

SUMMARY: An ordinance amending Ordinance No. 57, Articles 33 and 35 to provide procedures for revocation of Special Use Permits, clarify procedures with regard to Special Use Permits, set time period for appeals, and provide for notification on appeals of change of land uses.

BILL NO. 154

ORDINANCE NO. 57

AN ORDINANCE TO AMEND ARTICLES 33 AND 35 REGARDING PROCEDURES FOR REVOCATION OF SPECIAL USE PERMITS AND CLARIFYING APPEAL PROCEDURES OF COUNTY ORDINANCE NO. 57 ENTITLED: "AN ORDINANCE AMENDING, REPEALING IN PART AND RE-ESTABLISHING A LAND USE PLAN WITHIN THE UNINCORPORATED AREA OF WASHOE COUNTY, REGULATING AND RESTRICTING THE USE OF LAND; THE LOCATION, USE, BULK, HEIGHT, AND NUMBER OF STORIES OF STRUCTURES; THE DENSITY OF POPULATION; THE PROPORTION OF LAND TO BE COVERED BY STRUCTURES; ESTABLISHING SETBACK LINES; PROVIDING FOR ADJUSTMENT, ENFORCEMENT AND AMENDMENT OF SAID LAND USE PLAN AND ITS ORDINANCES; PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF AND OTHER MATTERS RELATING THERETO."

THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY DO ORDAIN:

Section 1. Section A of Article 35, County Ordinance No. 57 is hereby amended to read as follows:

- A. The decision of the Planning Commission or the Board of Adjustment granting, denying, or recommending a change of land use, variance or special use permit, or recommending revocation of a special use permit may be appealed in writing to the Board of County Commissioners within ten (10) days after the Board of Adjustment or the Planning Commission has notified the Clerk of the Board of County Commissioners of its decision. If no appeal is taken to the Board of County Commissioners from the decision granting or denying a variance within the time allowed, such decision is final. Decisions of the Planning Commission recommending changes of land use shall be set for public hearing by the Clerk of the Board of County Commissioners. Appeals on such recommendations may also be heard at that time.

Section 2. Section B of Article 35, County Ordinance 57 is hereby amended to read as follows:

- B. Notice of hearing on appeals from decisions granting or denying variances or recommending changes of land use and recommending the issuance or revocation of special use permits shall be given by the Clerk of the Board of County Commissioners by mailing a notice of hearing to the appellant and to all owners of

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property within three hundred feet (300') of the subject property as furnished by the Planning Commission or the Board of Adjustment to the Board of County Commissioners at least ten (10) days before the hearing.

Section 3. Article 33, County Ordinance No. 57 is hereby amended to add a section lettered B to read as follows:

B. Revocation of Special Use Permits.

1. Failure to comply with any conditions imposed in the issuance of special use permits shall result in the institution of revocation procedures.
2. The Board of Adjustment or the Planning Commission may hold a public hearing upon the revocation of a special use permit and notice shall be given as prescribed for issuance of a special use permit.
3. The Board of Adjustment or the Planning Commission shall submit findings and recommendations on revocation to the Board of County Commissioners. The person or persons to whom the special use permit has been issued shall be notified of such recommendations not later than three (3) days after submission of the report to the Clerk of the Board of County Commissioners.
4. The Board of County Commissioners upon receipt of recommendations for revocation of a special use permit may revoke such permit for failure to comply with any of the conditions imposed in the issuance of the special use permit.

Section 4. This Ordinance shall be in full force and effect from and after its passage, approval and publication as prescribed by NRS §244.100.

Proposed on the 6th day of June, 1966.
Proposed by Commissioner Cunningham
Passed on the 15th day of June, 1966.

VOTE:

Ayes:	Commissioners:	<u>McKenzie, Sauer, Streeter,</u> <u>McKissick and Cunningham</u>
Nayes:	Commissioners:	<u>None</u>
Absent:	Commissioners:	<u>None</u>

J. C. McKenzie
Chairman of the Board

ATTEST: [Signature]
County Clerk

This Ordinance shall be in force and effect from and after the 24th day of June, 1966.