

# Administrative Review Permit for a Detached Accessory Dwelling\*

## Application Submittal Dates

January 3, 2011	January 17, 2011
February 1, 2011	February 15, 2011
March 1, 2011	March 15, 2011
April 1, 2011	April 15, 2011
May 2, 2011	May 16, 2011
June 1, 2011	June 15, 2011
July 1, 2011	July 15, 2011
August 1, 2011	August 15, 2011
September 1, 2011	September 15, 2011
October 3, 2011	October 17, 2011
November 1, 2011	November 15, 2011
December 1, 2011	December 15, 2011

\*Pursuant to NRS 278.02327, Washoe County has just 3 days to determine completeness of submitted applications. For that reason, applications will be accepted ONLY on the dates listed above or the first working day thereafter (no later than 5:00 p.m.)

Applicants are encouraged to contact County staff for a pre-application review of the proposed application.

Note: A public hearing is not required for completion of this application process unless the decision issued by the Department is appealed.

# **Administrative Review Permit for Detached Accessory Dwelling Development Application Submittal Requirements**

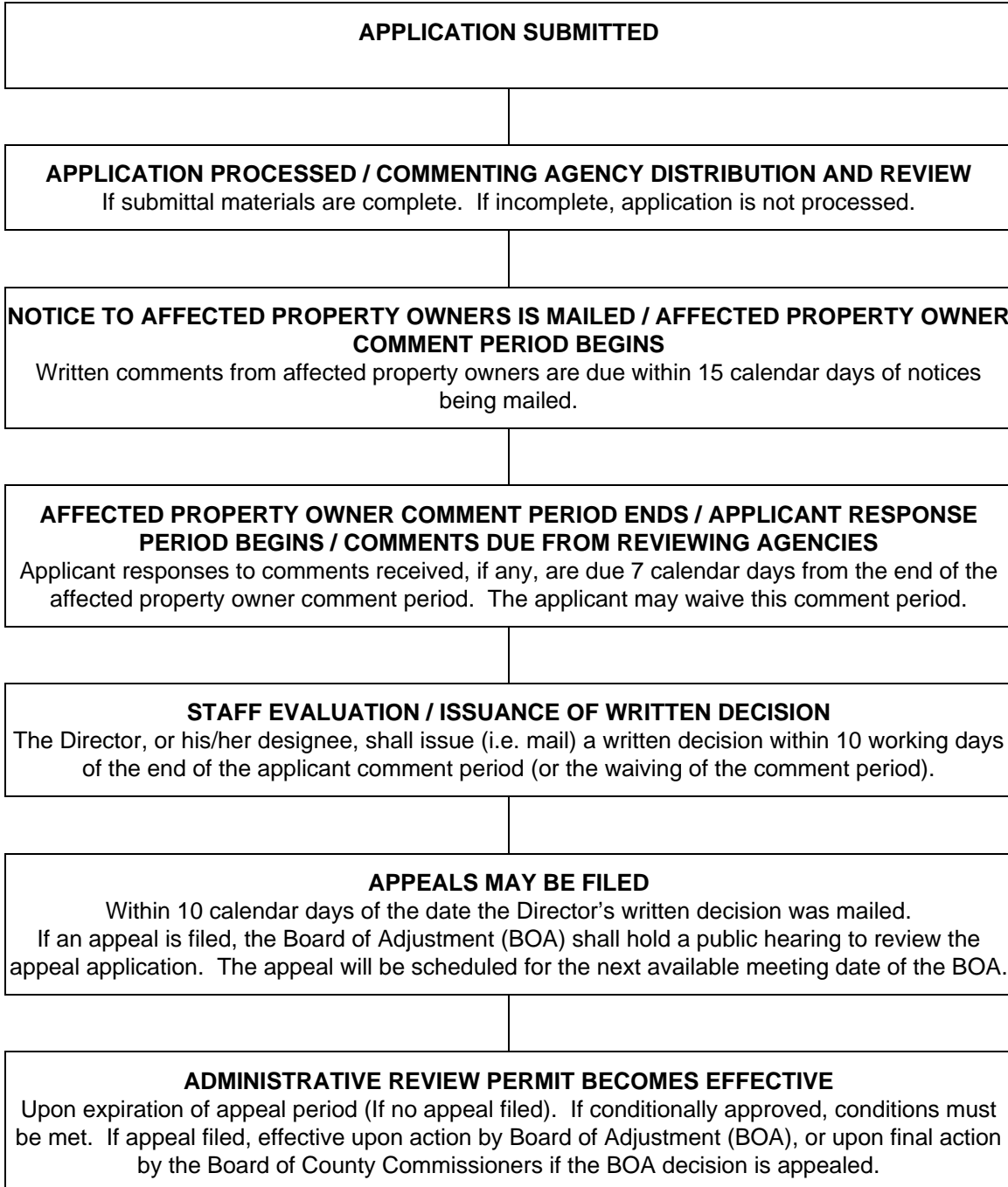
1. **Fees:** See the Administrative Review Permit for Detached Accessory Dwelling Fee Worksheet. **Make check payable to Washoe County. Bring check with your application to Community Development. Submit Fee Worksheet with “Original Packet” only. Do not include Fee Worksheet in other copies of the packet.**
2. **Development Application:** A completed Washoe County Development Application form.
3. **Owner Affidavit:** The Owner Affidavit must be signed and notarized by all owners of the property subject to the application request.
4. **Proof of Property Tax Payment:** The applicant must provide a written statement from the Washoe County Treasurer’s Office indicating all property taxes for the current quarter of the fiscal year on the land have been paid.
5. **Supplemental Information:** The completed Administrative Review Permit for Detached Accessory Dwelling Supplemental Information (questionnaire).
6. **Labels:** The applicant is required to submit three (3) sets of mailing labels for every tenant residing in a mobile home park that is within five hundred (500) feet of the proposed project.
7. **Site Plan Requirements:**
  - a. Lot size with dimensions drawn using standard engineering scales (e.g. scale 1” = 100’, 1” = 200’, or 1” = 500’) showing all streets and ingress/egress to the property.
  - b. Show the location and configuration of all proposed buildings (with distances from the property lines and from each other), all existing buildings that will remain (with distances from the property lines and from each other), all existing buildings that will be removed, and site improvements on a base map with topography expressed in intervals of no more than five (5) feet IF there is a difference in elevation of the two dwellings of five (5) feet or more.
  - c. Show the location and configuration of wells and well house, septic systems and leach fields, overhead utilities, water and sewer lines, and all easements.
  - d. If any portion of the land within the boundary of the development is subject to inundation or storm water overflow, as shown on the adopted Federal Emergency Management Agency’s Flood Boundary and Floodway Maps, that fact and the land so affected shall be clearly shown on the map by a prominent note on each sheet, as well as width and direction of flow of each water course within the boundaries of the development.
  - e. Vicinity map showing the proposed project in relation to Interstate 80, Highway 395 or a major arterial. The vicinity map shall also include a north arrow.
  - f. Date, north arrow, scale and number of each sheet in relation to the total number of sheets, and the name of person preparing the plans.
  - g. Location of areas with slopes greater than fifteen (15) percent and thirty (30) percent.
  - h. Boundary of any wetland areas and/or floodplains within the project site.
  - i. Significant Hydrologic Resources. Indicate the critical and sensitive buffer zones according to Article 418 of the Washoe County Development Code.
8. **Grading:** In accordance with the grading provisions of Washoe County Code, Article 438, if the thresholds for a grading permit are met or exceeded, the grading plans shall indicate the existing and

proposed grades, slope treatments (i.e. rockery walls, erosion control, etc.) and drainage channels and the direction of flow. **Cross sections must be provided at a minimum of two key locations.**

9. **Building Elevations:** Elevations of the main dwelling unit and the detached accessory dwelling, existing or proposed for construction, shall be clearly depicted in vertical architectural drawings provided in accurate architectural scale. All architectural elevations from all building faces shall be presented.
10. **Floor Plans:** Floor plans to scale with all rooms and spaces labeled for both the main dwelling unit and the detached accessory dwelling.
11. **Packets:** Fifteen (15) packets. One (1) packet must be labeled "Original" and must include the fee worksheet (including the appropriate fees) and the original signed and notarized Owner Affidavit. **Each packet must include an 8.5" x 11" reduction of any applicable site plan, development plan, and/or application map included in the application.** These materials must be readable. Labeling on these reproductions should be no smaller than 8 point on the 8½ x 11" display. Three (3) of the application packets shall include large format maps; the rest of the packets shall include either 8.5" x 11" or 11" x 17" maps. The large format sheets should be included in a slide pocket(s).

- 
- Notes:
- (i) Application and map submittals must comply with all specific criteria as established in the Washoe County Development Code and/or the Nevada Revised Statutes.
  - (ii) Appropriate map engineering and building architectural scales are subject to the approval of the Department of Community Development and/or the Department of Public Works, Engineering Division.
  - (iii) All oversized maps and plans must be folded to a 9" x 12" size.
  - (iv) Based on the specific nature of the development request, Washoe County reserves the right to specify additional submittal packets, additional information and/or specialized studies to clarify the potential impacts and potential conditions of development to minimize or mitigate impacts resulting from the project. **No application shall be processed until the information necessary to review and evaluate the proposed project is deemed complete by the Director of Community Development.**
  - (v) Please be advised that the Washoe County Director of Community Development or his designee, Washoe County Board of Adjustment, and/or Washoe County Planning Commission have the ability to determine an application incomplete if they cannot ascertain what the applicant is requesting, or if there is insufficient information to determine a favorable outcome.

**Administrative Review Permit  
for Detached Accessory Dwelling  
Application Process**



1. **Application Accepted and Processed:** Community Development staff reviews the submitted packet and determines whether the application appears to have all necessary components for the preliminary review. An application is distributed to the agencies when all required information is received. Incomplete applications are not processed. An application must be deemed complete or incomplete within 3 working days of receipt of the application.
2. **Agency Review:** An agency review memorandum and application packet is circulated to the appropriate local, county, state and other interested agencies. Each agency reviews the application and forwards their comments and/or desired conditions to Community Development staff. Applications can be deemed incomplete if commenting review agencies cannot ascertain the nature and extent of the request or do not receive adequate supporting documentation. An application must be deemed complete to proceed.
3. **Notice / Affected Property Owners:** All property owners within 500 feet and all military installations within 3,000 feet of the subject parcel, applicable Citizen Advisory Board members, Home Owners Associations, and Architectural Control Committees shall be considered affected property owners and will receive notice of the application request. The notice will be mailed to affected property owners within 3 working days of receipt of a complete application. The notice shall describe the proposed application request, and the lot, parcel, properties, or area that are the subject of the application request. Affected property owners may provide written testimony on the application for consideration in the review process and inclusion into the public record. Written testimony (which can be emailed or faxed) must be received by Community Development within 15 calendar days of notices being mailed. If the end of the comment period falls on a non-business day, then responses shall be due the next business day. Affected property owners have standing to appeal a decision of the Director.
4. **Applicant Response Period:** The applicant shall have the opportunity to respond to any comments received from affected property owners and/or reviewing agencies. Written responses from the applicant must be received by Community Development within 7 calendar days of the end of the affected property owner comment period. If the end of the comment period falls on a non-business day, then responses shall be due the next business day. The applicant may waive this comment period to automatically begin the staff evaluation period.
5. **Staff Evaluation / Issuance of Written Decision:** The Director, or his/her designee, shall review the application request for compliance with the Development Code while also taking into consideration any testimony offered by affected property owners, the applicant, and any comments / conditions made by reviewing agencies. The Director, or his/her designee, may approve, approve with conditions, modify, modify with conditions, or deny the application request. A written decision shall be issued and mailed within 10 working days of the end of the applicant response period (unless waived) to all individuals with addresses listed on the application, the property owner of record, and all affected property owners. The decision shall state the reasons for denial or approval, the conditions of approval that must be met (if applicable), the appeal procedures that may be taken and the closing date of filing an appeal. A public hearing is not required for completion of the administrative review process unless the decision is appealed.
6. **Appeal Period:** The decision by the Director, or his/her designee, may be appealed to the Washoe County Board of Adjustment (BOA). The appeal must be filed within 10 calendar days of the date the notice of decision was mailed. 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. The Department shall schedule a public hearing on the appeal for the next available meeting date of the BOA. The decision of the BOA may be appealed the Washoe County Board of County Commissioners (BCC) for final determination (for purposes of judicial review). The appeal hearing before the BCC will be scheduled within sixty (60) days of the filing date of the appeal.
7. **Effective Date of Administrative Review Permit:** If not appealed, the administrative review permit becomes effective upon expiration of the appeal period. If the administrative review permit is approved with conditions, the conditions must be satisfied or the permit will become null and void. If

appealed, the administrative review permit becomes effective upon the date of action of the Board of Adjustment (BOA), or upon final action by the Board of County Commissioners if the BOA decision is appealed. Modification of the terms and/or conditions of an administrative approval is not allowed. Proposals to modify the terms and/or conditions of an administrative decision shall require a new application following the same procedure required for the initial application.

### **Applications Must be Complete**

Staff reserves the right to return any incomplete packet to the applicant and to reschedule the application upon resubmittal. No application will be deemed complete until all information is received. Only complete applications will be processed.

**RECORDING REQUESTED BY:**

Washoe County Department of Community Development  
P.O. Box 11130  
Reno, NV 89520

**WHEN RECORDED MAIL (DELIVER) TO:**

Washoe County Department of Community Development  
Attn: >, Planner  
P.O. Box 11130  
Reno, NV 89520

---

**DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS  
CONCERNING THE USE OF A DETACHED ACCESSORY STRUCTURE  
CONNECTED TO WATER OR WASTEWATER FACILITIES**

This Deed restriction is made the >, day of >, by >, .  
(Hereinafter "Declarant")

**RECITALS**

1. Declarant is the owner of certain real property located in Washoe County, State of Nevada, Assessor Parcel Number APN >, described as follows:  
  
    >Lot and Block or PM Number, Parcel, etc.
2. The Declarant desires to receive approval for Washoe County Building Permit No. \_\_\_\_\_ to establish a Detached Accessory Structure with connections to water or wastewater facilities. The Declarant claims there is no intention to use the accessory structure, which is not designed nor intended as habitable space, as a dwelling despite having components such as water and wastewater connections that would make it possible to use the accessory structure as a dwelling.
3. As a condition of the above approval by Washoe County, an appropriate deed restriction is recorded documenting that, as claimed by the Declarant, the accessory structure shall not be used as an accessory dwelling.

**DECLARATIONS**

1. Declarant declares that the Detached Accessory Structure, which is planned to be connected to water and/or wastewater facilities, is and shall continue to be an accessory use to the primary (main) residence on the Property, and shall not be used in a fashion as to constitute a secondary residence or separate living space. The Detached Accessory Structure shall only be used for its stated purpose and no cooking facilities shall be installed therein. Use of the Detached Accessory Structure as a separate residential unit, or as temporary living quarters, shall constitute a violation of Washoe County approval.
2. This Deed Restriction shall be deemed a covenant running with the land or an equitable servitude, as the case may be, and shall constitute benefits and burdens to the Property described above and shall be binding on the Declarant and Declarant's assigns and all persons hereafter acquiring or owning any interest in the Property.
3. This Deed Restriction may not be revoked or modified without prior express written and recorded consent of Washoe County of its successor agency, if any. Washoe County is deemed and agreed to be a third party beneficiary of this Deed Restriction and as such, can enforce the provisions of this Deed Restriction. Washoe County will agree to the removal of the Deed Restriction if the owner legally converts the Detached Accessory Structure to an accessory dwelling unit.

**IN WITNESS WHEREOF**, Declarant has executed this Deed Restriction on the day and year written.

**DECLARANT (S)' SIGNATURE (S):**

>

\_\_\_\_\_

Dated: \_\_\_\_\_

>

\_\_\_\_\_

Dated: \_\_\_\_\_

**STATE OF** \_\_\_\_\_ )

) **SS.**

**COUNTY OF** \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, personally appeared \_\_\_\_\_ personally known to me, or proved to me to be on the basis of satisfactory evidence to be the person whose name (s) is/are executed the same in his/her/their authorized capacity (ies), and that by his/her/their signature (s) on the instrument the person (s) or the entity upon behalf of which the person (s) acted executed the instrument.

**APPROVED AS TO FORM:**

\_\_\_\_\_

Dated: \_\_\_\_\_

STATE OF \_\_\_\_\_ )

) **SS.**

COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, personally appeared \_\_\_\_\_ personally known to me, or proved to me to be on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person or the entity upon behalf of which the person acted executed the instrument.