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PROOF OF PUBLICATION

STATE OF NEVADA,
COUNTY OF WASHOE

SS.

Lisa A. Wakayama

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

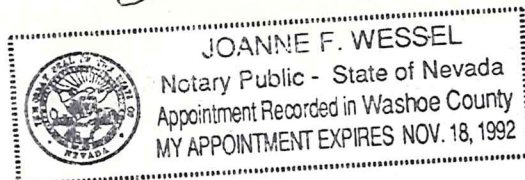
_____ of which a copy is hereto attached, was first published in said newspaper in its issue dated the 2 day of June, 1992 and, June 9 _____, the full period of 2 days, the last publication thereof being in the issue of June 9 1992.

Signed Lisa A. Wakayama

Subscribed and sworn to before me this

9 day of June, 1992

Joanne F. Wessel
Notary Public



NOTICE OF COUNTY ORDINANCE
No. 853
PUBLIC NOTICE IS HEREBY GIVEN that Ordinance No. 853, Bill No. 1028, entitled, AN ORDINANCE AMENDING CHAPTER 110 OF THE WASHOE COUNTY CODE BY ADDING PROVISIONS FOR AN INTERIM LAND USE REGULATION PROCESS FOR PARCELS OF LAND WHERE THE LAND USE DISTRICT (ZONING) IS NOT CONSISTENT WITH THE WASHOE COUNTY COMPREHENSIVE PLAN was adopted on May 26, 1992, by Commissioners Larry Beck, Dianne Cornwall, Gene McDowell, Tina Leighton, and Rene Reid, and will become effective June 9, 1992. Typewritten copies of the ordinance are available for inspection by all interested persons at the office of the County Clerk at the County Courthouse, Virginia and Court Streets, Reno, Nevada. Judi Bailey, County Clerk 349008—No. 853 June 2, 9—ht133

SUMMARY: Amends Washoe County Code to provide for an interim land use regulation process for parcels of land where the land use district (zoning) is not consistent with the Washoe County Comprehensive Plan.

BILL NO. 1028

ORDINANCE NO. 853

AN ORDINANCE AMENDING CHAPTER 110 THE WASHOE COUNTY CODE BY ADDING PROVISIONS FOR AN INTERIM LAND USE REGULATION PROCESS FOR PARCELS OF LAND WHERE THE LAND USE DISTRICT (ZONING) IS NOT CONSISTENT WITH THE WASHOE COUNTY COMPREHENSIVE PLAN.

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

SECTION 1. Chapter 110 of the Washoe County Code is hereby amended by adding thereto a new article which shall read as follows:

Article 55: Interim Land
Use Regulation Process

110.241 Applicability of land use districts not consistent with comprehensive plan. The following provisions apply to parcels of land where the land use district (zoning) is not consistent with the adopted land use designation for that parcel as shown in the Washoe County Comprehensive Plan.

1. Interim period for alternative land use. Except as provided herein, all uses of land, including the allowable residential densities (number of dwelling units per acre), shall be governed by the adopted land use designations of the Washoe County Comprehensive Plan (specifically, the applicable area plan). Until June 30, 1997, a property owner may choose to utilize the provisions of this chapter and the land use plan districts (zoning) previously established and adopted herein.

2. Development subject to site plan review. A property owner who wishes to utilize the alternative land use provisions of subsection 1 must submit a site plan of the proposed development to the department of development review. The planning commission shall hold a public hearing to review the site plan and, if it approves the site plan, may impose such conditions as are necessary to mitigate any impact the proposed development may have on adjacent and surrounding properties. The requirement for site plan review shall be considered fulfilled if the proposed development requires a similar review such as a variance, special use permit, subdivision map or parcel map. The planning commission may exempt certain uses from the requirement for site plan review if such uses will not

have any significant impact on adjacent and surrounding properties. The planning commission shall utilize the same procedures outlined in subsections 110.196(3) and (4) in exempting any such uses and in compiling a list of such exclusions. Such site plan approval by the planning commission shall expire 24 months after the date of approval.

3. Initiation of amendment to the comprehensive plan.

Should a property owner choose to utilize the alternative provisions of subsection 1, the planning commission shall initiate an amendment to the comprehensive plan which would properly reflect such use of the property. Said amendment shall be initiated within 1 year of the approval of any such development (for example, a tentative subdivision map, a parcel map, a special use permit or a building permit) and will be considered on its merits by the planning commission and the board of county commissioners.

4. Extension due to additional permit or approval.

If, in order to construct a project approved pursuant to the provisions of this article, an applicant must first obtain any permit or approval from Washoe County or another governmental agency before applying for a building permit, then, upon submission of appropriate documentation to the director of the department of development review, any time limit for a valid approval specified in this article shall be extended for the amount of time between the date the applicant submitted an application for the additional permit or approval and the date the additional permit or approval was granted.

5. Conformance to provisions of the Truckee Meadows Regional Plan. Any proposed use of land permitted by this article that is not consistent with the Truckee Meadows Regional Plan shall require an amendment of the Truckee Meadows Regional Plan prior to final approval of development by the county.

6. Notification of inconsistent zoning designation and land use designation. The Washoe County department of comprehensive planning shall send individual written notice to all property owners whose property's land use district (zoning) is not consistent with the land use designation of the Washoe County Comprehensive Plan. Notice may be given to owners of real property in addition to those provided for in this subsection when the planning commission or board of county commissioners deems it necessary to protect the public interest. All owners of real property as provided in this section shall be those owners indicated by the latest county assessor's ownership maps, and such notice is complied with when the department of comprehensive planning mails the same to the last-known addresses of such property owners as indicated by the latest county assessor's records. This notice shall be made on an annual basis through June 30, 1997.

7. Change of land use districts restricted; comprehensive plan amendment required. Property owners may only apply for a change of land use district (zoning) for the

purpose of changing the land use district to a designation consistent with the adopted comprehensive plan designation for that property.

8. Resolution of intent to expire. All resolutions of intent on file with the clerk of the county commission shall expire on July 1, 1995.

9. Table of comparable land use designations and land use plan districts. The following table sets forth the land use districts (zoning) which are consistent with the land use designations of the Washoe County Comprehensive Plan: (See attached Table.)

Table 110.241: Table of Comparable Land Use and Zoning Designations

Comprehensive Plan Designation	Comparable Zoning Ordinance District
Low Density Rural	A-5, A-6, A-7, A-8, A-9, A-10, A-11, M-3
Medium Density Rural	A-4, A-5, A-6, A-7, A-8, A-9, A-10, A-11, M-3, E-5
High Density Rural	A-2, A-4, A-5, A-6, A-7, A-8, A-9, A-10, A-11, M-3, E-4, E-5
Low Density Suburban	A-1, A-2, A-4, A-5, A-6, A-7, A-8, A-9, A-10, A-11, M-3, E-3, E-4, E-5, C-1
Medium Density Suburban	A-1, A-2, A-3, A-4, A-5, A-6, A-7, A-8, A-9, A-10, A-11, M-3, E-1, E-2, E-4, E-5, C-1
High Density Suburban	R1-a, R-1b, A-1, A-2, A-3, A-4, A-5, A-6, A-7, A-8, A-9, A-10, A-11, M-3, E-1, E-2, E-4, E-5, C-1
Low Density Urban	R-1, R-1a, R-1b, R-2, R-2a, R-3, A-1, A-2, A-3, A-4, A-5, A-6, A-7, A-8, A-9, A-10, A-11, M-3, E-1, E-2, E-5, E-4, C-1
Medium Density Urban	R-1, R-1a, R-1b, R-2, R-2a, R-3, A-1, A-2, A-3, A-4, A-5, A-6, A-7, A-8, A-9, A-10, A-11, M-3, E-1, E-2, E-5, E-4, C-1
High Density Urban	R-1, R-1a, R-1b, R-2, R-2a, R-3, A-1, A-2, A-3, A-4, A-5, A-6, A-7, A-8, A-9, A-10, A-11, M-3, E-1, E-2, E-5, E-4, C-1
General Commercial	C-1, C-2
Office Commercial	C-1, C-2
Tourist Commercial	R-H, TC, C-2
Industrial	M-1, ME, MS, MW, C-2
Public/Semi-Public Facilities	A-R, L-R
Parks and Recreation	A-R, L-R
General Rural	A-7, A-8, A-9, A-10, A-11, M-3
Rural Residential	A-7, A-8, A-9, A-10, A-11
Specific Plan Area	Any zone if included in an adopted specific plan.

Notes: Overlay districts are considered a sub-district of the underlying zone. This table shall be used until June 30, 1997 to determine property owners that shall be noticed according to the provisions of subsection 6 of this section.

SECTION 2. Section 110.207 of the Washoe County Code is hereby amended to read as follows:

110.207 Fees: Amounts; exemptions.

1. Except as otherwise provided in this section, before accepting an application mentioned in this section the fees set forth in this section shall be charged and collected from the applicant and deposited with the county treasurer:

(a) An application for a change of land use must be accompanied by the following fees:

(1) For a change of any land use district to an A-R (Active Recreation), L-R (Limited Recreation), H-L (Historic or Landmark Overlay) or O-S (Open Space) nonresidential district, \$200.

(2) For a change of any land use district to a TR (Trailer) residential district, \$200.

(3) For a change of any land use district to any agricultural district numbered consecutively from A-1 to A-11, inclusive, to any estate residential district numbered consecutively from E-1 to E-3, inclusive, or to a R-1 (Single-family) residential district, the sum of \$300 plus \$3 for each dwelling unit which is allowed in the land use district for which application is made but is not allowed in the land use district existing at the date of application, except that the total fee for such application shall not exceed \$500.

(4) For a change of any land use district to a R-2 (Limited Multiple) or a R-3 (Multiple) residential district, the sum of \$450 plus \$6 for each dwelling unit which is allowed in the land use district for which application is made but is not allowed in the land use district existing at the date of application, except that the total fee for such an application shall not exceed \$750.

(5) For a change of a C-1 (Limited Commercial), C-2 (General Commercial), M-1 (Industrial), M-E (Industrial Estates), M-W (Warehouse), M-S (Space Industrial) or M-3 (Open Use) nonresidential district to a C-1 (Limited Commercial), C-2 (General Commercial), R-H (Resort Hotel), T-C (Tourist Commercial) or G-O (Gaming Overlay) nonresidential district, the sum of \$450 plus \$10 for each entire acre of land subject to the application, except that the total fee for such an application shall not exceed \$750.

(6) For a change of land use district other than C-1 (Limited Commercial), C-2 (General Commercial), M-1 (Industrial), M-E (Industrial Estates), M-W (Warehouse), M-S (Space Industrial) and M-3 (Open Use) to C-1 (Limited Commercial), R-H (Resort Hotel), T-C (Tourist Commercial), G-O (Gaming Overlay), M-1 (Industrial), M-E (Industrial Estates), M-W (Warehouse), M-S (Space Industrial) or M-3 (Open Use), the sum of \$600 plus \$10 for each entire acre of land subject of the application, except that the total fee for such an application shall not exceed \$1,000.

(b) An application for major project review must be accompanied by the following fees:

(1) For a major project review of multiple dwellings or transient-occupancy facilities, the sum of \$600 plus \$3 for each dwelling unit in excess of 80 dwelling units, except that the total fee for such an application shall not exceed \$1,500.

(2) For a major project review of a gaming facility, the sum of \$600 plus \$30 for each entire 1,000 square feet of floor area, except that the total fee for such an application shall not exceed \$1,500.

(3) For a major project review of an office, commercial, industrial or recreational facility or for an educational or medical facility operated for profit, the sum of \$600 plus \$3 for each entire 1,000 square feet of floor area in excess of 40,000 square feet, except that the total fee for such an application shall not exceed \$1,500.

(4) For a major project review of an educational, institutional, religious, medical, scientific or cultural facility operated for profit, the sum of \$600 plus \$1.50 for each entire 1,000 square feet of floor area in excess of 40,000 square feet, except that the total fee for such an application shall not exceed \$1,500.

(c) An application for a special use permit or for site plan review must be accompanied by the following fees:

(1) For an application regarding a parcel not within a land use district enumerated in paragraph (2) at the date of application, \$400.

(2) For an application regarding a parcel which is within a land use district enumerated as R-1 to R-3, inclusive, E-1 to E-5, inclusive, A-1 to A-11, inclusive, A-R or L-R, \$200.

(d) An application for a variance must be accompanied by the following fees:

(1) For an application for a variance from the provisions of article 5, sections 110.086 to 110.099, inclusive, \$200.

(2) For an application for a variance from the provisions restricting the use of property within a land use district other than those enumerated in paragraph (3), \$400.

(3) For an application for a variance from the provisions restricting the use of property within a land use district enumerated as R-1 to R-3, inclusive, E-1 to E-5, inclusive, A-1 to A-11, inclusive, A-R or L-R, \$200.

(e) An application for an administrative waiver pursuant to section 110.210 must be accompanied by a fee of \$50.

(f) An application for an appeal to the board of county commissioners pursuant to section 110.236 must be accompanied by a fee of \$50.

(g) An application for an extension of the period in which to comply with conditions and stipulations set forth in a resolution of intent must be accompanied by a fee of \$150.

2. No fee shall be charged for any application set forth in subsection 1 if the owner of the parcel for which application is made is:

- (a) A governmental entity or agency thereof; or
- (b) A nonprofit corporation organized solely for educational, religious, medical, scientific or charitable purposes, or a combination of those purposes.

3. If an applicant simultaneously makes more than one application in the categories of a change of land use district, tentative map, special use permit reviewable by the planning commission or major project review, the total fee for all such applications shall be the following:

- (a) If applications are made in two of those categories, the fee is the sum of the fees for each such category, as set forth in subsection 1, divided by two.
- (b) If applications are made in three or more of those categories, the fee is the sum of the fees for each such category, as set forth in subsection 1, divided by three.

4. If an application is made for a change of land use district, tentative map or major project review for which application has been previously made and has expired, and if the new application does not increase the scope or size of the change, map or project the subject of the expired application, the applicant shall pay the application fee set forth in subsection 1 minus those amounts required in subsection 1 to be paid for each dwelling unit, acre of land or square foot of floor area.

5. If an applicant has previously received approval of, or a resolution of intent to approve, a change of land use, tentative map or major project review, and the applicant proposes an amendment to the approved change of land use, map or project or an amendment to the conditions contained in the resolution of intent, the applicant shall submit an application for such amendment and shall pay the following:

- (a) The applicable fee set forth in subsection 1 minus the amounts payable for each dwelling unit, acre of land or square foot of floor area which was included in the original application; and
- (b) The applicable fee set forth in subsection 1 for each dwelling unit, acre of land or square foot of floor area which exceeds the number of units, acres or square feet included in the original application.

Proposed on the 12th day of May, 1992.
 Proposed by Commissioners May Reid
 Passed on the 26th day of May, 1992.

Vote:

Ayes: Commissioners: Beck, Cornwall, Lighton, Reid,
Nays: Commissioners: None. McDowell.

Absent: Commissioners: None.

[Signature]
Chairman of the Board

ATTEST:

[Signature]
County Clerk

This ordinance shall be in force and effect from and after the
9th day of June, 1992.