

# RENO GAZETTE-JOURNAL

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WASHOE COUNTY  
Comptroller's Office  
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RENO NV 89510

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### PROOF OF PUBLICATION

STATE OF NEVADA  
COUNTY OF WASHOE

ss. Tana Ciccotti

being duly sworn, deposes and says:  
That as legal clerk of the RENO GAZETTE-JOURNAL, a daily newspaper published in Reno, Washoe County, State of Nevada, that the notice:  
Ordinance #959

of which a copy is hereto attached, has been published in each regular and entire issue of said newspaper on the following dates to wit:

July 16, 23 1996

Signed

*Tana Ciccotti*

Subscribed and sworn to before me on 07/23/96

Notary Public

*Debra J. Dicianno*

#### NOTICE OF ADOPTION WASHOE COUNTY ORDINANCE NO. 959

NOTICE IS HEREBY GIVEN THAT:  
Bill No. 1134, Ordinance No. 959,  
entitled:

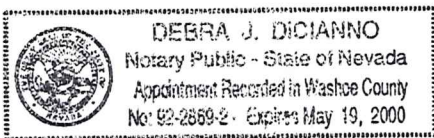
AN ORDINANCE AMENDING THE WASHOE COUNTY CODE, CHAPTER 110 (DEVELOPMENT CODE) TO MODIFY ARTICLE 302 ALLOWED USES TO DELETE THE REQUIREMENT OF A SPECIAL USE PERMIT FOR A RESIDENTIAL GROUP HOME, TO MODIFY ARTICLE 304 USE CLASSIFICATION SYSTEM TO MORE CLEARLY DEFINE THE NUMBER OF PERSONS PERMITTED IN A RESIDENTIAL GROUP HOME AND TO MODIFY ARTICLE 322 GROUP CARE FACILITIES TO PROVIDE FOR STANDARDS THAT MUST BE MET TO ALLOW THE ESTABLISHMENT OF A RESIDENTIAL GROUP HOME; TO MODIFY ARTICLE 906 FEES TO DELETE THE SECTION ADDRESSING SIMULTANEOUS APPLICATIONS; TO MODIFY ARTICLE 912 ESTABLISHMENT OF COMMISSIONS AND BOARD TO ADD A HEARING EXAMINER FOR HEARING OF AND FINAL ACTION ON VARIANCES, ELIMINATE ARTICLE 802 ADMINISTRATIVE WAIVERS, MODIFY ARTICLE 804 VARIANCES TO INCLUDE REFERENCES TO HEARING EXAMINERS AND MODIFY ARTICLES 308 HOME

OCCUPATIONS, 312 FABRICATED HOUSING, 324 ANTENNAS, 406 BUILDING PLACEMENT STANDARDS, 414 NOISE AND LIGHTING STANDARDS, 800 PROCEDURES: TITLE AND CONTENTS AND 908 ISSUANCE OF PERMITS AND LICENSES TO DELETE REFERENCES TO ADMINISTRATIVE WAIVERS; TO MODIFY ARTICLE 912 ESTABLISHMENT OF COMMISSIONS AND BOARDS TO CHANGE THE LENGTH OF TERMS FOR BOARD OF ADJUSTMENT MEMBERS TO FOUR YEARS AND THE QUALIFICATIONS TO BE MEMBER TO REQUIRE RESIDENCY IN THE UNINCORPORATED PORTION OF THE COUNTY AND WITHIN CERTAIN COUNTY COMMISSION DISTRICTS AND TO MODIFY ARTICLE 916 ESTABLISHMENT OF COMMITTEES TO CHANGE THE COMPOSITION OF THE PARCEL MAP REVIEW COMMITTEE AND ALLOW THE PLANNING COMMISSION AND BOARD OF ADJUSTMENT TO APPOINT NONMEMBERS TO THE DESIGN REVIEW COMMITTEE.

was adopted on JULY 9, 1996, by Commissioners Steve Bradhurst, Joanne Bond, Mike Moullet, Jim Shaw, and Grant Sims, and will become effective on JULY 26, 1996. Typewritten copies of the ordinance are available for inspection by all interested persons at the office of the County Clerk, 75 Court Street, Reno, Nevada.

JUDI BAILEY,  
Washoe County Clerk  
No. 2718 July 16, 23, 1996

959 ✓



P.O. BOX 22000. RENO. NEVADA 89520

(702) 788-6200



PLEASE STAMP & SIGN FOR PAYMENT

**SUMMARY:** Amends various provisions of Chapter 110 of the Washoe County Code (Development Code) contained in Division 3 - Regulation of Uses, Division 4 - Development Standards, Division 8 - Procedures and Division 9 - General Provisions

BILL NO. 1134

ORDINANCE NO. 959

AN ORDINANCE AMENDING THE WASHOE COUNTY CODE TO MODIFY ARTICLE 302 ALLOWED USES TO DELETE THE REQUIREMENT OF A SPECIAL USE PERMIT FOR A RESIDENTIAL GROUP HOME, TO MODIFY ARTICLE 304 USE CLASSIFICATION SYSTEM TO MORE CLEARLY DEFINE THE NUMBER OF PERSONS PERMITTED IN A RESIDENTIAL GROUP HOME AND TO MODIFY ARTICLE 322 GROUP CARE FACILITIES TO PROVIDE FOR STANDARDS THAT MUST BE MET TO ALLOW THE ESTABLISHMENT OF A RESIDENTIAL GROUP HOME; TO MODIFY ARTICLE 906 FEES TO DELETE THE SECTION ADDRESSING SIMULTANEOUS APPLICATIONS; TO MODIFY ARTICLE 912 ESTABLISHMENT OF COMMISSIONS AND BOARDS TO ADD A HEARING EXAMINER FOR HEARING OF AND FINAL ACTION ON VARIANCES, ELIMINATE ARTICLE 802 ADMINISTRATIVE WAIVERS, MODIFY ARTICLE 804 VARIANCES TO INCLUDE REFERENCES TO HEARING EXAMINERS AND MODIFY ARTICLES 308 HOME OCCUPATIONS, 312 FABRICATED HOUSING, 324 ANTENNAS, 406 BUILDING PLACEMENT STANDARDS, 414 NOISE AND LIGHTING STANDARDS, 800 PROCEDURES: TITLE AND CONTENTS AND 908 ISSUANCE OF PERMITS AND LICENSES TO DELETE REFERENCES TO ADMINISTRATIVE WAIVERS; TO MODIFY ARTICLE 912 ESTABLISHMENT OF COMMISSIONS AND BOARDS TO CHANGE THE LENGTH OF TERMS FOR BOARD OF ADJUSTMENT MEMBERS TO FOUR YEARS AND THE QUALIFICATIONS TO BE MEMBER TO REQUIRE RESIDENCY IN THE UNINCORPORATED PORTION OF THE COUNTY AND WITHIN CERTAIN COUNTY COMMISSION DISTRICTS AND TO MODIFY ARTICLE 916 ESTABLISHMENT OF COMMITTEES TO CHANGE THE COMPOSITION OF THE PARCEL MAP REVIEW COMMITTEE AND ALLOW THE PLANNING COMMISSION AND BOARD OF ADJUSTMENT TO APPOINT NON-MEMBERS TO THE DESIGN REVIEW COMMITTEE.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE DO ORDAIN:

**SECTION 1.** Article 302 "Allowed Uses" of Chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit "A" which is attached hereto and made a part hereof.

**SECTION 2.** Article 304 "Use Classification System" of Chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit "B" which is attached hereto and made a part hereof.

**SECTION 3.** Article 308 "Home Occupations" of Chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit "C" which is attached hereto and made a part hereof.

**SECTION 4.** Article 312 "Fabricated Housing" of Chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit "D" which is attached hereto and made a part hereof.

SECTION 5. Article 322 "Group Care Facilities" of Chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit "E" which is attached hereto and made a part hereof.

SECTION 6. Article 324 "Antennas" of Chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit "F" which is attached hereto and made a part hereof.

SECTION 7. Article 406 "Building Placement Standards" of Chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit "G" which is attached hereto and made a part hereof.

SECTION 8. Article 414 "Noise and Lighting Standards" of Chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit "H" which is attached hereto and made a part hereof.

SECTION 9. Article 800 "Procedures: Title and Contents" of Chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit "I" which is attached hereto and made a part hereof.

SECTION 10. Article 802 "Administrative Waivers" of Chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit "J" which is attached hereto and made a part hereof.

SECTION 11. Article 804 "Variances" of Chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit "K" which is attached hereto and made a part hereof.

SECTION 12. Article 906 "Fees" of Chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit "L" which is attached hereto and made a part hereof.

SECTION 13. Article 908 "Issuance of Permits and Licenses" of Chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit "M" which is attached hereto and made a part hereof.

SECTION 14. Article 912 "Establishment of Commissions and Boards" of Chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit "N" which is attached hereto and made a part hereof.

SECTION 15. Article 916 "Establishment of Committees" of Chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit "O" which is attached hereto and made a part hereof.

Proposed on the 11th day of June, 1996.

Proposed by Commissioners Jim Shaw.

Passed on the 9th day of July, 1996.

Vote:

Ayes: Commissioners: Joanne Bond, Steve Bradhurst,  
 Mike Mouliot, Jim Shaw, Grant Sims

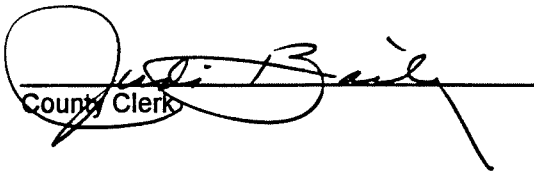
Nays: Commissioners:

Absent: Commissioners:



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

ATTEST:



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

This ordinance shall be in force and effect from and after the 26 day of July,  
 1996

**Section 110.302.05 Table of Uses.** The uses that are allowed in each regulatory zone are set forth in Table 110.302.05.1. The regulatory zones are indicated in Table 110.302.05.1 as follows:

- (a) Low Density Rural is indicated as "LDR";
- (b) Medium Density Rural is indicated as "MDR";
- (c) High Density Rural is indicated as "HDR";
- (d) Low Density Suburban is indicated as "LDS";
- (e) Medium Density Suburban is indicated as "MDS";
- (f) High Density Suburban is indicated as "HDS";
- (g) Low Density Urban is indicated as "LDU";
- (h) Medium Density Urban is indicated as "MDU";
- (i) High Density Urban is indicated as "HDU";
- (j) General Commercial is indicated as "GC";
- (k) Office Commercial is indicated as "OC";
- (l) Tourist Commercial is indicated as "TC";
- (m) Industrial is indicated as "I";
- (n) Public/Semi-Public Facilities is indicated as "PSP";
- (o) Parks and Recreation is indicated as "PR";
- (p) Open Space is indicated as "OS";
- (q) General Rural is indicated as "GR"; and
- (r) General Rural Residential is indicated as "GRR".

Table 110.302.05.1

**TABLE OF USES**

[Table 110.302.05.01 amended in its entirety by Ord. 890, provisions eff. 11/29/93.]

(See Sections 110.302.10 and 110.302.15 for explanation)

<b>Residential Use Types</b>																			
<b>(Section 110.304.15)</b>		LDR	MDR	HDR	LDS	MDS	HDS	LDU	MDU	HDU	GC	OC	TC	I	PSP	PR	OS	GR	GRR**
<b>Family Residential</b>																			
Attached Accessory Dwelling		A	A	A	A	A	A	A	A	A	--	--	--	--	--	--	--	--	A
Detached Accessory Dwelling		S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	P	P	A	--	--	--	--	--	--	--	S <sub>2</sub>	A
Detached Accessory Structure		A	A	A	A	A	A	A	A	A	--	--	--	--	--	--	--	A	A
Duplex		--	--	--	P	P	P	P	P	A	--	--	--	--	--	--	--	--	--
Multi Family		--	--	--	--	--	--	P	P	A	--	--	--	--	--	--	--	--	--
Single Family, Attached		--	--	--	A	A	A	A	A	A	--	--	--	--	--	P	--	--	--
Single Family, Detached		A	A	A	A	A	A	A	S <sub>2</sub>	S <sub>2</sub>	--	--	--	--	--	P	--	A	A
Manufactured Home Parks		*	*	*	*	*	S <sub>1</sub>	S <sub>1</sub>	*	*	--	--	--	--	--	--	--	--	*
Residential Group Home		A	A	A	A	A	A	A	A	A	--	--	--	--	--	--	--	--	--

Key: -- = Not allowed; A = Allowed; P = Administrative Permit; PR = Park Commission Approval pursuant to 110.104.40(c); S<sub>1</sub> = Planning Commission Special Use Permit; S<sub>2</sub> = Board of Adjustment Special Use Permit; \* = Allowed in areas designated Trailer (TR) Overlay zone prior to adoption of this Development Code; \*\* = GRR only in Warm Springs planning area.

Table 110.302.05.1

**TABLE OF USES (Continued)**  
 (See Sections 110.302.10 and 110.302.15 for explanation)

<b>Civic Use Types</b> (Section 110.304.20)	LDR	MDR	HDR	LDS	MDS	HDS	LDU	MDU	HDU	GC	OC	TC	I	PSP	PR	OS	GR	GRR**
Administrative Services	--	--	--	--	--	--	P	P	P	A	A	A	A	A	P	--	--	--
Child Care																		
Child Daycare	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	P	P	P	P	P	S <sub>2</sub>	--	S <sub>2</sub>	--
Family Daycare	A	A	A	A	A	A	A	A	A	--	--	--	--	--	--	--	--	A
Large-Family Daycare	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	--	--	--	--	--	--	--	P	--
Community Center	--	--	--	--	--	--	P	P	P	A	--	A	--	A	A	--	--	--
Convalescent Services	--	--	--	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	P	P	P	P	--	--	--	P	--	--	--	--
Cultural and Library Services	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	A	A	A	A	A	--	A	A	--	A	--
Education	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	--	S <sub>1</sub>	S <sub>1</sub>	--	S <sub>1</sub>	--
Group Care	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	P	P	--	--	--	--	--	S <sub>2</sub>	--
Hospital Services	--	--	--	--	--	--	--	--	--	A	A	--	--	A	--	--	--	--
Major Services and Utilities																		
Major Public Facilities	--	--	--	--	--	--	--	--	--	S <sub>1</sub>	--	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	--	S <sub>1</sub>	--
Utility Services	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	--
Nature Center	--	--	--	--	--	--	--	--	--	S <sub>1</sub>	--	S <sub>1</sub>	--	--	S <sub>1</sub>	--	S <sub>1</sub>	--
Parks and Recreation																		
Active Recreation	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	A	A	--	PR	--
Passive Recreation	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	--
Postal Services	--	--	--	--	--	--	P	P	P	A	A	A	A	A	--	--	--	--
Public Parking Services	--	--	--	--	--	--	--	A	A	A	A	A	A	A	--	--	--	--
Religious Assembly	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	P	P	P	P	P	P	--	S <sub>1</sub>	--
Safety Services	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	--	S <sub>2</sub>	--

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Table 110.302.05.1

**TABLE OF USES (Continued)**  
 (See Sections 110.302.10 and 110.302.15 for explanation)

<b>Commercial Use Types</b> (Section 110.304.25)	LDR	MDR	HDR	LDS	MDS	HDS	LDU	MDU	HDU	GC	OC	TC	I	PSP	PR	OS	GR	GRR**
Administrative Offices	--	--	--	--	--	--	P	P	P	A	A	A	A	A	P	--	--	--
Adult Entertainment	--	--	--	--	--	--	--	--	--	S <sub>1</sub>	--	S <sub>1</sub>	--	--	--	--	--	--
Animal Sales and Services																		
Commercial Kennels	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	--	--	--	--	--	S <sub>2</sub>	--	--	S <sub>2</sub>	--	--	--	S <sub>2</sub>	S <sub>2</sub>
Commercial Stables	P	P	P	P	--	--	--	--	--	--	--	S <sub>2</sub>	--	--	P	--	P	S <sub>2</sub>
Grooming and Pet Stores	--	--	--	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	A	--	--	--	--	--	--	--	--
Pet Cemeteries	P	P	P	--	--	--	--	--	--	--	--	--	--	A	--	--	P	--
Veterinary Services, Agricultural	P	P	P	P	--	--	--	--	--	S <sub>2</sub>	--	--	--	--	--	--	P	S <sub>2</sub>
Veterinary Services, Pets	--	--	--	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	A	--	--	P	--	--	--	--	--
Automotive and Equipment																		
Automotive Repair	--	--	--	--	--	--	--	--	--	P	--	--	A	--	--	--	--	--
Automotive Sales and Rentals	--	--	--	--	--	--	--	--	S <sub>2</sub>	A	A	A	A	--	--	--	--	--
Cleaning	--	--	--	--	--	--	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	A	A	A	A	--	--	--	--	--
Commercial Parking	--	--	--	--	--	--	P	P	P	A	A	A	A	P	--	--	--	--
Equipment Repair and Sales	--	--	--	--	--	--	--	--	--	--	--	--	A	--	--	--	--	--
Fabricated Housing Sales	--	--	--	--	--	--	--	--	--	A	--	--	A	--	--	--	--	--
Storage of Operable Vehicles	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	--	--	A	--	--	--	--	--
Truck Stops	--	--	--	--	--	--	--	--	--	S <sub>1</sub>	--	S <sub>1</sub>	S <sub>1</sub>	--	--	--	--	--
Building Maintenance Services	--	--	--	--	--	--	--	--	--	A	A	--	A	--	--	--	--	--
Commercial Antennas	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	--	--	--	--	--	--	S <sub>1</sub>	S <sub>1</sub>	--	S <sub>1</sub>	S <sub>1</sub>	--	--	S <sub>1</sub>	--
Commercial Centers																		
Community Centers	--	--	--	--	--	--	--	--	--	S <sub>1</sub>	--	S <sub>1</sub>	--	--	--	--	--	--
Neighborhood Centers	--	--	--	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	P	P	P	A	A	A	A	--	--	--	--	--
Regional Centers	--	--	--	--	--	--	--	--	--	S <sub>1</sub>	--	S <sub>1</sub>	--	--	--	--	--	--
Commercial Educational Services	--	--	--	--	--	--	P	P	P	A	A	--	A	A	--	--	--	--
Commercial Recreation																		
Commercial Campground Facilities	--	--	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	--	--	S <sub>2</sub>	--	S <sub>2</sub>	--
Destination Resorts	--	--	--	--	--	--	--	--	--	--	--	S <sub>1</sub>	--	--	S <sub>1</sub>	--	S <sub>1</sub>	--
Indoor Entertainment	--	--	--	--	--	--	--	--	--	A	P	A	--	P	--	--	--	--
Indoor Sports and Recreation	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	S <sub>2</sub>	P	S <sub>2</sub>	P	P	--	--	--
Limited Gaming Facilities	--	--	--	--	--	--	--	--	--	P	--	P	S <sub>2</sub>	--	--	--	--	--

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Table 110.302.05.1

**TABLE OF USES (Continued)**  
 (See Sections 110.302.10 and 110.302.15 for explanation)

<b>Commercial Use Types</b> (Section 110.304.25)	LDR	MDR	HDR	LDS	MDS	HDS	LDU	MDU	HDU	GC	OC	TC	I	PSP	PR	OS	GR	GRR**
Marinas	--	--	--	--	--	--	--	--	--	P	--	P	--	P	P	--	P	--
Outdoor Entertainment	--	--	--	--	--	--	--	--	--	--	--	S <sub>1</sub>	S <sub>1</sub>	--	S <sub>1</sub>	--	--	--
Outdoor Sports and Recreation	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	P	P	P	P	S <sub>1</sub>	P	--	P	--
Outdoor Sports Club	S <sub>2</sub>	--	--	--	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	P	--	S <sub>2</sub>	S <sub>2</sub>
Unlimited Gaming Facilities	--	--	--	--	--	--	--	--	--	--	--	S <sub>1</sub>	--	--	--	--	--	--
Construction Sales and Services	--	--	--	--	--	--	--	--	--	--	--	--	A	--	--	--	--	--
Convention and Meeting Facilities	--	--	--	--	--	--	--	--	--	P	P	P	--	P	S <sub>2</sub>	--	--	--
Eating and Drinking Establishments																		
Convenience	--	--	--	--	--	--	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	A	A	A	P	--	--	--	--	--
Full Service	--	--	--	--	--	--	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	A	A	A	P	--	--	--	--	--
Financial Services	--	--	--	--	--	--	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	A	A	A	P	--	--	--	--	--
Funeral and Intermment Services																		
Cemeteries	P	P	P	--	--	--	--	--	--	--	--	--	--	A	--	--	P	--
Undertaking	--	--	--	--	--	--	--	--	--	A	A	--	--	--	--	--	--	--
Gasoline Sales and Service Stations	--	--	--	--	--	--	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	A	A	A	A	--	--	--	S <sub>1</sub>	--
Helicopter Services																		
Heliport	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	--	--	S <sub>2</sub>	S <sub>2</sub>	--	--	S <sub>2</sub>	--
Helistop	S <sub>2</sub>	--	--	--	--	--	--	--	--	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	--	--	S <sub>2</sub>	--
Liquor Sales																		
Off-Premises	--	--	--	--	--	--	P	P	P	A	--	A	P	--	--	--	--	--
On-Premises	--	--	--	--	--	--	P	P	P	A	P	A	P	--	--	--	--	--
Lodging Services																		
Bed and Breakfast Inns	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	--	P	--	--	--	--	S <sub>2</sub>	S <sub>2</sub>
Hostels	--	--	--	--	--	--	--	--	--	--	--	P	--	--	P	--	--	--
Hotels and Motels	--	--	--	--	--	--	--	--	--	A	P	A	--	--	--	--	--	--
Vacation Time Shares	--	--	--	--	--	--	--	--	--	--	--	P	--	--	--	--	--	--
Medical Services	--	--	--	--	--	--	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	A	A	--	--	A	--	--	--	--
Nursery Sales																		
Retail	--	--	--	--	--	--	--	--	--	A	--	--	A	--	--	--	--	--
Wholesale	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	--	--	--	--	--	--	A	--	--	A	--	--	--	S <sub>2</sub>	S <sub>2</sub>
Personal Services	--	--	--	--	--	--	P	P	P	A	A	A	--	--	--	--	--	--
Personal Storage	--	--	--	--	--	--	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	A	--	--	A	--	--	--	--	--
Professional Services	--	--	--	--	--	--	P	P	P	A	A	--	P	--	--	--	--	--

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Table 110.302.05.1  
**TABLE OF USES (Continued)**  
 (See Sections 110.302.10 and 110.302.15 for explanation)

<b>Commercial Use Types</b>																		
(Section 110.304.25)	LDR	MDR	HDR	LDS	MDS	HDS	LDU	MDU	HDU	GC	OC	TC	I	PSP	PR	OS	GR	GRR**
Recycle Center																		
Full Service Recycle Center	--	--	--	--	--	--	--	--	--	--	--	--	A	--	--	--	--	--
Remote Collection Facility	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	P	P	P	P	P	P	A	P	P	--	--	--
Residential Hazardous Substance Recycle Center	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	--	--	S <sub>2</sub>	--	--	--	--	--
Repair Services, Consumer	--	--	--	--	--	--	--	--	--	A	A	--	A	--	--	--	--	--
Retail Sales																		
Comparison Shopping Centers	--	--	--	--	--	--	--	--	--	A	--	A	--	--	--	--	--	--
Convenience	--	--	--	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	A	A	A	A	--	--	--	--	--
Specialty Stores	--	--	--	--	--	--	--	--	--	A	P	A	--	--	--	--	--	--
Secondhand Sales	--	--	--	--	--	--	--	--	--	A	--	--	--	--	--	--	--	--
Transportation Services	--	--	--	--	--	--	--	--	--	A	A	A	A	--	--	--	--	--

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Table 110.302.05.1  
**TABLE OF USES (Continued)**  
 (See Sections 110.302.10 and 110.302.15 for explanation)

<b>Industrial Use Types</b>																		
(Section 110.304.30)	LDR	MDR	HDR	LDS	MDS	HDS	LDU	MDU	HDU	GC	OC	TC	I	PSP	PR	OS	GR	GRR**
Custom Manufacturing	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	--	--	--	--	--	--	S <sub>2</sub>	--	S <sub>2</sub>	A	--	--	--	S <sub>2</sub>	--
Energy Production	S <sub>1</sub>	S <sub>1</sub>	--	--	--	--	--	--	--	--	--	--	S <sub>1</sub>	S <sub>1</sub>	--	S <sub>1</sub>	S <sub>1</sub>	--
General Industrial																		
Heavy	--	--	--	--	--	--	--	--	--	--	--	--	S <sub>1</sub>	--	--	--	--	--
Intermediate	--	--	--	--	--	--	--	--	--	--	--	--	A	--	--	--	--	--
Limited	--	--	--	--	--	--	--	--	--	--	--	--	A	--	--	--	--	--
High Technology Industry	--	--	--	--	--	--	--	--	--	S <sub>1</sub>	S <sub>1</sub>	--	A	--	--	--	S <sub>1</sub>	--
Inoperable Vehicle Storage	--	--	--	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	--	--	--	--	--
Laundry Services	--	--	--	--	--	--	--	--	--	P	--	--	A	--	--	--	--	--
Mining Operations	S <sub>1</sub>	--	--	--	--	--	--	--	--	--	--	--	S <sub>1</sub>	--	--	--	S <sub>1</sub>	--
Petroleum Gas Extraction	--	--	--	--	--	--	--	--	--	--	--	--	S <sub>1</sub>	--	--	S <sub>1</sub>	S <sub>1</sub>	--
Salvage Yards	--	--	--	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	--	--	--	--	--
Wholesaling, Storage and Distribution																		
Heavy	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--	--	--	--
Light	--	--	--	--	--	--	--	--	--	--	--	--	A	--	--	--	--	--

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Table 110.302.05.1

**TABLE OF USES (Continued)**  
**(See Sections 110.302.10 and 110.302.15 for explanation)**

<b>Agricultural Use Types</b> (Section 110.304.35)	LDR	MDR	HDR	LDS	MDS	HDS	LDU	MDU	HDU	GC	OC	TC	I	PSP	PR	OS	GR	GRR**
Agricultural Processing	--	--	--	--	--	--	--	--	--	--	--	--	A	--	--	--	S <sub>2</sub>	A
Agricultural Sales	S <sub>2</sub>	--	--	--	--	--	--	--	--	A	--	--	A	--	--	--	S <sub>2</sub>	A
Animal Production	A	A	A	A	--	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	S <sub>2</sub>	A	A
Animal Slaughtering, Agricultural	A	A	A	A	--	--	--	--	--	--	--	--	--	--	A	A	A	A
Animal Slaughtering, Commercial	--	--	--	--	--	--	--	--	--	--	--	--	S <sub>1</sub>	--	--	--	--	--
Crop Production	A	A	A	A	--	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	S <sub>2</sub>	A	A
Forest Products	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	--	--	--	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	P	--
Game Farms	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	--	--	--	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>
Produce Sales	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	--	--	--	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	A

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Sources: Sedway Cooke Associates and Washoe County Department of Comprehensive Planning.

[This Section amended by Ord. 959, provisions eff. 7/26/96.]



**Section 110.304.15 Residential Use Types.** Residential use types include the occupancy of living accommodations on a wholly or primarily non-transient basis but exclude institutional living arrangements providing twenty-four-hour skilled nursing or medical care and those providing forced residence, such as asylums and prisons.

- (a) Family Residential. The family residential use type refers to the occupancy of living quarters by one (1) or more families. The following are family residential use types:
- (1) Attached Accessory Dwelling. Attached accessory dwelling refers to a portion of a single family dwelling that may provide complete, independent living facilities for living, sleeping, eating, cooking and sanitation within the main dwelling unit, but which is separate from the main dwelling unit's cooking area, bathroom(s) and living areas. An attached accessory dwelling shall not exceed twenty-five (25) percent of the total square footage of the main dwelling unit. Typical uses include guest rooms, guest apartments and "granny flats".
  - (2) Detached Accessory Dwelling. Detached accessory dwelling refers to a dwelling unit on the same lot as the primary dwelling unit, but physically separated from the primary dwelling unit. An accessory dwelling unit may provide complete, independent living facilities for one or more persons, including permanent facilities for living, sleeping, eating, cooking and sanitation. A detached accessory dwelling unit shall be at least six hundred forty (640) square feet, but shall not exceed twelve hundred (1,200) square feet or fifty (50) percent of the floor area of the main unit, whichever is smaller. Typical uses include guest houses, second units, "granny flats" and caretaker's quarters.
  - (3) Detached Accessory Structure. A detached accessory structure refers to a building or structure on the same lot as the main residential structure and devoted to a use incidental to that main residential structure. A detached accessory structure is not designed or used for human habitation. Typical uses include storage buildings and sheds, barns and detached garages.
  - (4) Duplex. Duplex refers to the use of a parcel for two (2) dwelling units in a single structure.
  - (5) Multi-Family. Multi-family refers to the use of a parcel for three (3) or more dwelling units within one (1) or more buildings, including condominium developments.
  - (6) Single Family, Attached. Single family, attached refers to two (2) or more dwelling units constructed with a common or abutting wall with each located on its own separate parcel.
  - (7) Single Family, Detached. Single family, detached refers to the use of a parcel for only one (1) dwelling unit.
- (b) Manufactured Home Parks. Manufactured home parks use type refers to the occupancy of a dwelling unit defined as a mobile home or a manufactured home and which is located in a site defined as a manufactured home park.

- (c) Residential Group Home. Residential group home use type refers to, on a weekly or longer basis, the occupancy of living quarters by and the care for a group of six or fewer persons—not defined as families, excluding caregivers and their family, such as group care homes.

*[This Section amended by Ord. 959, provisions eff. 7/26/96.]*

**Section 110.308.15 Development Requirements.** All home occupations shall comply with the provisions of this section.

- (a) Appearance. The appearance of the structure shall not be altered, nor shall the occupation within the dwellings be conducted, in a manner which would cause the premises to differ from its residential character either by the use of colors, materials, construction, lighting or signs, or by the emission of sounds, noises, dust, odors, fumes, smoke or vibrations.
- (b) Dwelling Unit. The property proposed to support the home business shall contain a minimum of one (1) dwelling unit.
- (c) Occupancy Group. The home occupation shall not result in any change in the occupancy group of the structure as defined by the Uniform Building Code.
- (d) Employees. All employees shall be members of the resident family and shall reside on the premises.
- (e) Sale of Merchandise. There shall be no sale of merchandise which requires customers to go to the property.
- (f) Traffic. Pedestrian and vehicular traffic will be limited to that normally associated with residential districts.
- (g) Commercial Vehicle. The home occupation may involve the use of a commercial vehicle, not to exceed eight-thousand (8,000) pounds gross weight or a single vehicle limousine service.
- (h) Size Limits. Up to twenty-five (25) percent of the living space or two hundred fifty (250) square feet, whichever is less, of the dwelling may be used for the home occupation and any related storage of materials and supplies. A variance in accordance with Article 804, Variances, may be allowed for the purpose of increasing the size of the space used for the home occupation.
- (i) Storage. There shall be no outdoor storage of materials or equipment; no storage of toxic or hazardous materials, including ammunition and gunpowder; nor shall merchandise be visible from outside the dwelling.
- (j) Location. The home occupations shall be confined within the main building as a clearly secondary use of the dwelling. When conducted in an attached garage, the home occupation shall not permanently eliminate the use of the garage as a parking space for a car.
- (k) Use of Facilities and Utilities. The use of utilities and community facilities shall be limited to that normally associated with the use of the property for residential purposes.
- (l) Advertising. There shall be no public advertising which calls attention to the fact that the dwelling is being used for business purposes, except when required by Nevada Revised Statutes. Telephone listings, or any other advertising of the business, shall not include the dwelling address. The name, telephone and purpose of the home occupations may be advertised on not more than one (1) vehicle which is operated by the resident or residents of the dwelling in conjunction with the business. The home address may appear on business

cards, letterhead and invoices when the home address is also the business address.

- (m) Electromagnetic Interference. Electrical or mechanical equipment which creates audible interference in radio receivers, or visual or audible interference in television receivers, or causes fluctuations in line voltage outside the dwelling unit is prohibited.
- (n) Fire Safety. Activities conducted and equipment or material used or stored shall not adversely change the fire safety of the premises.
- (o) Equipment. There shall be no use or storage of mechanical equipment not recognized as being a part of normal household or hobby use.

*[This Section amended by Ord. 959, provisions eff. 7/26/96.]*



**Section 110.312.10 Development Standards.** All new set-up and installations of mobile homes and manufactured homes shall comply with the following development standards:

- (a) Density and Intensity Standards. Manufactured homes and mobile homes shall be subject to the maximum number of units allowed per acre and height of structures as set forth in Article 402, Density/Intensity Standards, for the regulatory zone in which they are located.
- (b) Lot Standards. Manufactured homes and mobile homes shall be subject to the minimum and maximum size of lots and the minimum average lot width as set forth in Article 404, Lot Standards, for the regulatory zone in which they are located.
- (c) Building Placement Standards. Manufactured homes and mobile homes shall be subject to the building setbacks and yard requirements as set forth in Article 406, Building Placement Standards, for the regulatory zone in which they are located.
- (d) Parking. Manufactured homes and mobile homes shall be subject to the parking standards as set forth in Article 410, Parking and Loading. At a minimum, one (1) of the required parking spaces shall be contained within a garage or carport. This requirement may be waived through an application for a variance in accordance with Article 804, Variances, in cases where the deletion would be consistent with the surrounding neighborhood. Where required, the external material and roofing of the garage or carport shall be the same as that of the dwelling unit.
- (e) Skirting. Complete perimeter solid skirting, or a material and color complimentary to the manufactured home or mobile home, shall be provided from the bottom of the fabricated home to the ground surface within sixty (60) days of the set-up and inspection date. The exterior covering of the fabricated home can be used to satisfy the skirting requirement, except that, when a solid concrete or masonry perimeter foundation is used, the exterior covering material need not extend below the top of the foundation.
- (f) Foundation. The fabricated home must be placed on a foundation system for conversion to real property. The permanent foundation must be safe and secure and comply with the manufacturer's set-up instructions or a federal agency's (HUD/FHA, VA, FNMA or FmHA) approved permanent foundation system. The foundation system must be set so that the height at the perimeter does not exceed a maximum of thirty-six (36) inches as measured from the bottom of the frame (e.g. support I-beam) to the surrounding finished grade, with at least one (1) section of the perimeter not exceeding sixteen (16) inches in height. The transportation hitch and wheels must be removed from the mobile home or manufactured home within sixty (60) days of occupancy, and the equipment must be either physically removed from the parcel or stored under the unit and be completely concealed by the skirting.
- (g) Flood Areas. Manufactured homes and mobile homes located in flood hazard areas or limited flooding areas shall comply with the requirements of Article 416, Flood Hazards.

*[This Section amended by Ord. 939, provisions eff. 11/1/95; Ord. 959, provisions eff. 7/26/96.]*



# Article 322

## GROUP CARE FACILITIES

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[This Article amended in its entirety by Ord. 875, provisions eff. 8/3/93; Ord. 959, provisions eff. 7/26/96.]

**Sections:**

<b>110.322.00</b>	<b>Purpose</b>
<b>110.322.05</b>	<b>Applicability</b>
<b>110.322.10</b>	<b>Review Standards and Guidelines</b>

**Section 110.322.00 Purpose.** The purpose of this article, Article 322, Group Care Facilities, is to provide special regulations pertaining to group care facilities in order to preserve the quality of care provided to people using the facilities.

**Section 110.322.05 Applicability.** The provisions of this article shall apply to uses classified as residential group home and group care in Article 304, Use Classification System. Residential group homes and group care facilities are allowed in those regulatory zones as set forth in Article 302, Allowed Uses.

**Section 110.322.10 Review Standards and Guidelines.** Residential group homes and group care facilities shall comply with the provisions of this section.

- (a) Floor Plan. An interior sketch of the floor plan of the home or facility, to scale, shall be submitted with the required development approval application. The sketch shall contain information as required by the Director of the Department of Development Review.
- (b) Exterior Yard Area. A sketch, to scale, of the exterior yard area to be used for residential group home and group care purposes shall be submitted containing information as required by the Director of the Department of Development Review.
- (c) Interior Space. A minimum of twelve hundred (1,200) square feet of interior space shall be provided for the first six (6) facility users, and one hundred fifty (150) square feet of interior space for each additional facility user. Rooms which may be included in this calculation include areas where care activities will be conducted, including bedrooms used for sleeping, recreation rooms, food preparation areas, living rooms and family rooms. Rooms which may not be included in this calculation include closets, halls, garages and bathrooms.
- (d) Outdoor Recreation Area. A minimum of six hundred (600) square feet of outdoor recreation area shall be provided for the first six (6) facility users, and seventy-five (75) square feet of outdoor recreation area for each additional facility user.
  - (1) Areas which may not be included in calculating outdoor recreation area include side yards less than ten (10) feet in width and areas containing

swimming pools, spas or other water bodies unless covered and deemed safe pursuant to state regulations.

- (2) Neighborhood greenbelt and park space may be used to satisfy the outdoor recreation area requirement if these alternative areas are located in immediate proximity to the facility, are appropriate for recreation, and proper insurance coverage has been obtained for them.
  - (3) All outdoor recreation areas, except those described in Subsection (d)(2) of this section, shall be enclosed by walls or fences not less than six (6) feet in height. Should existing fencing be less than six (6) feet in height, the review authority may approve such alternative fencing if, upon review of adjacent uses, supervision ratios and facility floor plans, it determines that the existing fence height will not be detrimental to the health, safety or welfare of facility users.
- (e) Garages. Garages shall be prohibited as a residential group home or group care facility recreation area unless:
- (1) Alternative on-site parking is available to meet minimum residential parking requirements; and
  - (2) The garage is improved to meet building and fire code regulations as a habitable space.
- (f) Location of Rooms. Rooms used for care activities shall not be located above the first story unless the facility is equipped with an automatic fire sprinkler system approved by the appropriate fire protection agency.
- (g) Fire Exits. All facilities shall have no less than two (2) legal exits for fire purposes, pursuant to the requirements of the appropriate fire protection agency.
- (h) Public Service Access. The applicant shall develop and will implement a public service access plan providing or arranging for transportation, as necessary, for residential group home and group care residents. The plan shall specifically describe the means by which residents will gain access to bus or other public transportation routes, shopping locations, medical, dental or other health care facilities, and government offices.
- (i) Parking Plan. The applicant shall develop and will implement a parking plan indicating the maximum number of vehicles to be parked on and off the site, projected needs for parking at the site, and means to satisfy the projected needs.
- (j) Overconcentration. The establishment of the proposed residential group home or group care facility will not result in an overconcentration of residential group home and/or group care facilities or group homes in the neighborhood. Overconcentration will be presumed when the establishment of the residential group home and/or group facility would result in a residential group home, group care facility or group home being spaced closer than one thousand (1,000) feet to another residential group home, group care facility or group home. This presumption shall be rebuttable upon a clear and convincing showing by the applicant that overconcentration will not result if the proposed residential group home or group care facility is established. The Director of the Department of Development Review shall make the final determination to permit concentration of

residential group homes or group care facilities in excess of the standard enumerated in this subsection.

- (k) Yard Maintenance. The applicant will provide adequate exterior maintenance to the residential group home or facility and surrounding yard and setback areas. This shall include a plan demonstrating provisions for regular yard and landscape irrigation and maintenance, and other items of routine maintenance.
- (l) Neighborhood Response Program. The applicant shall develop and will implement a neighborhood response program which provides a procedure for immediate response to incidents and complaints arising out of group care activities. This procedure shall include a method of assuring that the owner or permittee is notified of any incident, that the owner or permittee will personally investigate the matter, and that any person making a complaint or reporting the incident will receive a response of action taken or a reason why no action needs to be taken. In addition, the owner or permittee shall establish a fixed time on a weekly basis when he or she will be present to meet residents and discuss neighborhood problems relative to the group care facility.
- (m) Emergency Response Plan. The applicant shall prepare and file an emergency response plan with all local emergency service providers, including police, fire and ambulance. The plan shall include evacuation procedures, and shall identify emergency vehicle entrances and rear and front building entrances. In addition, the plan shall encourage no light/no siren responses, except in emergency situations.
- (n) Licensing. An operator of a residential group home or group care facility shall first obtain all licenses and/or permits (except for a building permit) for the operation of the facility prior to obtaining a business license from Washoe County. At the time of obtaining the business license, the applicant shall submit evidence identifying from which agency other licenses and/or permits have been obtained.



**Section 110.324.15 Satellite Dish Antennas: Ground Mounted.** A satellite dish antenna may be mounted on the ground in accordance with this section.

- (a) Residential Ground Mounted TVRO Satellite Dish Antennas. A television reception only (TVRO) satellite dish antenna may be ground mounted in residential regulatory zones provided:
- (1) It is physically or electronically linked only to a receiver located on the same parcel of land.
  - (2) The satellite dish antenna shall not exceed ten (10) feet in diameter.
  - (3) The satellite dish mounting support structure shall not exceed a height of twelve (12) feet above the ground surface.
  - (4) Any driving motor is encased in protective guards and is muffled against noise.
  - (5) A satellite dish antenna may be placed in the front area of a parcel pursuant to Section 110.324.10, and in accordance with the provisions of this subsection:
    - (i) The base of the satellite dish antenna and driving motor house shall be screened to the satisfaction of the Zoning Administrator;
    - (ii) The applicant shall demonstrate that locating the satellite dish antenna in the side or rear yard area of the parcel would result in obstruction of the antenna's reception window; furthermore, such obstruction involves factors beyond the control of the applicant; and
    - (iii) The applicant shall demonstrate that locating the satellite dish antenna in the front area of the parcel will not impair the required line-of-sight from adjacent driveways or streets.
  - (6) In addition to those findings required in Article 808, Administrative Permits, for placement of a satellite dish antenna in the front area of a parcel, the Zoning Administrator shall make the following findings:
    - (i) Location in the area between the face of the building and the side or rear property line prevents the private satellite dish antenna from receiving a complete signal;
    - (ii) Location of the satellite dish antenna in the area between the face of the building and the front property line does not visually impact surrounding properties; and
    - (iii) Location of the satellite dish antenna in the required front yard does not impair the required line-of-sight from adjacent driveways or streets.
- (b) Non-Residential Ground Mounted Satellite Dish Antennas. A satellite dish antenna may be ground mounted in non-residential regulatory zones provided:

- (1) It is physically or electronically linked only to a receiver located on the same parcel of land.
- (2) The satellite dish antenna shall not exceed thirty-six (36) feet in diameter.
- (3) The satellite dish mounting support structure shall not exceed a height of seventeen (17) feet above the ground surface.
- (4) Any driving motor is encased in protective guards and is muffled against noise.
- (5) Screening is required for all satellite dish antennas located in non-residential regulatory zones that exceed ten (10) feet in diameter, and are located adjacent to a residentially zoned property. The required screening shall shield views of the satellite dish antenna from the adjacent residential parcels. The satellite dish antenna may be screened around the base of the antenna or along the common property line. A waiver from the screening requirement can be obtained pursuant to Article 804, Variances, if the satellite dish antenna is sufficiently set back from the residential parcel to minimize its impact.
- (6) A satellite dish antenna may be placed in the front area of a parcel if an administrative permit is obtained pursuant to Article 808, Administrative Permits, and in accordance with the provisions of this subsection:
  - (i) The base of the satellite dish antenna and driving motor house shall be screened to the satisfaction of the Zoning Administrator;
  - (ii) The applicant shall demonstrate that locating the satellite dish antenna in the area between the face of the building and the side or rear property line would result in obstruction of the antenna's reception window; furthermore, such obstruction involves factors beyond the control of the applicant; and
  - (iii) The applicant shall demonstrate that locating the satellite dish antenna in the required front area of the parcel will not impair the required line-of-sight from adjacent driveways or streets.
- (7) In addition to those findings required in Article 808, Administrative Permits, for placement of a satellite dish antenna in the front area of a parcel, the Zoning Administrator shall make the following findings:
  - (i) Location in the area between the face of the building and the side or rear property line prevents the private satellite dish antenna from receiving a complete signal;
  - (ii) Location of the satellite dish antenna in the area between the face of the building and the front property line does not visually impact surrounding properties; and
  - (iii) Location of the satellite dish antenna in the required front yard does not impair the required line-of-sight from adjacent driveways or streets.

*[This Section amended by Ord. 959, provisions eff. 7/26/96.]*



**Section 110.406.45 Fences, Walls or Perimeter Planting.**

- (a) Residential Use Types. The maximum height for fences, walls or perimeter planting is limited to four-and-one-half (4.5) feet in the required front yard setback except as noted by Section 110.406.30, Front Yards. The maximum height for fences, walls or perimeter planting for the remainder of the residential property is six (6) feet. Where two (2) or more of a property's frontages constitute front yards on a corner lot, one (1) of the yards shall be deemed to be the main entrance and all other yards with street frontage shall be considered modified side yards where fences, walls or perimeter planting can have a maximum height of six (6) feet as long as such fences, walls or perimeter planting are located at least ten (10) feet from the modified side yard property line.
- (b) Commercial and Industrial Use Types. The fences, walls or perimeter planting in commercial and industrial development adjoining residential uses shall be at least six (6) feet but not more than seven (7) feet in height, in accordance with Article 412, Landscaping. The fences, walls or perimeter planting adjoining non-residential uses or a street may be a maximum of six (6) feet in height. These maximums may be increased to eight (8) feet for security and aesthetic purposes with the issuance of a variance in accordance with the procedures contained in Article 804, Variances.

*[This Section amended by Ord. 959, provisions eff. 7/26/96.]*



**Section 110.414.20 Exceptions.** The following sources of noise are exempt from the regulations of this article:

- (a) Motor vehicles and other noise-generating equipment not under the control of the property;
- (b) Emergency vehicles and equipment;
- (c) Temporary construction, repair or demolition activities occurring between 7:00 a.m. and 7:00 p.m. on any day except Sunday; and
- (d) Any use approved through a variance that specifically reviewed the issue of noise created by the use.

*[This Section amended by Ord. 959, provisions eff. 7/26/96.]*



# Article 800 **PROCEDURES: TITLE AND CONTENTS**

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*[This Article amended in its entirety by Ord. 959, provisions eff. 7/26/96.]*

**Sections:**

<b>110.800.00</b>	<b>Title</b>
<b>110.800.05</b>	<b>Contents</b>

**Section 110.800.00 Title.** Division Eight of Chapter 110, Development Code, is entitled Procedures.

**Section 110.800.05 Contents.** Division Eight consists of the following articles:

- (a) ARTICLE 800 PROCEDURES: TITLE AND CONTENTS

*[Article 802 entitled "Administrative Waivers" repealed by Ord. 959, provisions eff. 7/26/96.]*

- (c) ARTICLE 804 VARIANCES
- (d) ARTICLE 806 VACATIONS AND ABANDONMENTS OF EASEMENTS OR STREETS
- (e) ARTICLE 808 ADMINISTRATIVE PERMITS
- (f) ARTICLE 810 SPECIAL USE PERMITS
- (g) ARTICLE 812 PROJECTS OF REGIONAL SIGNIFICANCE
- (h) ARTICLE 814 DEVELOPMENT AGREEMENTS
- (i) ARTICLE 816 SPECIFIC PLANS
- (j) ARTICLE 818 AMENDMENT OF DEVELOPMENT CODE
- (k) ARTICLE 820 AMENDMENT OF COMPREHENSIVE PLAN





- (d) ~~Parking Requirements.~~ Parking requirements may be reduced ten (10) percent from the off-street parking requirements.
- (e) ~~Maximum Fence Height.~~ Modification of maximum fence height shall be limited to permit a fence of not more than six (6) feet in height located in the required front yard setback in any residential regulatory zone, or a fence of not more than ten (10) feet in height for security purposes located in the required front, side or rear yard of a lot located in the General Rural Regulatory Zone, or a Commercial or Industrial Regulatory Zone.
- (f) ~~Home Occupation Size Limit.~~ Size limitations for home occupations may be altered to no more than twenty five (25) percent of the total area of the dwelling unit.
- (g) ~~Temporary Uses and Structures.~~ Modification to any of the provisions contained in Article 310, Temporary Uses and Structures, requires an administrative waiver and is exempt from Article 804, Variances.
- (h) ~~Antenna Screening.~~ Modification or waiver of the screening requirements for antennas contained in Article 324, Antennas, requires an administrative waiver.

~~**Section 110.802.10 Requirements for Application.**~~ Applications for administrative waivers may be initiated by the Board of County Commissioners, the property owner, or the property owner's authorized agent. Applications shall be filed with the Department of Development Review. A request for an administrative waiver shall include a site plan which clearly delineates the location and extent of the regulation to be modified. No administrative waiver shall be processed until the information necessary to review and decide upon the proposed administrative waiver is deemed complete by the Director of Development Review.

~~**Section 110.802.15 Review Procedures.**~~ The Zoning Administrator shall review administrative waivers in conformance with this section.

- (a) ~~General Provisions.~~ The Zoning Administrator shall review all administrative waiver applications to determine their consistency with established policies, standards and required findings. The review shall be of an administrative nature. No hearing is required.
- (b) ~~Concurrent Processing of Applications.~~ An administrative waiver related to additional Development Code action which requires Board of Adjustment or Planning Commission review shall be consolidated into one (1) review before the appropriate approval authority for the major request being considered.
- (c) ~~Time Period for Action.~~ The Zoning Administrator shall take action on the proposed administrative waiver not later than five (5) working days after the application was accepted from an owner of real property or the property owner's authorized agent. An extension of time for action may be granted if mutually agreed upon between the applicant and Director of the Department of Development Review.
- (d) ~~Action.~~ The Zoning Administrator shall approve, conditionally approve, or deny the application. Failure of the Zoning Administrator to take action within the time frame provided in this section shall constitute approval of the application. All decisions of the Zoning Administrator shall be in writing.



- (e) ~~Effective Date of Action.~~ Action on the administrative waiver applications, unless otherwise specified, shall be effective upon expiration of the appeal period.

~~**Section 110.802.20 Notice.**~~ No notice shall be required prior to action on an administrative waiver.

~~**Section 110.802.25 Projects of Regional Significance.**~~ If an administrative waiver approval is for a project of regional significance or if the approval would cause the project to become a project of regional significance, no permit for development or use of the property pursuant to the administrative waiver shall be issued until the Regional Planning Commission and/or the Regional Planning Governing Board has taken final action on the project of regional significance.

~~**Section 110.802.30 Conformance with Chapter.**~~ No administrative waiver request shall be approved which would have the effect of bringing into conformance a use of land or buildings that has been established in contravention to the provisions of this chapter.

~~**Section 110.802.35 Findings.**~~ Prior to approving an application for an administrative waiver, the Zoning Administrator shall find that all of the following are true:

- (a) ~~Not Detrimental.~~ The granting of the administrative waiver will not be materially detrimental to other properties, land uses, or the scenic and environmental character of the surrounding area;
- (b) ~~Exceptional Circumstances.~~ There are exceptional or extraordinary circumstances or conditions applicable to the property or to the intended uses that do not apply to other properties in the same regulatory zone in the vicinity;
- (c) ~~Denial of Privileges.~~ The strict application of the regulation deprives the property of privileges enjoyed by other properties in the vicinity;
- (d) ~~Consistency.~~ The granting of the administrative waiver is consistent with the action programs, policies, standards and maps of the Comprehensive Plan and the applicable area plan; and
- (e) ~~Adequate Public Facilities.~~ An adequate public facilities determination, in accordance with Division Seven, has been made

~~**Section 110.802.40 Notice of Decision.**~~

- (a) ~~Recipients of Notice - Approval.~~ Within five (5) working days of the Zoning Administrator's final action, the following persons shall be notified by mail of the final decision concerning an approval of an administrative waiver:
- (1) ~~All owners of real property that are the subject of the administrative waiver;~~
- (2) ~~Advisory boards created by the Board of County Commissioners for the area in which the property that is the subject of the administrative waiver is located;~~
- (3) ~~All owners of real property within three hundred (300) feet of the property which is the subject of the administrative waiver;~~

- (4) ~~All tenants of any mobile home park that is located within three hundred (300) feet of the property which is the subject of the administrative waiver; and~~
- (5) ~~All General Improvement Districts (GID) for the area in which the property that is the subject of the administrative waiver is located.~~
- (b) ~~Recipients of Notice – Denial.~~ Within five (5) working days of the Zoning Administrator's final action, all owners of real property that are the subject of an administrative waiver shall be notified by mail of the final decision concerning a denial of an administrative waiver.
- (c) ~~Number of Notices.~~ If the number of notices sent pursuant to this section does not total thirty (30) or more, the County shall send out additional notices to make the total number at least thirty (30). These notices shall be sent to owners of real property that are closest to the property in question, not including those owners provided notice pursuant to Subsection (a) of this section.
- (d) ~~Contents of Notice.~~ Such notice shall describe the proposed administrative waiver request; the lot, parcel, properties or area that are affected by the administrative waiver; the Zoning Administrator's decision and, if the administrative waiver has been approved, the conditions made part of the administrative waiver; and the appellate procedures that can be taken regarding the Zoning Administrator's decision.
- (e) ~~Compliance with Noticing Requirements.~~ Owners of all real property to be noticed pursuant to this section shall be those owners identified on the latest County Assessor's ownership maps and records. Such notice is complied with when notice is mailed to the last known addresses of such real property owners as identified in the latest County Assessor's records. Any person who attends the public hearing shall be considered to be legally noticed unless those persons can provide evidence that they were not notified according to the provisions of this section.

**Section 110.802.45 Appeals.** An action of the Zoning Administrator made pursuant to this article may be appealed in accordance with the provisions of this section.

- (a) ~~Appeal Period.~~ An appeal of the Zoning Administrator's final decision may be made to the Board of Adjustment within fifteen (15) days after the date of the final decision. If filed, an appeal stays any further action on the permit until final resolution of the appeal. If the end of the appeal period falls on a non-business day, the appeal period shall be extended to include the next business day.
- (b) ~~Who Can Appeal.~~ Appeals can be filed only by the following:
- (1) ~~The applicant or the applicant's authorized agent; and~~
  - (2) ~~A person who may be adversely affected by the decision.~~
- (c) ~~Contents of Appeal.~~ An appeal shall be filed with the Director of Development Review, accompanied by a filing fee. The appeal shall be in writing and state the basis of the appeal by citing the inadequacy of the findings made by the Zoning Administrator. Failure of the appellant to present such reasons shall be deemed cause for denial of the appeal.

- (d) ~~Time Period for Hearing.~~ The Director of Development Review shall schedule a public hearing on the appeal of the Zoning Administrator's final decision before the Board of Adjustment within thirty (30) days of the date of the filing of the appeal.
- (e) ~~Notice of Hearing.~~ A notice setting forth the time, place, purpose of hearing and map or physical description of the land involved shall be provided as set forth in Section 110.802.40.
- (f) ~~Action of Board of Adjustment.~~ The Board of Adjustment shall consider only those items cited in the appeal. In its deliberation, it may use additional evidence relative to the application and may confirm, reverse or modify the appealed action based upon its interpretation of the findings required and the evidence submitted.
- (g) ~~Effective Date.~~ The decision of the Board of Adjustment on an appeal from the Zoning Administrator shall be effective immediately.
- (h) ~~Administrative Waivers Issued Prior to May 26, 1993.~~ No administrative waiver issued prior to May 26, 1993 may be appealed after June 30, 1993.

**Section 110.802.50 One Year Wait on Denials.** After the denial of an administrative waiver, no application for an administrative waiver for the same or similar modification may be accepted for one (1) year immediately following the denial. This section shall not apply to applications denied without prejudice, which may be refiled within one (1) year.

**Section 110.802.55 Revocation.** Revocation of an administrative waiver shall be subject to the requirements of this section.

- (a) ~~Initiation of Action.~~ The Zoning Administrator, Board of Adjustment, Planning Commission, or Board of County Commissioners may initiate an action to revoke an administrative waiver.
- (b) ~~Grounds for Revocation.~~ An administrative waiver may be revoked pursuant to the provisions of this section upon a finding of any one (1) or more of the following grounds:
- (1) ~~That the administrative waiver approval was obtained or extended by fraud;~~
  - (2) ~~That one (1) or more of the conditions upon which such development approval was granted have been violated; or~~
  - (3) ~~That the use or facility for which the development approval was granted is so conducted or maintained as to be detrimental to the public health or safety, or as to be a public nuisance.~~
- (c) ~~Board of County Commissioners' Action.~~ The Board of County Commissioners shall hold a public hearing upon the revocation of the administrative waiver. The hearing shall be noticed in accordance with Section 110.802.40. After the public hearing and consideration of the recommendation of the Zoning Administrator, the Board of County Commissioners may take action to revoke the administrative waiver.



**Section 110.804.15 Review Procedures.** The Board of Adjustment, the Planning Commission or a hearing examiner shall review variances in accordance with the provisions of this section.

- (a) General Provisions. The Board of Adjustment, the Planning Commission or a hearing examiner shall conduct a public hearing with notification for the purpose of receiving oral and written evidence relative to the application. The evidence shall be reviewed to determine if the application is consistent with existing policies, standards and required findings.
- (b) Concurrent Processing of Applications. A variance request related to additional Development Code action(s) which requires Board of Adjustment, Planning Commission or hearing examiner review shall be consolidated into one hearing before the appropriate approval authority for the major request being considered.
- (c) Time Period for Hearing. Public hearings conducted by the Board of Adjustment, the Planning Commission or a hearing examiner shall be held within sixty-five (65) days from the date of acceptance of the complete application.
- (d) Time Period for Action. The Board of Adjustment, the Planning Commission or a hearing examiner may take action on the proposed variance at the conclusion of the public hearing, but shall take action no later than ninety-five (95) days after the complete application was accepted. An extension of time for the Board of Adjustment, the Planning Commission or hearing examiner action may be granted if mutually agreed upon between the applicant and the Director of Development Review.
- (e) Action. The Board of Adjustment, the Planning Commission or hearing examiner may take action to approve, approve with conditions, modify, modify with conditions, or deny the variance request. Failure of the Board of Adjustment, the Planning Commission or hearing examiner to hold a public hearing or take action within the time frames provided in this article shall constitute approval of the application.
- (f) Effective Date of Action. Action on the variance application, unless otherwise specified, shall be effective upon expiration of the appeal period.

*[This Section amended by Ord. 959, provisions eff. 7/26/96.]*

**Section 110.804.25 Findings.** Prior to approving an application for a variance, the Board of Adjustment, the Planning Commission or hearing examiner shall find that all of the following are true:

- (a) Comprehensive Plan. The variance is consistent with the policies, action programs, standards and maps of the Comprehensive Plan and the applicable area plans;
- (b) No Detriment. The variance will not create a detriment to the scenic or environmental character of the surrounding area;
- (c) Special Circumstances. Because of the special circumstances applicable to the property, including size, shape, topography and location of surroundings, the strict application of the regulation deprives the property of privileges enjoyed by other property with the identical regulatory zone;

- (d) Adequate Public Facilities. An adequate public facilities determination in accordance with Division Seven has been made;
- (e) No Special Privileges. The granting of the variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and the identical regulatory zone in which the property is situated; and
- (f) Use Authorized. The variance will not authorize a use or activity which is not otherwise expressly authorized by the regulation governing the parcel of property.

*[This Section amended by Ord. 959, provisions eff. 7/26/96.]*

**Section 110.804.40 Appeals.** An action of the Board of Adjustment, Planning Commission or hearing examiner made pursuant to this article may be appealed in accordance with the provisions of this section.

- (a) Appeal Period. An appeal of the Board of Adjustment's, the Planning Commission's or hearing examiner's final decision may be made to the Board of County Commissioners within ten (10) days after the date of the final decision. If filed, an appeal stays any further action on the permit until final resolution of the appeal. If the end of the appeal period falls on a non-business day, the appeal period shall be extended to include the next business day.
- (b) Who Can Appeal. Appeals may be filed only by the following:
  - (1) Board of County Commissioners;
  - (2) The applicant or the applicant's authorized agent; or
  - (3) A person who may be adversely affected by the decision and has participated in the review process by submitting written or oral testimony on the application or was prevented from participating in the review by circumstances beyond his/her control.
- (c) Contents of Appeal. An appeal shall be filed with the Director of Development Review, accompanied by a filing fee. The appeal shall be in writing and state the basis of the appeal by citing the inadequacy of the findings made by the Board of Adjustment, the Planning Commission or hearing examiner. Such reasons shall be based upon the evidence presented to the Board of Adjustment, the Planning Commission or hearing examiner at the original hearing. Failure of the appellant to present such reasons shall be deemed cause for denial of the appeal.
- (d) Time Period for Hearing. The Clerk of the Board of County Commissioners shall schedule a public hearing on the appeal of the Board of Adjustment's, the Planning Commission's or hearing examiner's final decision before the Board of County Commissioners within thirty (30) days of the date of the filing of the appeal with the Director of Development Review.
- (e) Notice of Hearing. The public hearing on the appeal shall be noticed as required by Section 110.804.20. The notice shall state that an appeal of the Board of Adjustment's, the Planning Commission's or hearing examiner's final decision has been filed; describe the final decision; describe the lot, parcel, property or areas that are affected by the variance and the final decision on the request; and other pertinent information.

- (f) Action by the Board of County Commissioners. The Board of County Commissioners shall consider only those items cited in the appeal. In its deliberation, it may use the record and any additional evidence relative to the application and may confirm, reverse, or modify the appealed actions based upon its interpretation of the findings required and the evidence submitted.
- (g) Effective Date. The decision of the Board of County Commissioners on an appeal from the Board of Adjustment, the Planning Commission or hearing examiner shall be effective immediately.

*[This Section amended by Ord. 959, provisions eff. 7/26/96.]*

**Section 110.804.55 Expiration.** A variance shall expire as provided in this section.

- (a) Time Period. A variance shall expire and become null and void at the time specified therein. If no time is specified, the following shall apply:
- (1) The variance shall expire and become null and void in eighteen (18) months after its effective date except where construction and/or use in reliance on such variance has commenced prior to its expiration; or
  - (2) The variance shall expire and become null and void in five (5) years if any required building permit associated with the variance has not been extended or has lapsed and become void.
- (b) Extension. The time period in Subsection (a) of this section may be extended for an addition of twelve (12) months by the Board of Adjustment or hearing examiner. Requests for time extensions shall be in writing and shall be submitted prior to the expiration date. The request shall state the reason for the extension.

*[This Section amended by Ord. 959, provisions eff. 7/26/96.]*





*[Section 110.906.15 entitled "Simultaneous Applications" repealed by Ord. 959, provisions eff. 7/26/96.]*

**~~Section 110.906.15 Simultaneous Applications.~~** If an applicant simultaneously makes more than one (1) application in the categories of Comprehensive Plan amendment, tentative subdivision map, special use permit, or variance, the total fee for all such applications shall be the following:

- (a) ~~If applications are made in two (2) of those categories, the fee is the sum of the fees for each such category divided by two (2); or~~
- (b) ~~If applications are made in three (3) or more of those categories, the fee is the sum of the fees for each such category divided by three (3).~~



**Section 110.908.05 Issuance of Building Permit.**

- (a) Other Approvals. No building permit shall be issued for the erection or use of any structure or part thereof for the use of any land which is not in accordance with the provisions of this Development Code. Exceptions shall be when a variance, administrative permit, or special use permit has been issued by the proper authority. In these cases, the County Building Inspector may issue a building permit sufficient to allow the work authorized by such variance, administrative permit, or special use permit, in accordance with whatever conditions are attached, but such building permit shall not be issued unless no appeal has been filed and all time limits for appeal have been exhausted.
- (b) Compliance with Development Code. Any permit issued contrary to the provisions of this Development Code is void.
- (c) Definition. For purposes of this Development Code, a building permit shall include permits for new construction, remodeling, and setup of fabricated homes.

*[This Section amended by Ord. 959, provisions eff. 7/26/96.]*

**Section 110.908.10 Duties of Building Inspector.** Before issuing a building permit, the Building Inspector shall ascertain the exact location of the property on which the building is to be located. The Building Inspector shall obtain on the building permit application the assessor's parcel number and the street address or, if none exists, a description of the property before processing a building permit application. Before the building permit is issued, the Building Inspector shall obtain an opinion from the Department of Development Review whether the proposed building(s) complies with the provisions of this Development Code or the terms of a variance, administrative permit, or special use permit.

*[This Section amended by Ord. 959, provisions eff. 7/26/96.]*

**Section 110.908.15 Issuance of Business License.**

- (a) Other Approvals. No business license shall be issued for the use of any structure or part thereof or for the use of any land which is not in accordance with the provisions of this Development Code. Exceptions shall be when the variance, administrative permit or special use permit has been issued by the proper authority. In these cases, the Department of Development Review may issue a license, sufficient to allow the business authorized by such variance, administrative permit, or special use permit, in accordance with whatever conditions are attached, but such license shall not be issued unless no appeal has been filed and all time limits for appeal have been exhausted.
- (b) Compliance with Development Code. Any business license issued contrary to the provisions of this article is void.

*[This Section amended by Ord. 959, provisions eff. 7/26/96.]*

**Section 110.908.20 Duties of Department of Development Review.** Before issuing a business license, the Department of Development Review shall ascertain the exact location of the property on which the business is to be located. The Department of Development Review shall obtain on the business license application the assessor's parcel number, the street address or, if none exists, a description of the property and the type of business before processing a business license application. Before the business license is issued, the Department of Development Review shall

determine whether the proposed business(es) complies with the provisions of this Development Code or the terms of a variance, administrative permit, or special use permit.

*[This Section amended by Ord. 959, provisions eff. 7/26/96.]*

# Article 912

## **ESTABLISHMENT OF COMMISSIONS, BOARDS AND HEARING EXAMINERS**

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*[This Article amended in its entirety by Ord. 906, provisions eff. 7/27/94; Ord. 959, provisions eff. 7/26/96.]*

### **Sections:**

<b>110.912.00</b>	<b>Purpose</b>
<b>110.912.05</b>	<b>Washoe County Planning Commission</b>
<b>110.912.10</b>	<b>Washoe County Board of Adjustment</b>
<b>110.912.15</b>	<b>Hearing Examiner</b>

**Section 110.912.00 Purpose.** The purpose of this article, Article 912, Establishment of Commissions, Boards and Hearing Examiners, is to specify the establishment and authority of the Washoe County Planning Commission, Board of Adjustment and any hearing examiner employed by Washoe County.

### **Section 110.912.05 Washoe County Planning Commission.**

- (a) Creation. The Washoe County Planning Commission is hereby created, pursuant to NRS 278.030, to perform all the duties and functions delegated to a County Planning Commission by the terms of NRS 278.010 to 278.630, inclusive.
- (b) Membership and Terms of Office.
- (1) The Washoe County Planning Commission shall consist of seven (7) members.
  - (2) The term of office of each member shall be four (4) years, or until his or her successor takes office, except that the terms of two (2) of the members first appointed shall be three (3) years, the terms of two (2) of the members first appointed shall be two (2) years and the term of one (1) of the members first appointed shall be one (1) year.
- (c) Appointment and Qualifications.
- (1) The Chairman of the Board of County Commissioners shall appoint, subject to the approval of the Board, the members of the Washoe County Planning Commission.
  - (2) The members shall hold no other public office, with the exception that one (1) member may also be a member of the Board of Adjustment.

- (3) The members shall be residents of the unincorporated area of Washoe County and registered voters therein at the time of their appointment and continuously throughout their term of office.
- (4) Members of the Planning Commission shall be appointed based on representation of the County Commission Districts as described below. If qualified applicants are not available from the following County Commission Districts, appointments can be made from the County Commission District which would experience the next vacancy.
- (i) Two members from County Commission District One.
  - (ii) Two members from County Commission District Two.
  - (iii) One member from County Commission District Three.
  - (iv) Two members from County Commission District Five.
- (d) Vacancies. Vacancies occurring other than through the expiration of a member's term shall be filled for the unexpired term.
- (e) Compensation. All members of the Washoe County Planning Commission shall be compensated at a rate of \$50.00 per meeting (up to \$200.00 per month), and shall receive compensation for reasonable travel expenses and subsistence allowances made necessary in the fulfillment of their official duties.
- (f) Removal from Office. Any member of the Washoe County Planning Commission may be removed from office, following a public hearing, by a majority vote of the Board of County Commissioners for inefficiency, neglect of duty, or malfeasance of office.
- (g) Meetings and Records.
- (1) The Washoe County Planning Commission shall hold at least one (1) regular meeting in each month.
  - (2) The Washoe County Planning Commission shall adopt rules for the transaction of business and shall keep a record of its resolutions, transactions, findings and determinations. This record shall be a public record.
  - (3) Complete records of official actions of the Washoe County Planning Commission shall be kept on file in the office of the Department of Comprehensive Planning.
- (h) Chairman and Other Officers.
- (1) The Washoe County Planning Commission shall elect its Chairman from among the appointed members.
  - (2) In addition to electing its Chairman, the Washoe County Planning Commission shall create and fill such other of its offices as it may determine.

- (i) Employees.
  - (1) The Washoe County Planning Commission may appoint such employees as it may deem necessary for its work, whose appointment, promotion, demotion and removal shall be subject to the same provisions of law as govern other corresponding civil employees of the County.
  - (2) The Washoe County Planning Commission may contract with County planners, engineers, architects and other consultants for such services as it may require.
- (j) Funding. The expenditures of the Washoe County Planning Commission, exclusive of gifts, shall be within the amounts appropriated for the purpose by the Board of County Commissioners, which shall provide the funds, equipment and accommodations necessary for the Commission's work.

**Section 110.912.10 Washoe County Board of Adjustment.**

- (a) Creation. The Washoe County Board of Adjustment is hereby created, pursuant to NRS 278.270, to perform all the duties and functions delegated to a County Board of Adjustment by the terms of NRS 278.010 to 278.630, inclusive.
- (b) Membership and Terms of Office.
  - (1) The Washoe County Board of Adjustment shall consist of five (5) members.
  - (2) The term of office of each member shall be four (4) years, or until his or her successor takes office, except that the terms of two (2) of the members first appointed shall be three (3) years and the term of one (1) of the members first appointed shall be two (2) years.
  - (3) The term of office enumerated in this section shall commence for all appointments taking effect on or after June 30, 1996.
- (c) Appointment and Qualifications.
  - (1) The Chairman of the Board of County Commissioners shall appoint, subject to the approval of the Board, the members of the Washoe County Board of Adjustment.
  - (2) The members shall hold no other public office, with the exception that one (1) member may also be a member of the Planning Commission.
  - (3) The members shall be residents of the unincorporated area of Washoe County and registered voters therein at the time of their appointment and continuously throughout their term of office.
  - (4) Members of the Board of Adjustment shall be appointed based on representation of the County Commission Districts as described below. If qualified applicants are not available from the following County Commission Districts, appointments can be made from the County Commission District which would experience the next vacancy.

- (i) Two members from County Commission District One.
  - (ii) One member from County Commission District Two.
  - (iii) One member from County Commission District Three.
  - (iv) One member from County Commission District Five.
- (d) Vacancies. Vacancies occurring other than through the expiration of a member's term shall be filled for the unexpired term.
- (e) Removal from Office. Any member of the Washoe County Board of Adjustment may be removed from office, following a public hearing, by a majority vote of the Board of County Commissioners for inefficiency, neglect of duty, or malfeasance of office.
- (f) Powers of Board.
- (1) The Washoe County Board of Adjustment shall hear and decide appeals from regulations and requirements of the Development Code and shall sit and decide upon all matters referred to it or property of concern in the administration of the Development Code.
  - (2) The Washoe County Board of Adjustment shall also have all the powers pursuant to NRS 278.290 to 278.310, inclusive.
- (g) Meetings and Records.
- (1) The Washoe County Board of Adjustment shall hold at least one (1) regular meeting in each month.
  - (2) The Washoe County Board of Adjustment shall adopt rules for the transaction of business and shall keep a record of its resolutions, transactions, findings and determinations. This record shall be a public record.
  - (3) Complete records of official actions of the Washoe County Board of Adjustment shall be kept on file in the office of the Department of Development Review.
- (h) Chairman and Other Officers.
- (1) The Washoe County Board of Adjustment shall elect its Chairman from among the appointed members.
  - (2) In addition to electing its Chairman, the Washoe County Board of Adjustment shall create and fill such other of its offices as it may determine.
- (i) Compensation. All members of the Washoe County Board of Adjustment shall be compensated at a rate of \$50.00 per meeting (up to \$100.00 per month), and shall receive compensation for reasonable travel expenses and subsistence allowances made necessary in the fulfillment of their official duties.



**Section 110.912.15 Hearing Examiner.**

- (a) Creation. The position of hearing examiner is hereby created, pursuant to NRS 278.262, to perform all the duties and functions delegated to a hearing examiner by the Board of County Commissioners pursuant to NRS 278.010 to 278.630, inclusive.
- (b) Number of Hearing Examiners and Term of Appointment.
- (1) The Chairman of the Board of County Commissioners may appoint as many hearing examiners as deemed necessary to fulfill the responsibilities of that position as enumerated in this section.
- (2) The term of a hearing examiner shall be four (4) years.
- (c) Appointment and Qualifications.
- (1) The Chairman of the Board of County Commissioners shall appoint, subject to the approval of the Board, hearing examiners.
- (2) A hearing examiner shall hold no other public office.
- (3) A hearing examiner shall be one of the following:
- (i) Licensed architect.
- (ii) Licensed attorney.
- (iii) Registered engineer.
- (iv) Member of the American Institute of Certified Planners.
- (d) Removal. A hearing examiner may be removed, following a public hearing, by a majority vote of the Board of County Commissioners for inefficiency, neglect of duty, or malfeasance.
- (e) Powers of Hearing Examiner. A hearing examiner is empowered to conduct a public hearing and make a decision on a variance application submitted in accordance with the provisions of Article 804, Variances.
- (f) Compensation. A hearing examiner shall be compensated at a rate of \$100.00 per meeting and shall receive compensation for reasonable travel expenses and subsistence allowances made necessary in the fulfillment of his or her official duties.
- (g) Meetings and Records.
- (1) At least one (1) regular meeting in each month shall be held by a hearing examiner to review and act upon variance applications submitted in accordance with Article 804, Variances.
- (2) Rules for the transaction of business by a hearing examiner shall be adopted by the Board of County Commissioners.

- (3) Complete records of official actions by a hearing examiner shall be kept on file in the office of the Department of Development Review, such records to be a public record.

**Section 110.916.05 Parcel Map Review Committee.**

- (a) Committee Created. A Parcel Map Review Committee is created.
- (b) Committee Membership. The Parcel Map Review Committee shall consist of a member from the staff of the Department of Development Review, Department of Comprehensive Planning, County Engineer's Office, District Health Department, Utility Division and Truckee Meadows Fire Protection District or Nevada Division of Forestry.
- (c) Committee Chairman. The Chair of the Committee shall be the staff member from the Department of Development Review.

*[This Section amended by Ord. 959, provisions eff. 7/26/96.]*

**Section 110.916.10 Design Review Committee.**

- (a) Committee Created. There is hereby created a Design Review Committee.
- (b) Committee Membership. The Chair of the Planning Commission shall appoint one (1) person to represent the Planning Commission who shall be a member of the Planning Commission, a former member of the Planning Commission or a designee of the Planning Commission; one (1) member representing the planning profession; one (1) member representing the landscape architecture profession; and one (1) member representing the architecture profession. In addition, the Board of Adjustment will appoint one (1) of its members to the committee, a former member of the Board of Adjustment, or a designee of the Board of Adjustment.
- (c) Terms. Terms of the three (3) members representing the planning, landscape architecture, and architecture professions shall be one (1) year.
- (d) Meetings. The Design Review Committee shall meet on an as need basis.

*[This Section amended by Ord. 959, provisions eff. 7/26/96.]*

