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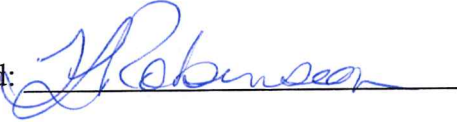
WASHOE CO
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Customer Acct# **349008**
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STATE OF NEVADA
COUNTY OF WASHOE

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 referenced below has published in each regular and entire issue of said newspaper between the dates: **03/17/2006 - 03/24/2006**, for exact publication dates please see last line of Proof of Publication below.

Signed:



MAR 27 2006

Subscribed and sworn to before me



Proof of Publication

NOTICE OF ADOPTION WASHOE COUNTY ORDINANCE NO. 1288 NOTICE IS HEREBY GIVEN THAT: Bill No. 1466, Ordinance No. 1288 entitled An Ordinance amending provisions relating to Washoe County Code Chapter 110, Article 106, regulatory zones, to delete the transition process; Article 216, Spanish Springs area to delete references to billboards; Article 304, use classification system, to include the appropriate reference to Article 330 for animal sales and services; Article 306, accessory uses and structures, to more accurately define the coverage area for accessory structures; contents of Division 5 to change the reference of Article 502 to billboard regulations and Article 504 to sign regulations; contents of Division 5 to change the reference of Article 502 to billboard regulations and Article 504 to sign regulations; Article 500, title and contents, to change the reference of Article 502 to billboard regulations and Article 504 to sign regulations; Article 502, off-premise sign regulations, to change the title to billboard regulations, substitute the term billboard for off-premise sign throughout the Article, to add provisions for discontinued billboards; Article 504, on-premise sign regulations, to delete in the title and in the body of the Article the term on-premise; Article 606, parcel maps, to conform the noticing of a second parcel map to that of a tentative subdivision map; Article 806, vacations and abandonments of easements or streets, to conform the noticing to a tentative subdivision map

application when combined with said application; Article 820, amendment of comprehensive plan, to change the number of times an amendment can occur to four (4) and define the exemption of an application from this number, permit the Director of Community Development to initiate a minor amendment, define the requirements for conducting a neighborhood meeting for an amendment, define the provisions for minor amendments; Article 902, definitions, to delete the definition of limited flooding area; Article 910, enforcement, to permit an extension of time for compliance with a notice of violation, to change the reference from Zoning Enforcement Officer to Code Enforcement Officer, to define when notice of a complaint may be considered for the sole use of the Director of Community Development; Article 912, establishment of commissions, boards and hearing examiners, to delete the provision that a Planning Commissioner may hold no other public office; Article 916, establishment of committees, to change the term of appointment for certain members from one year to a term of office for four years with one permitted re-appointment, and other matters properly relating thereto. was adopted on March 14, 2006 by Commissioners Galloway, Humke, Larkin, Sferrazza, and Weber. This ordinance shall be in full force and effect from and after March 24, 2006. Typewritten copies of the ordinance are available for inspection by all interested persons at the office of the County Clerk, 75 Court Street Reno, Nevada, and can be found on the County Clerk's website, www.washoecounty.us/clerks. AMY HARVEY, Washoe County Clerk and Clerk of the Board of County Commissioners No. 208882 March 17, 24, 2006

SUMMARY: Amends Washoe County Code by deleting transition process, deleting reference to billboards in Spanish Springs Plan, making appropriate references to animal sales/service in use classification system, more accurately identifying coverage for accessory structures, making off-site sign regulations specific to billboards and all other sign regulations to be located in the on-site sign regulations, conform noticing of parcel maps and vacation/abandonments to subdivision noticing in certain circumstances, changing the number of annual amendments to the comprehensive plan and when exemptions are permitted pursuant to NRS, including a process for minor comprehensive plan amendments as permitted in NRS, including a process for neighborhood meetings as required in NRS for comprehensive plan amendments, deleting the definition of Limited Flooding Area, expanding who may grant an extension of time for compliance with a code violation and defining the circumstances under which said extension can be granted, changing the name of zoning enforcement officers to code enforcement officers, defining when code violation information is confidential, defining the circumstances under which a planning commissioner can hold another public office, expanding the term of design review committee members who represent the design professions, and other matters properly relating thereto.

BILL NO. 1466

ORDINANCE NO. 1288

AN ORDINANCE AMENDING PROVISIONS RELATING TO WASHOE COUNTY CODE CHAPTER 110, ARTICLE 106, REGULATORY ZONES, TO DELETE THE TRANSITION PROCESS; ARTICLE 216, SPANISH SPRINGS AREA TO DELETE REFERENCES TO BILLBOARDS; ARTICLE 304, USE CLASSIFICATION SYSTEM, TO INCLUDE THE APPROPRIATE REFERENCE TO ARTICLE 330 FOR ANIMAL SALES AND SERVICES; ARTICLE 306, ACCESSORY USES AND STRUCTURES, TO MORE ACCURATELY DEFINE THE COVERAGE AREA FOR ACCESSORY STRUCTURES; CONTENTS OF DIVISION 5 TO CHANGE THE REFERENCE OF ARTICLE 502 TO BILLBOARD REGULATIONS AND ARTICLE 504 TO SIGN REGULATIONS; CONTENTS OF DIVISION 5 TO CHANGE THE REFERENCE OF ARTICLE 502 TO BILLBOARD REGULATIONS AND ARTICLE 504 TO SIGN REGULATIONS; ARTICLE 500, TITLE AND CONTENTS, TO CHANGE THE REFERENCE OF ARTICLE 502 TO BILLBOARD REGULATIONS AND ARTICLE 504 TO SIGN REGULATIONS; ARTICLE 502, OFF-PREMISE SIGN REGULATIONS, TO CHANGE THE TITLE TO BILLBOARD REGULATIONS, SUBSTITUTE THE TERM BILLBOARD FOR OFF-PREMISE SIGN THROUGHOUT THE ARTICLE, TO ADD PROVISIONS FOR DISCONTINUED BILLBOARDS; ARTICLE 504, ON-PREMISE SIGN REGULATIONS, TO DELETE IN THE TITLE AND IN THE BODY OF THE ARTICLE THE TERM ON-PREMISE; ARTICLE 606, PARCEL MAPS, TO CONFORM THE NOTICING OF A SECOND PARCEL MAP TO THAT OF A TENTATIVE SUBDIVISION MAP; ARTICLE 806, VACATIONS AND ABANDONMENTS OF EASEMENTS OR STREETS, TO CONFORM THE NOTICING TO A TENTATIVE SUBDIVISION MAP APPLICATION WHEN COMBINED WITH SAID APPLICATION; ARTICLE 820, AMENDMENT OF COMPREHENSIVE PLAN, TO CHANGE THE NUMBER OF TIMES AN AMENDMENT CAN OCCUR TO FOUR (4) AND DEFINE THE EXEMPTION OF AN APPLICATION FROM THIS NUMBER, PERMIT THE DIRECTOR OF COMMUNITY DEVELOPMENT TO INITIATE A MINOR AMENDMENT, DEFINE

THE REQUIREMENTS FOR CONDUCTING A NEIGHBORHOOD MEETING FOR AN AMENDMENT, DEFINE THE PROVISIONS FOR MINOR AMENDMENTS; ARTICLE 902, DEFINITIONS, TO DELETE THE DEFINITION OF LIMITED FLOODING AREA; ARTICLE 910, ENFORCEMENT, TO PERMIT AN EXTENSION OF TIME FOR COMPLIANCE WITH A NOTICE OF VIOLATION, TO CHANGE THE REFERENCE FROM ZONING ENFORCEMENT OFFICER TO CODE ENFORCEMENT OFFICER, TO DEFINE WHEN NOTICE OF A COMPLAINT MAY BE CONSIDERED FOR THE SOLE USE OF THE DIRECTOR OF COMMUNITY DEVELOPMENT; ARTICLE 912, ESTABLISHMENT OF COMMISSIONS, BOARDS AND HEARING EXAMINERS, TO DELETE THE PROVISION THAT A PLANNING COMMISSIONER MAY HOLD NO OTHER PUBLIC OFFICE; ARTICLE 916, ESTABLISHMENT OF COMMITTEES, TO CHANGE THE TERM OF APPOINTMENT FOR CERTAIN MEMBERS FROM ONE YEAR TO A TERM OF OFFICE FOR FOUR YEARS WITH ONE PERMITTED RE-APPOINTMENT, AND OTHER MATTERS PROPERLY RELATING THERETO.

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

SECTION 1.

Article 106, Regulatory Zones of Chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit A which is attached and incorporated by reference.

SECTION 2.

Article 216, Spanish Springs Area of Chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit B which is attached and incorporated by reference.

SECTION 3.

Article 304, Use Classification System of Chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit C which is attached and incorporated by reference.

SECTION 4.

Article 306, Accessory Uses and Structures of Chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit D which is attached and incorporated by reference.

SECTION 5.

Article Contents of Division 5 of Chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit E which is attached and incorporated by reference.

SECTION 6.

Article 500, Title and Contents of Chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit F which is attached and incorporated by reference.

SECTION 7.

Article 502, Off-Premise Sign Regulations of Chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit G which is attached and incorporated by reference.

SECTION 8.

Article 504, On-Premise Sign Regulations of Chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit H which is attached and incorporated by reference.

SECTION 9.

Article 606, Parcel Maps of Chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit I which is attached and incorporated by reference.

SECTION 10.

Article 806, Vacations and Abandonments of Easements or Streets of Chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit J which is attached and incorporated by reference.

SECTION 11.

Article 820, Amendment of Comprehensive Plan of Chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit K which is attached and incorporated by reference.

SECTION 12.

Article 902, Definitions of Chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit L which is attached and incorporated by reference.

SECTION 13.

Article 910, Enforcement of Chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit M which is attached and incorporated by reference.

SECTION 14.

Article 912, Establishment of Commissions, Boards and Hearing Examiners of Chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit N which is attached and incorporated by reference.

SECTION 15.

Article 916, Establishment of Committees of Chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit O which is attached and incorporated by reference.

Proposed on the 14th day of FEBRUARY, 2006.
Proposed by Commissioner GALLOWAY.
Passed on the 14th day of MARCH, 2006.

Vote:

Ayes: GALLOWAY, HUMKE, LARKIN,
SERRAZZA & WEBER

Nays: (NONE)

Absent: (NONE)

Robert M Larkin

Robert M. Larkin, Chairman
Washoe County Commission

ATTEST:

Amy Hawey
County Clerk

This ordinance shall be in force and effect from and after the 24th day of
MARCH, 2006

Article 106

REGULATORY ZONES

Sections:

110.106.00	Purpose
110.106.05	Establishment of Land Use Categories and Regulatory Zones
110.106.15	Residential Land Use Category
110.106.20	Low Density Rural Regulatory Zone
110.106.25	Medium Density Rural Regulatory Zone
110.106.30	High Density Rural Regulatory Zone
110.106.35	Low Density Suburban Regulatory Zone
110.106.40	Medium Density Suburban Regulatory Zone
110.106.45	High Density Suburban Regulatory Zone
110.106.50	Low Density Urban Regulatory Zone
110.106.55	Medium Density Urban Regulatory Zone
110.106.60	High Density Urban Regulatory Zone
110.106.65	Non-Residential Land Use Category
110.106.70	Open Space Regulatory Zone
110.106.75	Parks and Recreation Regulatory Zone
110.106.80	Public/Semi-Public Facilities Regulatory Zone
110.106.85	Neighborhood Commercial/Office Regulatory Zone
110.106.90	General Commercial Regulatory Zone
110.106.95	Tourist Commercial Regulatory Zone
110.106.100	Industrial Regulatory Zone
110.106.105	Other Land Use Category
110.106.110	General Rural Regulatory Zone
110.106.115	Review of General Rural Regulatory Zone Designation
110.106.120	General Rural Regulatory Zone Development Guidelines
110.106.125	Specific Plan Regulatory Zone
110.106.130	Use of Land within Spheres of Influence

Section 110.106.00 Purpose. The purpose of this article, Article 106, Regulatory Zones, is to provide general descriptions of the regulatory zones of this Development Code, and the nature of uses therein.

Section 110.106.05 Establishment of Land Use Categories and Regulatory Zones. The land use categories and regulatory zones described in Section 110.106.15 through Section 110.106.125 are hereby established.

- (a) **Regulatory Zone Maps.** The regulatory zones correspond to the land use designations as shown on the Land Use Plan maps for each of the area plans included within the Comprehensive Plan. These maps are hereby adopted by reference. They are in the office of the Department of Community Development.
- (b) **Interpretation of Boundaries.** When uncertainty exists as to the boundaries of the regulatory zones, the following rules shall apply in the order listed:

- (1) Boundaries shown as following or approximately following any street shall be construed as following the centerline of the dedicated right-of-way;
 - (2) Boundaries shown as following or approximately following any lot line or other property line shall be construed as following such line;
 - (3) Boundaries shown as following or approximately following sections lines, half-section lines, or quarter-section lines shall be construed as following such lines; and
 - (4) Boundaries shown as following or approximately following natural features shall be construed as following such features.
- (c) Further Uncertainties. In the event of further uncertainty as to the boundaries of a regulatory zone, the Director of Community Development shall make an interpretation. In addition, at the discretion of the Director of Community Development, all map interpretations, including minor technical clarifications that reflect prior Board of County Commission actions, shall be shown on adopted Land Use Plan maps.

[Amended by Ord. 873, provisions eff. 6/7/93; Ord. 978, provisions eff. 5/1/97.]

Section 110.106.15 Residential Land Use Category. The residential land use category includes the following regulatory zones: Low Density Rural, Medium Density Rural, High Density Rural, Low Density Suburban, Medium Density Suburban, High Density Suburban, Low Density Urban, Medium Density Urban, and High Density Urban. The following criteria are common to all regulatory zones in the residential land use category:

- (a) Site Suitability. The area designated has slope, soil, geology and other physical conditions that make it suitable for the density of residential development.
- (b) Noise. The following average daily noise levels are recommended for residential land uses. Sound attenuation measures shall be adhered to in areas where these levels are exceeded more than 10 percent of the time.

<u>Residential Land Uses</u>	
Outdoor	65 Ldn
Indoor	50 Ldn

- (c) Special Development Options. The following special development option is allowed for all residential designations: the grouping of residential structures is permitted on lots smaller than those allowed within each designation, providing that the provisions of Article 408: Common Open Space Development are met.

Section 110.106.20 Low Density Rural Regulatory Zone. The Low Density Rural (LDR) Regulatory Zone is designed to preserve areas where agriculture, grazing, and/or open space predominate. Single-family, detached dwellings are permitted on large lots; single-family dwellings may be clustered to retain open space and agricultural uses. The maximum number of dwelling units that may be located in this regulatory zone is one (1) unit per ten (10) acres. The minimum lot area in this regulatory zone is eight (8) acres.

[Amended by Ord. 873, provisions eff. 6/7/93.]

Section 110.106.25 Medium Density Rural Regulatory Zone. The Medium Density Rural (MDR) Regulatory Zone is intended to preserve areas where agriculture, grazing and/or open space predominate. Single-family, detached residences in this area are generally on five-acre lots and have limited public services and facilities available. Multi-family residences are not appropriate, but single-family homes may be clustered to retain open space and agricultural uses. The maximum number of dwelling units that may be located in this regulatory zone is one (1) unit per five (5) acres. The minimum lot area in this regulatory zone is four (4) acres.

[Amended by Ord. 873, provisions eff. 6/7/93.]

Section 110.106.30 High Density Rural Regulatory Zone. The High Density Rural (HDR) Regulatory Zone is intended to preserve and create areas of single-family, detached dwellings in a semi-rural setting. Livestock grazing and agricultural activities are common secondary uses.

[Amended by Ord. 873, provisions eff. 6/7/93.]

Section 110.106.125 Specific Plan Regulatory Zone. The Specific Plan (SP) Regulatory Zone is intended to identify areas where detailed study and planning are required to address the unique conditions of an area, and the needs of landowners and the community. The Specific Plan designation is appropriate for redeveloping existing suburban and/or urban areas, re-planning areas that have already begun to develop in an unplanned or uncoordinated manner, planning environmentally sensitive areas, planning for a mixture of land uses and planning new communities. The specific plan document serves as the regulatory framework for development within the Specific Plan designation by identifying the appropriate land uses and associated infrastructure necessary to support development. When adopted by the Washoe County Planning Commission, the specific plan is used as a mechanism for systematic execution of the Comprehensive Plan. Specific plans can also provide a tool to implement development agreements when it is appropriate and desirable to coordinate private funding (or cooperative public/private funding) of public services.

For parcels with a land use designation of Specific Plan (SP) for which a specific plan has not been adopted and for parcels within an area whose boundaries have been identified by the Board of County Commissioners or by the Truckee Meadows Regional Planning Agency by June 30, 1997, for the preparation of a specific plan, which may include an area identified for a visioning process or a joint plan, a property owner may choose to utilize the density and allowable use provisions of Washoe County Code, Chapter 110, in effect prior to the original effective date of this chapter (May 26, 1993) and adopted therein until a specific plan has been adopted by the Board of County Commissioners, or until the Board of County Commissioners has adopted a different land use designation for the parcel(s).

An important function of an adopted specific plan is to simplify the review procedures and permitting time necessary for subsequent development. At a minimum, the specific plan shall contain proposals for land use, circulation, water and sewerage system improvements, open space/recreation, phasing, financing and implementation. The specific plan shall also contain design guidelines and development regulations. The design guidelines address the aesthetic elements of a proposed development. The development regulations articulate the site planning criteria and address the unique aspects of the area and/or incompatible land use issues.

The Specific Plan designation shall not be used as the basis for development proposals unless and until the specific plan for the area is approved and adopted by the Washoe County Commission. All discretionary permit applications submitted must be consistent with the applicable specific plan provisions. There is no minimum lot area for this regulatory zone.

[Amended by Ord. 873, provisions eff. 6/7/93; Ord. 978, provisions eff. 5/1/97.]

Section 110.106.130 Use of Land within Spheres of Influence. Within and outside the spheres of influence created pursuant to the Truckee Meadows Regional Plan, the allowable uses and density for those parcels for which no regulatory zone has been identified on the regulatory zone maps shall only be those identified by Washoe County Code, Chapter 110, in effect prior to May 26, 1993. The standards of development for those parcels with no identified regulatory zone designation shall be those of the comparable regulatory zone as defined in Table 110.106.10.1, Table of Comparable Land Use and Zoning Designations. The provisions of this section shall be in effect for a parcel within or outside a sphere of influence that has no regulatory zone designation until one of the following has occurred:

- (a) Approval of Regulatory Zone Designation for Parcel. A parcel receives a regulatory zone designation through the approval of a Comprehensive Plan amendment processed pursuant to Article 820, Amendment of Comprehensive Plan.
- (b) Assumption of Development Review Responsibilities by City. The city for whom the sphere of influence is designated assumes development review authority for the parcel pursuant to the Truckee Meadows Regional Plan through written notification to the County.
- (c) Adoption of Plan for Joint Planning Area. The city for whom the sphere of influence is designated and Washoe County adopt a plan for the joint planning area.
- (d) Annexation of Parcel. The city for whom the sphere of influence is designated annexes the parcel of land.

Table 110.106.130.1

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	R-1, 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-4, E-5, 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-4, E-5, 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-4, E-5, C-1
General Commercial	C-1, C-2
Neighborhood Commercial/Office	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
General Rural Residential	A-7, A-8, A-9, A-10, A-11
Specific Plan Area	Any zone if included in an adopted specific plan.

Source: Washoe County Department of Community Development

[Added by Ord. 889, provisions eff. 11/29/93. Amended by Ord. 906, provisions eff. 7/27/94.]

Article 216

SPANISH SPRINGS AREA

Sections:

110.216.00	Purpose
110.216.05	Pyramid Lake Highway
110.216.10	Buffers
110.216.15	Commercial Center Development Standards
110.216.20	Commercial Center Development Application Requirements
110.216.25	Commercial Center Development Site Plan Requirements
110.216.30	Agricultural Uses
110.216.35	Air Pollution
110.216.40	Industrial Development
110.216.45	Water Rights Requirements
110.216.50	Ornamental Water Features
110.216.55	Spanish Springs Water Detention Facility

Section 110.216.00 Purpose. The purpose of this article, Article 216, Spanish Springs Area, is to set forth special regulations to supplement the general regulations set forth in Article 202, Area Plan General Regulations, and to implement the Spanish Springs Area Plan contained in Volume Two of the Comprehensive Plan and the other applicable plan elements contained in Volume One of the Comprehensive Plan.

Section 110.216.05 Pyramid Lake Highway. Development along the Pyramid Lake Highway shall comply with the following:

- (a) **Access.** Direct egress or ingress onto new individual parcels in addition to that existing on the May 26, 1993 is prohibited, unless no other alternative egress or ingress can be shown.

[Amended by Ord. 875, provisions eff. 8/3/93; Ord. 949, provisions eff. 5/1/96.]

Section 110.216.10 Buffers. A minimum twenty-five (25) foot open space/scenic view buffer shall be provided on parcels along all arterial rights-of-way, measured in from the street edge property line. No fences, walls or structures shall be permitted in the buffer areas. Such buffer areas shall be included in the calculation of allowable density.

[Amended by Ord. 875, provisions eff. 8/3/93.]

Section 110.216.15 Commercial Center Development Standards. The standards of this section shall apply to all commercial centers.

- (a) **Allowed Uses.** Most uses allowed in Table 110.302.05.3, Table of Uses, in the General Commercial Regulatory Zone are allowed as a principal use in a commercial center. In addition, a restrictive covenant in favor of the County will be required to prohibit billboards, dwellings or dwelling units, bars, used car lots, cocktail lounges, taverns and other uses which are, in the opinion of the Planning Commission, similar or accessory to the specified uses. A neighborhood

commercial center in the Spanish Springs planning area requires a Planning Commission approved special use permit as set forth in Article 810, Special Use Permits.

- (b) Site Area. Any commercial center shall be located on a parcel having an area of at least five (5) acres.
- (c) Height Limitation. In addition to height restrictions set forth in Article 402, Density/Intensity Standards, and Article 406, Building Placement Standards, structures within a commercial center shall be limited to a maximum height of two (2) stories in height.
- (d) Maximum Lot Coverage. The total ground area, occupied by all principal buildings, together with all accessory buildings, shall not exceed twenty-five (25) percent of the total area of the site.
- (e) Building Setback Line. All buildings shall be sited a minimum of eighty (80) feet from all street rights-of-way. A strip twenty (20) feet deep along the front property line shall be maintained as a landscaped buffer strip. The remaining area may be used for parking.
- (f) Side and Rear Yards. Each commercial center site shall have side and rear yards of at least fifty (50) feet in width. A strip twenty (20) feet in width or depth along the side and rear lot lines shall be maintained as a landscaped buffer strip. The remaining area may be used for parking.
- (g) Buffer Requirements Adjacent to Residential Areas. Along any boundary line adjacent to a residential area, an appropriate buffer area shall be provided to screen or block vision, glare, odors or other negative by-products associated with the commercial use. Buffer areas may be utilized for stormwater containment and infiltration.
- (h) Access Ways. Each commercial center site shall have not more than two (2) access points to any street, unless unusual circumstances demonstrate the need for additional access ways is demonstrated. Access to Pyramid Lake Highway (SR 445) shall be permitted only from existing streets or street extensions, unless no other access can be provided. No part of any access shall be closer than two hundred (200) feet to the intersection of any two street right-of-way lines.
- (i) Access Barrier. Each commercial center site, with its buildings, other structures, and parking and loading areas, shall be physically separated from each adjoining street by a curb or other suitable barrier against unchanneled motor vehicle ingress and egress. Except for permitted access ways, the barrier shall be continuous for the entire length of the property line.
- (j) Off-Street Parking and Loading Areas. All off-street parking and loading areas shall comply with Article 410, Parking and Loading.
- (k) Lighting. All parking areas and access ways shall be flood lighted at night during business hours. All outside lighting shall be arranged and shielded to prevent glare or reflection, nuisance, inconvenience or hazardous interference of any kind on adjoining streets or residential properties.

- (1) Active Recreation. Active recreation refers to public park recreational uses that may have a potential impact on the area or adjacent land uses. Uses include participant sports and developed family recreational areas. Typical uses include group picnicking, tennis courts, swimming pools, softball diamonds, group campgrounds, and community centers operated by a public entity.
- (2) Passive Recreation. Passive recreation refers to public park recreational uses that have no or a minimal impact on the area and adjacent land uses. Uses include hiking, nature study, wildlife refuge, fishing and viewing. No active uses, such as group picnicking, camping and sporting activities, are included.
- (l) Postal Services. Postal services use type refers to mailing services, excluding major processing, as provided by the United States Postal Service, including branch post offices and public and private facilities.
- (m) Public Parking Services. Public parking services use type refers to parking services involving building and lots which may be privately and/or publicly owned and operated and is assigned to meet a parking demand. Commercial parking is that which is not designated for any identified use.
- (n) Religious Assembly. Religious assembly use type refers to religious services involving public assembly such as customarily occurs in synagogues, temples and churches.
- (o) Safety Services. Safety services use type refers to public safety and emergency services, including police and fire protection services, and emergency medical and ambulance services.

[Amended by Ord. 875, provisions eff. 8/3/93; Ord. 895, provisions eff. 1/24/94; Ord. 1023, provisions eff. 7/1/98; Ord. 1088, provisions eff. 1/28/00; Ord. 1156, provisions eff. 3/22/02.]

Section 110.304.25 Commercial Use Types. Commercial use types include the distribution and sale or rental of goods, and the provision of services other than those classified as civic or industrial use types.

- (a) Administrative Offices. Administrative offices use type refers to offices or private firms or organizations which are primarily used for the provision of executive, management or administrative services. Typical uses include administrative offices and services including travel, secretarial services, telephone answering, photo-copying and reproduction, and business offices of public utilities, organizations and associations, or other use classifications when the service rendered is that customarily associated with administrative office services.
- (b) Adult Characterized Business. Adult characterized business use type refers to uses defined in Washoe County Code, Chapter 25.
- (c) Animal Sales and Services. Animal sales and services use type refers to establishments or places of business primarily engaged in animal-related sales and services. Animals kept as domestic pets or as accessory uses to a residential use are regulated by the accessory use provisions of Article 330, Domestic Pets and Livestock. The following are animal sales and services use types:

Article 306

ACCESSORY USES AND STRUCTURES

[This Article amended in its entirety by Ord. 875, provisions eff. 8/3/93; Ord. 889, provisions eff. 11/29/93; Ord. 899, provisions eff. 5/31/94; Ord. 926, provisions eff. retro. to 5/31/94; Ord. 1089, provisions eff. retro. to 1/1/00; Ord. 1102, provisions eff. 8/11/00.]

Sections:

110.306.00	Purpose
110.306.05	Applicability
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Section 110.306.00 Purpose. The purpose of this article, Article 306, Accessory Uses and Structures, is to allow accessory uses and structures and provide standards and conditions for regulating them.

Section 110.306.05 Applicability. Accessory uses and structures normally incidental to principal uses and main structures are allowed in all regulatory zones except as otherwise provided herein. This is not to be construed as permitting any commercial uses, including the storage of commercial vehicles, in residential regulatory zones unless specifically allowed by this Development Code.

Section 110.306.10 Detached Accessory Structures. The following development requirements shall apply to detached accessory structures:

- (a) **Buildable Area.** A detached accessory structure may occupy no more than fifty (50) percent of the area between the rear property line and the rear of the main structure or twenty-five (25) percent of the area between the side property line and the side of the main structure.
- (b) **Property Line Setback.** Accessory structures less than twelve (12) feet in height shall maintain a five (5) foot minimum setback from the rear and side property line. Accessory structures more than twelve (12) feet in height shall maintain the yard setbacks for the main dwelling units stipulated in Article 406, Building Placement Standards.
- (c) **Height Limits.** Accessory structures shall not contain more than one (1) story. The height of an accessory structure shall not exceed twelve (12) feet when the structure is erected within the required yard setbacks. The height of an

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Article 500

SIGNS: TITLE AND CONTENTS

Sections:

110.500.00	Title
110.500.05	Contents

Section 110.500.00 Title. Division Five of Chapter 110, Development Code, is entitled Signs.

Section 110.500.05 Contents. Division Five consists of the following articles:

- (a) ARTICLE 500 SIGNS: TITLE AND CONTENTS
- (b) ARTICLE 502 BILLBOARD REGULATIONS
- (c) ARTICLE 504 SIGN REGULATIONS

[Amended by Ord. 1019, provisions eff. 6/5/98.]

Article 502

BILLBOARD REGULATIONS

Sections:

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110.502.05	Definitions
110.502.10	General Standards
110.502.15	Permits: General Requirements
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110.502.25	Bringing a Nonconforming Sign into Conformance
110.502.30	Continued Use of Nonconforming Signs
110.502.35	Termination of Right to Use Nonconforming Sign
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110.502.45	Community Development Director's and County Building Official's Powers; Right of Entry
110.502.50	Building Permit Issuance and Conditions
110.502.55	Sign Inspection and Responsibilities
110.502.60	Violations
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110.502.70	Discontinued Billboard

Section 110.502.00 Purpose. The purpose of this article, Article 502, Billboard Regulations, is to establish a comprehensive system for the regulation of the commercial use of billboards. It is intended that these regulations:

- (a) Impose reasonable standards on the number, size, height and location of billboards and facilitate the removal or replacement of nonconforming signs in order to:
 - (1) Prevent and relieve needless distraction and clutter resulting from excessive and confusing sign displays;
 - (2) Safeguard and enhance property values; and
 - (3) Promote the public safety and general welfare.
- (b) Promote the location of billboards in appropriate locations for the purposes of advertising the region's economy to visitors to the area and providing useful public service messages to residents of the County.
- (c) Provide one of the tools essential to the preservation and enhancement of the environment, thereby protecting an important aspect of the economy of the County which is instrumental in attracting those who come to live, visit, vacation and trade while providing appropriate opportunities to local and national advertisers and public service organizations to present their message.

- (d) Eliminate hazards to pedestrians and motorists brought about by distracting signs.
- (e) Improve, enhance and preserve the appearance and other aesthetic qualities of the County while providing the opportunity to businesses and public service organizations to provide their message to visitors and residents.

[Amended by Ord. 1019, provisions eff. 6/5/98; Ord. 1152, provisions eff. 3/22/02.]

Section 110.502.05 Definitions. As used in Sections 110.502.00 through 110.502.75, unless the context otherwise requires, the words and terms defined in this article have the meanings ascribed to them in each section.

Abandoned Sign. "Abandoned sign" means a sign which does not display a currently valid advertising message or has not been maintained in accordance with the provisions of this article for a period in excess of ninety (90) days following legal notice to the owner of the property and the owner of the advertising display. This definition shall also include any sign structure which no longer supports the sign for which it was designed.

Advertising Display. "Advertising display" means any arrangement of material or symbols erected, constructed, carved, painted, shaped or otherwise created for the purpose of advertising or promoting the interests of any person or other entity, located in view of the general public and visible from a public street. Advertising display includes signs, billboards, posters, graphic advertising messages, advertising copy, accessory signs and similar displays, the purpose of which is to sell entertainment, goods or services.

Area of a Sign. "Area of a sign" means the sum total of the geometric areas of the display surfaces which make up the total sign or advertising display. Necessary supports or uprights are excluded.

Building Official. "Building official" means the County building official of Washoe County and his/her duly authorized deputies.

Bus Shelter. "Bus shelter" means a structure that may be enclosed and may have one or more bus benches and that provides protection from the weather for riders of a public transportation system and which is installed and maintained by a public transportation operator.

Community Development Director. "Community Development Director" means the person appointed as the chief executive officer of the Washoe County Community Development Department and his/her duly authorized agents.

Copy. "Copy" means that portion of a sign or advertising display that is made up of language, letters, numbers or symbols that state a message.

Cut-out. "Cut-out" means that portion of a sign that is attached to a sign, but which is outside the rectangular or square frame of the sign.

Display Surface. "Display surface" means the area made available by the sign structure for the purpose of displaying the advertising message or display.

Elevated Roadway Structure. "Elevated roadway structure" means a traffic-carrying structure elevated over other streets, structures, railroad tracks or a natural physical feature.

Erect. "Erect" means to arrange, build, construct, attach, hang, paint, place, suspend, affix or otherwise establish an advertising display.

Height of Sign. "Height of sign" means the vertical distance measured from the adjacent street grade or upper surface of the nearest curb of a street or highway other than an elevated roadway, to the highest point of a sign or advertising display.

Illuminated Advertising Display. "Illuminated advertising display" means display illumination derived entirely from an external artificial source arranged so that no direct rays of light project into residences or streets.

Nonconforming Outdoor Advertising (Billboard) Structure. "Nonconforming outdoor advertising structure" means an outdoor advertising structure (billboard) which is constructed or erected in conformance with all applicable local ordinances or codes in effect on the date a building permit is issued for the outdoor advertising structure and which does not conform subsequently because of a change to the local ordinances or codes. The term does not include an outdoor advertising structure that is authorized by a special use permit, conditional use permit, variance, waiver, condition of zoning or other approval for the use of land if, when the special use permit, conditional use permit, variance, waiver, condition of zoning or other approval for the use of land was first approved, the special use permit, conditional use permit, variance, waiver, condition of zoning or other approval for the use of land was limited by a specific condition which allowed or required the governing body of the city or County to conduct a review of the structure.

Off-Premise Sign or Outdoor Advertising Structure (billboard). "Off-premise sign or outdoor advertising structure" means any sign, display, billboard or other device that is designed, intended or used to advertise or inform readers about services or goods produced or sold on property other than the property upon which the sign, display, billboard or other device is erected.

Permanent Sign. "Permanent sign" means any sign, permanently affixed at the site, which, from the nature and effect of its proposed composition, construction, message to be carried or its proposed placement, is intended for continuous display for a period of time greater than sixty (60) calendar days.

Premises. "Premises" means a parcel of property.

Public Transportation Operator. "Public transportation operator" means an operator of a bus system with fixed routes that is enabled by state statute to operate a public bus system.

Reconstruction. "Reconstruction" means the replacement of frame and support material of an existing sign with different material (e.g. replacement of wood material with metal material) and/or the changing of the support structure of an existing sign from one type of support system to a different support system (e.g. replacement of a lattice support with a monopole).

Repair. "Repair" means the replacement of frame and support material of an existing sign with the same material with no change in the support system of the existing sign.

Routine Maintenance. "Routine maintenance" means normal repair and upkeep of the structural integrity and appearance of a nonconforming outdoor advertising structure. The term does not include an increase in the size or height of the structure or any addition or enhancement to the structure that increases the visual effect of the structure or increases the impact of the use of the land in the area around the structure.

Sign. "Sign" means any arrangement of material or symbols erected, constructed, carved, painted, shaped or otherwise created for the purpose of advertising or promoting the interests of

any person, persons, firm, corporation or other entity by conveying an advertising message or attracting the attention of the public and which is located in view of the general public and visible from a traveled way. Sign includes advertising displays, billboards, posters, graphic advertising messages, advertising copy and similar displays, all parts of such device, including its structure and supports and also includes balloons, banners, pennants, flags, lights, reflectors, reflected lights, streamers or other devices which are used to attract the attention of the public, whether or not they convey a specific advertising message.

[Section 110.502.05 entitled "Applicability" deleted and Section 110.502.05 entitled "Definitions" added by Ord. 1019, provisions eff. 6/5/98. Amended by Ord. 1152, provisions eff. 3/22/02; Ord. 1186, provisions eff. 12/20/02.]

Section 110.502.10 General Standards.

- (a) **Display Surface.** Where an advertising display consists of individual letters, symbols or other such components, and where such components are without an integrated background definition or are not within a single circumscribed frame area, it shall be deemed circumscribed by a line frame and shall not exceed the square-foot limitation imposed by this article or by a retention permit or a special use permit issued pursuant to this article.
- (b) **Maintenance, Repair and Appearance.** All advertising displays and advertising structures shall be maintained in a proper state of repair and preservation. Structures shall consist of minimum guy wire and iron or other structural elements necessary to conform to code. Display surfaces shall be neatly painted or posted.

[Amended by Ord. 889, provisions eff. 11/29/93. Section 110.502.10 entitled "Chapter 105" deleted and Section 110.502.10 entitled "General Standards" added by Ord. 1019, provisions eff. 6/5/98. Amended by Ord. 1152, provisions eff. 3/22/02.]

Section 110.502.15 Permits: General Requirements.

- (a) **Building Permit Required.** Except as otherwise provided in Section 110.502.20, it is unlawful for any person to erect, enlarge, alter (except for normal maintenance or repair) or relocate within the County any advertising display or advertising structure without having obtained a building permit from the building official, except as provided in Section 110.502.23.
- (b) **Additional Information Required.** An application for a building permit shall include in addition to any information required for the building permit application:
 - (1) Name, address and telephone number of the owner of the property, and a statement signed by the owner or authorized representative permitting the advertising display or advertising structure;
 - (2) Name, address and telephone number of the applicant (owner of the advertising display or structure);
 - (3) Name, address, telephone number and license number of the licensed contractor;

- (4) A plot plan indicating the location of the building, structure, lot or parcel of property to which or upon which the advertising display is to be erected, including data showing building and property frontages; and
- (5) Two (2) copies of a plan showing:
 - (i) The position of the advertising display or structure in relation to adjacent structures or buildings;
 - (ii) The design size and type of materials to be used;
 - (iii) The size and location of all on-premise signs within fifty (50) feet of either side of the proposed off-premise sign; and
 - (iv) The location of stakes identifying boundaries of the proposed sign.
- (c) Structural Engineering. The Building and Safety Department may require structural engineering plans to ensure compliance with the Washoe County Building Code.
- (d) Business License. Owners or applicants who are in the business of constructing advertising structures or leasing such structures for advertising purposes shall provide evidence that they have a valid business license from the licensing authority of the County.

[Added by Ord. 1019, provisions eff. 6/5/98. Amended by Ord. 1152, provisions eff. 3/22/02; Ord. 1186, provisions eff. 12/20/02.]

Section 110.502.20 Permit Issuance and Standards for New Signs. Each of the following standards must be complied with as part of the approved plans for an approved building permit:

- (a) Size and Height of Billboard; Number of Faces. A billboard shall not exceed the following height and size requirements, or the number of faces:
 - (1) A billboard shall not exceed thirty-five (35) feet in height above the grade of the road to which it is oriented and may not exceed fifty (50) feet in height above the foundation grade of the sign.
 - (2) A billboard shall not exceed six hundred seventy-two (672) square feet in size, except as provided in this section.
 - (3) Each face of a billboard may have a cut-out attached to the face of the sign, the size of the cut-out may not exceed ten (10) percent of the rectangular or square face of the sign to which it is attached.
 - (4) A billboard may not contain more than two (2) sides on which a message is attached and one (1) side may not be angled from the other side by more than twenty (20) degrees as measured from the back of the structure supporting the side.
 - (5) A billboard may not be stacked upon another off-premise or on-premise sign.

(b) Spacing Requirements. A billboard shall conform to the following spacing standards:

(1) Spacing Between Billboards. The distance between billboards shall conform to the following:

(i) A billboard shall not be closer than one thousand (1,000) feet to another conforming or nonconforming billboard located on the same side of the road, street or highway.

(ii) A billboard shall not be closer than one thousand (1,000) feet to another conforming or nonconforming billboard located on an intersecting street and when the signs are on the same side of the street where the intersection of the two (2) streets occurs.

(iii) For the purposes of measuring the distance between billboards, the measurement shall be parallel to the streets on which the signs are located.

(iv) No more than two (2) billboards may exist at the intersection of streets and the signs shall be located diagonally opposite each other at the intersection of streets.

(2) Spacing Between Billboards and On-Premise Signs. A billboard shall not be closer than fifty (50) feet to an existing free-standing sign regulated by Sections 110.504.40 through 110.504.70.

(3) Spacing from Residential Regulatory Zones. A billboard shall not be closer than five hundred (500) feet to an established residential regulatory zoning that is Rural, Suburban or Urban or a regulatory zone which is General Rural Residential (GRR) or General Rural (GR).

(4) Spacing from Streams and Drainages; Truckee River. A billboard shall conform to the following spacing requirements from streams, drainages and the Truckee River:

(i) A billboard shall not be located within any stream or drainage channel where the sign or advertising display might be deluged and swept under any structure or against any supports of any road, street or highway structure.

(ii) A billboard shall not be located within three hundred (300) feet of the centerline of the Truckee River or within three hundred (300) feet of the outer boundary of any area designated as Truckee River Greenbelt or open space adjacent to the Truckee River.

(5) Spacing from Public, Semi-Public Buildings and Spaces. A billboard shall not be located at any location which fronts on any street within two hundred (200) feet of any property which is used for a public park, public school, church, courthouse, building used for County services, or public museum which fronts on the same street.

(c) Location Requirements. A billboard shall conform to the following location requirements:

(1) Permitted Roadway Segments. A billboard shall only be located adjacent to and be visible from the following roads and portions of roads:

- (i) Gerlach-Nixon Highway (SR 447);
- (ii) Longley Lane;
- (iii) McCarran Boulevard, except for the segment between Interstate 80 west of Reno and South Virginia Street;
- (iv) Sullivan Lane;
- (v) That portion of West Fourth Street (SR 647) east of the intersection with Intersection 80;
- (vi) That portion of U.S. 395 and Interstate 580 located south of the intersection with Red Rock Road and north of the northern most intersection of U.S. 395/Interstate 580 and South Virginia Street located at Nevada Department of Transportation structure I1799 at mile post IR 580 - WA 21.64;
- (vii) That portion of North Virginia Street located south of the intersection with Stead Boulevard and that portion of South Virginia Street north of the intersection with the Mt. Rose Highway (SR 431);
- (viii) That portion of Interstate 80 from mile post IR 080 - WA-1.9E to IR 080 - WA-2.6W; and
- (ix) That portion of Interstate 80 from the intersection with Mae Anne Drive to the Lyon County line.

(2) Permitted Regulatory Zones. A billboard shall only be located in the following regulatory zones: General Commercial (GC), Tourist Commercial (TC) and Industrial (I) as established pursuant to this article.

(d) Aesthetic Requirements. A billboard shall conform to the following aesthetic standards:

- (1) Lighting of the sign shall be low-level and indirect, no strobe lighting or lighting that would impair the vision of a driver shall be permitted;
- (2) Earth-tone colors shall be used to paint the support(s) of the structure and the frame around the sign;
- (3) The minimum number of supports shall be used to provide support of the sign frame;
- (4) No signs made of canvas shall be permitted;
- (5) No sign may have streamers, balloons, pennants, banners, or wind driven devices as part of the sign or attached to the sign;
- (6) No sign may emit a noise via an artificial device;

- (7) No sign may emit smoke, fire or odor;
- (8) No sign or portion of a sign may simulate the appearance of an official sign; and
- (9) No sign may emit blinking lights that simulate a warning or stop light.
- (e) No Variances to Standards. Except as permitted in Section 110.502.45, no variance application shall be accepted to alter the standards of this article.
- (f) Prohibition on the Erection of New Signs. Until all nonconforming billboards are removed, no new billboard may be erected pursuant to this section.

[Added by Ord. 1019, provisions eff. 6/5/98. Amended by Ord. 1152, provisions eff. 3/22/02.]

Section 110.502.23 Bus Shelters.

- (a) Off-Premise Advertising Display Permitted. Off-premise advertising copy may be permitted on any bus shelter that is installed and maintained by a public transportation operator. No building permit shall be required for the installation of a bus shelter installed by a public transportation operator.
- (b) Limitation on Permitted Advertising Display. The following shall apply to the area that may be used for off-premise advertising display:
 - (1) Advertising copy shall only be permitted on bus shelters installed by a public transportation operator.
 - (2) Advertising copy shall not obstruct the ability of a bus operator to view riders who wish to board a bus, nor shall advertising copy obstruct riders from safely exiting a bus.
 - (3) Advertising copy may not exceed a total of sixty-four (64) square feet at each bus shelter location.
 - (4) Advertising copy on a bus shelter may not exceed the size of the panel on which it is affixed and no one panel may have advertising copy that exceeds thirty-two (32) square feet in size.
- (c) Limitation of Off-Premise Signs. The number of bus shelters installed by a public transportation operator that may have advertising copy shall not count toward the number of off-premise signs permitted by Section 110.502.40(a).
- (d) Installation of Bus Shelters. The installation of bus shelters by a public transportation operator that may contain advertising shall not be prohibited pursuant to Section 110.502.20(f).

[Added by Ord. 1186, provisions eff. 12/20/02.]

Section 110.502.25 Bringing a Nonconforming Billboard into Conformance. To bring a nonconforming billboard into conformance with the provisions of this article, the sign owner shall satisfy the permit issuance and standards for new billboards as enumerated in Section 110.502.20.

[Added by Ord. 1019, provisions eff. 6/5/98.]

Section 110.502.30 Continued Use of Nonconforming Billboards. An advertising display which becomes nonconforming as the result of the adoption of this article may be continued, repaired or reconstructed pursuant to the following requirements:

- (a) Alteration of Nonconforming Sign. A nonconforming sign shall not be altered in its location, size or height, except as provided in paragraph (b) through (e) of this section.
- (b) Damage of Nonconforming Sign by Natural Causes. A nonconforming sign damaged by wind or other natural causes to an extent less than fifty-one (51) percent of its replacement value, as determined by a member of the American Institute of Real Estate Appraisers selected by the building official, may be repaired or reconstructed. If the building official determines that an appraisal is necessary to satisfy the requirements of this section, he/she shall notify the owner of the sign who shall give him/her written authorization to hire an appraiser and acknowledge owner's responsibility to pay all fees incurred as a result thereof. No permit for repair or reconstruction of the damaged sign shall be issued until the building official is presented with satisfactory evidence that the appraisal fees have been paid.
- (c) Damage of Nonconforming Sign by Vandalism. A nonconforming display which is damaged or destroyed as a result of vandalism or other malicious act may be repaired or reconstructed. Upon request of the building official, the owner of the sign shall provide evidence that a report to the Sheriff was made regarding the alleged vandalism.
- (d) Routine Maintenance of Nonconforming Sign. Routine maintenance of a nonconforming sign may occur only after notification of the Building and Safety Department that said repairs are being undertaken and that said maintenance meets the definition of routine maintenance as defined in this article.
- (e) Reconstruction of Nonconforming Sign. A nonconforming sign may be reconstructed providing the following occurs:
 - (1) Prior to any reconstruction work, the sign owner provides to the building official a complete set of as-built plans detailing the size, height, location of the current nonconforming sign and materials of which the current off-premise sign is constructed; type of material to be used in the reconstruction of the sign; and the anticipated dates of reconstruction.
 - (2) No change in the location of the sign, no change in the height of the sign (except to reduce its height) and no change in the size of the sign (except to reduce its size).
 - (3) A notarized statement from the sign owner that no increase in value of the sign will be claimed in any future proceedings due to the reconstruction of the sign.
 - (4) A notarized statement from the sign owner acknowledging that reconstruction of the sign does not affect the termination of the right to use the nonconforming sign as enumerated in Section 110.502.35.

- (f) Building Permit Required for Reconstruction, Notification Required for Repair or Routine Maintenance. A building permit shall be applied for and issued prior to any reconstruction of a nonconforming sign. No building permit shall be required for repair or routine maintenance of a nonconforming sign, but prior to any repair work or routine maintenance occurring, the sign owner shall notify the building official of his intent to repair or perform routine maintenance on the nonconforming sign and shall advise the building official of the extent of the repairs or maintenance.

[Added by Ord. 1019, provisions eff. 6/5/98. Amended by Ord. 1152, provisions eff. 3/22/02.]

Section 110.502.35 Termination of Right to Use Nonconforming Billboard.

- (a) Cessation of Right to Maintain Abandoned Sign. The right of a person to maintain an abandoned, nonconforming sign shall terminate following his/her receipt of notification that the Building and Safety Department or succeeding agency has deemed the sign abandoned.
- (b) Damage of Nonconforming Sign by Natural Causes. A nonconforming sign damaged by wind or other natural causes to an extent greater than fifty (50) percent of its replacement value, as determined by a member of the American Institute of Real Estate Appraisers selected by the building official, shall not be reestablished. If the building official determines that an appraisal is necessary to satisfy the requirements of this section, he/she shall notify the owner of the sign who shall give him/her written authorization to hire an appraiser and acknowledge owner's responsibility to pay all fees incurred as a result thereof. No permit for reconstruction of the damaged sign shall be issued until the building official is presented with satisfactory evidence that the appraisal fees have been paid.
- (c) Removal Due to Approval of Development Application. A nonconforming sign may be ordered removed if the parcel on which the sign is located is the subject of a building permit application and after a public hearing is conducted.
- (d) Public Hearing Required. A public hearing before the Planning Commission shall be noticed and conducted pursuant to the provisions for a public hearing for a special use permit (Refer to Article 810, Special Use Permits) before a nonconforming sign may be ordered removed pursuant to subsection (c) above. When determining that a nonconforming sign must be removed, the Planning Commission shall find that the continuation of the location of the nonconforming sign is not compatible with the proposed development for the property as submitted under an application enumerated in subsection (c) above.
- (e) Responsibility for Removal. Responsibility for removal of an abandoned, nonconforming sign rests with the owner of the sign or the owner of the property upon which the sign is constructed.

[Added by Ord. 1019, provisions eff. 6/5/98. Amended by Ord. 1152, provisions eff. 3/22/02.]

Section 110.502.40 Total Number of Billboards Permitted in Unincorporated Portion of Washoe County.

- (a) Limitation to Number of Permitted Signs. Notwithstanding the total number of conforming locations that may be permitted for new signs as provided in Section

110.502.20, Permit Issuance and Standards for New Signs, the total number of billboards existing in the unincorporated portion of Washoe County shall not exceed one hundred nine (109) at any one time.

- (b) Limitation Based on Inventory of Existing Signs. The total number of permitted billboards enumerated in paragraph (a) of this section is determined by an inventory completed on January 31, 2002 of all existing conforming and nonconforming signs located in the unincorporated portion of Washoe County and confirmed by the Board of County Commissioners on December 10, 2002, the date of an amendment to this article.
- (c) Adjustment of Limitation. The total number of permitted billboards enumerated in paragraph (a) of this section shall be reduced each time by the number of off-premise signs and permitted billboard locations that are incorporated within the corporate boundaries of the City of Reno or City of Sparks.
- (d) No Entitlement. Notwithstanding the total number of permitted signs enumerated in paragraph (a) of this section, no entitlement to the maximum number of signs enumerated in this section is extended to any current or future owner of an off-premise sign through the provisions of this section. The retention of the location of current nonconforming signs and the provision of locations for new, permitted signs is strictly governed by the location standards enumerated in this article.

[Added by Ord. 1019, provisions eff. 6/5/98. Amended by Ord. 1152, provisions eff. 3/22/02; Ord. 1186, provisions eff. 12/20/02.]

Section 110.502.45 Community Development Director's and County Building Official's Powers; Right of Entry.

- (a) Authority. The building official and the Director of Community Development and his/her agents are authorized and directed to enforce all the provisions of this article. The Director of Community Development may, in his/her sole discretion, permit variations in spacing and height requirements if undue hardship is shown. No variation shall exceed ten (10) percent of spacing and height limitations imposed by this article.
- (b) Right of Entry. Whenever necessary to make an inspection to enforce any of the provisions of this article, or whenever the building official or Director of Community Development or his/her agents have reasonable cause to believe that there exists a condition which makes a sign unsafe, he/she may enter the premises upon which such sign is located at all reasonable times to inspect the sign or to perform any duty imposed by this article, provided that:
 - (1) If the premises upon which the sign is located are occupied, he/she shall first present proper credentials and demand entry; and
 - (2) If the premises are unoccupied, he/she shall first make a reasonable effort to locate the owner or other persons having charge or control of the premises and demand entry.

If such entry is refused, the building official or Director of Community Development or his/her agents may pursue every remedy provided by law to secure entry.

- (c) Failure to Permit Entry. Any owner or occupant or any other person having charge, care or control of any building or premises who fails or neglects, after proper demand is made as provided by this article, promptly to permit entry therein by the building official or Director of Community Development or his/her agents for the purpose of inspection and examination pursuant to this section shall have violated this article.

[Added by Ord. 1019, provisions eff. 6/5/98. Amended by Ord. 1152, provisions eff. 3/22/02.]

Section 110.502.50 Building Permit Issuance and Conditions.

- (a) Permit Issuance. The application, plans and specifications, and other data filed by an applicant for a building permit shall be reviewed by the Department of Community Development. Such plans may be reviewed by other departments of this jurisdiction to verify compliance with any applicable laws under their jurisdiction. If the Department of Community Development finds that the work described in an application for a building permit and the plans, specifications and other data filed therewith conform to the requirements of this article and that the fees specified in this section have been paid, a building permit shall be issued to the applicant within twenty (20) days of receipt of the building permit application. An applicant shall be advised in writing within twenty (20) days of receipt of the building permit application of any deficiencies of information submitted with the application and what would be required to cure those deficiencies. The applicant may then resubmit the application and will receive a decision within twenty (20) days. An applicant shall have six (6) months from the date of issuance of the building permit to commence work pursuant to the building permit, or all approvals are null and void. Once a building permit has been issued and exercised, all work shall be done in accordance with the approved plans unless the building official and the Community Development Director have given authorization for any changes or alterations.
- (b) Plan-Check Fee. Every person who applies for a building permit under the provisions of this article shall submit to the Building and Safety Department with his/her application a plan-check fee established by the Board of County Commissioners.
- (c) Permit Number; Address; Owner. On granting a permit for a billboard, the building official shall assign a permit number and address which shall be painted on every sign erected pursuant to the permit. The sign shall also identify the owner of the sign.
- (d) Validity of Permit. The issuance or granting of a permit or approval of plans and specifications shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this article or any other law or ordinance. A permit presuming to give authority to violate or cancel the provisions of this article or any other law shall not be valid except to the extent the work of use which it authorizes is lawful.
- (e) Suspension or Revocation. The building official may, upon service of a written notice, suspend or revoke a permit issued pursuant to the provisions of this article wherever the permit is issued:
- (1) On the basis of incorrect information supplied by the applicant; or

(2) In violation of any state statute, any provision of this article or any other ordinance or regulation.

(f) Stop Work Order. Whenever any advertising display or structure is being erected or maintained contrary to the provisions of this article, the building official may order the work stopped by serving the permittee or owner of the property or by posting a notice on the work being done. The owner or person responsible for the performance of such work shall promptly cease performing any work on the advertising display or structure until the building official gives him authority to proceed.

[Added by Ord. 1019, provisions eff. 6/5/98. Amended by Ord. 1152, provisions eff. 3/22/02.]

Section 110.502.55 Sign Inspection and Responsibilities.

- (a) Inspection. Every advertising display or advertising structure erected in the County is subject to inspection by the building official or Community Development Director to assure compliance with the provisions of this article.
- (b) Responsibility. The owner of the advertising display or advertising structure is responsible for its proper construction, maintenance, repair and compliance with the provisions of this article.

[Added by Ord. 1019, provisions eff. 6/5/98. Amended by Ord. 1152, provisions eff. 3/22/02.]

Section 110.502.60 Violations.

- (a) Procedure for Violations. Any advertising display or structure erected or maintained, or any use of property contrary to the provisions of this article, is unlawful and a public nuisance. The following procedure applies to enforcement of the provisions of this article:
- (1) In the event of a violation of this article, the building official or Director of Community Development shall deliver to the person or persons in violation of this article a "Notice of Violation (Order to Comply and Abatement Order)" ordering the persons to comply with the provisions of this article within ten (10) days of receipt of the notice.
- (2) Upon failure of the persons in violation to comply, the building official or Director of Community Development may issue to the persons in violation a citation to appear before any justice's court within the County and may refer a copy of the citation to the District Attorney for commencement of an action or actions for the abatement, removal and enjoinder of such violation as a public nuisance pursuant to Chapter 125 of the Washoe County Code, and the institution of a criminal action in the manner provided by law.
- (b) Remedies. All remedies provided for in this article are cumulative and not exclusive. The conviction and punishment of any person under this article do not relieve such person from the responsibilities of correcting conditions or removing prohibited sign displays and structures that are in violation of this article.
- (c) Penalties. Any person violating any of the provisions of this article or any applicable provisions of the Uniform Building Code is guilty of a separate offense

for each day or a portion thereof during which a violation of any of the provisions of this article is committed, continued or permitted, and upon conviction for any such violation shall be punished by a fine of not more than one thousand dollars (\$1,000), or by imprisonment for not more than six (6) months, or by both fine and imprisonment.

[Added by Ord. 1019, provisions eff. 6/5/98. Amended by Ord. 1152, provisions eff. 3/22/02.]

Section 110.502.65 Substitution Clause. Notwithstanding any other provision of this article to the contrary, any noncommercial message may be substituted for a commercial message on any billboard permitted by this article, and any other commercial message may be substituted for any noncommercial message on any billboard permitted by this article.

[Added by Ord. 1152, provisions eff. 3/22/02.]

[Section 110.502.30 entitled "Exempt Advertising Displays", Section 110.502.35 entitled "Prohibited Signs" and Section 110.502.60 entitled "Appeals Procedure" added by Ord. 1019, provisions eff. 6/5/98 and repealed by Ord. 1152]

Section 110.502.70 Discontinued Billboards.

- (a) **Removal of Discontinued Billboards.** Any billboard or billboard structure which has been discontinued for a period of six (6) months shall be removed or restored to use within thirty (30) days after a notice that the billboard has been discontinued is issued to the owner of the sign. Notice shall be given by the Director of Community Development using certified mail. The Director of Community Development may allow a discontinued billboard or billboard structure to remain in place; provided that the billboard or billboard structure is maintained in good condition, and that there is a reasonable possibility that the billboard can be restored to use within a one (1) year period.
- (b) **Criteria for Establishing That a Billboard Has Been Discontinued.** A billboard or billboard structure shall be considered discontinued when any of the following occurs:
- (1) Any copy thereon is out of date.
 - (2) The structure no longer supports a billboard or the billboard no longer contains an advertising display.
 - (3) The billboard structure or advertising display is visibly damaged or partially missing.

Article 504

SIGN REGULATIONS

Sections:

110.504.00	Title; Effect; Construction
110.504.05	Purpose
110.504.10	Definitions
110.504.15	General Standards
110.504.20	Permits and Enforcement
110.504.25	Regulated Signs; Variance
110.504.30	Exempted Signs
110.504.35	Prohibited Signs
110.504.40	Signs Requiring a Special Use Permit
110.504.45	Special Standards by Type of Sign
110.504.50	Special Standards by Zone
110.504.55	On-Premise Sign Credits; Types; Computation
110.504.60	Nonconforming Signs
110.504.65	Abandoned Signs
110.504.70	Signs on Public and Utility Property

Section 110.504.00 Title; Effect; Construction. This article supplements other articles of this division and supersedes any conflicting articles or sections. These sections shall be liberally construed to effect the purpose of reducing the number and size of signs, and to effect the purpose of advancing the declaration of Section 110.504.05, Purpose. These sections may not be construed or applied in such a way that would give a preference or greater degree of protection to a sign conveying a commercial message than is given to a sign similarly situated and constructed conveying a noncommercial message. These sections must be construed to apply to all signs irrespective of the commercial or noncommercial character of the content, except that specific types of commercial signs are to be regulated more strictly. Any ambiguity or question shall be resolved by allowing a noncommercial sign the same benefits, exemptions and other preferences that may be given to a commercial sign similarly constructed and situated, or by imposing on such commercial sign the same restriction imposed on the noncommercial sign similarly constructed and situated. These sections apply to existing signs and to proposed signs. Proposed signs for which construction has not lawfully begun, but for which an application has been made or for which a permit has been issued, must conform to these sections.

[Added by Ord. 1035, provisions eff. 8/28/98.]

Section 110.504.05 Purpose.

- (a) The purpose of this article, Article 504, Sign Regulations, is to establish a comprehensive control of the erection and relocation of signs, except for those signs regulated pursuant to Article 502, Billboards. It is intended that these regulations:
 - (1) Impose standards on the number, size, height and location of signs other than billboards and facilitate the removal or replacement of nonessential or nonconforming signs in order to:

- (i) Prevent and relieve needless distraction and clutter resulting from excessive and confusing sign displays;
 - (ii) Safeguard and enhance property values; and
 - (iii) Promote the public safety and general welfare.
- (2) Provide one of the tools essential to the preservation and enhancement of the environment, thereby protecting an important aspect of the economy of the County which is instrumental in attracting those who come to live, visit, vacation and trade.
 - (3) Eliminate hazards to pedestrians and motorists brought about by distracting signs.
 - (4) Improve, enhance and preserve the appearance and other aesthetic qualities of the County.
- (b) The types of signs for which a special use permit is required have a potential substantially greater than other types of signs for creating needless distraction and clutter, confusion and hazards, and for impairing and destroying property values and the appearance and aesthetic qualities of the area, and for adversely affecting the environment.

[Added by Ord. 1035, provisions eff. 8/28/98.]

Section 110.504.10 Definitions. As used in Sections 110.504.00 through 110.504.70, unless the context otherwise requires, the words and terms defined in this article have the meanings ascribed to them in each section.

Abandoned Sign. "Abandoned sign" means a sign which does not display a currently valid advertising message or which has not been maintained in good repair. This definition shall also include any sign structure which no longer supports the sign for which it was designed.

Administrator. "Administrator" means the Director of Community Development of Washoe County or his authorized representative.

Advertising Display. "Advertising display" means the copy, symbols, logotype or graphics on a sign which convey the advertising message.

Advertising Message. "Advertising message" means any copy, symbol, logotype or graphics which identify, promote or advertise any product, service, business, institution or interest of any person.

Allowable Sign Area. "Allowable sign area" means the total sign area permitted under this article for any site or business.

Amortization. "Amortization" means the elimination of nonconforming signs over a period of time intended to allow the owner to realize the value of his investment in the sign.

Animated Sign. "Animated sign" means a sign which uses lights or mechanical devices to simulate or create the effect of motion in the advertising display.

Architectural Graphic. "Architectural graphic" means a painted design, mural, relief, mosaic or similar feature which is incorporated into the architectural design of a building and conveys no advertising message.

Area Identification Sign. "Area identification sign" means a permanent, decorative sign used to identify a neighborhood, subdivision, commercial or office complex, industrial district or similar distinct area of the community.

Building Frontage. "Building frontage" means the length of the face or wall of a completely enclosed building which fronts directly on a public street or other public area.

Business Frontage. "Business frontage" means the length of building frontage occupied by an individual building occupant. An occupant may have more than one (1) business frontage if it occupies building frontage facing on two (2) or more streets or public areas.

Civic Display. "Civic display" means a temporary display of banners, balloons, flags, lights or similar decorations erected on a public street or other public property in connection with a holiday, civic event or celebration.

Commercial Sign. "Commercial sign" means, when describing the content of a sign, a sign advertising, identifying, directing attention to, or otherwise relating to commerce and to property, goods or services for sale, lease, exchange or any other transaction where value is given or received by any party to the transaction. Noncommercial sign means, when describing the content of a sign, a sign not conforming to the definition of a commercial sign.

Community Director Sign. "Community director sign" means a sign, or a group of signs designed as a single display, which gives information about local churches or civic organizations.

Directional Sign. "Directional sign" means a permanent sign which directs the flow of traffic or pedestrians on private property and which contains no advertising message.

Directory Sign. "Directory sign" means a sign, or a group of signs designed as a single display, which gives information about the location of businesses, buildings or addresses within a residential, office, commercial or industrial complex.

Flashing Sign. "Flashing sign" means a sign which uses blinking, flashing or intermittent illumination or light reflectors, either direct, indirect or internal.

Frontage. See "building frontage", "business frontage" and "site frontage".

Freestanding Sign. "Freestanding sign" means a sign which is supported by its own structure apart from a building, but which is not regulated as a billboard.

Fuel Price Sign. "Fuel price sign" means a sign which displays prices of various types of gasoline or diesel fuel available at a service station. A fuel price sign may include a brand name if it does not occupy more than one-third (1/3) of the area of the advertising display.

Gaming. "Gaming" means that the occupant of the premises holds and exercises a valid nonrestricted gaming license issued by the State of Nevada, that the occupant actually conducts all gaming activities allowed by the license, and that the occupant holds a valid gaming license and business license issued by the County.

Height. "Height" means the vertical distance from the topmost part of a sign to the grade of the nearest building or street other than an elevated street.

Holiday Decoration. "Holiday decoration" means any display commonly associated with a local, state, national or religious holiday, and which is not left in place for more than forty-five (45) days during any single observance.

Indirect Illumination. "Indirect illumination" means illumination which is cast on a sign from a source outside the sign with the source of the light shielded from direct view.

Indoor Poster. "Indoor poster" means a temporary sign or poster displayed inside a window for a period not to exceed thirty (30) days to provide information about a specific product, price, event or activity.

Inflatable Sign. "Inflatable sign" means any device which is supported by air pressure or inflated with air or gas which is used to attract the attention of the public, whether or not it displays any specific advertising message.

Internal Illumination. "Internal illumination" means illumination produced by a light source contained within a sign and not directly visible from outside.

Kiosk. "Kiosk" means a structure not exceeding six (6) feet in any horizontal dimension or twelve (12) feet in vertical dimension which is used to provide surfaces for the posting of notices.

Logo. "Logo" means a graphic symbol representing an activity, use or business, or supporter of a non-profit organization or educational institution. Permitted logo types shall be symbols commonly used, including registered trademarks, and may include lettering in addition to graphic designs.

Mobile Sign. "Mobile sign" means a sign supported by a sign structure that is mounted on wheels, skids or other device designed to make the structure conveniently movable or portable. Mobile signs include vehicles, trailers and frameworks not structurally attached to the ground or a building.

Moving Sign. "Moving sign" means any sign which includes visible moving or rotating parts or beam of light.

Neighborhood Bulletin Board. "Neighborhood bulletin board" means any surface outside a building provided specifically to allow the posting of notices.

Nonconforming Sign. "Nonconforming sign" means any sign which was lawfully erected prior to the adoption of this article, or amendments thereto, which would not be permitted under the current provisions of this article. This definition shall include signs which were erected without a special use permit and which would require a special use permit under the current provisions of this article.

Official Sign. "Official sign" means any sign erected by or at the direction of a governmental agency.

Off-Premise Directional Sign. "Off-premise directional sign" means any sign which directs the public to a building, business, institution or activity not located on the same site as the sign. This definition does not include any sign which displays an advertising message other than the name, phone number and address of the building, business, institution or activity.

Off-Premise Sign (Billboard). "Off-premise sign" (billboard) means any sign which identifies, advertises or directs attention to a business, activity, product, service or interest of any person not located on the premises where the sign is located and that is regulated by Article 502, Billboards.

On-Premise Sign. "On-premise sign" means any sign which identifies, advertises or directs attention to a business, activity, product, service or interest of any person located on the premises where the sign is located.

Permanent Sign. "Permanent sign" means any sign which is designed, constructed and affixed at the site in such a manner that it cannot be conveniently moved from place to place.

Person. "Person" means a natural person or any organization, association or entity having an existence recognized by law.

Portable Sign. "Portable sign" means any sign which is designed and constructed in such a manner that it can conveniently be moved from place to place. This definition shall include cardboard, paper, fabric, canvas and plastic banners and flags.

Premises. "Premises" means a single parcel of land.

Projecting Sign. "Projecting sign" means a sign which is supported by a decorative bracket or hanger and extends at right angles from the face of a building. This definition shall also include any sign which, because of its shape or thickness, extends more than twelve (12) inches from the face of a building when mounted flat against the face of the building, but shall not include a marquee which is designed as an integral part of a building.

Project Sale Sign. "Project sale sign" means a sign which is erected for the purpose of promoting the sale or lease of property in a residential, office, commercial or industrial project on the site where the sign is located, and which is under construction or has been substantially complete for less than one (1) year.

Real Estate Sign. "Real estate sign" means a sign offering for sale, rent or lease the real property on which it is located.

Roof. "Roof" means a horizontal or sloping surface of a building which serves as a cover for the building or its entry, portico or other appurtenances. This definition includes any part of a building which resembles a roof in form or function.

Roof Sign. "Roof sign" means a sign painted on, supported by or attached to the roof or roof structure of a building. This definition does not include a sign attached flat against the wall of a penthouse, or other integral part of a building, which projects above the main roof.

Sign. "Sign" means a design or device displayed to the public for the purpose of identifying, advertising or promoting the interests of any person, persons, firm, corporation or other entity by conveying an advertising message or attracting the attention of the public. This definition includes all parts of such device, including its structure and supports and also includes balloons, banners, pennants, flags, lights, reflectors, reflected lights, streamers or other devices which are used to attract the attention of the public, whether or not they convey a specific advertising message.

Sign Structure. "Sign structure" means those parts of a sign designed to support it in place.

Site. "Site" means a lot or parcel, or contiguous lots or parcels of land on which a building or complex of buildings is located.

Site Frontage. "Site frontage" means the linear dimension of a site abutting on a public or private street right-of-way.

Supporter. "Supporter" means an individual, institution, company or organization that provides assistance to a non-profit organization or educational institution in the furtherance of that organization's/institution's primary mission. Assistance may be, but not limited to, funding, equipment and/or volunteer staff.

Suspended Sign. "Suspended sign" means a sign supported from, located below, and completely covered by a building soffit or permanent canopy.

Temporary Sign. "Temporary sign" means a sign made of paper, cardboard, cloth, plastic or similar material having limited durability if exposed to the elements; a sign, irrespective of its durability, intended for display for less than one hundred (100) days or only until the scheduled event it advertises or relates to has happened. Temporary signs do not include signs carried by a natural person, or changing copy on permanent signs lawfully erected and maintained.

Time and Temperature Sign. "Time and temperature sign" means a sign which displays only the current time, temperature, and/or news of current events and carries no advertising message. A time and temperature sign shall not be considered a flashing or animated sign.

Wall Sign. "Wall sign" means a sign which is painted on, supported by or attached to a wall or other vertical surface of a building.

Wind Sign. "Wind sign" means any sign, part of a sign or series of signs, designed or erected in such a manner as to move when subjected to wind pressure. Wind sign does not include "suspended signs".

[Added by Ord. 1035, provisions eff. 8/28/98. Amended by Ord. 1213, provisions eff. 9/19/03.]

Section 110.504.15 General Standards.

- (a) Allowable Sign Area. Where the allowable sign area is a function of business frontage, no more than two (2) business frontages may be counted in calculating the allowable area for any building occupant.
- (b) Sign Area Computation.
 - (1) Except for signs covered by Sections 110.504.25 through 110.504.40, the allowable sign area shall apply to the maximum geometric area of all sign faces visible from any one (1) point at eye level. Where an on-premise sign consists of individual letters, numbers or symbols, painted on or attached directly to a building, which are without an integrated background and are not enclosed in a frame or cabinet, the area of the display shall be the average height of the display times the average width. If such a display consists of more than one (1) line of component, the area of each line or component may be calculated separately. Where a display is enclosed in a frame or cabinet, or has an integrated background, the entire area within the frame, cabinet or background must be included.
 - (2) Where both on-premise signs and billboards are located on the same site, the allowable on-premise sign area shall not be reduced by the amount of billboard sign area.
- (c) Number of Signs. The number of signs located on any business frontage shall not exceed two (2), exclusive of freestanding signs and suspended signs.

Except in the Tourist Commercial (TC) Regulatory Zone and General Commercial (GC) Regulatory Zone that has gaming, the number of signs visible from any one (1) point at eye level shall not exceed four (4), exclusive of freestanding signs and suspended signs, for any single business or building occupant. In the Tourist Commercial (TC) Regulatory Zone and General Commercial (GC) Regulatory Zone that has gaming, the number of signs visible from any one (1) point at eye level shall not exceed six (6). Any advertising display contained within a single frame, cabinet or integrated background shall count as one (1) sign. If a display is not so contained, a single message or business name shall be counted as one (1) sign. A business name combined with a brief slogan may be counted as one (1) sign if the elements are visually integrated. Multiple signs on a single freestanding structure are allowed if the other requirements of paragraph (b) and this paragraph are satisfied; provided, that all signs supported by a single structure are visually compatible with one another.

(d) Freestanding Signs.

(1) A special use permit shall be required for any freestanding sign structure greater than six (6) feet in height on a site less than one (1) acre in size, and for any freestanding sign structure in excess of one (1) for each nine (9) acres of site area or fraction thereof. A special use permit is required for any freestanding sign, irrespective of the size of the premises, if the sign is greater than twenty (20) feet in height.

(2) The number and height of on-premises freestanding signs may be increased by sign credits without a special use permit, even if a special use permit, if applied for, is denied, provided that the height may not exceed ten (10) percent of the maximum heights for the applicable zone.

(e) Maintenance, Repair and Appearance. All signs shall be maintained in good repair and shall be neat in appearance. Any sign which is determined by the administrator to be unsafe or unsightly because of bent, broken or missing parts or poor maintenance generally may be declared a public nuisance.

(f) Location of Signs: Signs located on private property shall not extend across property lines into adjacent property or public rights-of-way. Signs may be located within, or project into, setbacks, except that no sign may be located in a manner that would create a hazard for traffic or pedestrians. A freestanding sign may not be located less than fifty (50) feet from another freestanding sign, whether on or off the premises, except that a new on-premise sign may be located within fifty (50) feet of an existing billboard if the billboard is subject to removal under the terms of a scenic easement recorded in accordance with Section 110.504.55, Sign Credits; Types; Computation.

(g) Wall Signs. Wall signs may not extend above or beyond the wall or surface to which they are attached and may not project more than one (1) foot from the wall.

(h) Roof Signs. Roof signs may not exceed four (4) feet in vertical dimension, may not be mounted on roofs having a pitch of less than 3 in 12, may not extend above the upper edge of the roof, below the lower edge of the roof, or beyond any other terminating edge of the roof. Roof signs must be constructed separately from the roof surface, must be mounted perpendicular to level grade

and parallel to the nearest horizontal roof line, and must have all supports enclosed or otherwise made not visible from a public street or other public area.

- (i) Projecting Signs. Projecting signs are allowed subject to the following conditions:
 - (1) The sign may not extend above the wall or other surface to which it is attached.
 - (2) The sign may not be attached to or located above a roof and must be attached perpendicular to a vertical surface.
- (j) Freestanding Off-Premise Signs. A freestanding sign shall be permitted and regulated as an on-premise sign if the premises being advertised abuts and is under the same ownership as the premises where the sign is located and if the premises where the sign is located and all connection premises are legal parcels on which a structure other than a sign can be built or occupied.

[Added by Ord. 1035, provisions eff. 8/28/98.]

Section 110.504.20 Permits and Enforcement.

- (a) Permit Required. Except as otherwise provided in this article, it is unlawful for any person to erect, enlarge, alter or relocate any sign without first having obtained a sign permit and paying the permit fees.
- (b) Application for Permit. Application for a sign permit shall be made on forms provided by the County and shall include, or be accomplished by, the following:
 - (1) Name, address, telephone number and signature of the property owner.
 - (2) Name, address and telephone number of the applicant (owner of the sign).
 - (3) Name, address and telephone number of the contractor.
 - (4) A plot plan showing the boundaries of the parcel on which the sign(s) is to be located, as well as the location of the sign(s) and all structures on the site. Parking, landscaping and other site features shall also be indicated.
 - (5) Drawings of the proposed sign(s) showing the design, dimensions, mounting height, materials of construction and structural details.
 - (6) Drawings of all existing signs on the site showing their sizes and locations and the total area of all existing signs.
 - (7) Any other information deemed necessary by the administrator or his representative.
- (c) Issuance of Permits. When all requirements of this article and the Washoe County Code have been satisfied and all fees paid, a sign permit shall be issued by the administrator or his representative.

- (d) Fees. Fees for sign permits shall be based upon valuations and penalties contained in Chapter 100 of this code.
- (e) Inspection. Any sign which is subject to this article shall be inspected by County inspectors to insure compliance with this article and Chapter 100.
- (f) Suspension and Revocation. Any permit issued in error, or in reliance on a falsified application, may be revoked by the administrator. Any sign erected or partially erected under a permit issued pursuant to a falsified application may be ordered removed at the owner's expense.
- (g) Enforcement. Any sign which is erected, altered, enlarged or relocated without a valid sign permit is a violation of this article and is subject to the penalties and abatement procedures contained in the Washoe County Code.

[Added by Ord. 1035, provisions eff. 8/28/98.]

Section 110.504.25 Regulated Signs; Variance.

- (a) All signs regulated by this article that are erected or located in the County, which are not exempted by Section 110.504.30, Exempted Signs, are subject to the provisions of this article as to their location, size, height, type and function. Engineering and construction of signs are subject to Chapter 100. Types of signs which are not specifically mentioned are permitted subject to the regulations contained in this article.
- (b) The Director of Community Development may, in his sole discretion, permit variations not exceeding ten (10) percent of spacing and height requirements if undue hardship is shown in the manner required by Section 110.804.25, Findings, of this code.

[Added by Ord. 1035, provisions eff. 8/28/98.]

Section 110.504.30 Exempted Signs. Except to the extent they are subject to special standards, the following types of signs and displays are not subject to the provisions of this article and need not be included in any aggregate area computations:

- (a) Official traffic-control or regulatory signs, signals or devices, street-name signs or other signs required by law.
- (b) Changes in copy or advertising display on an existing sign which do not alter the structure, size or configuration of the sign. Not exempted is the change of an off-premise sign to an on-premise sign or the change of an on-premise sign to an off-premise sign.
- (c) Holiday decorations.
- (d) Safety or caution signs, legal notices, public utility signs.
- (e) Memorial tablets, plaques or markers of bronze, stone or concrete.
- (f) "Open", "Closed", "No Trespassing", "Warning" and similar signs not exceeding two (2) square feet.

- (g) Address numbers or plates and residential nameplates.
- (h) Civic displays.
- (i) Flags, emblems or insignia of any nation, state or political subdivision, provided that they do not number more than three (3), that the individual surface area is not greater than sixty (60) square feet, and that the supporting structures are not greater than the larger of twenty (20) feet high or ten (10) feet more than the permitted height for a freestanding sign. Such signs not exempted are counted and regulated in accordance with this article.
- (j) Indoor posters.
- (k) Architectural graphics.
- (l) Signs which are located within a structure and not visible from a public street, sidewalk or alley or other public area.
- (m) Directional signs.
- (n) Time and temperature signs.
- (o) Stationary lights which illuminate a building or adjacent grounds and do not directly illuminate another sign; and lights which outline building features and are not part of the integrated background or outline of a sign.

[Added by Ord. 1035, provisions eff. 8/28/98.]

Section 110.504.35 Prohibited Signs. The following types of signs and displays are prohibited:

- (a) Signs which constitute a hazard to traffic or pedestrians.
- (b) Signs located within any stream or drainage channel.
- (c) Mobile signs or portable signs unless carried by a natural person or by a motor vehicle as provided in Section 110.504.45, Special Standards by Type of Sign.
- (d) Three dimensional figures of humans or animals.
- (e) Signs which produce odor, sound, smoke, flame or other emissions.
- (f) Signs which imitate or simulate official signs, or which use yellow or red blinking or intermittent lights resembling danger or warning signs.
- (g) Strobe lights or individual light bulbs exceeding 75 watts, if rays of light project directly from the source into residences or streets, or any moving beam of light.
- (h) Signs on public property or rights-of-way; signs attached to utility poles, street-light standards, trees or fences.
- (i) Wind signs, other than those exempted.
- (j) Moving signs.

[Added by Ord. 1035, provisions eff. 8/28/98.]

Section 110.504.40 Signs Requiring a Special Use Permit. The following types of signs are allowed only when approved by special use permit reviewed by the Planning Commission:

- (a) Freestanding signs as provided in Section 110.504.15, General Standards.
- (b) Signs which are integrated into the architectural design of a building and which would be prohibited by a strict application of this article.
- (c) Kiosks or neighborhood bulletin boards.
- (d) Electrically animated and flashing signs and electronic variable message signs.

[Added by Ord. 1035, provisions eff. 8/28/98.]

Section 110.504.45 Special Standards by Type of Sign.

- (a) Mobile and portable signs are permitted under the following conditions:
 - (1) The sign must be painted or otherwise directly attached flat against the exterior surface of the body of the vehicle or trailer or, if on a cargo-type body, the sign must be attached flat against the stake racks or other standard vehicle accessories used to confine cargo loads on the bed of the vehicle or trailer.
 - (2) The vehicle or trailer must be currently licensed and registered by the Nevada Department of Motor Vehicles and Public Safety and must be legally operable and capable of being operated on the public roads.
 - (3) The vehicle or trailer is required for and is used to transport people or goods in connection with the business or other activity or interest being advertised.
 - (4) The sign may not be illuminated and may not contain letters or symbols which are manually replaceable in order that the copy can be easily changed from time to time.
- (b) Directory signs shall be permitted at major entrances to residential, commercial, industrial or office complexes to identify occupants, addresses or building numbers for the convenience of visitors and to facilitate emergency services. Directory signs shall not exceed six (6) feet in height. No more than three (3) square feet shall be devoted to any single occupant. Directory signs shall not be included in allowable sign-area limit computations or when calculating the number of signs on a site. A permit is required.
- (c) Community directory signs shall be permitted at major entrances to an identifiable community in the County.
- (d) Directional signs not exceeding twelve (12) square feet in area shall not be included in allowable sign area computations or when calculating the number of signs on a site. A permit is required.

- (e) Two (2) fuel price signs not exceeding sixteen (16) square feet per face shall not be included in allowable sign-area computations or when calculating the number of signs on a site. A permit is required.
- (f) Area identification signs shall be permitted at major entrances to neighborhoods, subdivisions, residential complexes, shopping centers, and office or industrial complexes. Area identification signs shall not exceed six (6) feet in height, or one hundred twenty-eight (128) square feet in area and shall not be included in allowable sign-area computations or when calculating the number of signs on the site. A permit is required.
- (g) Unless specifically required in this section, a permit is not required for temporary signs. A person may erect a temporary sign without a permit if:
 - (1) The sign area is not more than one hundred twenty-eight (128) square feet.
 - (2) The height of the sign is not more than eight (8) feet.
 - (3) The aggregate sign area of all temporary signs on the premises is not more than one hundred twenty-eight (128) square feet.
 - (4) The sign, if it is a commercial sign, complies with the requirements of paragraphs (h) through (j) of this section.
 - (5) The location is at a distance not less than fifteen (15) feet from any public road from which the sign is visible by passing motorists, unless a building is so located on the premises as to preclude erecting the sign anywhere on the premises, in which case the sign may be attached to or mounted against the building.
- (h) In addition to the location requirements of paragraph (g) of this section, no person may erect a temporary commercial sign on private property unless:
 - (1) The sign is not more than four (4) square feet.
 - (2) The height of the sign is not more than five (5) feet.
 - (3) The aggregate sign area of all temporary commercial signs on the premises is not more than eight (8) square feet.
 - (4) The sign is firmly attached to a structure.
- (i) Notwithstanding the area and height limitations of paragraph (h) of this section, temporary project sales signs shall be allowed during the period when a developer or builder is actively engaged in the sale of lots or houses, or the sale or lease of space in a commercial, industrial or office development, provided they are maintained in good condition. One (1) sign is allowed for each of no more than two (2) major public entrances to the project area. Individual signs may not exceed one hundred twenty-eight (128) square feet or eight (8) feet in height. A permit is required.
- (j) Additional restrictions on temporary real estate signs are as follows:

- (1) One (1) sign conforming to the height and area limitations in paragraph (h) of this section is allowed on residential property and on any property less than one (1) acre in size. On commercial, industrial or office properties over one (1) acre, one (1) sign not to exceed thirty-two (32) square feet in size shall be allowed for each street frontage.
 - (2) Two (2) signs with or without a supporting structure, each no larger than four (4) square feet, carrying the words "open house", "open for inspection" or words of similar import are allowed while the building being shown is in fact open to the public.
- (k) Additional restrictions on temporary residential real estate signs in areas within the jurisdiction of the Tahoe Regional Planning Agency are as follows:
- (1) One (1) sign is allowed if the sign:
 - (i) Does not exceed one (1) square foot in area.
 - (ii) Is placed inside a window, or if no window is visible from a public street, is attached to a building. If no building is on the premises, the sign must be attached to a freestanding structure at least three and one-half (3.5) inches in cross-section. If freestanding, the sign must be parallel to the street to which it is oriented.
 - (2) Two (2) signs conforming to paragraph (j)(2) of this section are allowed.
- (l) A logo or a series of logos may be permanently affixed to one (1) sign erected on the site of a non-profit organization or educational institution with the following restrictions:
- (1) The area of the sign on which the logo(s) are affixed may not exceed fifteen (15) percent of the total sign area.
 - (2) Animated signs shall not display a logo as an animated message.
 - (3) The logos shall only identify supporters of the organization or institution.
 - (i) If the sign on which a logo or logos are to be affixed was erected prior to the effective date of the ordinance adding this section (September 19, 2003), the non-profit organization or educational institution shall identify to the Director of Community Development the supporters that the organization/institution wishes to recognize and the proposed location of the logos on the sign prior to the affixing of any logos to an existing sign.
 - (ii) If a sign on which a logo or logos are to be affixed is to be erected after the effective date of the ordinance adding this section (September 19, 2003), the supporters that the organization/institution wishes to recognize and the proposed location of the logos shall be identified at the time of application for a permit to erect the sign.
 - (4) Should the organization/institution physically relocate from, or physically cease to exist on, the site on which the sign that has supporters' logos

affixed, the aforementioned sign shall be altered to remove the logo(s) within thirty (30) days of cessation of operations or relocation of the organization/institute.

- (m) The perimeter wall of an athletic field used primarily by teams sponsored by non-profit organizations or educational institutions may have advertising located on the inside of the perimeter wall/fence (facing the playing field), and scoreboards associated with an aforementioned athletic field and erected behind or in front of a perimeter wall/fence of the athletic field may have advertising located on the scoreboard insofar that the advertising faces the playing field. Advertising may be located with the following restrictions:
 - (1) For advertising located on the perimeter wall/fence of the athletic field, the advertising display shall not extend above the height of the perimeter wall.
 - (2) For advertising located on a scoreboard, the advertising area shall be an integral part of the scoreboard and not an addition to the perimeter of the scoreboard structure.
 - (3) The advertising shall only identify supporters of the organization/institution and the organization's/institution's associated teams that primarily use the athletic field.

[Added by Ord. 1035, provisions eff. 8/28/98. Amended by Ord. 1213, provisions eff. 9/19/03.]

Section 110.504.50 Special Standards by Regulatory Zone. The following special standards, by regulatory zone, shall apply:

- (a) Rural, Suburban and Urban Residential Regulatory Zones; General Rural Residential (GRR) and General Rural (GR) Regulatory Zones; except as provided in paragraphs (b) and (c) of this section:
 - (1) Maximum height of freestanding signs is the larger of six (6) feet or height permitted in Section 110.504.45, Special Standards by Type of Sign.
 - (2) Allowable sign area shall be as proved in Section 110.504.45, Special Standards by Type of Sign. Other permanent signs may not exceed sixteen (16) square feet.
 - (3) Illumination shall be indirect only.
 - (4) Moving, animated or flashing signs are not allowed.
 - (5) Projecting signs are not allowed.
- (b) Office uses permitted in Residential Regulatory Zones:
 - (1) Maximum height of freestanding sign is the larger of six (6) feet or height permitted in Section 110.504.45, Special Standards by Type of Sign.
 - (2) Allowable sign area may not exceed three-quarter (.75) square feet per one hundred (100) square feet of gross floor area.

- (3) Illumination shall be indirect only.
 - (4) Moving, animated or flashing signs are not allowed.
 - (5) Projecting signs not exceeding four (4) square feet per sign are allowed.
- (c) Commercial uses permitted in Residential Regulatory Zones and Neighborhood Commercial/Office (NC) Regulatory Zones:
- (1) Maximum height of freestanding sign is twenty-five (25) feet.
 - (2) Allowable sign area shall be the larger of two (2) square feet per linear foot of allowable business frontage or one (1) square foot per lineal foot of site frontage.
 - (3) All types of illumination are allowed.
 - (4) Flashing, animated or moving signs are not allowed.
 - (5) Projecting signs not exceeding six (6) square feet per sign are allowed.
- (d) Uses permitted in General Commercial (GC), Office Commercial (OC) and Tourist Commercial (TC) Regulatory Zones:
- (1) Maximum height of freestanding sign is thirty (30) feet.
 - (2) Allowable sign area shall be the larger of two and one-half (2.5) square feet per linear foot of allowable business frontage or one (1) square foot per linear foot of site frontage.
 - (3) All types of illumination are allowed.
 - (4) Flashing, animated or moving signs are not allowed.
 - (5) Projecting signs not exceeding six (6) square feet are allowed.
- (e) Unlimited gaming uses in General Commercial (GC) and Tourist Commercial (TC) Regulatory Zones:
- (1) Maximum height of freestanding sign is forty (40) feet.
 - (2) Allowable sign area shall be the larger of five (5) square feet per linear foot of allowable business frontage or one (1) square foot per linear foot of site frontage.
 - (3) All types of illumination are allowed.
 - (4) Mechanically animated signs and moving signs are not allowed. Animated signs which use lights to simulate or create the effect of motion and flashing signs are allowed, subject to the condition that the area of the sign which contains or is illuminated by an electronic variable message shall be multiplied by two (2) when computing allowable sign area.

- (5) Projecting signs are allowed.
- (f) Uses permitted in Industrial (I) Regulatory Zones:
 - (1) Maximum height of freestanding sign is twenty-five (25) feet.
 - (2) Allowable sign area shall be the larger of one (1) square foot per one hundred (100) square feet of gross floor area or one (1) square foot per linear foot of site frontage not to exceed one hundred twenty-eight (128) square feet per occupant.
 - (3) All types of illumination are allowed.
 - (4) Flashing, animated or moving signs are not allowed.
 - (5) Projecting signs not exceeding six (6) square feet are allowed.

[Added by Ord. 1035, provisions eff. 8/28/98.]

Section 110.504.55 Sign Credits; Types; Computation.

(a) Signs Qualifying for Credits.

- (1) Support Structure. In addition to the requirements of paragraphs (2) and (3), the sign must be supported by a steel structure having a capability of supporting the sign for at least fifty (50) years.
- (2) Structure Credit. If a billboard to be removed is more than two hundred (200) square feet in sign area and is more than twenty-five (25) feet in height, twenty (20) structure credits are allowed. Each credit equals one (1) lineal foot of height that may be added to height limitations on the signs to which the credits are applied as follows: As provided in Section 110.504.15(d), up to twenty (20) feet may be added, without a special use permit, to the height otherwise allowed without a special use permit (20 feet). Twenty (20) credits may be used for an additional freestanding sign.
- (3) Sign Area Credit. If a billboard to be removed is more than twenty-five (25) feet in height and is more than two hundred (200) square feet in sign area, sign area credits are allowed equal to the lawfully existing off-premise sign area. No more than one-half (.5) of the sign area credits may be applied to any one (1) freestanding on-premise sign. The remaining credits may be applied to wall signs, projecting signs and roof signs or may be converted as follows: two hundred (200) sign area credits may be converted to a single freestanding sign twenty (20) feet in height and fifty (50) square feet in sign area.

(b) Procedure for Obtaining and Using Sign Credits; Scenic Easement.

- (1) In General Commercial (GC), Office Commercial (OC), Tourist Commercial (TC) and Industrial (I) Regulatory Zones, the owner or occupant of the premises may obtain sign credits by the removal of lawfully existing billboards and structures if:

- (i) A perpetual restrictive covenant, scenic easement and agreement satisfactory to the County prohibiting off-premise signs is recorded with the County Recorder; and
 - (ii) All billboards and supporting structures are removed in accordance with the terms of the agreement.
- (2) With respect to credits attributable to a single billboard, one-half (.5) of the sign area credits may be used immediately upon recording of the documents. One-half (.5) of the sign area may not be used until the billboard and structure are completely removed, unless the structure credits are waived, in which case all sign area credits may be used immediately (for wall signs, projecting signs and roof signs) upon recording of the documents.
- (3) In a General Commercial (GC) and Tourist Commercial (TC) Regulatory Zone where unlimited gaming exists or is permitted, sign area credits are allowed as follows:
- (i) One and one-half (1.5) square feet per lineal foot of allowable business frontage if fifty (50) to one hundred (100) hotel or motel rooms are located on or proposed for the premises; or
 - (ii) Three (3) square feet per lineal foot of allowable business frontage if more than one hundred (100) hotel or motel rooms are located on or proposed for the premises.
- (4) In all regulatory zones, the maximum height of a freestanding sign may be increased by ten (10) percent, without a special use permit, if the sign is installed in a planter landscaped with drought resistant evergreen plants and having an area two (2) times the area of the sign.
- (c) Exemption from Requirements. To the extent a sign is based on credits, it shall be allowed without a special use permit in excess of otherwise applicable limits on area, number and height.
- (d) Transfer of Credits. Credits are appurtenant to, and may not be transferred from, the premises from which the credits were derived, except that credits may be used on abutting premises under the same ownership.

[Added by Ord. 1035, provisions eff. 8/28/98.]

Section 110.504.60 Nonconforming Signs.

- (a) Right to Maintain and Continue the Use of a Nonconforming Sign. A nonconforming sign subject to the provisions of this article may be maintained and continued in use, provided that:
- (1) It is not altered, enlarged or relocated without a sign permit.
 - (2) It is maintained in good repair and does not become unsightly or hazardous.
- (b) Termination of Right to Nonconforming Sign.

- (1) Any nonconforming sign which is declared a hazard by the administrator shall be removed or repaired within ten (10) days of notice to the owner of the sign.
- (2) Any nonconforming sign which requires repairs costing in excess of fifty (50) percent of its replacement value shall be removed or made to comply with the provisions of this article.
- (c) Alteration, Enlargement or Relocation. No permit shall be issued for the alteration, enlargement or relocation of a nonconforming sign unless the changes will bring the sign into conformance with the provisions of this article.
- (d) Reporting. Applicants for new business licenses or for renewals of existing business licenses shall submit, with the application, information showing the size and location of existing signs and buildings on the premises where the business will be conducted.

[Added by Ord. 1035, provisions eff. 8/28/98.]

Section 110.504.65 Discontinued Signs.

- (a) Removal of Discontinued Signs. Any sign or sign structure which has been discontinued for a period of six (6) months shall be removed or restored to use within thirty (30) days after a notice that the sign has been discontinued is issued to the owner of the sign. Notice shall be given by the Director of Community Development using certified mail. The Director of Community Development may allow a discontinued sign or sign structure to remain in place; provided that the sign or sign structure is maintained in good condition, and that there is a reasonable possibility that the sign can be restored to use within a one (1) year period.
- (b) Criteria for Establishing That a Sign Has Been Discontinued. A sign or sign structure shall be considered discontinued when any of the following occurs:
 - (1) Copy on the sign is out of date.
 - (2) Any business advertised on the sign is no longer located on the premises.
 - (3) Any product or service advertised on the sign is no longer offered on the premises.
 - (4) The structure no longer supports a sign or the sign no longer contains an advertising display.
 - (5) A sign structure or advertising display is visibly damaged or partially missing.

[Added by Ord. 1035, provisions eff. 8/28/98.]

Section 110.504.70 Signs on Public and Utility Property.

- (a) Signs Prohibited. No person may erect a sign on or over real or personal property, easements or rights-of-way owned by a public agency or by a privately owned public utility.
- (b) Exemptions. Signs exempted from the prohibition in paragraph (a) are:
 - (1) Signs approved by the public agency or public utility.
 - (2) Signs which are erected for the safety of motorists and pedestrians in connection with hazardous activities being conducted on the property, easement or right-of-way or on adjacent private property.
 - (3) Official signs and signs required by law.
 - (4) Signs for which an encroachment permit has been issued.
 - (5) House numbers painted on curbs.
 - (6) Signs carried by natural persons.
- (c) Removal. Any sign found erected contrary to the provisions of this section shall be removed by the Sheriff's Office or the Department of Public Works. Advance notice of removal need not be given. The removed signs must be stored for thirty (30) days. During that period, the sign must be made available to the owner and must be returned upon payment of the cost incurred in the removal.

[Added by Ord. 1035, provisions eff. 8/28/98.]

[Renumbered and renamed from Section 110.606.25 "Preliminary Parcel Map Review Procedures" and amended by Ord. 876, provisions eff. 7/7/93. Amended by Ord. 1041, provisions eff. 12/1/98; Ord. 1088, provisions eff. 1/28/00; Ord. 1156, provisions eff. 3/22/02.]

Section 110.606.35 Submittal of Final Parcel Map. After approval or conditional approval of the tentative parcel map, the applicant may submit a final parcel map for review.

[Renumbered and renamed from Section 110.606.30 "Submittal of Parcel Map" and amended by Ord. 876, provisions eff. 7/7/93. Amended by Ord. 1041, provisions eff. 12/1/98; Ord. 1088, provisions eff. 1/28/00.]

Section 110.606.40 Form of Final Parcel Map. The final parcel map shall be legibly drawn in permanent black ink on tracing cloth or produced by the use of other materials of a permanent nature generally used for such purpose in the engineering profession. The size of each sheet must be twenty-four (24) by thirty-two (32) inches. A marginal line must be drawn completely around each sheet, leaving an entirely blank margin of one (1) inch at the top, bottom and right edges, and of two (2) inches at the left edge along the twenty-four (24) inch dimension.

[Renumbered and renamed from Section 110.606.35 "Form of Parcel Map" and amended by Ord. 876, provisions eff. 7/7/93.]

Section 110.606.45 Contents of Final Parcel Map. In addition to the information required by Sections 110.606.15 and 110.606.20, the following information must be shown on the final parcel map:

- (a) Monuments. All monuments found, set, reset, replaced or removed, describing their kind, location and giving other data relating thereto;
- (b) Oaths. A memorandum of oaths;
- (c) Surveyor. The signature of the surveyor;
- (d) Owners. The signature of the owner or owners of the land to be divided;
- (e) Easements and Dedications. Any easements granted or dedications made including, but not limited to, community water and wastewater systems; and
- (f) Survey. Name of the person or persons for whom the survey on which the map is based was made.

[Renumbered and renamed from Section 110.606.40 "Contents of Parcel Map" and amended by Ord. 876, provisions eff. 7/7/93. Amended by Ord. 1088, provisions eff. 1/28/00.]

Section 110.606.50 Review Procedures for Final Parcel Map. The review procedures for final parcel maps shall be as set forth in this section.

- (a) Filing. The subdivider shall file with the Department of Community Development and County Engineer a final parcel map and the required supporting materials showing that all conditions imposed by the Parcel Map Review Committee have been met within twenty-two (22) months from the date of approval of the tentative parcel map. The subdivider shall pay the required fees upon the filing of the final parcel map.
- (b) Application Review. The Community Development staff and County Engineer will review the submitted final parcel map and supporting materials and

recommend to the Director or Community Development acceptance or rejection of the map as complete within fourteen (14) working days after submittal, unless the time limit is extended in writing by the mutual consent of the subdivider and the Director of Community Development.

- (c) Action Required by Director of Community Development. Within twenty-five (25) working days of submittal of the final map application, the Director of Community Development shall determine whether the conditions placed on the tentative parcel map approval have been met. The final map application shall be considered incomplete if the Director of Community Development cannot make a determination that all of the tentative map conditions have been met. If the final parcel map is determined to be complete, the Director of Community Development shall approve or disapprove the map within thirty (30) working days of the submittal date, unless the time limit is extended in writing by the mutual consent of the subdivider and the Director of Community Development.
- (d) Review Criteria. Prior to approving a final parcel map, the Director of Community Development shall determine that the following have been met:
- (1) Completion of all conditions imposed on the subdivision prior to approval of the final parcel map or, in the alternative, acceptance by the Director of Community Development of a satisfactory guarantee of completion and faithful performance of all conditions. The amount of the guarantee shall be in a sum which, in the opinion of the County Engineer, equals one hundred twenty (120) percent of the cost of performance of the conditions. If a subdivider fails to perform any condition within the time specified, the Board of County Commissioners, upon recommendation of the County Engineer, may cause the guarantee to be forfeited in an amount necessary to finish the uncompleted portion of the work. If a security was previously posted to guarantee completion of improvements for two (2) or more contiguous parcels and those improvements will not be completed because of a merger and subsequent re-subdivision pursuant to this article, a credit on a pro-rata basis of the security posted by the owner shall be credited toward the financial assurance required for the parcel map re-subdivision.
 - (2) Completion of all certificates and statements required by Section 110.606.60, excepting (a) of that section.
- (e) Notice of Action. The applicant shall be notified in writing of the decision of the Director of Community Development. If the final parcel map is disapproved, a statement of the reasons for such disapproval shall be included.
- (f) Appeal. The applicant may appeal a disapproval of the final parcel map to the Board of County Commissioners as set forth in Section 110.606.55, Appeals

[Added by Ord. 873, provisions eff. 6/7/93.]

Section 110.806.15 Review Procedures of Planning Commission. The Planning Commission shall review applications for abandonments and vacations in accordance with the provisions of this section.

- (a) General Provisions. The Planning Commission shall conduct a public hearing for the purpose of receiving evidence relative to the application. The evidence shall be reviewed to determine if the application is consistent with existing policies, standards and required findings.
- (b) Time Period for Hearing and Action. The Planning Commission shall hold a public hearing on the application for vacation or abandonment of an easement or street not less than ten (10) days nor more than forty (40) days after the notice as required below is first published, unless the application for vacation or abandonment is part of an application for a tentative subdivision map; in this case the time period for hearing and action shall be coincident with the review and action on the tentative subdivision map.
- (c) Notice of Planning Commission Hearing.
 - (i) Notice of Vacation or Abandonment, Only. Notice of a vacation or abandonment application to be heard by the Planning Commission shall be given by notifying by certified mail each owner of property abutting the proposed vacation or abandonment and causing a notice to be published at least once in a newspaper of general circulation in the County.
 - (ii) Notice of Vacation or Abandonment Combined with Tentative Subdivision Map Application. If the vacation or abandonment application is part of a tentative subdivision map application, the notice of the proposed vacation or abandonment shall be contained in the notice for the tentative subdivision map, and each owner of property abutting the proposed vacation or abandonment shall be provided notice of the combined proposed vacation or abandonment and tentative subdivision notice by certified mail, and a notice shall be published at least once in a newspaper of general circulation in the County at least ten days prior to the date of the hearing for the tentative subdivision map.
- (d) Action by the Planning Commission. Except as provided in Section 110.806.40, if, upon public hearing, the Planning Commission is satisfied that the public will not be materially injured by the proposed vacation, it shall order the street or easement vacated. The Planning Commission may make the order conditional, and the order becomes effective only upon the fulfillment of the conditions prescribed.
- (e) Appeal of Final Action of Planning Commission. An appeal of the Planning Commission's final action on an abandonment or vacation application may be appealed to the Board of County Commissioners within ten (10) days of the date of the final decision of the Planning Commission.

[Added by Ord. 873, provisions eff. 6/7/93. Amended by Ord. 1041, provisions eff. 12/1/98.]

Section 110.806.20 Findings. Prior to recommending approval of an application for an abandonment or vacation, the Planning Commission shall find that all of the following are true:

- (a) Comprehensive Plan. The abandonment or vacation is consistent with the policies, action programs, standards and maps of the Comprehensive Plan and the applicable area plans;
- (b) No Detriment. The abandonment or vacation does not result in a material injury to the public; and

- (2) an amendment of a land use map that results in a change of land use designation on twenty-five (25%) percent or less of the land of a parcel or parcels that are the subject of the proposed amendment.
- (b) Initiation of Amendments. A Comprehensive Plan amendment may be initiated by the Board of County Commissioners or the Planning Commission through resolution. An owner of real property or the property owner's authorized agent may initiate an amendment through an application filed with the Department of Community Development. The Director of Community Development may initiate a minor amendment as defined in NRS 278. Citizen advisory boards established by the Board of County Commissioners may petition the Planning Commission to initiate an amendment.
- (c) Frequency of Amendment. Only the Board of County Commissioners or Planning Commission may initiate an amendment of the Comprehensive Plan for a parcel within twelve (12) months after an amendment on that parcel has been approved or denied.
- (d) Completeness. No Comprehensive Plan amendment shall be processed until the information necessary to review and decide upon the proposed Comprehensive Plan amendment is deemed complete by the Director of Community Development.

[Amended by Ord. 873, provisions eff. 6/7/93; Ord. 1156, provisions eff. 3/22/02.]

Section 110.820.10 Supplemental Guidelines, Standards and Criteria. In addition to the standards and findings set forth in the Development Code, the Director of Community Development may prepare supplemental guidelines for the submission of applications and minimum standards and criteria for approval applications.

[Amended by Ord. 873, provisions eff. 6/7/93.]

Section 110.820.15 Review Procedures. The Planning Commission shall review a Comprehensive Plan amendment in conformance with this section.

- (a) General Provisions. The Planning Commission shall conduct at least one (1) public hearing with notification for the purpose of receiving oral and written evidence relative to the application. The evidence shall be reviewed to determine if the proposed amendment is internally consistent with existing policies and standards of the Comprehensive Plan. The Planning Commission shall recommend approval, modification or denial of the application based on the results of this review.
- (b) Concurrent Processing of Applications. If a proposed project requires more than one (1) application under the provisions of the Development Code, the applications may be filed at the same time and processed concurrently. If more than one review authority is involved, the Director of Community Development shall determine the sequence for action by the review authorities.
- (c) Time Period for Hearing. Public hearings conducted by the Planning Commission shall be held within one hundred and twenty-five (125) days from the date the resolution was adopted or the complete application was accepted.

- (d) Time Period for Action. The Planning Commission may take action on the proposed Comprehensive Plan amendment at the conclusion of the public hearing, but shall take action no later than one hundred and eighty (180) days after the resolution was adopted or the complete application was accepted. An extension of time for Planning Commission action may be granted if mutually agreed upon between the applicant and the Director of Community Development.

- (e) Action. The Planning Commission may take action to recommend approval or deny the Comprehensive Plan amendment request. A recommendation of approval of the Comprehensive Plan amendment shall be by resolution of the Planning Commission carried by the affirmative votes of not less than two-thirds (2/3) of the membership. The resolution shall refer expressly to the maps, descriptive matter, or other matter intended by the Planning Commission to constitute the amendment. Failure of the Planning Commission to hold a public hearing or take action within the time frames provided in this article shall constitute a recommendation of approval of the Comprehensive Plan amendment application.

- (f) Findings. When making its recommendation to the Board of County Commissioners for approval, modification of an amendment or denial, the Planning Commission shall, at a minimum, make at least one of the following findings of fact:
 - (1) Consistency with Comprehensive Plan.
 - (i) Approval: The proposed amendment is in substantial compliance with the policies and action programs of the Comprehensive Plan.
 - (ii) Denial: The proposed amendment is not in substantial compliance with the policies and action programs of the Comprehensive Plan.

 - (2) Compatible Land Uses.
 - (i) Approval: The proposed amendment will provide for land uses compatible with (existing or planned) adjacent land uses, and will not adversely impact the public health, safety or welfare.
 - (ii) Denial: The proposed amendment would result in land uses which are incompatible with (existing or planned) adjacent land uses, and would adversely impact the public health, safety or welfare.

 - (3) Response to Change Conditions.
 - (i) Approval: The proposed amendment responds to changed conditions or further studies that have occurred since the plan was adopted by the Board of County Commissioners, and the requested amendment represents a more desirable utilization of land.
 - (ii) Denial: The proposed amendment does not identify and respond to changed conditions or further studies that have occurred since

the plan was adopted by the Board of County Commissioners, and the requested amendment does not represent a more desirable utilization of land.

(4) No Adverse Affects.

- (i) Approval: The proposed amendment will not adversely affect the implementation of the policies and action programs of the Conservation Element or the Population Element of the Washoe County Comprehensive Plan.
- (ii) Denial: The proposed amendment will adversely affect the implementation of the policies and action programs of the Conservation Element or the Population Element of the Washoe County Comprehensive Plan.

(5) Desired Pattern of Growth.

- (i) Approval: The proposed amendment will promote the desired pattern for the orderly physical growth of the County and guides development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services.
- (ii) Denial: The proposed amendment does not promote the desired pattern for the orderly physical growth of the County. The proposed amendment does not guide development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services.

(g) Effect of Planning Commission Denial. In the event the Planning Commission denies a Comprehensive Plan amendment application, that action is final unless appealed to the Board of County Commissioners.

(h) Planning Commission Report. Within forty (40) days of the action by the Planning Commission on the proposed Comprehensive Plan amendment, a report describing the amendment, discussion at the public hearing, and recommendation and vote of the Planning Commission, along with a certified copy of the proposed amendment, shall be transmitted to the Board of County Commissioners. If the Planning Commission does not recommend approval, it should state why it could not make the findings for approval in Subsection (f) of this section.

Section 110.820.20 Notice of Neighborhood Meeting. The County shall cause a neighborhood meeting to be held prior to a public hearing before the Planning Commission for any proposed Comprehensive Plan amendments that concern particular parcels only. The county shall provide, at the applicant's sole expense, notice of this neighborhood meeting as follows:

- (a) A neighborhood meeting shall be held no less than thirty (30) days and no more than sixty (60) days prior to a scheduled public hearing for a proposed Comprehensive Plan amendment.

- (b) The neighborhood meeting shall be held at a regular or special meeting of the citizen advisory board in whose area of responsibility is located the property or properties that are the subject of the amendment.
- (c) The neighborhood meeting shall be for the sole purpose of providing information on the proposed amendment.
- (d) County shall prepare and deliver notice of this neighborhood meeting pursuant to Development Code 110.820.23(a-e).

[Amended by Ord. 873, provisions eff. 6/7/93.]

Section 110.820.23 Notice. Notice for all Comprehensive Plan amendments shall be given in accordance with the provisions of this section.

- (a) Notice of Property Owners by Mail. A notice setting forth the time, place, purpose of hearing, map or physical description of the land involved, existing and proposed land use designations, and a brief summary of the proposed change shall be sent by mail at least ten (10) days before the meeting to the following persons:
 - (1) All owners of real property that are the subject of the Comprehensive Plan amendment;
 - (2) Advisory boards created by the Board of County Commissioners for the area in which the property that is the subject of the Comprehensive Plan amendment is located;
 - (3) All owners of real property within seven hundred fifty (750) feet of the property which is the subject of the Comprehensive Plan amendment;
 - (4) All tenants of any mobile home park that is located within seven hundred fifty (750) feet of the property which is the subject of the Comprehensive Plan amendment; and
 - (5) All General Improvement Districts (GID) for the area in which the property that is the subject of the Comprehensive Plan amendment is located.
- (b) Notice of Property Owners by Electronic Means. If requested by a party pursuant to subsection (a) of this section and if receipt can be verified, an electronic notice must be provided at least ten (10) days before the meeting, setting forth the time, place, purpose of hearing, and map or physical description of the land involved.
- (c) Number of Notices. If the number of notices sent pursuant to this section does not identify thirty (30) or more separate property owners, the County shall send out additional notices to achieve a total of at least thirty (30) separate property owners. These notices shall be sent to owners of real property that are closest to the property in question, not including those owners provided notice pursuant to Subsection (a) of this section.
- (d) Notice in the Newspaper. A notice setting forth the date, time and place of the public hearing shall be published in a newspaper of general circulation in Washoe County not less than ten (10) days prior to the public hearing date. The

notice shall describe the proposed Comprehensive Plan amendment request, describe the lot, parcel, properties or areas that are the subject of the Comprehensive Plan amendment request, and other pertinent information in such a manner that the Comprehensive Plan amendment request and its effect(s) can be clearly identified.

- (e) Compliance with Noticing Requirements. Owners of all real property to be noticed pursuant to this section shall be those owners identified on the latest County Assessor's ownership maps and records. Such notice is complied with when notice is sent to the last known addresses of such real property owners as identified in the latest County Assessor's records. Any person who attends the public hearing shall be considered to be legally noticed unless those persons can provide evidence that they were not notified according to the provisions of this section.
- (f) Amendment Not Affecting Boundaries. Notwithstanding the other provisions of this section, a proposed Comprehensive Plan amendment that does not change the boundaries of the land use categories of the Land Use Plan map of any of the area plans shall require notice only as set forth in Subsection (c) of this section.
- (g) Amendment Reducing Density/Intensity. Notice to property owners as set forth in subsections (a) and (b) of this section shall include a ballot that an owner of property may complete and return to the Board of County Commissioners to indicate his/her approval of or opposition to the proposed amendment to reduce the density or intensity with which a parcel of land may be used. The ballot must be returned prior to the date and time of the public hearing listed on the notice.

[Amended by Ord. 873, provisions eff. 6/7/93; Ord. 1088, provisions eff. 1/28/00; Ord. 1156, provisions eff. 3/22/02.]

Section 110.820.25 Appeal of Denial. A denial action of the Planning Commission made pursuant to this article may be appealed in accordance with the provisions of this section.

- (a) Appeal Period. An appeal of the Planning Commission's denial of a Comprehensive Plan amendment request may be made to the Board of County Commissioners within fifteen (15) days after the date of the decision. 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.
- (b) Who Can Appeal. Appeals may be filed by the Board of County Commissioners, applicant, or applicant's authorized agent.
- (c) Appeal by Applicant or Applicant's Agent. An appeal by the applicant or the applicant's authorized agent shall be filed with the Director of Community Development, accompanied by a filing fee. The appeal shall be in writing and state the basis of the appeal by citing the inadequacy of the findings made by the Planning Commission. Such reasons shall be based upon the evidence presented to the Planning Commission at the original hearing. Failure of the appellant to present such reasons shall be deemed cause for denial of the appeal.
- (d) Action on Appeal. The appeal of the Planning Commission's denial of a Comprehensive Plan amendment request shall be processed pursuant to this article.

[Amended by Ord. 873, provisions eff. 6/7/93.]

Section 110.820.30 Action by Board. The Board of County Commissioners shall review a Comprehensive Plan amendment in accordance with the provisions of this section.

- (a) Time Period for Hearing. The Clerk of the Board of County Commissioners shall schedule a public hearing before the Board of County Commissioners on the appeal of a denial or recommendation of approval by the Planning Commission within sixty (60) days of the filing of the appeal or receipt of the Planning Commission's action.
- (b) Notice of Hearing. The public hearing shall be noticed as required by this article.
- (c) Board of County Commissioners' Action.
 - (1) If the Board of County Commissioners is considering an appeal from a denial of a Comprehensive Plan amendment request, it may use the record and any additional evidence relative to the application and may confirm or reverse the denial based upon its interpretation of the findings required and the evidence submitted. Final action to approve the amendment shall require a two-thirds (2/3) vote of the total membership of the Board.
 - (2) If the Board of County Commissioners is considering a recommendation of approval, it may take final action to adopt the Comprehensive Plan amendment as recommended by the Planning Commission if no modification of the Planning Commission's recommendation is proposed. Final action to approve the amendment shall require a simple majority vote of the total membership of the Board.
 - (3) If the Board of County Commissioners proposes to modify the recommendation of approval from the Planning Commission, the proposed modification shall be referred to the Planning Commission for consideration. The Planning Commission shall not be required to hold a public hearing on the modification. The Planning Commission shall submit a report on the proposed modification to the Board of County Commissioners within ninety (90) days from the date of referral by the Board of County Commissioners. Failure to report shall be deemed a recommendation of approval. Prior to making a final decision, the Board of County Commissioners shall be required to conduct a public hearing and notice this hearing pursuant to this article. If the Planning Commission does not recommend approval of the modification, approval of the proposed modification shall require a two-thirds (2/3) vote of the total membership of the Board.
 - (4) The final action by the Board of County Commissioners shall be final for purposes of judicial review.

[Amended by Ord. 873, provisions eff. 6/7/93; Ord. 1156, provisions eff. 3/22/02.]

Section 110.820.35 Written Record. When taking final action on the Planning Commission's recommendation, the Board of County Commissioners shall make part of the record their affirmation, modification or rejection of the findings of fact provided in the Planning Commission's

final recommendation, as well as any other findings of fact that the Board of County Commissioners deems to be relevant.

Section 110.820.40 Projects of Regional Significance. A Comprehensive Plan amendment shall require additional review as set forth in Article 812 before a final approval is effective.

Section 110.820.45 Effective Date. A Comprehensive Plan amendment shall become effective immediately upon a determination by the Regional Planning Commission that the amendment is in conformance with the Regional Plan.

Section 110.820.50 One Year Wait on Denials. After the denial of a Comprehensive Plan amendment, no application for a Comprehensive Plan amendment for the same or similar amendment may be accepted for one (1) year immediately following the denial. This section shall not apply to applications denied without prejudice, which may be refiled within one (1) year.

Section 110.820.55 Modification of a Comprehensive Plan Amendment. Proposed modifications of an approved Comprehensive Plan amendment shall require a new application following the same procedure required for the initial application.

Section 110.820.60 Moratorium. The Board of County Commissioners may declare a moratorium on the acceptance and processing of planning applications and/or issuance of building permits for a specific geographical area and for a specified length of time for the purposes of preparing an amendment to the Comprehensive Plan.

- (a) **Initiation.** Only the Board of County Commissioners or the Planning Commission through resolution may initiate the process for declaring a moratorium for this purpose. If the Board of County Commissioners initiates the process to declare a moratorium, it shall refer the matter to the Planning Commission for a recommendation. A moratorium of no more than ninety (90) days shall exist from the date of approval of a resolution.
- (b) **Planning Commission Hearing.** The Planning Commission shall conduct a public hearing within sixty (60) days after it has resolved to declare a moratorium or within sixty (60) days from the date of referral by the Board of County Commissioners.
- (c) **Notice of Planning Commission Hearing.** Notice of the date, time and place of the public hearing shall be published in a newspaper of general circulation in Washoe County not less than ten (10) days prior to the date of the public hearing to be conducted by the Planning Commission. Such notice shall describe why the moratorium is being proposed, what the proposed moratorium shall affect, the area that is affected by the moratorium, the anticipated length of time of the moratorium, and other pertinent information in such a manner that the moratorium and its effects can be clearly identified.
- (d) **Planning Commission Recommendation.** After completion of the public hearing by the Planning Commission, it may recommend that the Board of County Commissioners approve a moratorium, modify the extent and area of the moratorium, or that the moratorium not be imposed. A recommendation to declare a moratorium shall require a simple majority vote of the entire membership of the Planning Commission.
- (e) **Findings.** When making its recommendation for approval or modification, the Planning Commission shall, at a minimum, make the following findings of fact:

- (1) The moratorium is necessary to promote the health, safety and welfare of the area described in the moratorium declaration;
 - (2) The moratorium is necessary to permit the staff, Planning Commission, Board of County Commissioners and public to focus on the efficient and effective preparation of an amendment to the Comprehensive Plan; and
 - (3) The moratorium is necessary because continued development during the proposed moratorium period possibly would result in development that may conflict with the plan amendment.
- (f) Planning Commission Report. Within sixty (60) days of the action by the Planning Commission, a report describing the proposed moratorium, discussion at the public hearing, and the action and vote by the Planning Commission shall be transmitted to the Board of County Commissioners. Failure to report within the time limit provided in this subsection or failure to schedule a hearing within sixty (60) days of the date of referral of the matter by the Board of County Commissioners to the Planning Commission shall constitute a recommendation not to declare a moratorium.
- (g) Board Hearing. The Clerk of the Board of County Commissioners shall schedule a public hearing before the Board of County Commissioners within thirty (30) days of receipt of the report describing the Planning Commission's action.
- (h) Notice of Board Hearing. Notice of the date, time and place of the public hearing shall be published in a newspaper of general circulation in Washoe County not less than ten (10) days prior to the public hearing date. Such notice shall describe why the moratorium is being proposed, what the proposed moratorium shall affect, the area that is affected by the moratorium, the anticipated length of time of the moratorium, and other pertinent information in such a manner that the moratorium and its effects can be clearly identified.
- (i) Required Vote. After completion of the public hearing by the Board of County Commissioners, it may declare a moratorium by a simple majority vote of its entire membership. The final action of the Board of County Commissioners shall be considered final for purposes of judicial review.
- (j) Affirmation of Findings. In declaring a moratorium, the Board of County Commissioners shall, at a minimum, affirm the findings of fact contained in the Planning Commission's recommendation or, if the Planning Commission did not make these findings, shall, at a minimum, make the findings of fact in Subsection (e) of this section.
- (k) Period in Effect. A moratorium declared by the Board of County Commissioners shall be in effect for a period of no less than ninety (90) days and no more than one hundred and eighty (180) days from the date that the Board of County Commissioners takes action on the recommendation of the Planning Commission. The Board of County Commissioners may extend the moratorium, upon an affirmation of findings as required under (j) hereinabove, for two (2) additional consecutive periods before holding another public hearing pursuant to the provisions of this section.

[Amended by Ord. 1156, provisions eff. 3/22/02.]

Section 110.820.65 Certification of Maps by Electronic Means. Adopted land use maps may be certified by the Director of Community Development as true and accurate originals and copies through an electronic signature.

[Added by Ord. 1156, provisions eff. 3/22/02.]

Section 110.820.70 Minor Amendment of Comprehensive Plan.

- (a) Purpose of Minor Amendment. The purpose of the minor amendment section is to provide a streamlined process for adopting changes to the Comprehensive Plan that do not have a substantive effect on the intent of the plan.
- (b) Requirements for Inclusion. To qualify as a minor amendment under this section, the change must be:
 - (1) A change in a boundary that is based on a geographical feature, including, without limitation, topography, slopes, hydrographic features, wetland delineation and floodplains, when evidence is produced that the mapped location of the geographical feature is in error;
 - (2) A change made to reflect the alteration of the name of a jurisdiction, agency, department or district by the governing body, governing board or other governing authority of the jurisdiction, agency, department or district, as applicable, or by another entity authorized by law to make such an alteration; and
 - (3) An update of statistical information that is based on a new or revised study.
- (c) Administrative Process.
 - (1) Initiating the Process. The Director of Community Development shall have the sole authority to initiate a minor amendment to the Comprehensive Plan.
 - (2) Transmittal to Board of County Commissioners. Upon making the findings required under subsection (d) of this section, the Director of Community Development shall forward the minor amendment to the Board of County Commissioners.
- (d) Findings.
 - (1) The Director of Community Development must find that the proposed technical revision meets one of the conditions enumerated under section (b).
 - (2) The Director of Community Development must also find that the proposed minor amendment is consistent with all of the following:
 - (i) Nevada Revised Statutes;
 - (ii) The Truckee Meadows Regional Plan; and
 - (iii) The Washoe County Comprehensive Plan.

(e) Action by Board of County Commissioners. The Board of County Commissioners shall review proposed minor amendments to the Comprehensive Plan in conformance with this section.

(1) Time Period for Hearing. The Clerk of the Board of County Commissioners shall schedule a public hearing before the Board of County Commissioners on the recommendation of approval by the Director of Community Development of a minor amendment to the Comprehensive Plan within thirty (30) days of the filing of the recommended minor amendment with the Clerk of the Board of County Commissioners.

(2) Notice of Public Hearing of Minor Amendment to the Comprehensive Plan. The notice of the public hearing on the minor amendment shall be provided as follows:

(i) Notice to Planning Commission and Citizen Advisory Boards. A notice setting forth the date, time and place of the public hearing on the minor amendment to the Comprehensive Plan shall be sent either by mail, or if requested by a Washoe County Planning Commission member or Citizen Advisory Board ("CAB") member, by electronic means if receipt of such an electronic notice can be verified, to every member of the Washoe County Planning Commission and of the affected CAB not less than ten (10) days prior to the scheduled public hearing on the minor amendment. The notice shall describe the proposed minor amendment to the Comprehensive Plan, including the specific language and other pertinent information, in such a manner that the proposed minor amendment to the Comprehensive Plan and its effect(s) can be clearly identified. Any objections or comments from members of the Planning Commission or CAB must be provided to the Director of Community Development or the Board of County Commissioners no later than the date of the public hearing on the minor amendment.

(ii) Notice to General Improvement District. A notice setting forth the date, time and place of the public hearing on the minor amendment to the Comprehensive Plan shall be sent either by mail, or if requested by a general improvement district, by electronic means if receipt of such an electronic notice can be verified, to the chief operating officer of the general improvement district not less than ten (10) days prior to the scheduled public hearing on the minor amendment. The notice to the general improvement district shall describe the proposed minor amendment to the Comprehensive Plan, including the specific language and other pertinent information, in such a manner that the proposed minor amendment to the Comprehensive Plan and its effect(s) can be clearly identified. Any objections or comments from a general improvement district must be provided to the Director of Community Development or the Board of County Commissioners no later than the date of the public hearing on the minor amendment.

- (iii) Notice in Newspaper. A notice setting forth the date, time and place of the public hearing shall be published in a newspaper of general circulation in Washoe County not less than ten (10) days prior to the public hearing date. The notice shall describe the proposed minor amendment to the Comprehensive Plan and other pertinent information in such a manner that the Comprehensive Plan amendment request and its effect(s) can be clearly identified.
- (iv) Notice of Property Owners by Mail. For a minor amendment pursuant to subsection (b) (1), a notice setting forth the time, place, purpose of hearing, map or physical description of the land involved, existing and proposed land use designations, and a brief summary of the proposed change shall be sent by mail at least ten (10) days before the public hearing on the minor amendment to the following persons:
 - (1) All owners of real property that are the subject of the minor amendment;
 - (2) All owners of real property within seven hundred fifty (750) feet of the property which is the subject of the minor amendment; and
 - (3) All tenants of any mobile home park that is located within seven hundred fifty (750) feet of the property which is the subject of the minor amendment.
- (3) Board of County Commissioners' Action. The Board of County Commissioners may take final action to adopt or deny the minor amendment to the Comprehensive Plan. Final action to approve the technical revision shall require a simple majority vote of the total membership of the Board.

Kitchen. "Kitchen" is an area within a dwelling containing facilities for the storage, preparation, cooking and disposal of food.

Landscaped Buffer. "Landscaped buffer" means an area of landscaping which separates two (2) distinct land uses, or a land use and a public right-of-way, and which acts to soften or mitigate the effects of one (1) land use on the other.

Landscaping. "Landscaping" means an area devoted to and maintained with a mixture of existing or new native or exotic plants such as turf, groundcover, shrubs, flowers, vines and trees, as well as additional complementary decorative features such as rocks, decorative pavement, fountains, pools, sculpture and decorative wall.

Ldn. "Ldn" means the average equivalent A-weighted sound level during a 24-hour day obtained by adding ten decibels to the hourly noise levels measured during the night (10:00 p.m. to 7:00 a.m.). In this way, Ldn takes into account the lower tolerance of people for noise during nighttime periods. Ldn noise level measurements are typically plotted onto a map to identify noise contours around a significant noise generator (e.g. freeways, airports, etc.).

Limited Gaming. "Limited gaming" means gaming enterprises authorized by the State Gaming Control Board whereby any person or gaming establishment may be issued a limited gaming license or have such conditions placed on a gaming license as necessary to protect the public interest.

Livestock. "Livestock" means:

- (a) All cattle or animals of the bovine species;
- (b) All horses, mules, burros and asses or animals of the equine species;
- (c) All goats or animals of the caprine species;
- (d) All swine or animals of the porcine species; and
- (e) All sheep or animals of the ovine species.

Loading Space. "Loading space" means an off-street space or berth on the same lot with a building or contiguous to a group of buildings for the temporary parking of vehicles while handling merchandise or materials.

Lot. "Lot" means a distinct part or parcel of land divided with the intent to transfer ownership or for building purposes and which abuts upon a permanent means of access.

Lot, Corner. "Corner lot" means a lot situated at the intersection of two (2) or more streets having an interior angle of less than 135 degrees.

Lot, Interior. "Interior lot" means a lot bounded by a street on only one (1) side or situated at the intersection of (2) streets having an interior angle of 135 degrees or more.

Article 910

ENFORCEMENT

Sections:

110.910.00	Purpose
110.910.05	Responsibility for Enforcement
110.910.10	Applicability
110.910.15	Enforcement Procedures
110.910.20	Remedies
110.910.25	Penalties
110.910.30	Notification of Violation

Section 110.910.00 Purpose. The purpose of this article, Article 910, Enforcement, is to provide guidelines for the enforcement of the Development Code.

Section 110.910.05 Responsibility for Enforcement. The following shall enforce the provisions of the Development Code:

- (a) All officials charged with the issuance of licenses and permits;
- (b) The Director of Community Development or his/her designee; and/or
- (c) All officials possessing citation powers applicable to the enforcement of land development regulations.

Section 110.910.10 Applicability. Any building or structure erected or maintained or any use of property contrary to the provisions of the Development Code shall be and is hereby declared to be unlawful and a public nuisance.

Section 110.910.15 Enforcement Procedures. The following procedures shall apply to enforce the provisions of the Development Code:

- (a) Order to Comply. In the event of a violation of the Development Code, any of the persons listed in Section 110.910.05 may deliver to the person or persons in violation of the Development Code an order to comply (notice of violation) with the provisions of the Development Code. Such an order shall stipulate that the person(s) comply within a minimum of twenty (20) days of receipt of the order to comply (notice of violation). Further time for compliance may be extended at the discretion of the officer enforcing the provisions of the Development Code for the following reasons:
 - (i) Compliance has commenced, but not been completed, and reasonable progress to abate the violation is being made, or
 - (ii) A plan for abating the violation has been submitted and accepted by the Director of Community Development, or

Article 912

ESTABLISHMENT OF COMMISSIONS, BOARDS AND HEARING EXAMINERS

Sections:

110.912.00	Purpose
110.912.05	Washoe County Planning Commission
110.912.10	Washoe County Board of Adjustment
110.912.15	Hearing Examiner

Section 110.912.00 Purpose. The purpose of this article, Article 912, Establishment of Commissions, Boards and hearing examiners, is to specify the establishment and authority of the Washoe County Planning Commission, Board of Adjustment and any hearing examiner employed by Washoe County.

[Amended by Ord. 959, provisions eff. 7/26/96.]

Section 110.912.05 Washoe County Planning Commission.

- (a) **Creation.** The Washoe County Planning Commission is hereby created, pursuant to NRS 278.030, to perform all the duties and functions delegated to a County Planning Commission by the terms of NRS 278.010 to 278.630, inclusive.
- (b) **Membership and Terms of Office.**
- (1) The Washoe County Planning Commission shall consist of seven (7) members.
 - (2) The term of office of each member shall be four (4) years, or until his or her successor takes office, except that the terms of two (2) of the members first appointed shall be three (3) years, the terms of two (2) of the members first appointed shall be two (2) years and the term of one (1) of the members first appointed shall be one (1) year.
- (c) **Appointment and Qualifications.**
- (1) The Chairman of the Board of County Commissioners shall appoint, subject to the approval of the Board, the members of the Washoe County Planning Commission.
 - (2) No member shall be a member of the Washoe County Board of County Commissioners, and one (1) member may also be a member of the Board of Adjustment.
 - (3) The members shall be residents of the unincorporated area of Washoe County and registered voters therein at the time of their appointment and continuously throughout their term of office.

(4) Members of the Planning Commission shall be appointed based on representation as described below. If qualified applicants are not available from a County Commission District at the time that a vacancy occurs in that district, appointments can be made on an At-Large basis.

(i) One (1) member from County Commission District One.

(ii) One (1) member from County Commission District Two.

(iii) One (1) member from County Commission District Three.

(iv) One (1) member from County Commission District Four.

(v) One (1) member from County Commission District Five.

(vi) Two (2) members appointed At-Large without respect to which County Commission District the member shall reside in, except that one (1) member shall reside north of the Truckee River and one (1) member shall reside south of the Truckee River.

(5) In order to effectuate the representation of Planning Commission members as described in subsection (4), the following schedule shall be followed until each County Commission District has one (1) Planning Commission member appointed from each district and two (2) Planning Commissions have been appointed on an At-Large basis:

(i) One (1) member from County Commission District Two in 2003.

(ii) One (1) member from County Commission District Five in 2003.

(iii) One (1) member from County Commission District Three in 2004.

(iv) One (1) member appointed on an At-Large basis who resides south of the Truckee River in 2004.

(v) One (1) member from County Commission District Four in 2005.

(vi) One (1) member from County Commission District One in 2006.

(vii) One (1) member appointed on an At-Large basis who resides north of the Truckee River in 2006.

(d) Vacancies. Vacancies occurring other than through the expiration of a member's term shall be filled for the unexpired term.

(e) Compensation. All members of the Washoe County Planning Commission shall be compensated at a rate of \$80.00 per meeting (up to \$400.00 per month), and shall receive compensation for reasonable travel expenses and subsistence allowances made necessary in the fulfillment of their official duties.

(f) Removal from Office. Any member of the Washoe County Planning Commission may be removed from office, following a public hearing, by a majority vote of the

Board of County Commissioners for inefficiency, neglect of duty, or malfeasance of office.

(g) Meetings and Records.

- (1) The Washoe County Planning Commission shall hold at least one (1) regular meeting in each month.
- (2) The Washoe County Planning Commission shall adopt rules for the transaction of business and shall keep a record of its resolutions, transactions, findings and determinations. This record shall be a public record.
- (3) Complete records of official actions of the Washoe County Planning Commission shall be kept on file in the office of the Department of Community Development.

(h) Chairman and Other Officers.

- (1) The Washoe County Planning Commission shall elect its Chairman from among the appointed members.
- (2) In addition to electing its Chairman, the Washoe County Planning Commission shall create and fill such other of its offices as it may determine.

(i) Employees.

- (1) The Washoe County Planning Commission may appoint such employees as it may deem necessary for its work, whose appointment, promotion, demotion and removal shall be subject to the same provisions of law as govern other corresponding civil employees of the County.
- (2) The Washoe County Planning Commission may contract with County planners, engineers, architects and other consultants for such services as it may require.

- (j) Funding. The expenditures of the Washoe County Planning Commission, exclusive of gifts, shall be within the amounts appropriated for the purpose by the Board of County Commissioners, which shall provide the funds, equipment and accommodations necessary for the Commission's work.

[Amended by Ord. 906, provisions eff. 7/27/94; Ord. 1156, provisions eff. 3/22/02; Ord. 1200, provisions eff. 6/6/03.]

Section 110.912.10 Washoe County Board of Adjustment.

- (a) Creation. The Washoe County Board of Adjustment is hereby created, pursuant to NRS 278.270, to perform all the duties and functions delegated to a County Board of Adjustment by the terms of NRS 278.010 to 278.630, inclusive.
- (b) Membership and Terms of Office.

- (1) The Washoe County Board of Adjustment shall consist of five (5) members.
- (2) The term of office of each member shall be four (4) years, or until his or her successor takes office, except that the terms of two (2) of the members first appointed shall be three (3) years and the term of one (1) of the members first appointed shall be two (2) years.
- (3) The term of office enumerated in this section shall commence for all appointments taking effect on or after June 30, 1996.

(c) Appointment and Qualifications.

- (1) The Chairman of the Board of County Commissioners shall appoint, subject to the approval of the Board, the members of the Washoe County Board of Adjustment.
- (2) The members shall hold no other public office, with the exception that one (1) member may also be a member of the Planning Commission.
- (3) The members shall be residents of the unincorporated area of Washoe County and registered voters therein at the time of their appointment and continuously throughout their term of office.
- (4) Members of the Board of Adjustment shall be appointed based on representation of the County Commission Districts as described below. If qualified applicants are not available from the following County Commission Districts, appointments can be made from the County Commission District which would experience the next vacancy.
 - (i) One (1) member from County Commission District One.
 - (ii) One (1) member from County Commission District Two.
 - (iii) One (1) member from County Commission District Three.
 - (iv) One (1) member from County Commission District Four.
 - (v) One (1) member from County Commission District Five.
- (5) In order to effectuate the representation of Board of Adjustment members as described in subsection (4), the following schedule shall be followed until each County Commission District has one (1) Board of Adjustment member appointed from each district.
 - (i) One (1) member from County Commission District Two in 2003.
 - (ii) One (1) member from County Commission District Five in 2004.
 - (iii) One (1) member from County Commission District Three in 2005.
 - (iv) One (1) member from County Commission District Four in 2005.

- (v) One (1) member from County Commission District One in 2006.
- (d) Vacancies. Vacancies occurring other than through the expiration of a member's term shall be filled for the unexpired term.
- (e) Removal from Office. Any member of the Washoe County Board of Adjustment may be removed from office, following a public hearing, by a majority vote of the Board of County Commissioners for inefficiency, neglect of duty, or malfeasance of office.
- (f) Powers of Board.
- (1) The Washoe County Board of Adjustment shall hear and decide appeals from regulations and requirements of the Development Code and shall sit and decide upon all matters referred to it or properly of concern in the administration of the Development Code.
 - (2) The Washoe County Board of Adjustment shall also have all the powers pursuant to NRS 278.290 to 278.310, inclusive.
- (g) Meetings and Records.
- (1) The Washoe County Board of Adjustment shall hold at least one (1) regular meeting in each month.
 - (2) The Washoe County Board of Adjustment shall adopt rules for the transaction of business and shall keep a record of its resolutions, transactions, findings and determinations. This record shall be a public record.
 - (3) Complete records of official actions of the Washoe County Board of Adjustment shall be kept on file in the office of the Department of Community Development.
- (h) Chairman and Other Officers.
- (1) The Washoe County Board of Adjustment shall elect its Chairman from among the appointed members.
 - (2) In addition to electing its Chairman, the Washoe County Board of Adjustment shall create and fill such other of its offices as it may determine.
- (i) Compensation. All members of the Washoe County Board of Adjustment shall be compensated at a rate of \$80.00 per meeting (up to \$200.00 per month), and shall receive compensation for reasonable travel expenses and subsistence allowances made necessary in the fulfillment of their official duties.

[Amended by Ord. 906, provisions eff. 7/27/94; Ord. 959, provisions eff. 7/26/96; Ord. 1156, provisions eff. 3/22/02; Ord. 1200, provisions eff. 6/6/03.]

Section 110.912.15 Hearing Examiner.

- (a) Creation. The position of hearing examiner is hereby created, pursuant to NRS 278.262, to perform all the duties and functions delegated to a hearing examiner by the Board of County Commissioners pursuant to NRS 278.010 to 278.630, inclusive.
- (b) Number of Hearing Examiners and Term of Appointment.
 - (1) Number of Hearing Examiners.
 - (i) The Chairman of the Board of County Commissioners, subject to the approval of the Board, may appoint as many hearing examiners as deemed necessary to fulfill the responsibilities of that position as enumerated in Subsection (e) (1).
 - (ii) The Chairman of the Board of County Commissioners shall appoint the Director of Community Development to be a hearing examiner to fulfill the responsibilities of that position as enumerated in Subsection (e) (2). If the Director of Community Development is not qualified to serve as a hearing examiner pursuant to Subsection (c) (3), the Director shall appoint a member of the Department of Community Development who does meet the qualifications to serve as a hearing examiner.
 - (2) A hearing examiner appointed to fulfill the responsibilities of that position as enumerated in Subsection (e) (1) shall have a term of four (4) years and may be re-appointed to successive four (4) year terms.
- (c) Appointment and Qualifications.
 - (1) The Chairman of the Board of County Commissioners shall appoint, subject to the approval of the Board, hearing examiners.
 - (2) A hearing examiner shall hold no other public office, except as provided in Subsection (b) (1) (ii).
 - (3) A hearing examiner shall be one of the following:
 - (i) Licensed architect.
 - (ii) Licensed attorney.
 - (iii) Registered engineer.
 - (iv) Member of the American Institute of Certified Planners.
- (d) Removal. A hearing examiner may be removed, following a public hearing, by a majority vote of the Board of County Commissioners for inefficiency, neglect of duty, or malfeasance.
- (e) Powers of Hearing Examiner.
 - (1) Variances and Special Use Permits. A hearing examiner appointed pursuant to Subsection (b) (1) (i) is empowered to conduct a public hearing and make a decision on a variance application submitted in

accordance with the provisions of Article 804, Variances, and on a special use permit application submitted in accordance with the provisions of Article 810, Special Use Permit.

- (2) Administrative Permits. A hearing examiner appointed pursuant to Subsection (b) (1) (ii) is empowered to conduct a public hearing and make a decision on an administrative permit application submitted in accordance with the provisions of Article 808, Administrative Permit.
- (f) Compensation. A hearing examiner appointed pursuant to Subsection (b) (1) (i) shall be compensated at a rate of \$80.00 per meeting and shall receive compensation for reasonable travel expenses and subsistence allowances made necessary in the fulfillment of his or her official duties.
- (g) Meetings and Records.
 - (1) A meeting shall be held by a hearing examiner appointed pursuant to Subsection (b) (1) (i) within sixty-five (65) days from the date of submittal of an application to review and act upon variance applications submitted in accordance with Article 804, Variances, and special use permit applications submitted in accordance with Article 810, Special Use Permit.
 - (2) Rules for the transaction of business by a hearing examiner shall be adopted by the Board of County Commissioners.
 - (3) Complete records of official actions by a hearing examiner shall be kept on file in the office of the Department of Community Development, such records to be a public record.

[Added by Ord. 959, provisions eff. 7/26/96. Amended by Ord. 1234, provisions eff. 05/21/04.]

Article 916

ESTABLISHMENT OF COMMITTEES

[This Article amended in its entirety by Ord. 873, provisions eff. 6/7/93; Ord. 1088, provisions eff. 1/28/00.]

Sections:

110.916.00	Purpose
110.916.05	Parcel Map Review Committee
110.916.10	Design Review Committee

Section 110.916.00 Purpose. The purpose of this article, Article 916, Establishment of Committees, is to specify the establishment of a Parcel Map Review Committee and a Design Review Committee.

Section 110.916.05 Parcel Map Review Committee.

- (a) **Committee Created.** A Parcel Map Review Committee is created as a subcommittee of the Planning Commission.
- (b) **Committee Membership.** The Parcel Map Review Committee shall consist of a member of the Planning Commission, a member from the staff of the Department of Community Development, County Engineer's Office, District Health Department, Utility Services Division and Truckee Meadows Fire Protection District or Nevada Division of Forestry.
- (c) **Committee Chairman.** The Chair of the Committee shall be the staff member from the Department of Community Development.

[This Section amended by Ord. 959, provisions eff. 7/26/96.]

Section 110.916.10 Design Review Committee.

- (a) **Committee Created.** There is hereby created a Design Review Committee.
- (b) **Committee Membership.** The Chair of the Planning Commission shall appoint one (1) person to represent the Planning Commission who shall be a member of the Planning Commission, a former member of the Planning Commission or a designee of the Planning Commission; one (1) member representing the planning profession; one (1) member representing the landscape architecture profession; and one (1) member representing the architecture profession. In addition, the Board of Adjustment will appoint one (1) of its members to the committee, a former member of the Board of Adjustment, or a designee of the Board of Adjustment.
- (c) **Terms.** Terms of the three (3) members representing the planning, landscape architects, and architecture professions shall be four (4) years with the ability of a current member to be re-appointed for a second consecutive four (4) year term at

the conclusion of his first term. Members are limited to eight (8) consecutive years on the committee.

- (d) Meetings. The Design Review Committee shall meet on an as need basis.

[This Section amended by Ord. 959, provisions eff. 7/26/96.]