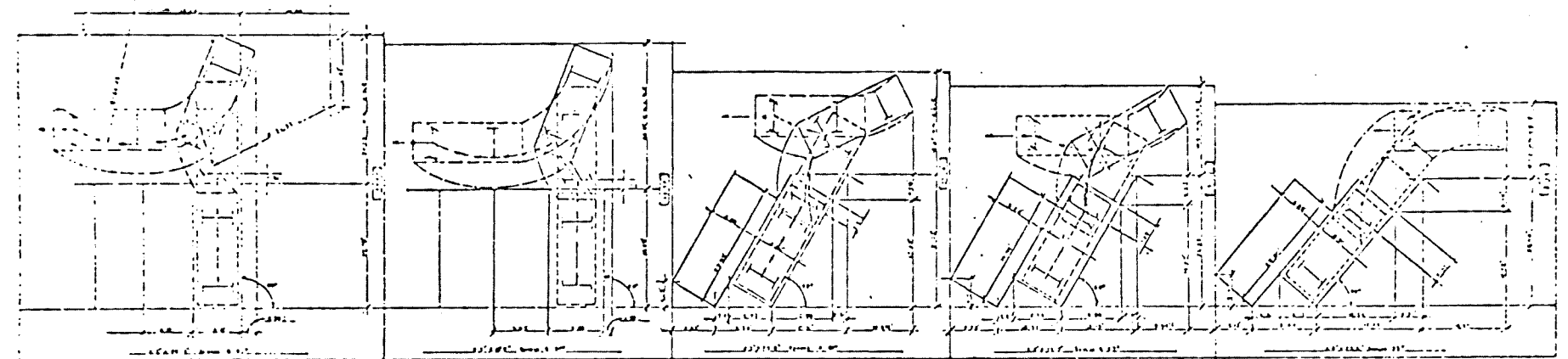
way before a building permit will be issued.

3. No commercial use will be permitted on any parcel of land not served by an access way at least 50 feet in width.
4. No dwelling construction will be permitted on any parcel of land not served by an access way as the same is set by the County subdivision ordinances and regulations.
5. Five or more dwelling sites, each of at least a minimum required area, must be served by an access easement of 50 feet or more, in width, or be served by a dedicated public way. Not more than four dwelling sites, each of at least a minimum required area, must be served by an access easement of not less than 20 feet in width, subject to the following conditions:
  - (a) That two copies of a map showing the proposed layout to scale, together with such supplementary information as may be deemed necessary by the Regional Planning Commission, have been submitted to be approved by the Regional Planning Commission prior to issuance of any building permit for such proposed construction.
  - (b) That the gift, sale, trade or barter of any portion of the land on which a dwelling unit or units has been erected under the provisions of this section resulting in a condition which does not meet the terms of this section shall be considered a violation of this ordinance.

J. Parking Lots:

1. All offstreet parking facilities in zone classifications R-3, C-1, C-2, and M-1 shall be reviewed by the Planning Commission Staff. The Planning Commission Staff, in approving any parking facility may require conditions which, in the Staff's opinion, will prevent material damage or prejudice to adjacent properties. Such conditions may include time limitations, landscaping, ingress and egress, layout, paving and stripping.
2. Minimum requirements for design of parking areas are shown on the following diagram:





REGIONAL PLANNING COMMISSION  
 OFF STREET AND CURB PARKING DIMENSIONS  
 BASED ON AVERAGE DIMENSIONS AUTOMOBILE  
 PRIVATE GARAGES

LENGTH	16' 0"	OVERALL
WIDTH	6' 0"	OVERALL
HEIGHT	5' 0"	OVERALL

- K. Uses of public parks and recreational areas creating mechanical noise or resulting in extraordinary lighting.

In any Land Use District in which a public park or recreational area is located, a Special Use Permit, reviewed by the Board of Adjustment, shall be required for any use of such public park or recreational area which produces mechanical noise or results in extraordinary lighting, consisting of floodlights or other unusual lights. Such uses shall include, but not be limited to, midget car racing, motorcycle tracks, and model airplane courses.

- L. Major Projects:

1. Definition. A "major project" means any proposed development which falls within any one or more of the following categories:
  - (a) Multiple dwellings (apartments, condominiums, etc.) or transient occupancy facilities (hotels, motels, apartment hotels, vacation time sharing projects, etc.) containing 80 units or more, or phased developments, additions or expansions which would result in a cumulative total of 80 units in the development. In any development utilizing common kitchens, each bedroom shall be considered as one unit.
  - (b) Any gaming facility, including bars, restaurants, etc., or structural or physical additions to existing gaming facilities which result in an increase in gross floor area.
  - (c) Office, commercial, industrial, public and/or institutional, recreational, educational, medical, religious and cultural facilities of 40,000 square feet or more gross floor area, or phased developments, additions or expansions which would result in a cumulative total of 40,000 square feet or more gross floor area.
  - (d) Any manufacturing and/or processing facility, excluding water treatment or sewage treatment facilities.
  - (e) Any other producer of 10,000 gallons or more sewage per day as determined from fixture units (excluding single family subdivisions, multiple dwellings and transient occupancy facilities).
2. All proposed major projects shall require the issuance of a special use permit, following review by the Regional Planning Commission. Major projects requiring additional action pursuant to this ordinance (with the exception of zone change applications and requests for variance) shall be consolidated into one public hearing before the Regional Planning Commission.

3. The Regional Planning Commission shall consider the following factors, among others, in making the findings required by Article 43 of this ordinance:

- (a) Availability of, and the impact of the proposed development on housing, employment and public services including, without limitation, schools, police and fire protection, transportation (including traffic and parking), employment, sewage collection and treatment facilities, recreation and parks, noise, air quality and the quality and quantity of water.
- (b) Conformance with the adopted master plan.
- (c) Special consideration will be given to proposed developments which will provide low income affordable housing.

M. Vacation Time-Sharing Projects:

1. Definitions:

- (a) "Developer" means, in the case of any given property, any person or entity which is in the business of creating or which is in the business of selling its own Time-Share Intervals in any Time-Share Program. This definition does not include a person acting solely as a Sales Agent.
- (b) "Development," "Project," or "Property" means all of the real property subject to a Project Instrument.
- (c) "Offering" means any offer to sell, solicitation, inducement or advertisement whether by radio, television, newspaper, magazine or by mail, whereby a person is given an opportunity to acquire a Time-Share Interval. Any offering of a Time-Share Interval which is not located in this County shall not be an offering if such offer is in compliance with the law of the jurisdiction of the County in which the Time-Share Interval is located.
- (d) "Person" means one or more natural persons, corporations, partnerships, associations, trusts, other entities, or any combination thereof.
- (e) "Project Instrument" means one or more recordable documents applicable to the whole Project by whatever name denominated, containing restrictions or covenants regulating the use, occupancy or disposition of an entire Project, including any amendments to the documents, but excluding any law, ordinance, or governmental regulation.

- (f) "Purchaser" means any person other than a Developer or lender who acquires an interest in a Time-Share Interval.
  - (g) "Sales Agent" means a person who sells or offers to sell "Time-Share Intervals" in a "Time-Share Program" to a purchaser.
  - (h) "Time-Share Estate" means an ownership or leasehold estate in property devoted to a time-share fee (tenants in common, time span ownership, interval ownership) or a time-share lease.
  - (i) "Time-Share Interval" means a Time-Share Estate or a Time-Share Use.
  - (j) "Time-Share Instrument" means any document by whatever name denominated, creating or regulating Time-Share Programs, but, excluding any law, ordinance or governmental regulation.
  - (k) "Time-Share Program" means any arrangement for Time-Share Intervals in a Time-Sharing Project whereby the use, occupancy or possession of real property has been made subject to either a Time-Share Estate or Time-Share Use whereby such use, occupancy or possession circulates among purchasers of the Time-Share Intervals according to a fixed or floating time schedule on a periodic basis for a specific period of time during any given year, but not necessarily for consecutive years, and which extends for a period of time in excess of three (3) years in duration.
  - (l) "Time-Share Use" means any contractual right of exclusive occupancy which does not fall within the definition of a "Time-Share Estate" including, without limitation, a vacation license, prepaid hotel reservation, club membership, limited partnership or vacation bond.
  - (m) "Unit" means each portion of the real property or real property improvement in a Project which is divided into Time-Share Intervals.
  - (n) "Vacation Time-Sharing Project" means any real property that is subject to a Time-Share Program.
2. Vacation Time-Sharing Projects which are otherwise appropriate to the underlying land use district may be permissible in commercial districts (C-1 and C-2) subject to the issuance of a Special Use Permit, following review by the Regional Planning Commission. Vacation Time-Sharing Projects are prohibited in all other districts. The developer shall provide the Regional Planning Commission with the following documentation:

## (a) Instruments for a Time-Share Estate.

1. The legal description, street address or other description sufficient to identify the property.
2. Identification of time periods by letter, name, number, or combination thereof.
3. Identification of the Time-Share Estate and the method whereby additional Time-Share Estates may be created.
4. The formula, fraction or percentage, of the common expenses and any voting rights assigned to each Time-Share Estate and, where applicable, to each Unit in a Project that is not subject to the Time-Share Program.
5. Any restrictions on the use, occupancy, alteration or alienation of Time-Share Intervals.
6. Any other matters that the Developer or Commission deems appropriate.

## (b) Instruments for Time-Share Uses.

1. Identification by name of the Time-Sharing Project and street address where the Time-Sharing Project is situated.
  2. Identification of time periods, type of Units and the Units that are in the Time-Share Program and the length of time that each of the Units are committed to the Time-Share Program.
  3. In the case of a Time-Sharing Project, identification of which Units are in the Time-Share Program and the method whereby other Units may be added, deleted or substituted.
  4. Any restrictions on the use, occupancy, alteration or transfer of a Time-Share Interval.
  5. Any other matters the Developer or Commission deem appropriate.
3. Once all conditions precedent have been complied with, a Special Use Permit issued pursuant to this section shall be irrevocable for the term of the Time-Share Program.

SECTION 2.

This ordinance shall take effect after its proposal, passage and publication as prescribed by NRS 244.100.


Proposed on the 17th day of July, 1979.  
Proposed by Commissioners Farr, Stoess, Brown, Ferrari & Underwood  
Passed on the 11th day of September, 1979.

Vote:

Ayes: Commissioners: Farr, Stoess, Brown & Ferrari  
Nays: Commissioners: Underwood  
Absent: Commissioners: None

  
\_\_\_\_\_  
Chairman of the Board

ATTEST:

  
\_\_\_\_\_  
County Clerk

This ordinance shall be in force and effect from and after  
the 26th day of September, 1979.