

Architectural Review Committee

Plan Submittal Procedure

Washoe County Department of Building & Safety does not require nor allow architectural review committees to stamp plans for committee approval. All plans submitted for a building permit which have a construction valuation over \$500 and are located within an area controlled by an “active, sanctioned” architectural review committee shall instead include a letter or written report from the committee as stated by NRS 278.566.

Washoe County Department of Building & Safety does not enforce applicable CC&R provisions for each subdivision, nor is the department required to under state statutes. The intent of the policy is to establish a method which ensures the architectural committee’s right of notification under state statute and to give the committee additional time to take legal action to enforce their requirements if necessary. (See NRS 278.5646 for specific requirements.)

The following policy guidelines are in line with NRS 278.5646 requirements:

1. The department encourages all applicants to obtain architectural review committee’s written approval first before submitting plans for review. Otherwise, the applicant or the County must send a letter to the committee advising them of the intentions of the applicant to submit an application for a permit to construct. This must be sent to the committee by certified mail (return receipt requested).
2. The architectural committee has 20 calendar days to respond to the letter once the letter has been received.
3. If the architectural committee does not respond in writing and if the plans meet the County Building Code requirements and are approved, the County is required to issue the permit after the 20-calendar day period.
4. If the architectural committee’s written response or report is in the form of a denial for the project, the architectural committee will have an additional 30 calendar days to resolve the issues with the applicant or obtain a court order prohibiting the issuance of the permit. Only a court order filed with the department can stop the process of a permit. At the end of the additional 30 days, if the plans meet the County Building Code requirements and are approved, the County is required to issue the permit.
5. Legal action is the only condition that will stop permit issuance; otherwise the department will continue the permit process.
6. The department is only responsible to notify the architectural committee of projects which are applied for in the committee’s area. The department will not mediate on behalf of the owner or the committee on CC&R provisions for a development.
7. Monitoring any revisions or changes to the project is the sole responsibility of the architectural review committee after notice is received or committee approval is given.

Background

The state statute does not require the Washoe County Department of Building & Safety to enforce applicable CC&R provisions for each subdivision. The intent of the law is to establish a method, which ensures the architectural committee the right of notification. The 20-day time frame required by state law was established to give the committee time to review the project and to provide written notice.

The District Attorney has instructed the department to extend the 20-day period based on the time it will take to obtain a court order in Washoe County. The extension of 30 days will give the architectural review committee and the applicant time to resolve the issues before obtaining a court order or the permit.

Once the notice of project is received by the committee or committee approval obtained, the architectural review committee is solely responsible for monitoring any revisions or changes to the project for possible CC&R violation.