

# 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. 893

Ordinance No. 718

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

March 26, 19 87

and was published in each of the following issues

thereafter: April 2, 1987

the date of the last publication being in the issue

of April 2, 19 87

*Mary Hefling*

Subscribed and sworn to before me this, the

2nd day of April, 19 87

*Loretta Hadlock*

Notary Public in and for the County of Washoe,  
State of Nevada.

My Commission expires: October 25, 1988

**NOTICE OF COUNTY ORDINANCE**  
NOTICE IS HEREBY GIVEN that Bill No. 893, Ordinance No. 718, entitled "An ordinance amending Chapter 110 of the Washoe County Code to require concurrent review by the Washoe County Planning Commission of related requests for changes of land use district, special use permits and variances whenever one or more of said requests requires Planning Commission review," was adopted on March 17, 1987, by Commissioners Beck, Cornwall, McDowell, Lillard and Williams. Typewritten copies of the ordinance are available for inspection by all interested persons at the office of the County Clerk.  
Judith Bailey,  
County Clerk  
Pub.: 3-26; 4-2, 1987.



LORETTA HADLOCK  
Notary Public - State of Nevada  
Appointment Recorded in Washoe County  
MY APPOINTMENT EXPIRES OCT. 25, 1988

SUMMARY: Amends Washoe County Code to provide for concurrent review of zone changes, special use permits and variances by the Washoe County Planning Commission when said requests are related.

BILL NO. 893

ORDINANCE NO. 718

AN ORDINANCE AMENDING CHAPTER 110 OF THE WASHOE COUNTY CODE TO REQUIRE CONCURRENT REVIEW BY THE WASHOE COUNTY PLANNING COMMISSION OF RELATED REQUESTS FOR CHANGES OF LAND USE DISTRICT, SPECIAL USE PERMITS AND VARIANCES WHENEVER ONE OR MORE OF SAID REQUESTS REQUIRES PLANNING COMMISSION REVIEW.

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

SECTION 1. Section 110.097 of the Washoe County Code is hereby amended to read as follows:

110.097 Major projects.

1. As used in this section, "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 planning commission. Major projects requiring additional action pursuant to the Land Use Ordinance shall be consolidated into one public hearing before the planning commission.

3. The planning commission shall consider the following factors, among others, in making the findings required by Article 51 of the Land Use 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.

4. Special consideration will be given to proposed developments which will provide low-income, affordable housing.

SECTION 2. Section 110.209 of the Washoe County Code is hereby amended to read as follows:

110.209 Power of board of adjustment and planning commission; limitations.

1. In recommending variances, the board of adjustment and the planning commission have no power to take action which in effect allows a land use in contravention of the applicable land use district or in any other way changes the applicable land use district.

2. Any action of the board of adjustment or planning commission that has in effect changed the land use district is a violation of powers of the board or commission and of the Land Use Ordinance and is of no force and effect.

SECTION 3. Section 110.212 of the Washoe County Code is hereby amended to read as follows:

110.212 Notice and hearing.

1. The hearing shall be held within 65 days of the date of filing of the application.

2. Except as provided in subsection 3, the hearing shall be held before the board of adjustment.

3. A variance request related to additional action pursuant to the Land Use Ordinance which requires planning commission review shall be consolidated into one public hearing before the planning commission.

4. Notice by mail of the time, place and purpose shall be given not less than 10 days prior to the date of the hearing to the following:

(a) The applicant.

(b) The owners of real property within 300 feet of the exterior boundaries of the property described in the application pursuant to section 110.211. Such owners of real property shall be those owners indicated by the latest county assessor's ownership maps and the requirement of notice is complied with when the administrator mails the maps to the last-known addresses of such real property owners as indicated by the latest county assessor's records. Of the above real property owners to be noticed, six shall be noticed by certified mail. If there are not six real property owners within 300 feet of the exterior boundaries of the property described in the application, then notice by certified mail shall be sent to additional real property owners nearest the exterior boundaries of the real property in the application, bringing the total to six real property owners being noticed by certified mail.

(c) The building and safety division of the department of public works, county engineer and the district health department.

5. Notice may be given to owners of real property in addition to those owners provided for in subsection 4 either by mail as provided in subsection 4 or by at least one publication in a newspaper of general circulation in Washoe County not less than 10 days prior to the date of such hearing, or both, when the administrator deems such notice to be necessary to protect the public interest.

6. The board of adjustment or planning commission may hear facts from any person appearing and may consider written communications relative to the application.

SECTION 4. Section 110.213 of the Washoe County Code is hereby amended to read as follows:

110.213 Findings. The board of adjustment or planning commission shall, within 40 days from the date of the hearing, return its decision unless for good cause an extension is granted.

SECTION 5. Section 110.214 of the Washoe County Code is hereby amended to read as follows:

110.214 Conditions.

1. The board of adjustment or planning commission, in recommending approval of any variance, may require conditions under which the lot or parcel may be used or the building constructed which in the opinion of the board of adjustment or planning commission will prevent material damage or prejudice to adjacent properties. Any such conditions as required must be complied with, and any

violation thereof shall result in revocation of the permission granted by variance. Further use constitutes a violation of the Land Use Ordinance and shall be punishable as provided in the Land Use Ordinance.

2. All variances shall carry the following conditions:

(a) If applicable, application for a building permit or other administrative permit and receipt of same within 6 months of approval by the board of county commissioners and commencement and completion of construction in accordance with the time periods required by said permits.

(b) Conformance to plans approved as a part of the variance.

(c) Review by the planning department in 2 years from the date of approval by the board of county commissioners, said review to be an assessment of compliance with the conditions of the variance. The failure of the applicant to meet any and all conditions, stipulations or limitations contained in the approval of the variance shall render the variance null and void.

SECTION 6. Section 110.218 of the Washoe County Code is hereby amended to read as follows:

110.218 Special use permit: Hearing. The board of adjustment or the planning commission may hold a public hearing upon the application. A special use permit request related to additional action pursuant to the Land Use Ordinance which requires planning commission review shall be consolidated into one public hearing before the planning commission. If a hearing is held, notice shall be given as set forth in section 110.212.

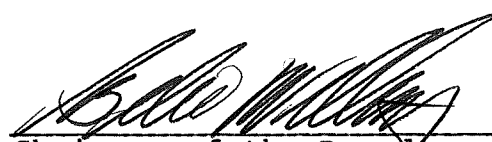
Proposed on the 24th day of February, 1987.  
Proposed by Commissioners McDowell.  
Passed on the 17th day of March, 1987.

Vote:

Ayes: Commissioners: Beck, Cornwall, McDowell, Lillard & Williams

Nays: Commissioners: None

Absent: Commissioners: None

  
Chairman of the Board

ATTEST:

  
County Clerk

This ordinance shall be in force and effect from and after the 2nd day of April, 1987.