



STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

2/6/2018 10:00 A.M.

26 SOUTH B STREET, VIRGINIA CITY, NEVADA

AGENDA

MARSHALL MCBRIDE
CHAIRMAN

ANNE LANGER
DISTRICT ATTORNEY

JACK MCGUFFEY
VICE-CHAIRMAN

LANCE GILMAN
COMMISSIONER

VANESSA STEPHENS
CLERK-TREASURER

Members of the Board of County Commissioners also serve as the Board of Fire Commissioners for the Storey County Fire Protection District, Storey County Brothel License Board, Storey County Water and Sewer System Board and the Storey County Liquor and Gaming Board and during this meeting may convene as any of those boards as indicated on this or a separately posted agenda.

All matters listed under the consent agenda are considered routine, and may be acted upon by the Board of County Commissioners with one action, and without an extensive hearing. Pursuant to NRS 241.020 (2)(d)(6) Items on the agenda may be taken out of order, the public body may combine two or more agenda items for consideration, and the public body may remove an item from the agenda or delay discussion relating to an item on the agenda at any time. Any member of the Board or any citizen may request that an item be taken from the consent agenda, discussed, and acted upon separately during this meeting. The Commission Chair reserves the right to limit the time allotted for each individual to speak.

All items include discussion and possible action to approve, modify, deny, or continue unless marked otherwise.

1. **CALL TO ORDER REGULAR MEETING AT 10:00 A.M.**
2. **PLEDGE OF ALLEGIANCE**
3. **DISCUSSION/POSSIBLE ACTION:**

Approval of the Agenda for February 6, 2018.

4. **DISCUSSION/POSSIBLE ACTION:**

Approval of the Minutes for December 5, 2017.

5. **CONSENT AGENDA**

- I For possible action, Approval of payroll claims in the amount of \$1,242,218.38 and accounts payable claims in the amount of \$1,767,129.48.
- II First reading for General Business License - Silver Dollar Saloon, 15 N C St., Virginia City, NV 89440. Applicant is Stephanie Collins.
- III For possible action, LICENSING BOARD FIRST READINGS:
 - A. CALIFORNIA DRILLING & BLASTING CO, INC - Contractor / 525 Mission St ~ Pasadena, CA
 - B. SIERRA SHADING SOLUTION INC - Contractor / 685 Abbay Way ~ Reno, NV
 - C. INFINITY AUTOMATION - General / 561 Keystone Ave ~ Reno, NV
 - D. COPPER ENVIRONMENTAL CONSULTING, INC - Professional / 406 E. Park Ave ~ Anaconda, Mt
 - E. TRANE US, INC - Contractor / 4145 Del Mar Ave ~ Rocklin, CA
 - F. VITAL SYSTEMS CORPORATION - General / 4999 Air center Cir ~ Reno, NV
 - G. LITTLE CITY PIZZERIA, LLC - 2632 Alessandro Ct ~ Sparks, NV
 - H. T E LARSON INC - General / 1696 S. Virginia St ~ Reno, NV
 - I. TEAM INDUSTRIAL SERVICES, INC - General / 13131 Dairy Ashford ~ Sugarland, TX
 - J. INDUSTRIEMONTAGE MEHNERT - General / 7 Bergstrabe ~ Muelzen, Germany
 - K. FOOD EVOULUTION: DBA - General / 1290 E. Plumb Ln ~ Reno, NV
 - L. LAPP USA INC - General / 6975 S. Decatur Blvd ~ Las Vegas, NV
 - M. CHARTWELL STAFFING SOLUTIONS - General / 5220 Longley Lane ~ Reno, NV
 - N. SAVAGE WELDING SUPPLY, DBA - General / 265 Pompe Way ~ Reno, NV
 - O. PLASMO USA LLC - General / 44160 Plymouth Blvd ~ Plymouth, MI
 - P. SIXCLEAR LIMITED LIABILITY CO - General / 500 E 4th St ~ Austin, TX
 - Q. HIGH CALIBER GLASS - Contractor / 1220 E. Greg St ~ Reno, NV
 - R. THE SHERWIN-WILLIAMS COMPANY - General / 1286 Disk Dr ~ Sparks, NV
 - S. HD SUPPLY CONSTRUCTION SUPPLY, LTD / General / 501 West Church St ~ Orlando, FL
 - T. EXPEDITORS BY LINDALE, INC - General / 638 N. Eckhoff St ~ Orange, CA
 - U. TENANT SALES AND SERVICE - General / 701 N. Lilac Dr ~ Minneapolis, MN
 - V. ORKIN - General / 9410 Prototype Dr ~ Reno, NV
 - W. THE RYAN COMPANY - Contractor / 15 Commerce Way ~ Norton, MA
 - X. PROAXIA CONSULTING K.K. - General / Osaka, Japan
 - Y. CTOU INC - General / 5209 W. 700 S. ~ Salt Lake City, UT
 - Z. ELECTRIC BLUE ELEPHANT - General / 136 Moran ~ Reno, NV

6. **DISCUSSION ONLY (No Action - No Public Comment): Committee/Staff Reports**

7. **BOARD COMMENT (No Action - No Public Comment)**

8. **DISCUSSION/POSSIBLE ACTION:**

Approval of Interlocal Agreement for Traffic Signal Maintenance between Storey County and Carson City.

9. **DISCUSSION/POSSIBLE ACTION:**

Consideration and possible approval of guidelines for considering and approving special assessment district projects pursuant to NRS 271.700 through 271.730, including a special assessment district for the construction of an effluent pipeline to the Tahoe Reno Industrial Center.

10. **DISCUSSION/POSSIBLE ACTION:**

Acceptance of Public Works Director resignation.

11. **DISCUSSION ONLY (No Action):**

Review of the 2nd Quarter 2018 Unaudited Budget to Actual.

12. **DISCUSSION/POSSIBLE ACTION:**

Consideration and possible approval of a business impact statement, prepared pursuant to NRS 237.090, to address the proposed impact of an amendment of Storey Co. code 3.60 clarifying the application of the transient lodging tax to transient lodging in Storey County.

13. **DISCUSSION/POSSIBLE ACTION:**

Interlocal agreement providing the terms and conditions for the use of Piper's Opera House by the Storey County School District and the display of historic personal property within Pipers belonging to the School District.

14. **DISCUSSION/POSSIBLE ACTION:**

Adoption of Resolution 18-482 setting forth a procedure by which a business may object to the adoption of a "rule" by Storey County which impacts the business.

15. **RECESS TO CONVENE AS THE STOREY COUNTY LIQUOR LICENSE BOARD**

16. **DISCUSSION/POSSIBLE ACTION:**

First reading for On-Sale Liquor License - Silver Dollar Saloon, 15 N C St., Virginia City, NV 89440. Applicant is Stephanie Collins.

17. ADJOURN TO RECONVENE AS THE STOREY COUNTY BOARD OF COUNTY COMMISSIONERS

18. DISCUSSION/POSSIBLE ACTION:

Second Reading of Ordinance No. 18-279 amending Storey County Code Title 16 Subdivisions to adopt new codes for land subdivisions, parcel maps, division of land into large parcels, surety requirements, land readjustments, boundary line adjustments, and reversions to acreage/lot consolidations. In addition to provisions of the NRS, any person may complete and return to the Board or Planning Commission a statement supporting or opposing the proposed amendments to the county code. Additional information may be obtained from the Planning Department at 775-847-1144 or [planning @storeycounty.org](mailto:planning@storeycounty.org).

19. DISCUSSION/POSSIBLE ACTION:

Second Reading of Ordinance No. 18-278 amending Storey County Code Title 17 Zoning, including Chapter 17.56 Planned Unit Developments to revise the procedure for approval and standards of planned unit developments. In addition to provisions of the NRS, any person may complete and return to the Board or Planning Commission a statement supporting or opposing the proposed amendments to the county code and zoning ordinance. Additional information may be obtained from the Planning Department at 775-847-1144 or planning @storeycounty.org.

20. DISCUSSION/POSSIBLE ACTION:

Second Reading of Ordinance No. 18-280 amending Storey County Code Title 17 Zoning including chapters 17.03 Administrative Provisions, 17.10 Definitions, 17.12 General Provisions, 17.15 Public Zone, 17.24 Agriculture Zone, 17.28 Commercial Zone, 17.30 Commercial-Residential Zone, 17.32 Forestry Zone, 17.34 Light Industrial Zone, 17.35 Heavy Industrial Zone, 17.40 Estate Zone, 17.44 Special Planning Review Zone; and 17.84 Signs and Billboards. In addition to provisions of the NRS, any person may complete and return to the Board or Planning Commission a statement supporting or opposing the proposed amendments to the county code and zoning ordinance. Additional information may be obtained from the Planning Department at 775-847-1144 or planning @storeycounty.org.

21. DISCUSSION/POSSIBLE ACTION:

Second Reading of Ordinance No. 18-281 amending Storey County Code Title 17 Zoning including Chapter 17.06 Nonconforming Uses pertaining to legally nonconforming uses and adding language pertaining to substandard development. In addition to provisions of the NRS, any person may complete and return to the Board or Planning Commission a statement supporting or opposing the proposed

amendments to the county code and zoning ordinance. Additional information may be obtained from the Planning Department at 775-847-1144 or planning@storeycounty.org.

22. DISCUSSION/POSSIBLE ACTION:

Second Reading of Ordinance No. 18-282 amending Storey County Code Title 17 Zoning including Chapter 17.03 Administrative Provisions to revise the procedure for the expiration of development permits. In addition to provisions of the NRS, any person may complete and return to the Board or Planning Commission a statement supporting or opposing the proposed amendments to the county code and zoning ordinance. Additional information may be obtained from the Planning Department at 775-847-1144 or planning@storeycounty.org.

23. DISCUSSION/POSSIBLE ACTION:

Second Reading of Ordinance No. 18-276 amending Storey County Code Title 17 Zoning to provide for design criteria and improvement standards for certain types of development and a design review process with review by the planning director with appeal to the planning commission and board. In addition to provisions of the NRS, any person may complete and return to the Board or Planning Commission a statement supporting or opposing the proposed amendments to the county code and zoning ordinance. Additional information may be obtained from the Planning Department at 775-847-1144 or planning@storeycounty.org.

24. DISCUSSION/POSSIBLE ACTION:

Approval of Resolution No. 18-474 to the Board of County Commissioners with recommendation by the Planning Commission adopting a design criteria and improvement manual setting forth certain development and design standards and guidelines for residential and non-residential planned unit developments, multi-family residential complexes, and other uses. This item was continued at the 01/16/2018 board meeting.

25. DISCUSSION/POSSIBLE ACTION:

Second reading for General Business License - CCW Instructor. Applicant is James Wes Francis, owner of First Shot, 176 Ring Rd. Dayton NV.

26. DISCUSSION/POSSIBLE ACTION:

LICENSING BOARD, SECOND READINGS

A. INTERNATIONAL FLOW TECHNOLOGIES, INC - Contractor / 30230 Los Alamos Rd ~ Murrieta, CA

B. CONCRETE NORTH, INC - Contractor / 10274 Iron Rock Way ~ Elk Grove, CA

C. ENCORE - Contractor / 14830 Kivett Ln ~ Reno, NV

D. FREMOUW ENVIRONMENT SERVICES, INC – Transportation / 6940 Tremont Rd ~ Dixon, CA

E. MIKE HICKEY CONSTRUCTION, DBA: 3M ROOFING / Contractor / 3046 Achilles Dr ~ Reno, NV

F. THE JAMO TRUCK – General / 1416 Canyon Creek Rd ~ Reno, NV

27. **PUBLIC COMMENT (No Action)**

28. **ADJOURNMENT**

NOTICE:

- Anyone interested may request personal notice of the meetings.
- Agenda items must be received in writing by 12:00 noon on the Monday of the week preceding the regular meeting. For information call (775) 847-0969.
- Items may not necessarily be heard in the order that they appear.
- Public Comment will be allowed at the end of each meeting (this comment should be limited to matters not on the agenda). Public Comment will also be allowed during each item upon which action will be taken on the agenda (this comment should be limited to the item on the agenda). Time limits on Public Comment will be at the discretion of the Chairman of the Board. Please limit your comments to three minutes.
- Storey County recognizes the needs and civil rights of all persons regardless of race, color, religion, gender, disability, family status, or nation origin.
- In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at http://www.ascr.usda.gov/complaint_filing_cust.html and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

(1) mail: U.S. Department of Agriculture

Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;

(2) fax: (202) 690-7442; or

(3) email: program.intake@usda.gov.

USDA is an equal opportunity provider, employer, and lender.

Notice to persons with disabilities: Members of the public who are disabled and require special assistance or accommodations at the meeting are requested to notify the Commissioners' Office in writing at PO Box 176, Virginia City, Nevada 89440.

CERTIFICATION OF POSTING

I, Vanessa Stephens , Clerk to the Board of Commissioners, do hereby certify that I posted, or caused to be posted, a copy of this agenda at the following locations on or before 2/1/2018; Virginia City Post Office at 132 S C St, Virginia City, NV, the Storey County Courthouse located at 26 S B St, Virginia City, NV, the Virginia City Fire Department located at 145 N C St, Virginia City, NV, the Virginia City Highlands Fire Department located a 2610 Cartwright Rd, VC Highlands, NV and Lockwood Fire Department located at 431 Canyon Way, Lockwood, NV.

By Vanessa Stephens
Vanessa Stephens Clerk-Treasurer



**Storey County Board of County
Commissioners
Agenda Action Report**

Meeting date: February 6, 2018
Agenda Item Type: Regular Agenda


Estimate of Time Required: 0-5 min

1. **Title:** Approval of the minutes for December 5, 2017.
2. **Recommended motion:** Approve as submitted.
3. **Prepared by:** Vanessa Stephens

Department: Clerk

Contact Number: 775.847.0969

4. **Staff Summary:** Minutes are attached.
5. **Supporting Materials:** See attached
6. **Fiscal Impact:** 0
7. **Legal review required:** No
8. **Reviewed by:**

 Department Head

Department Name: Clerk

 County Manager

Other Agency Review: _____

9. **Board Action:**

<input type="checkbox"/> Approved	<input type="checkbox"/> Approved with Modification
<input type="checkbox"/> Denied	<input type="checkbox"/> Continued



STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

TUESDAY, DECEMBER 5, 2017 10:00 A.M.

DISTRICT COURTROOM
26 SOUTH B STREET, VIRGINIA CITY, NEVADA

MINUTES

MARSHALL MCBRIDE
CHAIRMAN

ANNE LANGER
DISTRICT ATTORNEY

LANCE GILMAN
VICE-CHAIRMAN

JACK MCGUFFEY
COMMISSIONER

VANESSA STEPHENS
CLERK-TREASURER

ROLL CALL: Chairman McBride, Vice-Chairman McGuffey, Commissioner Gilman, County Manager Pat Whitten, Clerk & Treasurer Vanessa Stephens, District Attorney Anne Langer, Deputy District Attorney Keith Loomis, Administrative Officer/Planning Director Austin Osborne, Comptroller Hugh Gallagher, Sheriff Gerald Antinoro, Outside Counsel Robert Morris, Justice of the Peace Eileen Herrington, Tourism Director Deny Dotson, Senior Center Director Stacey Gilbert, Community Chest/Library Direct Erick Schoen, Planner Kathy Canfield, and Director of Security Melanie Keener

1. CLOSED SESSION AT 9:30 A.M.

2. CALL TO ORDER REGULAR MEETING AT 10:00 A.M.

Meeting was called to order by Chairman McBride at 10:00 A.M.

3. PLEDGE OF ALLEGIANCE

Chairman McBride led those present in the Pledge of Allegiance.

4. DISCUSSION/POSSIBLE ACTION: Approval of Agenda for December 5, 2017

County Manager Pat Whitten requested the following changes: Item 10 be continued to January 16, 2018; Item 26 be moved to be heard after Item 9; Item 27 be continued to a date uncertain; and Items 28 and 30 be heard after Item 11.

Public Comment:

Nicole Barde, Storey County Resident: Requested Item 7I on the Consent Agenda be pulled for discussion. Specifically policies 210, 212, and 222 to be discussed.

Motion: Approve Agenda with requested changes for December 5, 2017, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary: Yes=3)**

5. DISCUSSION/POSSIBLE ACTION: Approval of the Minutes for October 17, 2017.

Public Comment:

None

Motion: Approve Minutes for October 17, 2017, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

6. DISCUSSION/POSSIBLE ACTION: Approval of the Minutes for November 7, 2017.

Public Comment:

None

Motion: Approve Minutes for November 7, 2017, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

7. CONSENT AGENDA:

I Storey County Administrative Policies and Procedures including 201 Fair Employment Practices, 202 Anti-Harassment, 203 Dealing with Discrimination, 204 Employee Bullying, 205 Employment Disabilities, 206 Drug and Alcohol Free Workplace, 207 Reasonable Alcohol Drug Testing, 208 Discipline Related to Alcohol and Drug Abuse, 209 Prohibition of Workplace Violence, 210 Employment of Relatives, 211 Employee Dating, 212 Code of Ethical Standards, 213 Political Activity, 214 Solicitation, 215 Work Stoppage, 216 Outside Employment, 217 Dress and Grooming, 219 Reporting Convictions, 220 Genetic Information Nondiscrimination Act (GINA), 221 Telecommuting; and the addition of Policy 222 Whistleblower Protection which removes the associated text from Policy 219 and places it appropriately into its own policy.

II For possible action, Approval of payroll claims in the amount of \$879,747.27 and accounts payable claims in the amount of \$805,123.02.

III For possible action, cancelation of the December 19, 2017 Board of County Commissioners Meeting.

IV For possible action, approval of First Reading General Business License. Applicant is Jonathan Deitrich, owner of a home based business, The Supply SGT, at 450 S E St., Virginia City, NV 89440.

V For possible action, approval of Treasurers Report for October 2017.

VI For possible action, approval of First Reading Business Licenses:

A. TACTICAL CONTROLS - General / 943 W. Overland Rd ~ Meridian, ID

B. VERTECH INDUSTRIAL SYSTEMS, LLC - General / 4409 E. Baseline Rd ~ Phoenix, AZ

C. ZERO CHAOS - General / 420 S. Orange Ave ~ Orlando, FL

D. EXPRESS JANITORIAL - General / 418 S. Rock Blvd ~ Sparks, NV

E. DELTA MOLD - General / 9415 Stockport Pl. ~ Charlotte, NC

F. HDR - General / 6805 Double R Blvd ~ Reno, NV

G. APEX - General / 4400 Cox Rd ~ Glen Allen, VA

H. CONCRETE VALUE CORP OF NEVADA – General / 695 Edison Way ~ Reno, NV
 I. JOHN GHILIERI – Contractor / 3455 Thornhill Ct ~ Reno, NV
 J. MY FRIENDS – General / 2995 Scottsdale Rd ~ Reno, NV
 K. NATHAN OSBORNE, DBA: STIX & STRIPS – General / 6016 Plumas ~ Reno, NV
 L. MOORE THAN LOCKS – General / 7565 Halifax Dr. ~ Reno, NV
 M. SILVER SAGE WATER CO, LLC – General / 129 Ashley Way ~ Reno, NV
 N. TACOS EL GORDO – General / 5330 Torobie Dr. ~ Sun Valley, NV
 O. KNA SOLUTIONS LLC – General / 2035 Sunset Lade Rd ~ Newark, DE
 P. FIRE EXTINGUISHER SERVICE CENTER – Contractor / 260 Freeport Blvd ~ Sparks, NV
 Q. EDEGARDO CANDIDO – Handyman / 44 “G” St. ~ Virginia City, NV
 R. ELRINGKLINGER SILICON VALLEY, INC – General / 2 Max-Eym-Strasse ~ Dettingen Erms, Germany
 S. NORTHSTAR ELEMENTS, LLC – General / 1215 Alexandria ~ McCarran, NV
 T. PEARLY CAKES MERCANTILE – General / 465 S “C” St ~ Virginia City, NV
 U. PAC VAN INC. – General / 9155 Harrison Park Ct. ~ Indianapolis, IN
 V. SAN-EI TECH LTD. – General / 7-1-15 Kashiwa ~ Chiba, Japan
 W. RAPID CONSTRUCTION INC – Contractor / 3072 Research Way ~ Carson City, NV
 X. PRECIOUSE HOLDING, DBA: BAM!DOG HOT DOGS - General/1795 Laurel Ridge ~ Reno, NV
 Y. SOFTWARE SPECIALISTS INC – General/ 401 Smith Dr ~ Cranberry Township, PA
 Z.PRISM SYSTEMS SOFTWAREM, INC – General / 200 Virginia St ~ Mobile, AL
 AA. ESC, Inc. - General / 1922 N. Broadway Ave ~ Springfield, MO

Motion: Approve Consent Agenda for December 5 2017, pulling Item I for discussion of policies 210, 212, and 222, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, (**Summary:** Yes=3)

Nicole Barde: Policy 210, Employment of Relatives, indicates it is possible to report to an immediate supervisor that’s a relative but not to two levels above.

Austin Osborne: This is a standard policy – that an employee’s supervisor is not a relative.

Chairman McBride: Your immediate supervisor is not a blood relative?

Mr. Osborne: Correct.

Ms. Barde: On “Whistleblower” policy 222, is there anything added or deleted that is different from Federal or State (policies)?

Mr. Osborne: This policy contains the same language as before but has been moved from the Reporting Convictions policy. The text comes from POOL and has been vetted through the State.

Ms. Barde: Policy 212, Code of Ethical Standards: Other than a supervisor, do other people in the County have the right to review medical and personal records, and are those records on line?

Mr. Osborne: A supervisor can review certain records on a “need to know” basis. The records are not open to everyone. Deputy District Attorney Loomis has recommended using the stringent and

compliant ADA Conditions – that is what has been done. Medical records are not kept electronically and are very secure.

Chair McBride: There is no access on-line to personnel records.

Motion: Approve Item 7I, Policies 210, 212, and 222, of the Consent Agenda, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

8. DISCUSSION/POSSIBLE ACTION (No Action-No Public Comment): Committee/Staff Reports.

Sheriff Gerald Antinoro:

- A Special Olympics fundraiser was held in November. Deputies participated by growing beards for the event.
- Working with the Attorney General's Office on a drug take-back program. Storey County is on the list to receive an incinerator for drug destruction. Prep-work for placement of the incinerator will be paid by the Attorney General's Office.
- There's a room full of drugs and contraband to be disposed of.
- The incinerator would be for multi-jurisdictional use – other counties would come to this location to dispose of contraband.

Community Chest/Library Director Erik Schoen:

- Construction of the Community Center continues on pace. The building is weathered in, with heat and electric installed, and should be complete in February. There are million dollar views from this building.
- Storey County residents have been great in adopting angels from the Angel Trees which are at the Post Office and Catholic Church. People have been very generous in giving money for food and baskets.

Planner Kathy Canfield:

- The Census local address information has been submitted.
- Paperwork is being submitted for the Community Rating System for flood insurance, primarily along the Truckee River.
- The IAA Development project variance request that has been on the agenda is being withdrawn.

Senior Center Director Stacey Gilbert:

- \$8,000 has been received through fundraising for the purchase of a new dishwasher, which is on the way.
- Thursday, December 21st, is the Christmas Lunch. Please RSVP.

Tourism Commission Director Deny Dotson:

- Tourism in Virginia City is driven by special events as evidenced this last weekend with the lights displayed by merchants, the great parade, two craft fairs, and concerts. A great way to finish the year.
- The event calendar for next year will be released in January.

- The VCTC will not be meeting in January.
- Things are going great with the V&T Rail Commission. The Polar Express has only a few tickets left – after Christmas and before January 1st.
- Operating contracts for the V&T will be reviewed and a business evaluation will be conducted.

Justice of the Peace, Eileen Herrington:

- Recently attended an opioid crisis summit hosted by the Attorney General's Office. More and more cases of opioid overdoses, particularly phentolol, are being seen. Nevada is number four in the nation.
- The incinerators are needed as drugs, especially phentolol, are so deadly.

Administrative Officer/Planning Director Austin Osborne:

- Still working with the Porter Group, Congressman Amodei's office and the BLM on the Lands Bill. Work is being done to come up with a map for the next round of the Bill.
- The Carson River Water Subconservancy group, the contractors, - J.D. Fuller, Jason Weirzbicki, and Mr. Osborne, along with some residents recently spent time in Mark Twain looking at culverts, issues, maps and plans, for the flood mitigation plan.
- The contractor, J. D. Fuller, recently did similar work in Arizona and Douglas County, and had a strong reputation in being able to work with residents.

District Attorney Anne Langer:

- A lot of people become addicted to opioids after surgery. Over the last five years, the heroin problem in Northern Nevada has increased 3500%. Especially in the 21 – 35 age group.
- The Sheriff's plan is good to help keep drugs off the streets.
- The medical industry will start looking at the number of drugs being prescribed after surgery.
- This is an epidemic and education is necessary.

County Manager Pat Whitten:

- There will not be a second meeting this month. The next scheduled meeting will be January 2nd.
- The County Holiday Party will be held this Friday at Pipers Opera House. Everyone is invited - employees, friends, residents.
- The parking area at the Highlands mailboxes has been filled, graded, and compacted – and will be paved in warmer weather.
- Demolition work on the Black & Howell building is scheduled to start next Monday.
- Most equipment is ready for the up-coming snow season.
- The County is looking for a skilled service company for the "first ever" traffic light to be installed at USA Parkway and Electric Avenue. Carson City has an offer on the table. The concern is the distance to get out there and time and materials will be billed. Materials will most likely be paid by NDOT. The estimate is approximately \$6400 per year.
- September sales and use tax figures provided by tax analyst Tom Gransbury:
 1. SCCRT – in State collections were strong; out-of-State – down compared to August.
 2. Overall, the first 3 months of 2017-18, is almost \$34,000 ahead of the same 3 months last year.
 3. VCCRT - \$11,000 ahead for the first 3 months;
 4. The ¼ cent option tax for the VCTC and the ¼ option tax for the V&T Rail Commission, is \$17,600 ahead of the first 3 months last year.

- Sewer pipeline project update:
 1. 81 days into the project, with approximately 319 left;
 2. Work is now being done on G and E;
 3. Paving has stopped momentarily. Ames is responsible for the seven foot strip where the pipe is laid. After analysis, the County is working with Ames to pave collaboratively where it makes sense to so there are no seams or water intrusion. The current estimate for the County's portion of paving is \$300-500,000. Funding sources are identified for \$300,000, and looking for the additional funds if needed.
 4. A lot of the paving will most likely be held off until spring due to temperature.
 5. Still trying to tie-in old drainage.
 6. Work has been stopped near E Street and the Savage mine area due to discovery of an underground structure. Archeological firm, Broadbent, is in the process of cataloging and taking pictures.

Vice Chair McGuffey: It's a challenge to get up Washington Street with the loose gravel. This may be a concern.

Mr. Whitten: This is the highest priority to be paved when the time is right.

9. BOARD COMMENT (No Action-No Public Comment)

Vice Chairman McGuffey:

- Along with Mr. Whitten, recently met with Senator Cortez-Masto to discuss matters of concern to the County, including the Zip Code issue which is currently stalled in Washington, as well as the Lands Bill where Storey County is unique with small areas of BLM scattered throughout the County. Senator Cortez-Masto seemed genuinely concerned with these issues.

Chairman McBride:

- Toured the Virginia City wastewater collection system. It's amazing how fast it's moving, even though residents may not think so. The contractor, Ames Construction, is doing a great job and is very easy to work with.

10. DISCUSSION ONLY/POSSIBLE ACTION: A resolution honoring Bruce and Linda Larson & Botcha-Caloops as the 2017 Storey County business of the year.

Continued to January 16, 2018.

26. DISCUSSION/POSSIBLE ACTION: Approval of the purchase of body cameras for the Storey County Sheriff's Office.

Sheriff Antinoro presented this item and introduced Mike Pisciotta from VieVu, the company being recommended for the purchase of the body cameras, based on ease of operation and cost. The 2017 Legislature mandated the use of body cameras effective July 2018. Deputy District Attorney Loomis had a few questions regarding the contract which Mr. Pisciotta can address. The contract is for 3 years with a 2 year option.

Deputy District Attorney Loomis: Explained this contract is more oppressive than most stating that any conditions set forth by the County are expressly rejected and shall be void and without effect. There are many indemnity provisions, the County is precluded from damages. Mr. Loomis reviewed many other deficiencies and said he has advised the Sheriff of his concerns. The County can work with VieVu to make this a better contract. Mr. Loomis cannot recommend it at this time.

Chairman McBride: Asked about the terms of payment on the contract and asked Mr. Pisciotta if VieVu has contracts with any other agencies in the area.

Sheriff Antinoro: There are several options for payment.

Mr. Pisciotta: VieVu does not have contracts in this area – but there are several agencies in Eastern California, the bay area, and the Sierra Nevada that have contracts. This is a standard contract and there have been revisions. He is more than happy to work with the DA's office and then take it to VieVu's legal counsel to see what can be changed. This does happen occasionally.

Vice Chairman McGuffey: Asked Mr. Pisciotta to provide contacts from other agencies so the District Attorney can talk to them.

Mr. Pisciotta: Absolutely.

Sheriff Antinoro: Has talked to other agencies regarding the usability and servicing of this (VieVu).

Mr. Whitten: This matter has been discussed with the Sheriff, and Mr. Loomis has provided his concerns. It is good to see Mr. Pisciotta has agreed to work with us. The Sheriff likes this product and there is backing from a well-known company, Safariland. The real risk is what could happen and why the Legislature implemented body cams. Any changes should happen expeditiously so this matter could be back in early January with a "cleaned up" contract.

Mr. Pisciotta: If there are concerns with the indemnities, we can work with it.

Chair McBride: What is the time frame mandated by the Legislature to be up and operational?

Sheriff Antinoro: July 1st.

Mr. Whitten: Asked to continue this to January 2nd to hopefully get this done.

Vice Chair McGuffey: The contract indicates a cost of \$899.95 for 20 cameras? Is that each or for all 20?

Mr. Pisciotta: \$899.95 would be the retail cost – these fees are waived. Eighteen on the contract is the amount of users on the Government cloud, leaving two cameras in the event something happens to one of the 18.

Commissioner Gilman: Would like to see the County's legal department comfortable with the contract before moving forward.

Vice Chair McGuffey: Have issues with officers wearing or not turning cameras on been addressed?

Sheriff Antinoro: The Legislature said they will wear them. Policies are in place mandating circumstances in which cameras are used and turned on.

Public Comment:

None

Motion: I make a motion to continue this item to January 2, 2018, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

11. DISCUSSION ONLY: Presentation by Ron Radil with Western Nevada Development District.

Ron Radil, along with Sparks City Councilman and WNDD Board President, Ed Lawson, presented an update of WNDD's economic development strategy and project listings.

Mr. Lawson: Thanked Austin Osborne for being on the WNDD Board. Mr. Lawson asked the County to provide an updated list as soon as possible. WNDD has a deadline of March 1st to submit requests. Anything and everything can be included and the County can claim for Federal tax dollars. The website has a good representation of projects that can be included.

Mr. Radil: WNDD is in the process of updating the comprehensive economic development strategy. USDA Rural Development can assign up to 20 additional points on applications for loans or grants if the project is in the project listings in a multi-jurisdictional plan or it meets one of the goals or strategies of the multi-jurisdictional plan.

Commissioner Gilman: Asked Austin Osborne if he is working on a list.

Mr. Osborne: Yes. Storey County has an extensive list that updates a lot of things going on across the County.

Commissioner Gilman: Asked if a project was still on the list to extend an effluent pipeline from Reno/Sparks.

Mr. Osborne: Yes it is.

Mr. Whitten: Suggested putting the list on the January 16th agenda. Would like to collaborate with Sparks on projects that help the region.

Mr. Lawson: There is a lot going on and they are reacting to a lot of problems created by Storey County, but it is a good thing.

28. DISCUSSION/POSSIBLE ACTION: Special Use Permit 2017-044 request by the applicant Eco Compliance Corporation to construct and operate a medical waste thermal destruction plant and potential commercial power generation from waste. The subject property is located at 475 Pittsburgh

Avenue, Tahoe-Reno Industrial Center, McCarran, Storey County, Nevada, Assessor's Parcel Number (APN) 005-051-54.

Commissioner Gilman recused himself from discussion and vote on this item.

Planner Kathy Canfield presented this item. This property is in TRI and is zoned heavy-industrial. Ms. Canfield explained the process of converting the waste to combustible gases and ash. The process generates more energy than what is used for the process. The waste is not considered hazardous by NDEP or Federal regulations. The applicant is present to give a slide show presentation of the project. The Planning Commission recommended approval.

Tony Dimpel, Project Manager for McGinley & Associates, presented a slide-show reviewing Eco Compliance Corporation's current operations and their plans for this project. Currently Eco Compliance provides collection of bags or bins of medical waste and transportation of the waste to a third-party facility. Eco proposes to build a waste thermal destruction facility.

Mr. Dimpel described the medical waste that is involved in this operation. NDEP does not require special handling of this waste. Disposal of the waste is dictated by the area of origination. Mr. Dimpel reviewed the five different types of waste that would go through Eco's facility, how it would be transported, unloaded, and stored. He further explained that any potential release of medical waste from the facility can be handled by Eco personnel - although the odds of release are very low.

Eco is also requesting a variance to the 50 foot setback for the building.

Chairman McBride: Does (Eco) have other facilities of this kind? Any in this area?

Mr. Dimpel: This will be the first with this technology. A lot of this waste goes to a facility in Maryland - even from the west coast. Waste from other states will be coming to this facility.

Public Comment:

None

Ms. Canfield read the findings of fact:

This approval is for Special Use Permit 2017-044, a request by the applicant Eco Compliance Corporation to construct and operate a medical waste thermal destruction plant and potential commercial power generation from waste. The subject property is located at 475 Pittsburgh Avenue, Tahoe-Reno Industrial Center, McCarran, Storey County, Nevada, Assessor's Parcel Number (APN) 005-051-54;

The Special Use Permit conforms to the 2016 Storey County Master Plan for the McCarran planning area in which the subject property is located. A discussion supporting this finding for the Special Use Permit is provided in Section 2.E of this staff report and the contents thereof are cited in an approval of this Special Use Permit;

The subject property is located within an existing industrial neighborhood in the McCarran area of Storey County. The zoning is based on the 1999 Storey County Zoning Ordinance which identifies this property as I-2 Heavy Industrial. The proposed medical waste thermal

destruction plant is defined as a “recycling facilities and operations involving use, recovery or residue of hazardous materials and/or wastes” and requires a Special Use Permit;

Granting of the Special Use Permit, with the conditions of approval listed in Section 4 of this report, will not under the circumstances of the particular case adversely affect to a material degree the health or safety of persons/property in the neighborhood of the subject property. The project is expected to meet the safety and health requirements for the subject area. The use will also be subject to building and fire plan review in order to ensure compliance with federal, state and other codes;

The Special Use Permit will not impose substantial adverse impacts or safety hazards on the abutting properties or the surrounding area, and it will comply with all federal, state and county regulations;

The conditions under the Special Use Permit do not conflict with the minimum requirements in the 1999 Storey County Zoning Ordinance Sections 17.37 I-2 Heavy Industrial and 17.62 Special Uses;

Granting of the Special Use Permit will not, under the circumstances of the particular case, adversely affect to a material degree the health or safety of persons working in the neighborhood or area of the subject property and will not be materially detrimental to the public welfare or materially injurious to property improvements in the neighborhood or area of the subject property;

Motion: In accordance with the recommendation by staff, and the Planning Commission, the Findings of Fact under Section 3.A of this report, and other findings deemed appropriate by the Board of County Commissioners, and in compliance with the conditions of approval, I, County Commissioner Jack McGuffey, move to approve Special Use Permit 2017-044, a request by the applicant Eco Compliance Corporation to construct and operate a medical waste thermal destruction plant and potential commercial power generation from waste. The subject property is located at 475 Pittsburgh Avenue, Tahoe-Reno Industrial Center, McCarran, Storey County, Nevada, Assessor's Parcel Number (APN_ 005-051-54, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, (**Summary:** Yes=2)

30. DISCUSSION/POSSIBLE ACTION: Variance 2017-046 request. The applicant requests a variance to the required 50-foot south yard setback allowing the south setback area to be reduced to 15 feet for a portion of the principal building being a mechanical room, and to 35 feet for the remainder of the principal building's south exterior wall. This variance does not apply to any other side of the subject building or property. The property is located within the Tahoe Reno Industrial Center at 475 Pittsburgh Avenue, McCarran, Storey County, Nevada, Assessor's Parcel Number (APN) 005-051-54.

Commissioner Gilman recused himself from discussion and vote on this item.

Kathy Canfield presented this item. Eco Compliance Corporation has a parcel that is a “half-circle”. Applicant is requesting a variance as described in the agenda item description. Staff is supportive of this request and the Planning Commission recommended approval.

Vice Chairman McGuffey: What would happen if the company wanted to expand?

Tony Dimpel: The current plans are for the one building. However, it is foreseeable – there is room to the west.

Ms. Canfield: No objections were received from surrounding businesses. There is room to expand without affecting other businesses if that was to be done.

Public Comment:

None

Ms. Canfield read the findings of fact:

This approval is for the applicant's request for a variance to the required 50-foot south yard setback allowing the south setback area to be reduced to 15 feet for a portion of the principal building being a mechanical room, and to 35 feet for the remainder of the principal building's south exterior wall. This variance does not apply to any other side of the subject building or property. The property is located within the Tahoe Reno Industrial Center at 475 Pittsburgh Avenue, McCarran, Storey County, Nevada, Assessor's Parcel Number (APN) 005-051-54;

The subject property is located within the Tahoe Reno Industrial Center and is subject to the Development Agreement between Storey County and the Tahoe Reno Industrial Center. The 1999 Storey County Zoning Ordinance I-2 Heavy Industrial zoning applies to the property;

The property is currently vacant. A medical waste thermal destruction plant is proposed for the property (Special Use Permit File 2017-044);

That because of special circumstances applicable to the subject property, including shape, size, topography or location of surroundings, the strict application of the zoning ordinance would deprive the subject property of privileges enjoyed by other properties in the vicinity or under identical zone classification;

That the granting of the Variance is necessary for the preservation and enjoyment of substantial property rights of the applicant;

That the granting of the Variance will not, under the circumstances of the particular case, adversely affect to a material degree the health or safety of persons residing or working in the area of the subject property and will not be materially detrimental to the public welfare or materially injurious to property or improvements in the area of the subject property;

The proposed Variance is in compliance with all Federal, Nevada State, and Storey County regulations;

The proposed Variance is in compliance with 1999 Storey County Code 17.60 Variances and 17.37 I-2 Heavy Industrial Zones when all Conditions of Approval are met;

The proposed Variance is in compliance with and supports the goals, objectives and policies of the 2016 Storey County Master Plan.

Motion: In accordance with the recommendation by staff and the Planning Commission, the Findings of Fact under Section 3.A of this report, and other findings deemed appropriate by the Board of County Commissioners, and in compliance with the conditions of approval, I, County Commissioner Jack McGuffey, move to approve the Variance request 2017-046 for a variance to the required 50 foot south yard setback allowing the south setback area to be reduced to 15 feet for a portion of the principal building being a mechanical room, and to 35 feet for the remainder of the principal building's south exterior wall. This variance does not apply to any other side of the subject building or property. The property is located within the Tahoe Reno Industrial Center at 475 Pittsburgh Avenue, McCarran, Storey County, Nevada, Assessor's Parcel Number (APN) 005-051-54,

Action: Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Chairman McBride,

Vote: Motion carried by unanimous vote, **(Summary:** Yes=2)

Chairman McBride called for recess at 11:48 AM

Meeting reconvened at 12:02 PM

12. RECESS TO CONVENE AS THE BROTHEL LICENSE BOARD

13. DISCUSSION/POSSIBLE ACTION: Work Card Appeal for Haley Hartman.

Commissioner Gilman recused himself from discussion and vote on this item.

Attorney Joey Gilbert discussed this appeal of the work card denial on behalf of appellant Haley Hartman. The application was for a renewal of a previously issued work card. There have been no issues since Ms. Hartman began working in Storey County. Mr. Gilbert reviewed background of applicant that the denial was based on.

Chairman McBride asked about different issues in the appellant's background that need to be cleared up.

Sheriff Antinoro: Some of the issues are recent.

Public Comment:

Steve Ayres, Virginia City resident: Discussed the effects on the appellant if this appeal is denied. The effects should be considered.

Mr. Whitten: If appellant is sincere about a last chance, a condition could be considered stating a violation of "the last chance" would be an arrest.

Vice Chairman McGuffey: This would be the final last chance.

Sheriff Antinoro: Inaudible. Does not agree with a "last chance".

Mr. Gilbert suggested that if appellant does not take care of the pending issues, the Sheriff could take the work card. Understands that if appellant has another arrest, contact with law enforcement, or

any other issue pointed out by the Sheriff, until finished with all programing, the work card will be taken away permanently.

District Attorney Langer: It is already in an ordinance that an arrest would cause the work card to be taken away.

Motion: I make a motion to return the work card to Haley Hartman under the condition that appellant finish classes in January, has no more incidents, any incident will revoke the work card permanently, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes= 2, No = 1)

14. ADJOURN TO RECONVENE AS THE STOREY COUNTY BOARD OF COMMISSIONERS

15. DISCUSSION/POSSIBLE ACTION: Approval of Resolution 17-479 regarding the request by the Director of the State of Nevada Department of Business and Industry to approve the Findings of Fact pertaining to the issuance of industrial development revenue bonds in an amount not to exceed \$25,000,000 for the purpose of assisting in the financing of constructing and equipping a facility owned by Fulcrum and operated by Fulcrum BioEnergy to be used for converting municipal solid waste into renewable fuel products located at 3600 Peru Drive in the Tahoe-Reno Industrial Center and/or the improvements to and equipping of the facility owned and operated by Fulcrum used for the preliminary sorting and processing of municipal solid waste located at 350 Saddle Court in Mustang, Nevada, both locations being in Storey County, Nevada. Approval of the County is required pursuant to NRS 349.580(2).

Commissioner Gilman recused himself from discussion and vote on this item.

Mr. Whitten introduced Jeannie Benedetti from Fulcrum and C. J. Manthe, Director of the Nevada Department of Business and Industry. This request is for issuance of up to an additional \$25 million industrial development revenue bonds that go into the bio-fuel refinery or the feed-stock system. The County is in no way liable for this – it is just an endorsement and full support of the request.

Ms. Manthe described the bonds as “conduit” bonds – the payment and liability flows through to the borrower. Neither the State nor the County has any liability for payment. The Board of Finance approved this transaction for the \$25 million. This has always been part of the plan for Fulcrum. This request was accelerated due to the pending budget in Congress. Approval of this item by this Board is necessary before the sale of the bonds.

Ms. Benedetti said since the closing of the original bond financing approval in August, the project is on path, moving ahead. Construction should be complete by late 2019 and start production of fuel in 2020. Further equipping of the feed-stock processing will be needed to meet specifications at the bio-refinery – this will require further investment as well.

Public Comment:

None

Motion: I, Commissioner Jack McGuffey, move for approval of Resolution 17-479 regarding the request by the Director of the State of Nevada Department of Business and Industry to approve the Findings of Fact pertaining to the issuance of industrial development revenue bonds in an amount

not to exceed \$25,000,000 for the purpose of assisting in the financing of constructing and equipping a facility owned by Fulcrum and operated by Fulcrum BioEnergy to be used for converting municipal solid waste into renewable fuel products located at 3600 Peru Drive in the Tahoe-Reno Industrial Center and or the improvements to and equipping of the facility owned and operated by Fulcrum used for the preliminary sorting and processing of municipal solid waste located at 350 Saddle Court in Mustang, Nevada, both locations being in Storey County, Nevada. Approval of the County is required pursuant to NRS 349.580(2), **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

16. DISCUSSION/POSSIBLE ACTION: Review and possible approval of Communication Tower lease extension to SBA Communications for an additional 65 years when the current lease expires in 2034.

Comptroller Hugh Gallagher: Counsel has not reviewed and approved this contract. Continuance of this item is recommended.

Mr. Whitten: This request was not submitted according to policy and I was not aware of it until seeing it on the agenda. As senior staff, I would never recommend approval of a 65 year contract.

Motion: I make a motion to continue this item to January 16, 2018, 10AM, in this courtroom, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes= 3)

17. DISCUSSION/POSSIBLE ACTION: Review and possible approval of TRI Public-Private Partnership Schedule of Project Revenue and Net Revenue and Supplementary Information for the year ended June 30, 2016.

Commissioner Gilman recused himself from discussion and vote on this item.

Mr. Gallagher, along with auditor Connie Christianson, presented this item. Mr. Gallagher reviewed the audit indicating gross revenues received on behalf of TRI and the partnership is \$5,299,815 – an 8.645 increase over the prior year, mainly due to fire fees and building permits.

Ms. Christianson reviewed the unmodified opinion on the scheduled project revenue and net revenue. Real and personal property taxes, inspection and building fees, continue to increase. Overall activity continues to increase. It is recommended that the County and TRI continue to work together to determine any additional items that may be included in future audit reports.

Mr. Whitten: This has been an ongoing conversation involving trying to find ways to determine centrally assessed taxes within the industrial park. Approximately 75% is “dialed in” and will come before the Commission prior to when Ms. Christianson commences the 16-17 audit.

Public Comment:
None

Motion: I hereby approve the TRI Public-Private Schedule of Project Revenue and Net Revenue and Supplementary Information for the year ended June 30, 2016, **Action:** Approve, **Moved by:** Vice

Chairman McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

18. DISCUSSION/POSSIBLE ACTION: Review and possible approve of Storey County Audited Financial Statements for the year ended June 30, 2017.

Mr. Gallagher: The audit has been delayed. The basic problem is with the beginning balance of fixed assets, accumulation, and appreciation, which cannot be verified. The auditor is attempting to meet with the prior auditor for explanation. If this is not possible, he will have to go back to 2010 to verify information. A letter of exemption will have to be filed with the Department of Taxation which gives about 45 days. When CPA firms are changed, the process is to go back and verify the beginning fund balance.

Mr. Whitten: This is the first he has heard about this and does not blame the Comptroller or the current CPA. This is the "umpteenth" year the County has failed to hit audit deadlines. The Commission is recommended to continue this item to January 2nd – it may not be ready but we are keeping an eye on it. Perhaps legal counsel can contact the former auditors. This is unacceptable.

Chairman McBride: This is the first time the County has changed auditors in 35 years.

Public Comment:
None

Motion: I make a motion to continue this item to January 2, 2018, 10AM, in this courtroom, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes= 3)

19. DISCUSSION/POSSIBLE ACTION: Approval and acceptance of the Trial Court Improvement (TCI) grant from the Nevada Administrative Office of the Courts in the amount of \$29,456.92 (Project Total) for a Jefferson Audio Video Arraignment System for the courtroom. Actual requested amount is \$20,619.92. Match is \$8,837.00 to be shared equally by the Storey County District Court and Justice Court. (Justice Court Special Fund will be used to provide \$4,418.50 of the match.)

Justice of the Peace, Eileen Herrington: This grant is for an audio video arraignment system and will allow Judge Herrington and the District Court Judges to conduct arraignments of inmates while they are in the jail facility without having to bring them in to the Court. This will alleviate court time and promote safety in the courtroom.

Chairman McBride: This is a great idea and will make things smoother.

Public Comment:
None

Motion: I move to approve the Trial Court Improvement (TCI) Grant from the Nevada Administrative Office of the Courts in the amount of \$29,456.92 for a Jefferson Audio Video Arraignment System for the courtroom, **Action:** Approve, **Moved by:** Commissioner Gilman,

Seconded by: Vice Chairman McGuffey, **Vote:** Motion carried by unanimous vote, (**Summary:** Yes= 3)

20. DISCUSSION/POSSIBLE ACTION: Continue to January 2, 2018, First Reading of: Ordinance No. 17-279 amending Storey County Code Title 16 Subdivisions to adopt new codes for land subdivisions, parcel maps, division of land into large parcels, surety requirements, land readjustments, boundary line adjustments, and reversions to acreage; Ordinance No. 17.280 amending Storey County Code Title 17 Zoning including chapters 17.03 Administrative Provisions, 17.10 Definitions, 17.12 General Provisions, 17.15 Public Zone, 17.24 Agriculture Zone, 17.28 Commercial Zone, 17.30 Commercial-Residential Zone, 17.32 Forestry Zone, 17.34 Light Industrial Zone, 17.35 Heavy Industrial Zone, 17.40 Estate Zone, 17.44 Special Planning Review Zone; and 17.84 Signs and Billboards; Ordinance No. 17.278 amending Storey County Code 17.56 Planned Unit Developments to revise the procedure for approval of planned unit developments; and approval of Resolution No. 17-474 to the Board of County Commissioners with recommendation by the Planning Commission adopting a design criteria and improvement manual setting forth certain development and design standards and guidelines for residential and non-residential planned unit developments, multi-family residential complexes, and other uses; Resolution No. 17-461 to the Board of County Commissioners with recommendation by the Planning Commission determining and consolidating all planning fees, including removing certain fees from code and placing them into resolution. In addition to provisions of the NRS, any person may complete and return to the board or planning commission a statement supporting or opposing the proposed amendments to the county code and zoning ordinance.

Planning Director Austin Osborne said there are planning and legal matters that need to be addressed - this item is likely to be continued again at the January 2nd meeting.

Public Comment:

Sam Toll, Gold Hill resident: Is there a place for (the public) to go to to "watch the bouncing ball"?

Mr. Osborne: All of the material is posted on the website, including dates so you can see if it is an old or new draft.

Motion: I make a motion to continue this item to January 2, 2018, 10AM at this courthouse, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, (**Summary:** Yes=3)

21. DISCUSSION/POSSIBLE ACTION: Review of monetary payments, described as buyouts, to two department heads in December 2016, January 2017 and June 2017 by the County Manager. The Board may take action, including but not limited to, determining whether the County Manager had authority to make the payments, setting a review of the county manager's job performance, referring the matter to an outside agency for evaluation for violation of NRS, or determine whether to try to recover the part or all of the payments.

Chairman McBride noted this issue arose when a former employee requested a PERS buyout.

Chairman McBride asked County Manager Pat Whitten if he had been advised of his due process rights.

Mr. Whitten said he has waived proper notice of those rights where certain notice is required to discuss elements of his job by NRS, and has not waived due process.

Comptroller Hugh Gallagher presented this item regarding payments to retirees Mike Nevin and Dean Haymore providing the Commission with a schedule of payments made to the retirees after announcing their retirement dates.

- Exhibits that say "bonus" should say "buyout"- there is nothing indicating these were bonuses.
- Mike Nevin received \$39,335.61 and Dean Haymore received \$49,783.01 into the deferred compensation program, an amount equal to one year of PERS calculated at their retirement dates.
- Exhibits included in the packet show calculations of the above amounts. There are no initials or signatures authorizing some of the transactions. Contribution forms dated June 2017 are approved by County Manager Whitten.
- The transactions represent "buyout" or possibly early separation of service. In the past, recipients completed a form (Exhibit E in the packet) and a pay request was processed. This was not done.

District Attorney Anne Langer: Regarding the notice waived by Mr. Whitten, it was to tell him that he would be discussed, performance would be discussed, and he has right to counsel in regards to Open Meeting Law. The notice was not about the due process issue.

Commissioner Gilman: Thank you Mr. Gallagher for this report.

County Manager Whitten:

- The Comptroller erroneously stated the PERS and Voya calculations were calculated as a favor and as retired on December 2016. Mr. Nevin retired December 2016; Mr. Haymore on June 30, 2017 - the effective date of the calculations.
- Did not see Mr. Gallagher's documents until late last week when provided by the District Attorney.
- These retirements, and others previously approved by me or denied by the Commission, have been erroneously referred to as bonuses (money given in addition to compensation).
- These are incentives (payment to stimulate greater output or investment) - a common practice among senior management and human resource professionals.
- It has been past practice to reward and recognize the highest performing staff for their contributions and still compensate their replacement at a lower pay rate, saving money.
- It is important to recognize and compensate high-performers for successes - basing the decision to do so, in part, on the cost savings of the lower rate of pay for their replacement and as incentive.
- There have been 17 retirement incentive packages approved over the last 10 years - for elected officials and county staff. The first two were approved by the Commission - in part, because there was purchase of two years credits and it was new territory for the County. At that time, there was no County Manager, but a Director of Management.
- A guess is that all, or most, of the remaining 15 buy-outs - including the 3 on today's agenda - were administratively approved by me as the County Manager, and did not come before this Commission, or prior Commissions.

- For all 17, the deciding benchmark was if the County would receive a neutral return on investment within approximately one year of the employee's retirement.
- Some of the 15 buyouts were considered to move out moderate performers and some to insure consistent treatment of high performers at least as fairly as the others.
- This was never intended to be a secret. Often the impact had to be spread over one fiscal year into another resulting in requesting and receiving approvals from the Commission through the augmentation process.
- Augmentation did not always have to be done. One recent employee, needing a nudge, resulted in tremendous cost savings. With the cooperation of an elected official, the position was left open resulting in savings. The position is currently filled with a less-than full time position.
- I reviewed the numbers in depth with some persons here today including the Comptroller, who fully supported the decision.
- Caution to all – it is an unsound, unsafe practice to selectively choose without fair, consistent foundation, who will receive incentives.
- It is up to the three (Commissioners) as to where we go from here.
- I advocate that having a factual based incentive – not bonus – program to be administered on a case by case basis is sound business practice.
- A policy is not recommended and (the Board) is strongly urged not to as circumstances are almost always unique.
- The Board could limit the (County Manager's) ability to approve on a case-by-case basis with no more than a one year buyout, with a cost break-even to be realized in "x" number of months. The Board is encouraged to do this.
- I have been told by the Chairman to not do anymore (buyouts), a directive I respect, and have and will continue to comply with.
- I will walk the Commission through the logic and foundation of each of the three actions I approved, now brought into question by Mr. Gallagher- despite having ample time to question any and all of us in my office.

Mr. Whitten passed out information/spreadsheets relating to each of the three retirees and to most, if not all, of the other 12 – including a retired senior staff of the (Comptroller's) office. Mr. Nevin and Mr. Haymore will be discussed at this time. The spreadsheets are done to obtain a fiscal analysis of any incentive.

- Regarding Mr. Nevin:
 - Mr. Nevin requested an amount equal to what would have gone into a year buyout/incentive in PERS be put into his VOYA account. (Mr. Haymore and Mr. Hames requested the same). The amount was \$39,336.00.
 - Mr. Nevin was "topped out" at his grade – replacing him at the same grade, entry level step, resulted in a first year gross savings of \$40,948 – net savings of \$1,612. PERS, Medicare, Pact, medical insurance, and uniform allowance would have gone up for both Mr. Nevin and his replacement.
 - My decision paid for itself in less than a year.
- Regarding Mr. Gallagher's comments relating to specifically annual, I refer those to Mr. Osborne as I understand this was handled in a manner consistent with our policies and collective bargaining agreement at the time the request was made.
- Regarding Mr. Haymore and the transition to an outside contract:
 - The succession plan in place got pricey;

- Mr. Hames indicated he would come back as an independent contractor at a fixed price, at which the County broke even at 50 weeks;
- In addition, the County no longer pays for a vehicle, fuel, cell phone, continuing education, travel, and other items. There are no sick or annual leave accruals.

The buyout for Mr. Haymore was \$49,783. The first-year cost savings on salary and benefits is \$1,669. Nothing will go up as Mr. Hames is on a fixed contract.

Mr. Whitten concluded:

- I stand by what I did – I will do no more unless instructed differently by this Board or the Chairman.
- There was some poor work and poor comments presented here. However, I applaud and appreciate Commissioner Gilman's request in asking for a thorough public vetting.

Commissioner Gilman:

- Believes the system outlined by Mr. Whitten is a good operating system and makes financial sense.
- It appears that you are acting more like a manager in private industry than County Manager for Storey County, and I can understand this is something I would do. But in this circumstance I want to explore what should be done.
- This Commission has the responsibility for appropriation of money in the County.
- In this instance the calculations make sense, but we know that (these matters) did not come before the Board. What was the thought process regarding where the authority came from to do this for our employees –what led to this point?

Mr. Whitten:

- Often we have said that “we run this County as a business”.
- These incentives paid for themselves in about a year.
- I apologize for not bringing them to the Commission.
- What led to that:
 - In 2007-08, the Commission approved the first two of seventeen. Leaving 15 to go.
 - The Chairman at the time and I had a different opinion of how many had been done prior, but a practice was developed over the past 8 or 9 years, or so. This is a practice.
 - The practice stopped once Chair McBride said don't do it.
 - What led to this point - this is what we've done in past Commissions, and what we continued to do in the first number of years in your term, Chairman McBride's, and less number of years with Commissioner McGuffey.
 - Does this answer the questions?

Commissioner Gilman:

- I believe so. It appears that past practice evolved. I appreciate that in past years there were policies that were effective.
- (The County's) financial prosperity is growing, and I believe we have to manage our County money very carefully.
- As suggested by Mr. Gallagher, prosperity is growing by the year and therefore the responsibilities to manage at a higher level than ever before are evolving.
- I am disappointed – not with you specifically - that this took place the way it did.
- I applaud that these gentlemen were properly recognized for their services.

•
Vice Chairman McGuffey:

- Thank you for bringing the numbers – it makes a lot more sense.
- I think the biggest problem is the lack of transparency.
- What was done is great – I would have supported it wholeheartedly.

Chairman McBride:

- I disagree very little with your opening comments.
- I don't agree where you say we provide incentives.
- When someone is hired, they are not told that we would buy PERS or give an incentive when they retire.
- It has been a reward mostly for those who have excelled and did a great job.
- I wish this had been brought to the Board. I feel that the bonus is a fully, taxpayer-funded retirement for years of service.
- I am not sure you would have gotten me.
- I know, understand, and appreciate this has been past practice – especially when I look at the list of some of the people who have moved on.
- I don't think there have been any early retirements since Jack, Lance, or I have been here. I don't remember any buyouts.

Mr. Whitten: I can assure there was at least one.

Chairman McBride: Going forward, everyone wants transparency. In the future, upon recommendation of your office, bring it before the Board, and if deemed a legitimate request – we'll go along with it.

Commissioner Gilman read the following statement into the record:

Here is my two cents worth. And please excuse me for reading my comments, but I want to make sure I get this exactly right.

First, I am disappointed with the procedures, or should I say, lack thereof, used in these instances. For an expenditure of this kind, this should have been put in the budget and an appropriation approved by this commission covering these payments. If this was done after the budget was initially approved, then there should have been a budget amendment provided to the Commissioners before these payments were approved.

I am also disappointed that no Commissioner was even briefed on these expenditures ahead of time. This fact, along with the fact that the typical paperwork was not used, gives everyone concern that something improper was going on here. This is very unfortunate.

All that being said, there seems to be no dispute on three very important key points.

First, these types of payments have been done in the past, although perhaps not in this precise way. So this is not some "out of blue" expense. Buyouts are a commonly used technique to save money and on occasion to move someone out who is no longer performing where they should be.

Second, there is no one in the County, and perhaps no one ever who was worked in this County, who gave as much as these three men have to the County and its residents. Each of them has given their entire adult life, the best years of their lives, to the good people of this County. How much reward is almost a lifetime of work worth? They have suffered many physical injuries during the course of the work for us, some pretty serious that will forever be

with them. Dean Haymore for instance has undergone 17 surgeries arising from injuries on the job serving the citizens of our County. How much is that worth? Most importantly, their efforts were key in elevating this County from the verge of financial implosion, to a shining example of success admired around the County. How much is great success worth in government employment? They have been key players in the County's current very strong and healthy financial position.

Third, there is no indication whatsoever nor even a whiff of evidence that Pat Whitten somehow profited financially from these payments. None. This is despite the Comptroller's Office and District Attorney's office reviewing this in detail. To me, this indicates Pat is being truthful about the purpose of the payments, which is to reward a lifetime of service and clear the way for new blood. And it should be noted that these were not all payments to buddies of Mr. Whitten's. In fact, in the case of Dean Haymore, there has been a pretty high level of mutual animosity between these two men.

Is it unusual for retiring public employees to get a reward? Yes of course it is. But is it wrong? Especially given the facts here? My answer is no. It does serve as an example to other County workers that their work is appreciated and success can be rewarded even in government employment. I have to say that this concept appeals to me. Storey County is very different than other local governments. This difference has created huge financial benefits for the County. Perhaps this type of reward for service and financial impact or job success should be looked into for the future. But this should be done as a formal policy, not on an ad hoc basis.

I strongly believe we should immediately revise the County Manager's job description to ensure that all future payments of this type come before the Commission ahead of time and to ensure our budget appropriations are handled better and in a very disciplined way.

As for anything else, I'm reluctant to recommend anything further in the absence of a formal recommendation or finding from the District Attorney's Office. If the DA has something further to add or recommend I ask that she put this in writing and present it at the January 16th meeting.

I do want to point out the great work done by the County Comptroller - Hugh Gallagher. It takes political courage to bring these kinds of issues to light. The County residents can take heart in the fact that this was brought before the public for a full, transparent hearing.

Second, I'd like to compliment the DA and her office for communicating robustly on this issue. Her input behind the scenes has been very helpful.

Thank you, Mr. Chairman.

Mr. Whitten asked Mr. Osborne to explain his thoughts regarding the discrepancy between what the Comptroller is claiming and what was processed for vacation leave for Mr. Nevin.

Austin Osborne: For disclosure, the first time seeing these materials was when the agenda packet was put together. The first time I saw anything regarding annual and sick leave was at the Mr. Gallagher sent an email. The Comptroller - either Hugh, Jennifer, or staff - comes to me on a regular basis with questions on how do we pay something out, how to comply with a contract, whatever it is.

Mr. Osborne read an email (making additional comments) sent in response to Mr. Gallagher: Mike Nevin announced his retirement at the time that the former collective bargaining agreement and current policy were and are effective, respectively. Bargaining with the AFSCME group at this time was still in negotiations. The purpose of that preamble was this: as you know we make a strong

effort to treat all employees, management and non-management, equitably that including the offering of sick and annual leave, and accrual payout. But the purpose of that is we have always tried to take policies and align them as much as possible with the general employee contracts. (Because the general employees are not as specific as police/fire, for example. And in it, there is a very directive in here for the question. Mike's leave payout shall conform to current policy and it is consistent with the prior CBA. The current policy says that you can accrue up to 240 hours of leave and you can only be paid out 240 hours of leave. 240 hours comes from NRS.

When I see this document that a substantially different amount was paid out exceeding \$6,000 in annual leave to Mike Nevin - I don't know where that came from. 240 is the number and always has been. I don't have an answer other than the directive I provided.

Mr. Whitten: I did concur with Austin's email.

Mr. Osborne: An important clarification - Mike Nevin was not an AFSCME employee, he was a management employee - not subject to the AFSCME contract.

Chair McBride: Regarding the 362.99 hours - was it always 240 hours or did the prior CBA allow you to accrue more than the 240 hours?

Mr. Osborne: You can accrue up to 240 hours in a calendar year. The way NRS is structured, you get the 240 hours for the calendar year - if you exceed 240 hours by the time you reach New Year's then you lose anything you have accrued beyond 240. If you didn't use a lot of leave the year before, and the second year you go beyond January and you work your way down, you can get beyond 240 and up to around 338 hours because the calendar does not quite match up with the 240. If you do not use that by New Year's, you go back to 240. Employees who have not used all of their leave in that situation, will retire and they will have more than 240 hours accrued - which is okay. But they can't be paid out any more than 240 - that's in our policy.

Chair McBride: So this is essentially an accounting error on our part?

Mr. Osborne: I don't know - I can't answer that.

Chair McBride: If we paid out more money than he is entitled, then it was mistake.

Mr. Whitten: This is the first we've seen this documentation.

Vice Chair McGuffey: Is it appropriate to ask for that over-payment back? Is it gone, is there a time limit?

District Attorney Langer: I don't think there's a time limit. But if it was paid out, there will always be an argument "we had an agreement, I got the money, and if there is a mistake - I thought I had earned that money".

Chair McBride: Another argument would be that this person was not afforded the time to take that leave. Here's a person who worked every-other weekend on-call because there was no one else to do it.

Ms. Langer: There are so many arguments – my answer would be no. If a mistake was made, the question would be did this person know it? He just thought he had this many hours and he was paid for it. I don't have the other side of the story.

Mr. Whitten: I do not want to argue the decision because I think it's fair. But it still merits, "how did this happen"? If my office caused it – fine, we'll own it. If the Comptroller's office caused it – he'll own it. As Austin mentioned, none of us saw any of this prior to Thursday's publishing of the agenda. The only notice I got was the courtesy of the two staff reports that Hugh did, compliments of the District Attorney's Office.

Chairman McBride: We'll open for public comment. Please limit comments to three minutes and do not reiterate what the person before you has said.

Public Comment:

Sam Toll, Gold Hill resident: Delighted to hear change is on the way. This is an arbitrary decision that is being talked about. It is clear there is no policy stating money will be given to people based upon an amount of time regardless of how much they make and what kind of service has been given to the County. I brought this matter up in June meetings and the fact that Hugh is being thrown under the bus for surprising everyone about the numbers shouldn't be a surprise. This is a decision made based on past practice – none of us know what this is.

When Mr. Whitten talks about stimulating productivity by incentivizing people to do their job – we're talking about people who make \$1,000 to \$1,200 a day. This is a spectacular incentive to do a job. The reward is the retirement package that we have funded.

Referring to Exhibit B-2, is it County practice for an individual to sign as both the "employer" and "employee"? As Mr. Nevin has done on his own benefit statement.

Without a policy, this is what I would call "chronyism" – taking favors or not.

Vice Chair McGuffey (to Mr. Gallagher): Mr. Nevin signed his own....

Mr. Gallagher: He did.

Mr. McGuffey: Is that standard for that? Who normally would....

Mr. Gallagher: It would have been Mr. Whitten or Mr. Osborne. All of those termination papers should have one or the other.

Chair McBride: It's just a clerical error.

Mr. Gallagher: Regarding Mr. Whitten's comments that this material had not been sent. This was done in a memo sent October 26th to Mr. Osborne and there was a meeting on October 25th with myself, Human Resources, and Mr. Whitten in which I was provided the VOYA statements which I was asked for. Any other material that was there that is now coming forward, I do not have but it was certainly asked for. As far as him not being briefed, I asked him in an email on Friday if he

wanted to be briefed - I did not get a response. This is one of the toughest things I've ever had to do and it's not very pleasant, but I certainly wanted to be very fair about it to everybody.

Chair McBride: Commissioner Gilman stated in his narrative that he did not want to go any further with this.

Commissioner Gilman: I would ask that we move forward expeditiously with the new County Manager job description and would like to see it on the January 16th meeting. I would like this to address how we are going to move forward. I think it would be fair to have that, and would like to see more oversight from the Comptroller's Office on all expenditures that have to do with County money and proceeds. That would be my motion.

Nicole Barde, Storey County Resident: Is the list of the 17 done since 2006, or whenever, available? Can I get a copy? This has been introduced as part of the pattern of practice - I would like to know who those people are. It's one thing to say we use incentives for high performers, but I would like to see what the profile of those payouts have been.

Chair McBride: We will get a legal opinion first as this may deal with personnel issues.

Ms. Barde: You can take the names out - I can work on years of service and salaries. Anything to determine if there's been adverse impact to people.

Mr. Whitten: There is no list. A query was done off the accounting system that the Comptroller's office has full access to and we looked at large payments to PERS. Whether the DA determines that names tied to this are acceptable or not, they are available to us through that system. That's how 17 were identified. Subject to the DA approving a public record request to the Comptroller, you should be able to do the same off of that system.

Ms. Barde: That's a yes?

Mr. Whitten: I'm not answering yes or no.

Ms. Langer: I need to look into this.

Ms. Barde: Ok, but you understand what I'm after.

Mr. Whitten: I'm saying there is no list - I'm saying we queried the Comptroller's system.

Motion: That we move forward expeditiously with the new County Manager job description and would like to see it on the January 16th meeting. I would like this to address how we are going to move forward. I think it would be fair to have that, and would like to see more oversight from the Comptroller's Office on all expenditures that have to do with County money and proceeds,

Action: Approve, **Moved by:** Commissioner Gilman, **Seconded by:** Vice Chairman McGuffey,

Vote: Motion carried by unanimous vote, **(Summary:** Yes=3)

22. RECESS TO CONVENE AS THE FIRE PROTECTION DISTRICT BOARD

23. DISCUSSION/POSSIBLE ACTION: Review of monetary payments, described as buyouts, to fire chief in December 2016, and June 2017 by the County Manager. The Board may take action, including but not limited to, determining whether the County Manager had authority to make the payments, referring the matter to an outside agency for evaluation for violation of NRS, or determine whether to try to recover part or all of the payments.

Comptroller Hugh Gallagher: This is a separate item as former Fire Chief Gary Hames was in the 474 Fire District. The same exhibits (as the previous item) are being used.

- Exhibit A shows monetary payments in the amount of \$55,086.79 and contribution to PERS in the amount of \$45,534.73.
- Exhibit D shows initial payment of \$35,000 into a VOYA retirement account (December 16, 2016) stating it was for "buyout".
- Exhibit D(1) is the second half of the payment for \$20,086.79 for payroll period ending June 16, 2017, and noting this transaction is approved by County Manager Pat Whitten on June 13, 2017.
- Exhibit D(2) is a Nevada PERS document regarding a service purchase agreement – approved by Mr. Whitten on June 13th. Confirmation of the \$45,534 payment cannot be obtained from PERS based on confidentiality as Mr. Hames is a former employee.

Mr. Gallagher continued: I cannot, at this time, understand with certainty the calculation of the \$45,534. I assume, because PERS did tell me, that it was at the current rates and not the 1988 rates. This brings up questions as to whether or not the 8 months and 14 days were actually earned or not. There is a statement from Austin Osborne to someone at PERS, requesting – because of some documents that were there – this should be approved. The documents are various things of employment security reports and whatever – which equals the 8 months and 14 days.

Having Mr. Hames paid at the current rate – we probably should have tried to calculate what that was at that time. But Nevada PERS has cited confidentiality as has the Human Resources Department on the calculation of that amount.

Chairman McBride: This is the same scenario and I do not want to re-hash it.

Commissioner Gilman: We have a Comptroller in place for a reason. When County money is being handled, that is his responsibility and we need to give him the resources necessary to properly do his job. Not sure why these documents are coming from different places and haven't had any fiscal review. I think we need to revisit the importance of the Comptroller's desk and revise how we're going to go forward to make absolutely certain that we are analyzing and balancing our financial requirements.

Chair McBride: With reference to the Hames payment, there's no way to go back to when he was first hired by the County – he was hired by the Sheriff's Department at the time. We don't know if it was an error on the County side or an error at the Sheriff's Office or at PERS for not going ahead and getting him documented when initially employed.

Mr. Whitten: The third spreadsheet provides details with the transition from Gary Hames to an "internal candidate" (Chief Jeff Nevin). This one does not hit quite the 12 months, missing it by five

weeks. That gave us the opportunity – going back to the last agenda item – to bring Gary on board as a contract employee, saving substantial monies in Community Development.

The buyout in Gary's case, just the incentive, the one with VOYA, was \$55,087 – does not include the PERS retro-payment. The first year savings in bringing Chief Nevin on was \$50,237. There was a deficit in the first year, which does happen once in a while. That was captured back in the first five weeks. The second year savings is \$39,945 – which includes an estimate for the last step to bring Chief Nevin up to the salary that was Mr. Hames' on Mr. Gallagher's spreadsheet. Year three, and beyond, is capped. Savings should be around \$44,795. As Mr. Hames' benefit expenses went up, so would Chief Nevin's. We broke even in just over a year.

Later I will defer to Mr. Osborne regarding the payment of PERS at the 1988 rate rather than the current rate.

Regarding my approval of the one-time payment of \$45,534.75 to PERS – this is where I am confused. Comptroller Gallagher has said he can't verify the payment from PERS. Nothing was paid from PERS. This was a payment to PERS. I caution to be sure there is absolute clarity on what the Comptroller is trying to say. This is not considered to be a buy-out but a retroactive, corrective, one-time, make-up payment for the initial 8 months and 14 days of Gary's employment. He exceeded the PERS threshold of 1,039 hours, but the County did not pay into PERS. With assistance from Mr. Gallagher's office, we were able to verify that he had worked and were compelled to correct. This has been done in at least one other circumstance. This is not a buyout – it is a righting of a wrong dating back to March of 1988.

I appreciate and concur with the directions and directive Commissioner Gilman provided in requesting an independent and thorough review as is being done today. This is certainly the right action to take. That said, the Comptroller's staff report is full of errors, misstatements, and omissions of fact. The agenda language calls into question my authority to make payments for three separate employees, yet fails to consider, state, or acknowledge the ten year past practice of similar incentive payments to other employees, including one in the Comptroller's Office.

The Staff Summary inappropriately references policy 042, which pertains to the requirement that contracts and agreements will be reviewed by myself, the District Attorney, and the Comptroller – it ignores the fact there never were any contracts or written agreements to review. This is simply payment. It seems to paint a picture that the Comptroller was in the dark on these payments. This is false.

For the record, each of these incentive buyouts were reviewed by myself, in detail, with the Comptroller.

No questions were raised in 2016 or in January 2017 when all of Mr. Nevin's VOYA payment requests were submitted to and processed by the Comptroller. And the bulk portions of Mr. Hames' and Mr. Haymore's requests were similarly submitted and processed.

The Comptroller states there are no written materials provided by the County Manager for these payments. This is not true. Detailed documentation was submitted during my initial review with the Comptroller – well in advance of the December, January, and June VOYA payment requests. They

were once again provided, along with additional information requested by him during and after a review, again with him, the HR Director, and our staff management analyst – on what we show as November 8th.

Mr. Whitten reviewed an email exchange, dated October 16, 2016, between Mr. Gallagher and Gary Hames in which the likely retirement costs were discussed. Gary identifies sick leave, annual leave, PERS and the total not only for himself, but also for Rob DuFresne. These are budgetary issues and to deny knowledge is false.

Also, included in the packet is a Storey County Early Retirement Incentive Program Application. The indication is if that form had been submitted, all would have been good. No one in my office has ever seen that form. There is no policy backing that form. Mr. Gallagher has provided this form, yet it was never asked for – not on these three, or any of the rest. If the Comptroller wanted us to submit this form or had any questions, all he had to do was ask.

I was recently questioned by the Comptroller regarding two 98 cent charges for an on-line service charged to my credit card – there is no problem with that, I explained it. But if we're going to be questioned about 98 cents, let's question 50, 60 or \$70,000. The answers will be given.

I do not question the legitimacy, the need for this request, or a thorough investigation. But I believe the information presented today by our Comptroller is shoddy, inaccurate, misleading, and of poor quality. After multiple discussions on these three buyouts, and probably 12 others, I am done talking about it except with the Commissioners. I am as disappointed as you are but from a slightly different perspective.

Mr. Gallagher: I was never noticed of the payments on Exhibit A noting payments to Mike Nevin, Dean Haymore, and Gary Hames. Several years back there were conversations because Dean Haymore, Mike Nevin, and Gary Hames came to my attention. Dean Haymore actually had it on his budget for 2017 – that we had a bonus thing that we took off it.

The fact remains, that Dean Haymore and Gary Hames were given 15% longevity in addition to their salaries. At a point in time, there was talk about giving them a year's PERS, which I did not like. To say that I knew this before it happened is false.

Mr. Whitten: That's a difference in opinion. I stand by my comments. Maybe Mr. Osborne can chime in on the question regarding the 1988 PERS payment.

Austin Osborne: There's the incentive issue that has been talked about, but there is another component to Mr. Hames having to do with a correction of past practice. The current personnel files are complete in form and fashion. In the 80's that was not the case – there is inaccurate and missing information. Content in the files is not completed or half-completed.

Mr. Hames had said he believed he worked from "this year" to "this year" under certain conditions that were subject to police/fire PERS. He was a dispatcher/fire-fighter. There were other things in that personnel record. There are enough records in his file to show that it is a police/fire position but it was never submitted to PERS properly. He was not paid police/fire PERS during that period of time – and it is quoted at 0 years, 8 months, and 14 days. We worked with the Comptroller and his

staff to try to find as many records as possible to reconstruct the past. Documents were submitted to PERS stating this is all the information we have, will you approve police/fire PERS for this period of time. PERS said they can't approve this based on their policies. But it can be paid into if you want. There is enough information in the file to reconstruct to go ahead and make the adjustment for that period into PERS and make Gary whole.

Chair McBride: The argument would be that he was at a lower salary at that time and should the PERS contribution be based on whatever his salary was and adjust it for inflation, as opposed to payment going in at current salary.

Mr. Osborne: If PERS had accepted the information from the 80's, they would have charged interest for all of the years since then. The other option, PERS said if you do a cost buyout you must do it the way it was done – which is with the 2017 number.

Public Comment:

Nicole Barde: Remembers being in meetings this year where these issues were discussed.

- Mr. Toll commented that he questioned the payouts in a June meeting. The response was this is something we do, its performance, and it's okay.
- I am waiting for the Commission to step up and say it's been happening but we haven't been paying attention.
- If it weren't for Rob Dufresne requesting a payout as his friends received, and asking in a public manner, than you would not necessarily be looking at this and would continue to just let it happen.
- I take Pat's side on this. Where were you (the Commission) when this was going on?
- Maybe when you came in as new, Mr. Whitten was wrong in not telling you "this is how I operate, here are the things that I do." Fault him for that, but at the end of the day governance and what happens under resides with you. You guys have let this go on.

Sam Toll: Finds it disingenuous that Mr. Whitten would subject Mr. Gallagher to his comments.

- This was done behind closed doors.
- Mr. Whitten, you've already stated this was your decision.....

Chairman McBride: Mr. Toll, please address the Board from now on and not individuals.

Mr. Toll:

- Mr. Whitten has taken ownership of this position.
- He has suggested this is something he did on his own.
- There's a lack of County policy that defines how he may proceed.
- To suggest this is the fault of the Comptroller is disingenuous.
- At some point, we have to take ownership of what we do.
- If I were sitting where you sit, I would be looking for "a clawback" on every single dime paid.
- You have people in the County trying to support themselves, and you have three guys who pulled in a golden parachute of \$215 grand and didn't work very hard for that money, and that money comes out of our pockets.
- If I sat where you sit, I would shred up Mr. Hames contract and fire Mr. Whitten.
- Our pockets have been picked to the tune of \$215 grand.

- I would do a little more and have more teeth in my leadership than being seen today.
- The optics being delivered to the citizens, based on your leadership - or lack thereof in this case, speaks volumes.

Steve Ayres, Virginia City resident:

- Happy that these items were brought up so they could be discussed openly.
- There were days when things were done in a backroom – that's not being done now.
- There's been a lack of communication, but now that is in the open, some of the ideas you are coming up with are phenomenal.
- It's a lack of communication because one department may not speak the same language as another. That doesn't mean one person is trying to get something over another.
- Everyone has the best intentions. In the long term, discussions like this will benefit the County.
- It's been difficult. I'm not laying blame on anyone. Thank you for bringing this out.
- Commissioner Gilman's ideas in the future are great.
- Thank you to all parties involved; this conversation would not have happened 30 years ago.

Chairman McBride called for recess at 2:32 PM

Meeting reconvened at 2:42 PM

Motion: To continue creating the City (County) Manager's job description to include his/her authority and to also continue creating a formal County policy related to this motion, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, (**Summary:** Yes=3)

Chairman McBride called for recess at 2:32 PM

Meeting reconvened at 2:42 PM

Motion: To continue creating the City (County) Manager's job description to include his/her authority and to also continue creating a formal County policy related to this motion, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, (**Summary:** Yes=3)

Chairman McBride: Thanked Mr. Whitten for providing the spreadsheets.

24. DISCUSSION/POSSIBLE ACTION: Approval of Memorandum of Understanding between the Storey County Fire Protection District (Employer) and the Storey County Firefighters' Association IAFF Local 4227 (Union) amending language in Article 1 Sections 1(a) and 1(b) of the 2017-2019 collective bargaining agreement pertaining to supervisory and non-supervisory bargaining units.

Mr. Osborne: August 15, 2017, this Board adopted the Collective Bargaining Agreement between the Firefighter's Association Union and the Fire District. The next step would be the union would ratify the agreement – in this case, they did not. The union stated it did not believe the item before the Board matched what they believed to be the tentative agreement in that a supervisory and non-supervisory unit cannot be in the same unit. The next step was to go to Federal mediation. This was done and both parties agreed to a MOU agreement, stating that the union will, and did, ratify the agreement on November 7th. The union is now bound by the agreement. Payment was authorized to

be released to the union to get the contract rolling. This item deals only with Article 1, Sections 1(a) and 1(b) only and with no other section of the Collective Bargaining Agreement.

Public Comment:
None

Motion: Based on the recommendation by staff and a mediated agreement between the Employer and the Union with the Federal Mediation and Conciliation Services (FMCS), I, Fire Commissioner Jack McGuffey, motion to approve Memorandum of Understanding (MOU) between the Storey County Fire Protection District (Employer) and the Storey County Firefighters' Association IAFF Local 4227 (Union) by amending language in Article 1, Sections 1(a) and 1(b) of the 2017-2019 collective bargaining agreement pertaining to supervisory and non-supervisory bargaining units as shown in the MOU enclosed herewith, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

25. ADJOURN TO RECONVENE AS THE STOREY COUNTY BOARD OF COMMISSIONERS

27. DISCUSSION/POSSIBLE ACTION: Authorize the County Manager to sign a Grant of Easement/License to Switch Business Solutions, LLC for the for the purposes of installing and maintaining twelve (12) above ground utility poles at specified locations within the Storey County Right-of-Way (ROW) along Ireland Drive and Peru Drive in the Tahoe-Reno Industrial Center and situated in Storey County. Switch will also run fiber-optic wire between said poles for purposes of transmitting and receiving data to/from sources outside our prescribed ROW.

Continued to a date not certain.

29. DISCUSSION/POSSIBLE ACTION: Division of Land into Large Parcels File 2017-045. The applicant is requesting two existing large parcels over 40 acres will be divided and reconfigured to a total of five large parcels over 40 acres. The subject properties are located at McCarran (McCarran Ranch area of the River District), Storey County, Nevada, existing APNs 004-161-16 and 004-111-06.

Commissioner Gilman recused himself from discussion and vote on this item.

Planner Kathy Canfield said the parcels in this item are owned by the Tahoe-Reno Industrial Center but is not part of the Center and are not zoned industrial. Also parcels are vacant - some are zoned agriculture, some forestry. After reconfiguration, some parcels will be part agriculture and part forestry. No comments from the public have been received and the Planning Commission approved the tentative map. Applicant is requesting the Board waive the tentative map and approve the final map. Staff has reviewed the final map.

Ms. Canfield read the findings of fact:

The applicant is requesting a Division of Land into Large Parcels, File 2017-045. Two existing large parcels over 40 acres will be divided and reconfigured to a total of five large parcels over 40 acres. The subject properties are located at McCarran (McCarran Ranch area of the River District), Storey County, Nevada, existing APNs 004-161-16 and 004-111-06.

The Division of Land into Large Parcels complies with NRS 278.471 through 278.4725 relating to the adjustment of two parcels to five parcels, all 40 acres or more in size.

The Division of Land into Large Parcels complies with all Federal, State, and County regulations pertaining to Parcel Maps and allowed land uses.

The Division of Land into Large Parcels will not impose substantial adverse impacts or safety hazards on the abutting properties or the surrounding vicinity.

The conditions of approval for the requested Division of Land into Large Parcels do not conflict with the minimum requirements in Storey County Code Chapters 17.24 Agricultural Zone and 17.32 Forestry Zone or any other Federal, State, or County regulations.

Public Comment:

None

Motion: In accordance with the recommendation by Staff and the Planning Commission, the Findings under section 3.A of the Staff Report, and in compliance with all Conditions of Approval, I, County Commissioner Jack McGuffey, hereby move to waive the requirement for filing a Tentative Map and I hereby approve the Final Map Division of Land into Large Parcels, File 2017-045. Two existing large parcels over 40 acres will be divided and reconfigured to a total of five large parcels over 40 acres. The subject properties are located at McCarran (McCarran Ranch area of the River District), Storey County, Nevada, existing APNs 004-161-16 and 004-111-06, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary: Yes=2)**

31. DISCUSSION/POSSIBLE ACTION: Approval of Business License Second Readings:

Mr. Whitten presented this item on behalf of Community Development, requesting all items A. through CC. be approved.

- A. BARRY-WEHMILLER DESIGN GROUP - General/ 8020 Forsyth Blvd ~ Roseville, CA
- B. WTD HOLDINGS, INC. - Contractor / 2255 Justin trail ~ Alpharetta, GA
- C. INTERNATIONAL WORKERS GROUP - General / 26 Center Rd ~ LaGrange, GA
- D. MOUNTAIN MUNCHIES VENDING CO. - General/ ~ Truckee, CA
- E. MARLOWE HEINZ - General / 355 N "F" St. ~ Virginia City, NV
- F. MITSUBISHI ELECTRIC AUTOMATION - General/ 500 Corporate Woods Pkwy ~ Vernon Hills, CA
- G. CHROMALOX INC. - General/ 103 Gamma Dr ~ Pittsburgh, PA
- H. BOART LONGYEAR CO. - Contractor/ 2455 South 3600 West ~ West Valley City, UT
- I. TESLA ENERGY, DBA: SOLARCITY - General/ 3055 Clearview Way ~ San Mateo, CA
- J. ADECCO USA, INC - General/ 10151 Deerwood Pk ~ Jacksonville, FL
- K. COBALT CONTRACTING LLC - General/ 5669 Courtney Plummer Rd ~ Oshkosh, WI
- L. ACME CONSTRUCTION SUPPLY - General/ 330 se Salmon St ~ Portland, OR
- M. DIANDA CONSTRUCTION INC - Contractor/ 5485 Reno Corporate Dr ~ Reno, NV

N. THERMOLD INSULATION – Contractor/ 2995 White Pine Dr ~ Washoe Valley, NV
 O. REYNOLDS BATTERY SVC, INC – General/ 1390 N. McDowell ~ Petaluma, CA
 P. SAKANA, LLC – General/ 7655 Town Square Ln ~ Reno, NV
 Q. TECH PLUMBING & HEATING INC – Contractor/ 2601 Warm Springs Ct ~ Carson City, NV
 R. TECHNOSOFT SERVICES, INC. – General/ 13400 Bishops Lane ~ Brookfield WI
 S. ISLAND ICE, LLC – General/ 6137 Torrington ~ Reno, NV
 T. AMERICA RENTS – General/ 10450 S. Virginia St ~ Reno, NV
 U. TECHNICOAT MANAGEMENT, INC – Contractor/ 6879 Speedway Blvd ~ Las Vegas, NV
 V. SUMMIT LINE CONSTRUCTION, INC – Contractor/ 441 W. Power Line Rd ~ Heber City, UT
 W. TRUE NORTH SOLUTIONS LP – General/ 8822 S. Ridgeline Blvd ~ Highlands Ranch, CO
 X. ENCORE STEEL, INC – General/ 3420 S. 39th Ave ~ Phoenix, AZ
 Y. BANGKOK CUISINE, LLC – General/ 55 Mt. Rose St ~ Reno, NV
 Z. MIDWEST ENGINEERED SYSTEMS, INC – General/ W238 N. 1800 Rockwood ~ Waukesha, WI
 AA. DEVIN GALLOWAY, DBA: IN THE ROUGH RECORDS – General/ 333 Territory Rd ~ Dayton, NV
 BB. CHEF YORKEY, LLC. –General/ 881 Golfers Pass Rd. ~ Incline Village, NV
 CC. INFERNO PIZZA TRAILER – General / 5885 Wishbone CT ~ Sun Valley, NV

Public Comment:
 None

Motion: I make a motion to approve Items A. through CC., **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

32. PUBLIC COMMENT (No action)

County Manager Pat Whitten: On December 6th, Ames Construction will be utilizing an aerial drone to video progress and on-going work of the Virginia City Wastewater Improvement Project. Main focus will be in the Washington Street area, and areas south of Washington. The drone flight will be completed by 5PM and Ames appreciates the patience of residents.

Steve Ayres, Storey County Resident: Worked directly under Gary Hames at the Fire Department. Mr. Hames did things with the Fire Department that had not been done by any other department, ever and actually made money. He raised a lot of money and bought equipment that would not have been bought by asking the County for funds. Submitted grants to obtain the most up-to-date technology. What he has done for Storey County far outweighs any money made off of his retirement. This needs to be recognized – he took us into the 21st century.

Commissioner Gilman: A lot of criticism comes at the County from people who have not lived here very long. This little County has fought its way back from absolute bankruptcy and from being taken over by Washoe and/or Lyon County. Many, like Mike Nevin, Gary Hames, and Dean Haymore, and others, wore many hats and didn't have people to run over for them. Mike Nevin was out

wherever there was a break or problem – he did not get overtime. Dean Haymore kept a bed in TRI so he could be there to expedite building of buildings and be called out at 1, 2 or 3 in the morning. In no other county do people give like that. They gave their all. Too many new-comers do not have the appreciation for what it took to get where we are now.

Mr. Ayres: This town has gone from nothing to being a major player. Hats off to all involved.

Commissioner Gilman: Mr. Whitten was Sheriff and, based on his background, was gracious to take over the County Manager's position. That was a time when there were very little resources to do anything for anybody. We need to have respect for history.

Vice Chairman McGuffey: Mr. Nevin, Mr. Haymore, and Mr. Hames put their "life-blood" into this County - a lot of people don't realize that. And, don't exclude Mr. Whitten. He can be called any time of the day or night. We are all part of the team.

Sam Toll, Gold Hill resident: We pay you guys – the period of time you earned that money and are paid for is erased and you get to earn it again the next pay period. Some County employees are paid very well, some aren't – they all work hard and deserve what they get, and accolades. But, it's their job. If they have to sacrifice for their family and they don't like it, then they can get another job.

Today's meeting is more than five hours long. Research shows that most Commission meetings, City Council meetings, GOED meetings – have public comment at the beginning and the end. This Commission changed this to the end some time ago. This is something that suggests that the people who pay taxes and pay the bills, come last. Change is a good thing and I'm looking forward to this happening.

Addressing Mr. Gilman: Mr. Toll said he has lived in Virginia City since birth and had close relatives in Virginia City who worked in the mines and resided in town since in the 1800's. Mr. Toll commented that although he worked in the Sacramento Valley for years, this is home to him – and that he has much relevance in his voice as the family who moved here yesterday. He feels that the fact someone just got here is irrelevant – if the criticism is earned, it's deserved.

33. ADJOURNMENT:

The meeting was adjourned by the Chair at 3:05 PM

Respectfully submitted,

By: Vanessa Stephens
Vanessa Stephens Clerk-Treasurer



Storey County Board of County Commissioners Agenda Action Report

Meeting date: February 6, 2018
Agenda Item Type: Consent Agenda

Estimate of Time Required: 0-5 min.

1. **Title:** For possible action, Approval of payroll claims in the amount of \$1,242,218.38 and accounts payable claims in the amount of \$1,767,129.48.
2. **Recommended motion:** Approve as part of the Consent Agenda.
3. **Prepared by:** Vanessa Stephens
- Department:** Treasurer **Contact Number:** 775.847.0969
4. **Staff Summary:** Attached.
5. **Supporting Materials:** See attached
6. **Fiscal Impact:** 0
7. **Legal review required:** No
8. **Reviewed by:**

____ Department Head

Department Name: Treasurer

 County Manager

Other Agency Review: _____

9. **Board Action:**

<input type="checkbox"/> Approved	<input type="checkbox"/> Approved with Modification
<input type="checkbox"/> Denied	<input type="checkbox"/> Continued

#5I

STOREY COUNTY PAYROLL SYSTEM
Check Register

Rept: PR0510A
Run: 01/10/18 13:54:11

Payroll Type: Regular
Payroll Groups: 1 2 3 4 5 6 7 8 9
Check Date: 01/12/18
Period-end Date: 01/07/18

Check/ DD #	Emp #/ Ded #	Payee	Amount
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Total User Transfer for EFTPS:			61,219.26
Total Deductor Checks:			113,354.52
Total Employee Checks:			899.88
Total Employee Direct Deposit:			286,174.13
Total Employee Deds Xferd on Dir Dep File:			15,980.25
Total User Transfer to Deductor:			42,741.32
Total Disbursed:			520,369.36

Approved by the Storey County Board of Commissioners: _____

CHAIRMAN	COMMISSIONER	COMMISSIONER
COMPTROLLER		
TREASURER		

STOREY COUNTY PAYROLL SYSTEM
Check Register

Rept: PR0510A
Run: 01/16/18 10:14:53

Payroll Type: Deductor Check Date: 01/16/18

Check/ DD #	Emp #/ Ded #	Payee	Amount
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Total User Transfer for EFTPS:			0.00
Total Deductor Checks:			216,833.55

Approved by the Storey County Board of Commissioners: _____

CHAIRMAN	COMMISSIONER	COMMISSIONER
COMPTROLLER		
TREASURER		

STOREY COUNTY PAYROLL SYSTEM
Check Register

Rept: PR0510A
Run: 01/16/18 10:21:37

Payroll Type: Deductor Check Date: 01/16/18

Check/ DD #	Emp #/ Ded #	Payee	Amount
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Total User Transfer for EFTPS:			.00
Total Deductor Checks:			99,615.45

Approved by the Storey County Board of Commissioners: _____

CHAIRMAN	COMMISSIONER	COMMISSIONER
COMPTROLLER		
TREASURER		

Payroll Type: Regular Check Date: 01/26/18 Period-end Date: 01/21/18
Payroll Groups: 1 2 3 4 5 6 7 8 9

Check/ DD #	Emp #/ Ded #	Payee	Amount
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Total User Transfer for EFTPS:			49,274.10
Total Deductor Checks:			5,877.36
Total Employee Checks:			912.12
Total Employee Direct Deposit:			283,047.55
Total Employee Deds Xferd on Dir Dep File:			16,378.25
Total User Transfer to Deductor:			40,427.90
Total Disbursed:			395,917.28

Approved by the Storey County Board of Commissioners: _____

CHAIRMAN	COMMISSIONER	COMMISSIONER
COMPTROLLER		
TREASURER		

STOREY COUNTY PAYROLL SYSTEM
Check Register

Rept: PR0510A
Run: 01/25/18 09:34:21

Payroll Type: Deductor
Check Date: 01/26/18

Check/ DD #	Emp #/ Ded #	Payee	Amount
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Total User Transfer for EFTPS:			.00
Total Deductor Checks:			9,482.74

Approved by the Storey County Board of Commissioners: _____

CHAIRMAN	COMMISSIONER	COMMISSIONER
_____	_____	_____
COMPTROLLER	_____	_____
_____	_____	_____
TREASURER	_____	_____

TYPED CHECKS TOTAL 856,631.06

ACKNOWLEDGEMENT OF REVIEW AND AUTHORIZATION DATE

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COMPTROLLER		
-----	-----	-----
TREASURER		
-----	-----	-----
CHAIRMAN		
-----	-----	-----
COMMISSIONER		
-----	-----	-----
COMMISSIONER		

Report No: PB1315

Run Date : 01/18/18

STOREY COUNTY
CHECK REGISTER 1/19/18

CHECK REGISTER 1/19/18

CHECK NUMBER	VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
91000	ABC FIRE & CYLINDER SERVI	SCBA VALVE		1/19/18	83285	45.00	45.00
91001	ADVANCED DATA SYSTEMS INC	SUPPORT		1/19/18	83248	200.00	
		SWIFT ROYALTIES		1/19/18	83248	828.13	
		REAL/PERS PROP COSTING		1/19/18	83248	4,811.00	
91002	AIRGAS NCN INC	TAX BILLING, COLLECTION		1/19/18	83248	514.00	6,353.13
		EMS SUPPLIES		1/19/18	83287	244.08	
91003	ALAN CARBIENES AUTHORIZED	EMS SUPPLIES		1/19/18	83287	28.69	
		EMS SUPPLIES		1/19/18	83287	107.96	380.73
91004	ALL COMSTOCK LLC	SHOP STOCK		1/19/18	83226	65.64	65.64
91005	ALPINE LOCK INC	WATER IMPROVEMENT PUCT		1/19/18	83241	4,500.00	4,500.00
		PADLOCKS AND KEYS		1/19/18	83198	267.50	
		PADLOCKS AND KEYS		1/19/18	83198	105.00	
		PADLOCK & KEYS		1/19/18	83198	63.00	
		REKEY		1/19/18	83198	147.50	
		REKEY		1/19/18	83198	117.50	
91006	ALUSCO INC	REKEY/ SERVICE		1/19/18	83198	65.00	765.50
		ST 71 LAUNDRY		1/19/18	83288	13.80	
		ST 72 LAUNDRY		1/19/18	83288	8.77	
		ST 75 LAUNDRY		1/19/18	83288	18.58	
		ST 74 LAUNDRY		1/19/18	83288	10.52	
		ST 74 LAUNDRY		1/19/18	83288	15.00	
		SHOP		1/19/18	83195	77.84	
		SHOP		1/19/18	83195	77.84	
		CH		1/19/18	83195	43.00	
		SHOP		1/19/18	83195	77.84	
		SHOP		1/19/18	83195	77.84	
91007	ARC HEALTH AND WELLNESS	CH		1/19/18	83195	43.00	464.03
		NEVIN PHYSICAL		1/19/18	83293	519.39	
		TILLISCH PHYSICAL		1/19/18	83293	629.39	
		HARJES PHYSICAL		1/19/18	83293	504.39	
		MCCULLOUGH PHYSICAL		1/19/18	83293	519.39	
		DIXON S PHYSICAL		1/19/18	83293	504.39	
		REVELLE PHYSICAL		1/19/18	83293	504.39	
		ST CLAIR PHYSICAL		1/19/18	83293	499.54	
		MONTOYA PHYSICAL		1/19/18	83293	519.39	
		GRIMM PHYSICAL		1/19/18	83293	644.39	
		ARROYO PHYSICAL		1/19/18	83293	629.39	
		YOHEY PHYSICAL		1/19/18	83293	504.39	
		BARTON PHYSICAL		1/19/18	83293	519.39	
		RETZER PHYSICAL		1/19/18	83293	504.39	
		GIURLANI PHYSICAL		1/19/18	83293	504.39	
		ADKINS PHYSICAL		1/19/18	83293	519.39	
		KLINGLER PHYSICAL		1/19/18	83293	519.39	
		GLENN PHYSICAL		1/19/18	83293	534.39	
		SESNA PHYSICAL		1/19/18	83293	475.29	
91008	AT&T TELECONFERENCE SERVI	SMITH PHYSICAL		1/19/18	83293	534.39	10,089.46
		TELECONFERENCE SERVICES		1/19/18	83268	6.42	

Report No: PB1315
Run Date : 01/18/18

STOREY COUNTY
CHECK REGISTER 1/19/18

CHECK NUMBER	VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
91009	BERRY ENTERPRISES	X1 RADIO FOR AZEVEDO		1/19/18	83277	1,427.93	1,427.93
91010	BOY SCOUTS OF AMERICA NV	PARADE OF LIGHTS 12/2/17		1/19/18	83322	500.00	500.00
91011	BURRELL, SCOTT LEWIS	12/28/17-1/10/18		1/19/18	83313	108.00	730.50
		TEST PORT		1/19/18	83227	622.50	
91012	BURTON'S FIRE INC	WATER / SEWER		1/19/18	83221	82.25	82.25
91013	CANYON GENERAL IMPROVEMEN	WT72- SWITCH		1/19/18	83213	55.20	55.20
91014	CAPITAL CITY AUTO PARTS	PIPERS DUMPSTER		1/19/18	83321	45.29	45.29
91015	CAPITAL SANITATION CO	BLK & HWL-EQUIP REPAIR		1/19/18	83204	169.95	169.95
91016	CARSON SMALL ENGINES	FEB 2018 SUPPORT		1/19/18	83196	241.06	241.06
91017	CASELLE INC	CEM GIN REIMBURSEMENT		1/19/18	83312	202.00	202.00
91018	CHURCHILL VINEYARDS, LLC	STOREY CO DRUG COURT FEES		1/19/18	83185	144.00	144.00
91019	CITY OF CARSON TREASURER	BROCHURE		1/19/18	83296	50.00	50.00
91020	CLEAR CHANNEL OUTDOOR	SENIOR CENT TIRES		1/19/18	83228	225.00	225.00
91021	CMC TIRE INC	CALENDAR OF EVENTS		1/19/18	83320	603.84	603.84
91022	COLORADO PRINTING COMPANY	VSU STOP GRANT DEC 2017		1/19/18	83222	1,451.89	1,451.89
91023	COMMUNITY CHEST INC	96 X \$1 DON		1/19/18	83311	936.77	936.77
91024	COMSTOCK CEMETERY FOUNDAT	EVENT AD		1/19/18	83324	96.00	96.00
91025	COMSTOCK CHRONICLE (VC)	CABLE- VC CONFERENCE CNTR		1/19/18	83308	567.00	1,113.00
91026	COMSTOCK COMMUNITY TV INC	BUSINESS OFFICE TV		1/19/18	83211	546.00	
91027	DAIOHS USA INC	CH RENTAL		1/19/18	83223	208.00	312.00
		WATER SVC JAIL/BUS OFFICE		1/19/18	83197	104.00	
91028	ELAM, TONI	OVERPMT ON PROPERTY TAX		1/19/18	83194	51.90	
91029	ELLIOTT AUTO SUPPLY INC	PW ROADS AIR FILTER		1/19/18	83224	25.95	160.70
		FIRE 66632 COOLANT FILT		1/19/18	83199	82.85	
		SO58904 TRANS FLUID		1/19/18	83199	100.00	100.00
		COMDEV65585 TRANS FILTER		1/19/18	83199	8.00	
		IT- CONTROL ARMS		1/19/18	83199	25.63	
		SO- ANNUAL FLUIDS		1/19/18	83199	34.44	
		IT28155 PUMP STRAINER		1/19/18	83199	33.82	
		IT28155 PLUG		1/19/18	83199	369.02	
		IT28155 SWITCH/ STARTER		1/19/18	83199	612.58	
		PW36545 AF		1/19/18	83199	8.78	
				1/19/18	83199	44.44	
				1/19/18	83199	270.68	
				1/19/18	83199	30.36	

CHECK NUMBER	VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
		PW GEN AF CONC		1/19/18	83199	15.18	
		S051848 STARTER		1/19/18	83199	90.93	
		SRV STOCK		1/19/18	83199	153.02	
		IT28155 SENSOR CONNECTOR		1/19/18	83199	56.30	
		SRV STOCK		1/19/18	83199	153.02	
		IT28155 CAP, ROTOR		1/19/18	83199	19.60	
		PW ROADS LUBE/ FLTER		1/19/18	83199	45.86	
		SO FILTER/ LUBE		1/19/18	83199	87.37	
		S051848 PUMP/ BELT		1/19/18	83199	242.16	
		FIRE56224 CORE CHARGE		1/19/18	83199	126.99	
		FIRE31197 BATTERY		1/19/18	83199	386.52	
		IT28155 FUEL PUMP		1/19/18	83199	51.63	
		S058905 ADAPTOR		1/19/18	83199	218.80	
		PW ROADS AIR FLITER		1/19/18	83199	9.07	1,913.60
91030	ELLOWAY, STEVEN	DEPOSIT REFUND		1/19/18	83207	87.08	87.08
91031	ENGLERT FORENSIC CONSULTS	FORENSIC SVCS. NOV 2017		1/19/18	83189	3,642.29	
		FORENSIC SVCS. DEC 2017		1/19/18	83189	5,847.50	9,489.79
91032	ERICKSON THORPE & SWAINST	ACCT 603440.0		1/19/18	83191	1,460.25	1,460.25
91033	EVERBANK COMMERCIAL FIN	CONTRACT 20266919 COPIER		1/19/18	83295	188.93	188.93
91034	FARR WEST ENGINEERING	DEVNET MAPOPTIX		1/19/18	83246	3,485.00	
		CORELOGIC BOOK 3 BUSLIC		1/19/18	83246	2,785.00	
		COGO TRIC BOOK 3 MAPOPTI		1/19/18	83246	7,267.60	
		WATER RIGHTS CONSUMPTION		1/19/18	83246	7,895.00	
		REPLACE USDA 92-07		1/19/18	83246	102,275.60	
		PHASE II, TASK ORD #11		1/19/18	83246	9,600.00	
		TOM SAWYER PAVING MGT		1/19/18	83202	2,652.50	
		COGO BOOK 3 QUALITY CONTL		1/19/18	83246	6,645.00	142,605.70
91035	FASTENAL COMPANY	SHOP STOCK		1/19/18	83264	309.85	309.85
91036	FERRELLGAS LP	COURTHOUSE		1/19/18	83203	854.87	
		COURTHOUSE		1/19/18	83203	860.00	
		12/20		1/19/18	83203	376.03	
		100 TOLL RD 1/4		1/19/18	83203	339.18	
		100 TOLL RD 1/4		1/19/18	83203	113.06	
		100 TOLL 1/4		1/19/18	83203	877.37	
		PROPANE		1/19/18	83250	577.65	
		ST 72 RESIDENCE PROPANE		1/19/18	83298	123.70	
		ST 71 PROPANE		1/19/18	83298	827.32	
		PROPANE		1/19/18	83250	545.92	
		ST 72 RESIDENCE PROPANE		1/19/18	83298	128.14	
		PROPANE		1/19/18	83250	384.25	
		141 N C ST PROPANE		1/19/18	83250	323.19	
		ST N C ST PROPANE		1/19/18	83297	70.70	
		ST 71 PROPANE		1/19/18	83298	278.08	
		GAS BILL		1/19/18	83319	362.72	7,042.18
91037	FIRST AMERICAN TITLE INS	OVERPMT PERSONAL PROPERTY		1/19/18	83232	20.30	20.30
91038	GLOBAL TOWER LLC	UTILITIES		1/19/18	83271	40.00	
		POND PEAK RENT		1/19/18	83271	355.83	

Report No: PB1315
Run Date : 01/18/18

STOREY COUNTY
CHECK REGISTER 1/19/18

CHECK NUMBER	VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
91039	GOLDEN GATE/SET PETROLEUM	LW 200 UNL/ 130 DSL		1/19/18	83206	840.50	395.83
91040	GRAINGER	TRI 212 UNL / 89 DSL		1/19/18	83206	784.98	1,625.48
91041	GRANSBERRY, TOM	CH SLAMMER- TRACK KIT		1/19/18	83205	118.40	118.40
91042	GREAT BASIN TERMITE & PES	1/1/18-1/5/18		1/19/18	83273	112.50	247.50
91043	GTP INVESTMENTS LLC	1/8/18-1/12/18		1/19/18	83273	135.00	125.00
91044	HAT, LTD	QUARTERLY PEST CONTROL		1/19/18	83310	125.00	608.33
91045	HAYES + ASSOCIATES, INC	POND PEAK 3 TOWER		1/19/18	83292	608.33	23.50
91046	HIGH SIERRA BUSINESS	ADMIN TESTING		1/19/18	83299	150.00	1,608.55
91047	HOME DEPOT CREDIT SERVICE	ROADS		1/19/18	83208	1,357.44	44.67
91048	HOMETOWN HEALTH	ROADS		1/19/18	83208	1,357.44	14,424.54
91049	HYDRAULIC INDUSTRIAL SERV	ROADS		1/19/18	83208	1,018.08	160.47
91050	INTERNATIONAL CODECOUNCIL	16137 BLACK		1/19/18	83190	23.50	890.00
91051	IRON MOUNTAIN INFO MGT IN	DA COPIES		1/19/18	83289	1,608.55	1,166.76
91052	ITI SOURCE LLC	USING CREDIT AC BOARD		1/19/18	83291	44.67	230.67
91053	JBP LLC	16009041-00053		1/19/18	83326	14,424.54	33.95-
91054	KIMBALL MIDWEST	CH GENERATOR- FITTINGS		1/19/18	83209	160.47	334.01
91055	LAWSON, WILLIAM	X8 EE'S COM DEV		1/19/18	83276	890.00	90.27
91056	LIFE-ASSIST INC	NT147/STOREY FLM STG 1/18		1/19/18	83276	890.00	272.88
91057	MACKAY MANSION	SHRED BIN 1/2+DETENTION		1/19/18	83252	272.88	216.54
91058	MCCARTHY, TIMOTHY	SOFTWARE IT PAYING		1/19/18	83290	216.54	1,417.17
91059	MENDOZA, JOHN MICHAEL	DATACENTER SECURITY		1/19/18	83290	1,200.63	325.50
		FIRE66632 TRANS FLUID		1/19/18	83255	325.50	178.44
		MISC HRDWR		1/19/18	83210	178.44	74.34
		REFUND OVERPAYMENT		1/19/18	83300	74.34	299.94
		EMS SUPPLIES		1/19/18	83301	299.94	1,905.65
		EMS SUPPLIES		1/19/18	83301	1,905.65	87.34
		EMS SUPPLIES		1/19/18	83301	87.34	2,292.93
		12/28/17-1/10/18		1/19/18	83314	35.00	222.00
		REIMB- LIGHT FIXTURE		1/19/18	83314	187.00	50.00
				1/19/18	83219	50.00	20.55
				1/19/18	83225	20.55	

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CHECK NUMBER	VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
91060	METRO OFFICE SOLUTIONS IN	OFFICE SUPPLIES		1/19/18	83302	67.93	20.55
		FOLDERS/CD SLEEVES		1/19/18	83188	181.73	
		PAPER PENS CALC PNCL USB		1/19/18	83275	225.41	475.07
91061	MONARCH DIRECT LLC	FY2018 SUPPLIES		1/19/18	83193	27.50	
		D NEVIN NOTARY STAMP		1/19/18	83187	26.00	53.50
91062	MOUND HOUSE TRUE VALUE	ICE MELT		1/19/18	83303	490.00	
		SHOP-EXT CORD,CAULK,FOILT		1/19/18	83212	75.93	
		CHANGE ALL LOCKS		1/19/18	83279	78.45	644.38
91063	NATIONAL SHERIFF'S ASSOC	2018 MEMBERSHIP DUES		1/19/18	83235	60.00	60.00
91064	NEAL, KIMBERLY	PIPER HOUSE		1/19/18	83270	1,800.00	1,800.00
91065	NEV ADMIN BLDG & GROUNDS	DECEMBER WATER PURCHASE		1/19/18	83214	6,191.67	6,191.67
91066	NEV DEPT PUBLIC SAFETY	FINGERPRINT & BACKGROUND		1/19/18	83239	616.25	616.25
91067	NEV DIV OF HEALTH BUREAU	D1 TESTING		1/19/18	83215	84.00	
		T1 TESTING		1/19/18	83215	84.00	
		T4 TESTING		1/19/18	83215	84.00	
		D1 & T1 TESTING		1/19/18	83215	168.00	420.00
91068	NEV DIV OF MINERALS	STOREY - MINING CLAIM FEE		1/19/18	83286	160.00	160.00
91069	NEV RURAL WATER ASSOC	ANNUAL		1/19/18	83229	270.00	270.00
91070	NEVAD STATE DIVISION OF	OPR PERMIT/PIPER ELEVATOR		1/19/18	83233	200.00	200.00
91071	NEVADA BLUE LTD - (RNO)	MONTHLY FEE		1/19/18	83278	100.00	100.00
91072	NEVADA LEGAL SERVICE INC	FEES COLLECTED		1/19/18	83186	563.86	563.86
91073	NEXTEL OF CALIFORNIA INC	PLANNING COMMISSION		1/19/18	83265	916.52	916.52
91074	NORTON CONSULTING LLC	RENTAL 6/1-30		1/19/18	83243	73.50	73.50
91075	O'REILLY AUTO ENTERPRISES	FIRE OIL PRESS		1/19/18	83216	4.86	
		B171 WIRE LOOM		1/19/18	83216	14.00	
		IT28155 SENDING UNIT		1/19/18	83216	135.57	
		IT CREDIT		1/19/18	83216	137.30	
		IT28155 MANIFOLD SET		1/19/18	83216	49.62	
		IT28155 EGR GASKET		1/19/18	83216	1.42	
		FIRE31197 OIL		1/19/18	83216	129.90	
		PW ROADS OIL		1/19/18	83216	259.80	
		FIRE 31197 OIL/ FILTER		1/19/18	83216	39.80	497.67
91076	OCCUPATIONAL HEALTH CENTE	ALCON TB TEST		1/19/18	83304	15.50	15.50
91077	OFFICE DEPOT INC	MISC OFFICE SUPPLIES		1/19/18	83282	11.22	
		PLASTIC CUTLERY		1/19/18	83282	3.87	
		ROLLED FILM		1/19/18	83282	20.97	
		PADDED ENVELOPES		1/19/18	83282	24.16	60.22
91078	OFFSITE DATA DEPOT, LLC						

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CHECK NUMBER	VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
91079	OLIVAS, RICHARD A	CLERK OFFICE		1/19/18	83242	413.03	413.03
91080	ON THE SIDE GRAPHICS & SI	LCKWOOD PARK		1/19/18	83269	10,000.00	10,000.00
91081	OSBORNE, AUSTIN	BILLBOARD SNIPE		1/19/18	83309	100.00	100.00
91082	OSBORNE, JOAN	12/13/17		1/19/18	83325	20.00	20.00
91083	OUTFRONT MEDIA LLC	JAN 9, 2018 BILL		1/19/18	83192	4,575.00	4,575.00
91084	PETRINI, ANGELO D	BILLBOARD		1/19/18	83307	633.60	633.60
91085	POWERPLAN	12/28/17-1/10/18		1/19/18	83315	4.00	
91086	PUBLIC AGENCY COMPENSATIO			1/19/18	83315	142.00	146.00
91087	PUBLIC EMPLOY RETIREMENT	SNOW BLADE FOR JD LOADER		1/19/18	83217	11,830.17	11,830.17
91088	QUILL CORPORATION			1/19/18	83327	139,663.25	139,663.25
91089	RAY MORGAN CO INC (CA)	SOUTHERLAND, C		1/19/18	83244	19.94	
91090	REFUSE, INC	AFRICA, T		1/19/18	83244	2,470.05	
91091	RENO DEALERSHIP GROUP LLC	RULE, M		1/19/18	83244	720.00-	1,769.99
91092	RENO DRAIN OIL SERVICE	OFFICE SUPPLIES		1/19/18	83272	75.77	75.77
91093	RESERVE ACCOUNT	PLOTTER ASSESSOR		1/19/18	83294	165.91	
91094	ROBERTS, BOBBI JEAN	LOCKWOOD CANON		1/19/18	83294	29.83	
91095	RUPPCO INC	ST 71 CANON		1/19/18	83294	37.70	
91096	SBC GLOBAL SERVICES IN LD	ASSESSOR CANON		1/19/18	83294	30.21	263.65
		TRI ROADS		1/19/18	83260	2,728.24	2,728.24
		COM DEV 68215/68216		1/19/18	83238	3,174.35	3,174.35
		USED OIL		1/19/18	83230	100.00	100.00
		ACCT 45839842		1/19/18	83200	100.00	100.00
		SAWANIEGO, MARIA		1/19/18	83220	205.55	205.55
		EMS SUPPLIES		1/19/18	83305	207.00	207.00
		STOREY COUNTY		1/19/18	83281	5.00	
		CLERK		1/19/18	83281	2.74	
		FIRE DEPT-VC		1/19/18	83281	.17	
		PW		1/19/18	83281	3.02	
		SHERIFF-COURTHOUSE		1/19/18	83281	.22	
		JP		1/19/18	83281	3.03	
		SHERIFF		1/19/18	83281	7.34	
		ADMIN		1/19/18	83281	1.23	
		FIRE		1/19/18	83281	.07	
		COMM DEVELOPMENT		1/19/18	83281	8.88	
		ASSESSOR		1/19/18	83281	8.73	
		CENTRAL DISPATCH-VC		1/19/18	83281	15.84	
		DA		1/19/18	83281	.16	
		COMMISSIONER		1/19/18	83281	4.33	

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VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
91097 SBC GLOBAL SERVICES INC	STOREY COUNTY OF VCTC		1/19/18 1/19/18	83281 83281	.15 18.44	79.35
91098 SHERMARK DISTRIBUTORS INC	847-7500 VCTC 252-6412-COMMUNICATIONS 847-0962 JOP 847-0986 EMRGNCY MNGMNT		1/19/18 1/19/18 1/19/18 1/19/18	83280 83280 83280 83280	82.65 3,948.94 68.00 193.39	4,292.98
91099 SHOAF, BRIAN ALLEN	INMATE MILK INMATE MILK		1/19/18 1/19/18	83236 83236	56.00 56.00	112.00
91100 SIERRA CHEMICAL COMPANY	12/28/17-1/10/18		1/19/18	83316	12.00	12.00
91101 SIERRA CONTROL SYSTEMS	DEPOSIT REFUND		1/19/18	83253	80.00-	
91102 SIERRA PEST CONTROL INC	SIERRA PURE CHLOR ICE MELT		1/19/18 1/19/18	83253 83253	1,077.98 494.90	1,492.88
91103 SMITHS FOOD & DRUG CENTER	5 MILE TANK SERVICE		1/19/18	83258	1,171.50	1,171.50
91104 SPALLONE, DOMINIC J III	PEST CONTROL		1/19/18	83237	50.00	50.00
91105 SPB UTILITY SERVICES INC	INMATE PRESCRIPTIONS		1/19/18	83251	26.88	26.88
91106 ST CO SCHOOL DISTRICT	JAIL FLOOR FINISH		1/19/18	83240	90.00	
91107 SUN PEAK ENTERPRISES	JAIL CUPS LINERS & TP DECEMBER		1/19/18 1/19/18	83240 83247	231.14 430.44	321.14 430.44
91108 THERMATEMP	PROPERTY TAX RECEIVED		1/19/18	83183	458,465.44	458,465.44
91109 THOMAS PETROLEUM LLC	12/28/17-1/10/18		1/19/18	83317	7.00	
	LIGHT MAINT		1/19/18	83317	1,638.00	1,780.00
	550 REG 200 DSL FIRE 68 REG 150 DSL 500 REG 250 DSL 371 REG 303 DSL FIRE 28 REG 108 DSL 300 REG 113 DSL		1/19/18 1/19/18 1/19/18 1/19/18 1/19/18 1/19/18	83254 83254 83254 83254 83254 83254	1,562.71 459.26 1,485.18 1,464.69 298.75 977.93	6,248.52
91110 TRI GENERAL IMPROVEMENT	1705 PERU -W/S 1705 PERU -TAR		1/19/18 1/19/18	83256 83256	301.78 90.10	391.88
91111 TYLER TECHNOLOGIES, INC	EAGLE EAGLE		1/19/18 1/19/18	83274 83274	2,240.00 560.00	2,800.00
91112 US POSTOFFICE (VC)			1/19/18	83259	200.00	
91113 VCTC			1/19/18	83218	70.00	270.00
	R. BRUNSON LUNCH MTG JERKY CO RTT XMAS PARTY GIFT 12/13/17		1/19/18 1/19/18 1/19/18 1/19/18	83323 83323 83323 83323	157.50 16.00 14.48 40.00	

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Check
Number

Vendor Invoice

14 PORTER GROUP LLC
INV 18-SC-1

Checks Total

Register for Electronic Checks 1/19/18
Description Date Voucher# Amount

1/19/18 18 6,000.00

Check
Total

6,000.00

6,000.00

ACKNOWLEDGEMENT OF REVIEW AND AUTHORIZATION

DATE

COMPTROLLER

TREASURER

CHAIRMAN

COMMISSIONER

COMMISSIONER

DISTRICT ATTORNEY



Storey County Board of County Commissioners Agenda Action Report

Meeting date: 2/6/18

Estimate of time required:

Agenda: Consent ☒ Regular agenda ☐ Public hearing required ☐

1. **Title:** First reading for General Business License – Silver Dollar Saloon, 15 N C St., Virginia City, NV 89440. Applicant is Stephanie Collins.

2. **Recommended motion:** I motion to approve as part of the consent agenda the first reading, General Business License – Silver Dollar Saloon, 15 N C St., Virginia City, NV 89440. Applicant is Stephanie Collins.

3. **Prepared by:** Brandy Gavenda, Administrative Assistant

Department: SCSO

Telephone: 775-847-0959

4. **Staff summary:** First reading for General Business License – Silver Dollar Saloon, 15 N C St., Virginia City, NV 89440. Applicant is Stephanie Collins.

5. **Supporting materials:** See attached Agenda letter

6. **Fiscal impact:** None

Funds Available:

Fund:

____ Comptroller

7. **Legal review required:**

____ District Attorney

8. **Reviewed by:**

☒ Department Head

Department Name: Gerald Antinoro

 County Manager

Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No. 5 II



Storey County Board of County Commissioners Agenda Action Report

Meeting date: 2-6-18

Estimate of time required: 0 - 5

Agenda: Consent ☒ Regular agenda ☐ Public hearing required ☐

1. **Title:** Business License First Readings -- Approval

2. **Recommended motion:** None required (if approved as part of the Consent Agenda) I move to approve all first readings (if removed from consent agenda by request).

3. **Prepared by:** Melissa Field

Department: Community Development

Telephone: 847-0966

4. **Staff summary:** First readings of submitted business license applications are normally approved on the consent agenda. The applications are then submitted at the next Commissioners' meeting for approval.

5. **Supporting materials:** See attached Agenda Letter

6. **Fiscal impact:**

Funds Available:

Fund:

Comptroller

7. **Legal review required:**

District Attorney

8. **Reviewed by:**

☒ Department Head

Department Name:

 County Manager

Other agency review:

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No. 5 III

Storey County Community Development

Business Licensing



P O Box 526 • Virginia City NV 89440 • (775) 847-0966 • Fax (775) 847-0935 • mfield@storeycounty.org

To: Vancssa Stephens, Clerk's Office
Pat Whitten, County Manager

January 29, 2017
Via email

Fr: Melissa Field

Please add the following item(s) to the **February 6, 2018**, COMMISSIONERS Consent Agenda:

LICENSING BOARD

FIRST READINGS:

- A. CALIFORNIA DRILLING & BLASTING CO, INC – Contractor / 525 Mission St ~ Pasadena, CA
- B. SIERRA SHADING SOLUTION INC – Contractor / 685 Abbay Way ~ Reno, NV
- C. INFINITY AUTOMATION – General / 561 Keystone Ave ~ Reno, NV
- D. COPPER ENVIRONMENTAL CONSUTLING, INC – Professional / 406 E. Park Ave ~ Anaconda, Mt
- E. TRANE US, INC – Contractor / 4145 Del Mar Ave ~ Rocklin, CA
- F. VITAL SYSTEMS CORPORATION – General / 4999 Air center Cir ~ Reno, NV
- G. LITTLE CITY PIZZERIA, LLC – 2632 Alessandro Ct ~ Sparks, NV
- H. T E LARSON INC – General / 1696 S. Virginia St ~ Reno, NV
- I. TEAM INDUSTRIAL SERVICES, INC – General / 13131 Dairy Ashford ~ Sugarland, TX
- J. INDUSTRIEMONTAGE MEHNERT – General / 7 Bergstrabe ~ Muelsen, Germany
- K. FOOD EVOULUTION: DBA – General / 1290 E. Plumb Ln ~ Reno, NV
- L. LAPP USA INC – General / 6975 S. Decatur Blvd ~ Las Vegas, NV
- M. CHARTWELL STAFFING SOLUTIONS – General / 5220 Longley Lane ~ Reno, NV
- N. SAVAGE WELDING SUPPLY, DBA – General / 265 Pompe Way ~ Reno, NV
- O. PLASMO USA LLC – General / 44160 Plymouth Blvd ~ Plymouth, MI
- P. SIXCLEAR LIMITED LIABILITY CO – General / 500 E 4th St ~ Austin, TX
- Q. HIGH CALIBER GLASS – Contractor / 1220 E. Greg St ~ Reno, NV
- R. THE SHERWIN-WILLIAMS COMPANY – General / 1286 Disk Dr ~ Sparks, NV
- S. HD SUPPLY CONSTRUCTION SUPPLY, LTD / General / 501 West Church St ~ Orlando, FL
- T. EXPEDITORS BY LINDALE, INC – General / 638 N. Eckhoff St ~ Orange, CA
- U. TENANT SALES AND SERVICE – General / 701 N. Lilac Dr ~ Minneapolis, MN
- V. ORKIN – General / 9410 Prototype Dr ~ Reno, NV
- W. THE RYAN COMPANY - Contractor / 15 Commerce Way ~ Norton, MA
- X. PROAXIA CONSULTING K.K. – General / Osaka, Japan
- Y. CTOU INC – General / 5209 W. 700 S. ~ Salt Lake City, UT
- Z. ELECTRIC BLUE ELEPHANT – General / 136 Moran ~ Reno, NV

Ec: Community Development
Commissioners' Office

Planning Department
Comptroller's Office

Sheriff's Office



Storey County Board of County Commissioners Agenda Action Report

Meeting date: February 6, 2018

Estimate of time required: 15 min.

Agenda: Consent [] Regular agenda [X] Public hearing required []

1. **Title:** DISCUSSION/POSSIBLE ACTION: Approval of an Interlocal Agreement for Traffic Signal Maintenance between Storey County and Carson City.

2. **Recommended motion:** I, (Commissioner), move for approval of the Interlocal Agreement for Traffic Signal Maintenance between Storey County and Carson City.

3. **Prepared by:** Pat Whitten

Department: Commissioner's Office

Telephone: 847-0968

4. **Staff summary:** Please see Page 2

5. **Supporting materials:** Draft Interlocal Agreement
PowerPoint Summary
Intersection Design Plan

6. **Fiscal impact:** Yes

Funds Available: Yes

Fund: Roads 020

____ Comptroller

7. **Legal review required:** Yes

KL District Attorney

8. **Reviewed by:**

Real Department Head

Department Name: Commissioner's Office

Real County Manager

Other agency review: _____

9. **Board action:**

[] Approved

[] Denied

[]

Approved with Modifications

[]

Continued

Agenda Item No. **8**

4. Staff summary: With the substantial increase of traffic in and around the Tahoe-Reno Industrial Center both due to growing employee counts as well as significant numbers of construction workers and goods & materials transportation, it quickly became apparent that traffic patterns and flows have radically impacted travel and safety in certain areas. Of major concern is the intersection of USA Parkway (Nevada S.R. 439) and Electric Avenue at its northern terminus. Shift change in some of the larger businesses create traffic jams and correlated accidents similar to what is seen in major metropolitan areas at times. Partnering with NDOT, potential solutions were assessed and the most viable and safest (and most costly) answer was a full traffic signal. Initially, NDOT was forced to approach this as a full financial partnership due to the lack of funding resources available to them. This delayed the project as it proved difficult to convince businesses that would benefit from this improvement to participate financially. Fortunately, with some support from Governor Sandoval's Office, NDOT was able to juggle some of their other priorities and they are covering the entire cost of this project which appears to be hovering just under \$2 million.

That's the good news. The other side of this story is by established statewide practice and protocol, NDOT does not maintain any traffic signals associated with State Highways and requires the agency having jurisdiction, Storey County in this case, to do so at their expense. Staff has learned that use of the term "maintain" or "maintenance" is quite misleading in its simplified appearance. There are a huge number of highly specialized skills and knowledge needed including programming, compliance with Federal and State safety standards and industry knowledge to name but a few. Upon installation and activation this will be, excluding the historic flashing lights at C & Taylor Streets, the first and only traffic light in Storey County! While that "signals" that we are truly growing and coming into the modern ages to some, it also means that we need to find solutions to meet our "maintenance" responsibilities in a manner that is fiscally prudent as well as safe and compliant to standards. Fortunately, staff has learned that there are several options available to select someone to maintain our signal including the Washoe RTC, the Cities of Carson City, Reno and Sparks as well as at least two private sector companies. Since the annual expense estimated to be associated with maintenance on one signal is approximately \$5,000, staff opted to seek levels of interest to perform needed services from both Carson City and Sparks. Sparks politely declined and referred us to Carson City who performs similar services not only for themselves but also for Douglas and Lyon Counties. Since Storey County maintains a strong and close working relationship with the latter 3 local government entities and since Carson City structured terms of this agreement similar to those with Douglas and Lyon Counties but also made small but important cost savings adjustments to maximize scheduled work to be performed in a single trip, staff is recommending approval of this agreement which essentially provides for service on a time and materials basis. Content of this agreement have been reviewed by both the Carson City and Storey County District Attorney's Offices. Representatives from Carson City Public Works plan on attending the Commission Meeting should there be any questions. Also, please note that final approval by their Regional Transportation Commission is still required for this agreement to be in effect. In addition to Carson City and their Public Works Department, staff would also like to commend and thank the Nevada Department of Transportation as they have always been most supportive and solutions oriented as we navigated thru this challenge. Businesses in the TRI area should also be recognized and thanked for their patience and especially those who were will to join us with their checkbook and make a substantial investment in this project if needed.

INTERLOCAL AGREEMENT FOR SIGNAL MAINTENANCE

This AGREEMENT is dated this _____ day of _____, 2018, by and between STOREY COUNTY, a political subdivision of the State of Nevada (hereinafter "COUNTY"), and CARSON CITY, a consolidated municipality and political subdivision of the State of Nevada (hereinafter "CITY"). COUNTY and CITY may be individually referred to as "Party" and collectively referred to as "Parties."

WITNESSETH:

WHEREAS, the Parties are public agencies under NRS 277.100; and

WHEREAS, NRS 277.180 provides that any one or more public agencies may contract with any one or more other public agencies to perform any governmental service, activity or undertaking which any of the contracting agencies is authorized by law to perform; and

WHEREAS, it is the understanding of the Parties that the Nevada Department of Transportation ("NDOT") will install in the summer of 2018 a highway traffic signal ("Signal") at the public roadway intersection of Electric Avenue and USA Parkway (State Route 439), located in Storey County, Nevada; and

WHEREAS, it is also the understanding of the Parties that upon completion of the installation of the Signal, NDOT will transfer operation and maintenance of the traffic control signal to COUNTY; and

WHEREAS, certain employees of CITY possess a level of expertise such that those employees may be able to perform certain repair, maintenance and other technical services relating to the Signal for COUNTY; and

WHEREAS, to assist COUNTY in protecting its residents by enhancing the safety of pedestrian and vehicular traffic within Storey County, CITY is agreeable to providing such repair, maintenance and other technical services; and

WHEREAS, this AGREEMENT will benefit the COUNTY and the people of the State of Nevada;

NOW, THEREFORE, in consideration of the promises and conditions contained in this Agreement and other good and valuable consideration, the Parties do agree as follows:

Section 1. Term of Agreement: This Agreement is effective on the date that the last authorized signature is affixed hereto and will terminate on July 1, 2020 ("Initial Term") unless terminated earlier in accordance with Section 2 of this Agreement. Upon expiration of the Initial Term, this Agreement will automatically renew for successive terms of one (1) year ("Renewal Term") under all of the same terms and conditions set forth herein unless, not less than 30 days before the expiration of the Initial Term or any

subsequent Renewal Term, either Party provides notice to the other that this Agreement will not be renewed.

Section 2. Early Termination: Either Party may terminate this Agreement with or without cause by providing not less than 30 days' notice to the other Party.

Section 3. Responsibilities of CITY: CITY agrees to provide the following services relating to the operation of the Signal:

A. **Preventative maintenance** in accordance, to the extent possible, with a plan of maintenance ("Maintenance Plan") to be developed by COUNTY and which:

(1) Includes:

(a) Periodic inspection of the Signal to ensure the proper operation of the Signal system, including vehicle, emergency vehicle and pedestrian detection.

(b) Periodic inspection of the luminaires used for area lighting and internally-illuminated roadway signs affixed to the Signal.

(c) Periodic inspection of the battery backup system for the Signal.

(d) Annual certification of the Signal's malfunction monitor unit by the use of calibrated testing equipment.

(e) Signal cabinet service, including the cleaning and replacement of filters.

(2) Does not include:

(a) Structural inspection of poles, supports, anchors, welds, mechanical fasteners or foundations.

(b) Location of utility lines.

(c) Construction of any item.

(d) Modification of any Signal component.

(e) Repairs to any Signal component that CITY, at its sole discretion, determines is a significant repair that is not preventative in nature, including, without limitation: the installation or modification of any structure; any service which qualifies for intermediate-term or long-term stationary work under the *Manual on Uniform Traffic Control Devices for Streets and Highways* published by the Federal Highway Administration of the U.S. Department of Transportation, as may be amended; any service which requires trenching, paving or sealing; any service that requires resource allocation of more than one technician or more

than one bucket truck; any service which requires the installation or removal of cables or wires; any service which requires welding, cutting, painting or galvanizing; or any service which requires work to be performed on an anchor or other support structure.

(f) Any other preventative maintenance that CITY, at its sole discretion, determines is not feasible or reasonable to perform.

B. Response (unplanned or unexpected) maintenance which:

(1) Includes maintenance:

- (a) In response to a report of the Signal in red-flash operation.
- (b) In response to a report of any Signal malfunction.
- (c) In response to a report of the Signal not adequately serving demand.
- (d) To provide support in the event of a traffic or similar incident.
- (e) To provide construction support.

(2) Does not include:

- (a) Preventative maintenance.
- (b) Location of utility lines.
- (c) Construction of any item.
- (d) Support in the event of loss of power.

(e) Any other response maintenance that CITY, at its sole discretion, determines is not feasible or reasonable to perform.

C. Technical support which:

(1) Includes:

- (a) Configuration of Signal equipment.
- (b) Testing of Signal equipment.

(c) Configuration and utilization of equipment and software for remote monitoring and configuration of Signal equipment.

(d) Assistance in the development of timing and configurations for Signal equipment.

(e) Consultation to assist COUNTY in the development of policies and procedures relating to Signal equipment.

(f) Informal, on-the-job guidance or sharing of information to facilitate the safe operation of Signal equipment.

(2) Does not include:

(a) Services or support of any information technology system not directly related to Signal equipment.

(b) Engineering services or support including, without limitation, warrants, designs or modifications.

(c) Any other technical support that CITY, at its sole discretion, determines is not feasible or reasonable to perform.

Section 4. Discretionary Acts of CITY: Notwithstanding any other provision of this Agreement or any provision included in COUNTY's Maintenance Plan, CITY may, at its sole discretion:

A. Determine whether the performance of any service is necessary, feasible or reasonable.

B. Provide to COUNTY at COUNTY's request such additional services or support not otherwise described in this Agreement for the maintenance and operation of the Signal or any other highway traffic signal that is installed in Storey County after the effective date of this Agreement, subject to the same terms and conditions set forth herein.

C. Refuse to provide or delay response maintenance whenever CITY determines that such maintenance cannot be provided or that response time will be delayed as the result of limited CITY resources at the time of COUNTY's request for response maintenance, including, without limitation, inadequate staffing levels, unavailability of equipment or the need to allocate CITY resources to CITY projects. COUNTY understands and agrees that CITY has a legal obligation to provide necessary services to Carson City first. CITY will endeavor to provide timely response maintenance to COUNTY in good faith and to the best of its ability.

Section 5. Responsibilities of COUNTY: COUNTY agrees to perform the following:

A. With the assistance of CITY, develop its Maintenance Plan for the efficient operation and maintenance of the Signal.

B. Develop, review and approve a policy for the timing, configuration and operation of the Signal and Signal equipment.

C. Observe and review any service performed by CITY to ensure that such service satisfies standards and requirements established by COUNTY.

D. Coordinate with CITY for the response maintenance of the Signal and, at any such time CITY is unable to provide response maintenance pursuant to Section 4 of this Agreement, arrange for alternate means to provide such maintenance.

E. Pay for all equipment or any other parts associated with the maintenance, support or repair of the Signal.

F. Manage all purchasing and bid requirements, if applicable, and coordinate vendor or contractor services relating to the Signal which are not otherwise intended to be provided by CITY in accordance with this Agreement.

G. Comply with all requirements established in any existing agreement between Storey County and the State of Nevada or any other organization relating to the Signal.

H. Comply with all applicable federal or state law or regulation relating to or arising from the maintenance, operation or repair of the Signal, including, without limitation, provisions for notification requirements pertaining to certain subsurface installations under NRS 455.130.

I. Provide any necessary traffic control for CITY personnel when service performed by CITY under this Agreement must take place in a roadway.

J. Provide radio dispatch services for CITY personnel when service is performed by CITY under this Agreement.

Section 6. Supervision of Services: COUNTY and CITY agree that COUNTY at all times retains responsibility for the day-to-day operation and maintenance of the Signal. All services provided by CITY must be performed in accordance with this Agreement and at the direction or permission of COUNTY.

Section 7. Service Rate: COUNTY and CITY agree that the hourly staff rates that will be charged to COUNTY for the performance of any service under this Agreement will be in accordance with the rates established by CITY at such time the service is performed. Nothing in this Agreement prohibits or otherwise limits the authority of CITY to increase its rates. COUNTY may request that CITY provide its rates at any time.

Section 8. Billing and Payment: CITY will bill for services performed in accordance with its established rates. Payments by COUNTY are due within 45 days of

the date of billing and are not conditioned on the resolution or receipt by COUNTY of any amounts payable to COUNTY under a pending insurance claim or dispute between COUNTY and a third party.

Section 9. Notices: All notices or other communications required or permitted to be given under this Agreement must be in writing and shall be deemed to have been duly given if delivered personally by hand, by telephonic facsimile with simultaneous regular mail, or mailed certified mail, return receipt requested, postage prepaid on the date posted, and addressed to the other Party at the address set forth below:

FOR CITY:

Lucia Maloney
Transportation Manager
3505 Butti Way
Carson City, Nevada 89701
Tel: (775) 887-2355
Fax: (775) 887-2112

FOR COUNTY:

Pat Whitten
County Manager
P.O. Box 176
Virginia City, Nevada 89440
Tel: (775) 847-0968
Fax: (775) 847-0949

Either Party may from time to time, by notice in writing served upon the other as described above, designate a different mailing address to which or a different person to whose attention all such notices or demands are thereafter to be addressed.

Section 10. Entire Agreement: This Agreement constitutes the entire agreement of the Parties and as such is intended as the complete and exclusive statement of the promises, representations, negotiations, discussions, and other agreements that may have been made in connection with the subject matter hereof. Unless an integrated attachment to this Agreement specifically displays a mutual intent to amend a particular part of this Agreement, general conflicts in language between any such attachment and this Agreement must be construed consistent with the terms of this Agreement. Unless otherwise expressly authorized by the terms of this Agreement, no modification or amendment to this Agreement is binding upon the Parties unless the same is in writing and signed by the respective parties hereto.

Section 11. Limited Liability; Indemnification: COUNTY shall indemnify and hold harmless CITY, to the extent provided by law, from and against any and all liability arising out of the performance of services under this Agreement proximately caused by any act or omission of COUNTY's officers, agents, and employees. COUNTY and

CITY do not waive and intend to assert any and all available NRS chapter 41 immunity in all cases. Contract liability of the Parties does not include punitive damages.

Section 12. Severability: If any provision contained in this Agreement is held to be unenforceable by a court of law or equity, this Agreement will be construed as if the provision did not exist and the non-enforceability of that provision will not be held to render any other provision or provisions of this Agreement unenforceable.

Section 13. Nevada Law: The laws of the State of Nevada apply in interpreting and construing this Agreement.

Section 14. Ownership of Property: All or any property presently owned by either Party will remain in such possession upon termination of this Agreement, and there will be no transfer of property or ownership interest between the Parties during the course of this Agreement.

Section 15. No Third-Party Beneficiary: It is specifically agreed between the Parties that it is not intended by any of the provisions of any part of the Agreement to create in the public or any member thereof a third-party beneficiary hereunder, or to authorize anyone not a Party to this Agreement any right to maintain a suit for personal injuries or property damage pursuant to the terms or provisions of this Agreement.

Section 16. Records: Each Party agrees to keep and maintain under general accepted accounting principles full, true and complete records and documents pertaining to this Agreement and present, at any reasonable time, such information for inspection, examination, review, audit and copying at any office where such records and documentation is maintained.

Section 17. Separate Entities: The Parties are associated with each other only for the purposes and to the extent set forth in this Agreement. Each Party is and continues to be a public agency separate and distinct from the other Party and, except as otherwise specifically provided herein, has the right to supervise, manage, operate, control and direct performance of the details incident to its duties under this Agreement.

Section 18. Assignment: Neither Party may assign, transfer or delegate any rights, obligations or duties under this Agreement without the prior written consent of the other Party.

Section 19. Authority to Sign: The Parties hereto represent and warrant that the person executing this Agreement on behalf of its respective Party has full power and authority to enter into this Agreement and that the Parties are authorized by law to perform the services set forth herein.

Section 20. Counterparts: This Agreement may be executed in counterparts, each of which shall be deemed to be an original but all of which, taken together, shall constitute one and the same Agreement.

Section 21. Breach: Failure of either Party to perform any obligation of this Agreement shall be deemed a breach. Except as otherwise provided for by law or this Agreement, the rights and remedies of the Parties are not exclusive and are in addition to any other rights and remedies provided by law or equity, including, without limitation, actual damages and reasonable attorneys' fees and costs.

Section 22. Force Majeure: Neither Party shall be deemed to be in violation of this Agreement if it is prevented from performing any of its obligations hereunder due to strikes, failure of public transportation, civil or military authority, acts of public enemy, accidents, fires, explosions, or acts of God, including, without limitation, earthquakes, floods, winds or storms. In such an event the intervening cause must not be through the fault of the Party asserting such an excuse, and the excused Party is obligated to promptly perform in accordance with the terms of the Agreement after the intervening cause ceases.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed as of the _____ day of _____, 2018.

CARSON CITY, NEVADA

STOREY COUNTY, NEVADA

Board of County Commissioners
of Storey County

By: _____
Transportation Manager

By: _____
Marshall McBride, Chairman

Attest:

City Clerk

County Clerk

Approved as to Legality and Form:

Approved as to Legality and Form:

District Attorney

District Attorney

Storey County and Carson City

Interlocal Agreement for Signal Maintenance



Service Offering

- Carson City Public Works currently provides Signal Maintenance services via Inter-local agreement to Douglas County and Lyon County
- Carson City is willing to enter into an agreement for services for the new traffic signal at USA Parkway and Electric Avenue

Program Overview

- Carson City will provide labor, equipment, and materials and invoice Storey County at the rates in effect at the time of service
- Time and Materials based agreement
- Preventative, Response, and Technical support services delivered under the direction and management of Storey County

Catalog of Services

- Preventative Maintenance
 - Periodic Inspection and equipment servicing per county plan
 - Annual Certification of Malfunction Monitor Unit
- Response Maintenance (unplanned)
 - Maintenance in response to malfunction, traffic accidents, performance issues

Catalog of Services (cont.)

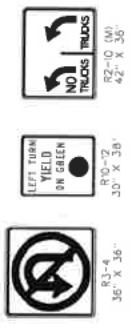
- Technical Support
 - Configuration and testing of equipment.
 - Assistance and consultation with timing and policy/procedure
 - Configuration and utilization of equipment and software for remote monitoring and configuration of Signal equipment

Storey County Responsibility

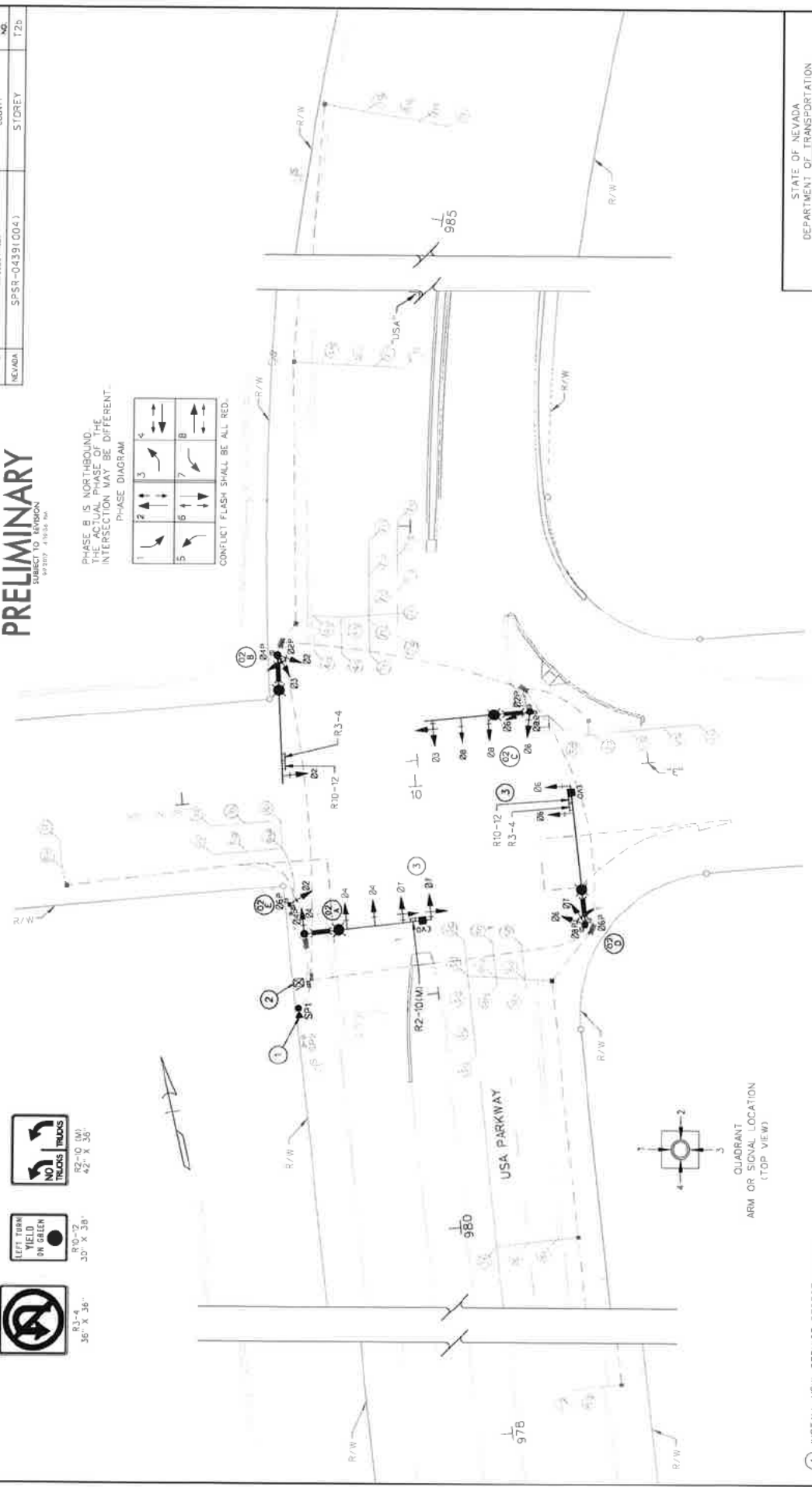
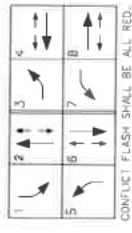
- Maintain overall responsibility for the operation and maintenance of the traffic signal
- Provide management of response maintenance and emergency incidents
- Budgeting, purchasing and contract administration, planning, policy and procedures
- Approve configuration, timing, and policy for operation of traffic control devices
- Provide traffic control when required
- Perform utility line locations

PRELIMINARY

STATE	NEVADA	PROJECT NO.	SP58-04391(004)	COUNTY	STOREY	SHEET NO.	125
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PHASE B IS NORTHBOUND.
THE ACTUAL PHASE OF THE
INTERSECTION MAY BE DIFFERENT.
PHASE DIAGRAM



STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

**SIGNAL DESIGN &
NON-INVASIVE
DETECTION**

- ① INSTALL NEW SERVICE PEDESTAL SP1
- ② INSTALL TRAFFIC SIGNAL CONTROLLER AND CABINET
- ③ INSTALL EMERGENCY VEHICLE DETECTION SYSTEM

SCALE: 1"=40'



Storey County Board of County Commissioners Agenda Action Report

Meeting date: February 6, 2018

Estimate of time required: 15 minutes

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☐

1. **Title:** Consideration and possible approval of guidelines for considering and approving special assessment district projects pursuant to NRS 271.700 through 271.730, including a special assessment district for the construction of an effluent pipeline to the Tahoe Reno Industrial Center.

2. **Recommended motion:** I _____ (Commissioner) move to approve adoption of the Storey County Developer Special Assessment Guidelines

3. **Prepared by:** Keith Loomis

Department: District Attorney's Office

Telephone: 847-0964

4. **Staff summary:** The Special Assessment Guidelines were prepared by Kendra Follett, our bond counsel, to provide a process for addressing the creation of a special assessment district. Adoption of the Guidelines does not obligate the County to form a special assessment district. Rather the Guidelines are intended to require that property owners requesting that the County create a special assessment district provide the County with sufficient information and deposit monies to be used by the County allow the County to have sufficient information and resources to consider whether the creation of a special assessment district is in the best interests of the County.

5. **Supporting materials:** Storey County Developer Special Assessment District Guidelines

6. **Fiscal impact:**

Funds Available:

Fund:

____ Comptroller

7. **Legal review required:**

☒ District Attorney

8. **Reviewed by:**

____ Department Head
 County Manager

Department Name:

Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No. 9

STOREY COUNTY DEVELOPER SPECIAL ASSESSMENT GUIDELINES

Pursuant to Nevada Revised Statutes (NRS), 271.700 through 271.730, Storey County (County) is authorized under NRS 271.325 to create a district and order a project as defined under NRS 271.265 to be acquired or improved and may contract with a person (developer) to construct or improve a project that benefits new development and issue bonds or otherwise finance the cost of the project and levy assessments. The purpose of these guidelines is to set forth the circumstances under which the County will consider this type of financing for infrastructure projects involving one or a small number of private property owners (referred to herein as "Property Owner") who intend on developing their property for commercial, industrial, residential or other beneficial use. The County Board of Commissioners (Board) reserves the right, on a case by case basis, to approve additional requirements or to waive specific requirements listed herein. Such additional or waived requirements shall be noted in the approval of any petition together with a finding that the deviation from this policy is in the best interest of the County.

I. ELIGIBLE IMPROVEMENTS

A. Local Improvements

Through the "Consolidated Local Improvement Law" (Chapter 271 of the Nevada Revised Statutes), counties, cities, and towns, and through the "General Improvement District Law" (Chapter 318 of the Nevada Revised Statutes), general improvement districts (GID) are allowed to form special assessment districts or special improvement districts (SID) for the purpose of acquiring, improving, equipping, operating, and maintaining specific projects within the municipality. Projects include improvements such as street pavement, curb and gutter, sidewalk, streetlights, driveways, sewer and water facilities, etc. Such local improvement districts are generally formed to provide a source of funding for the construction and/or maintenance of eligible improvements within the district.

B. Public Ownership Requirements

Only publicly owned infrastructure for which the County is ultimately responsible or for which the County has entered into a cooperative agreement with another political subdivision is eligible for financing. Privately-owned improvements, such as electric, gas, and cable television improvements, streets or roads that are not dedicated to the County, and private portions of other improvements, such as sewer service lines from the property lines to the home or other structure, are not eligible for financing. Construction and improvements must be constructed in accordance with the County's standards and will only be accepted upon proper dedication of right-of-way and approval of said infrastructure improvements. Further, NRS Chapter 338 et. seq. applies to the public improvements.

C. Benefit

The improvements proposed to be constructed must benefit the property assessed (pre-appraisal value) by an amount at least equal to the amount of the assessments.

II. LIMITATIONS RELATED TO IMPROVEMENTS

A. Size

Generally, the County will not consider stand-alone assessment districts which involve less than \$10,000,000 in bonds.

III. ENVIRONMENTAL MATTERS

A Phase 1 environmental assessment (hazardous waste assessment) shall be performed on the property to be assessed, property on which the improvements are to be located and on any property to be dedicated to the County. Such Phase 1 environmental assessment must be provided to the County as part of the application for the SID set forth as an example in Exhibit A to these Guidelines. Each Property Owner must also provide the County with an indemnification agreement in a form acceptable to the County (*see* example in Exhibit A), promising to indemnify the County for any and all liability and/or costs associated with any environmental hazards located on property assessed, property on which improvements financed with the assessment district are proposed to be located, or on any property dedicated to the County. In instances where there is other compelling evidence of environmental contamination, the Property Owner will be required to perform the environmental clean-up. Hazardous material mitigation will not be a reimbursable cost.

IV. DEVELOPMENT

A. Property Owner Experience and Financial Information

The Property Owner must demonstrate to the County that it has the expertise and financial resources to develop the property involved in the assessment district. In order to demonstrate its ability to develop, the Property Owner shall furnish the County with the following:

- Financial statements for the last three years (last two years audited) or third party compilation as defined by the American Institute of Certified Public Accountants;
- List of prior developments of similar or larger size which the Property Owner has completed;
- List of references consisting of the names of officials of other political subdivisions in which the Property Owner has completed similar or larger size developments; and

- Evidence that the Property Owner has the financing to proceed with the development. (This evidence could consist of a commitment letter from a bank or other financial institution or other evidence that the Property Owner has sufficient resources in its bank accounts and other investments to commence and complete development.)

B. Land Uses

The proposed development must be consistent with the Planned Unit Development relating to the proposed development approved by the County and as necessary, County Master Plan, County Zoning, and County Capital Improvement Program. The property owner must demonstrate that it reasonably expects to obtain all required discretionary development permits in sufficient time to proceed with the development to completion as proposed.

C. Preliminary Title Report

A preliminary title report will be required to determine ownership of the impacted parcels as well as any lien, easement, judgment, etc. against the property.

D. Sewer Capacity

Connection to a public sewage treatment plant is required. The Property Owner must provide a "will serve" or similar commitment from the entity providing sewer service to the development stating that sufficient capacity has been reserved and is in existence or will be constructed concurrently with the subject development.

E. Other Permits

The Property Owner must provide to the County a status report of all other permitting processes required for the development of the property, including but not limited to: historical preservation, wetlands, archeological, geological, etc. The County may deny any proposal based on an unsatisfactory report.

V. ASSESSMENT BONDS AND BOND SECURITY

A. Primary Security

The primary security for bonds will be the assessment lien on the land proposed to be assessed. The Property Owner must demonstrate to the County that there is not significant financial risk to the County in issuing the Bonds. Property Owner's guarantee of payment of the assessment will be required unless a letter of credit or bond insurance policy is provided guaranteeing payment of the bonds, or unless either the appraisal indicates that the value of the property and other security pledged to the bonds is at least three and one-half (3.5) times the amount of the bonds proposed to be issued. If guarantees are required, they will be released with respect to any parcel which has been improved in any manner if the

appraised value (as determined by an appraiser acceptable to the County) of the parcel is four or more times the amount of the unpaid assessment on such parcel or on which a substantial improvement, such as a commercial building, has been completed if the parcel has a size of two acres or less. The proposed security ratio shall not be reduced, but may be increased for additional security.

B. Appraisal: Value to Lien Ratio

The Property Owner must provide the County with funds with which to have an expert prepare an appraisal. The appraiser will be selected by and contracted with the County. The County will require that an appraisal of the property that will be assessed indicate that the appraised value of the property "as is" (prior to further subdivision and without considering the installation of the improvements) is at least one and one-half (1.5) times the amount of the bonds proposed to be issued, and that the value of each parcel to be assessed after improvements financed with the assessment bonds are installed is at least three and one-half (3.5) times the amount of the proposed assessment against that parcel. These proposed value-to-lien ratios shall not be reduced, but may be increased for additional security.

C. No Pledge of General Fund or Taxing Power

The County will not pledge its general fund or taxing power to bonds issued to finance project improvements.

D. Bond Underwriting Commitment

The Property Owner must demonstrate to the County, and the County's financial advisor, that bonds proposed to be issued for the financing are saleable. Prior to the time the County commences work on the assessment district, the Property Owner must provide the County with a letter from a reputable underwriter or bond buyer, acceptable to the County, which states that the underwriter believes the bonds are marketable at an interest rate acceptable to the Property Owner based on the prevailing market conditions, that it is willing to contract with the County to underwrite the bonds on a best efforts basis or that the bond buyer intends to acquire the bonds at an interest rate which the bond buyer and the Property Owner agree is acceptable and that it is willing to contract with the County to so acquire the bonds.

E. Bond Reserves

A debt service reserve fund will be created from the proceeds of a bond issue to provide a ready reserve to meet current debt service payments. Additional reserves may be required to fund administrative actions or re-apportionments. For each bond issue, the County shall require a reserve fund equal to the lesser of maximum annual debt service or 10% of the proceeds of the bonds, and the reserve must be funded at the time the bonds are issued.

F. Bond Terms

The term of the bonds shall not exceed twenty (20) years.

G. Additional Security

The Property Owner must demonstrate to the satisfaction of the County, that there is not significant financial risk to the County in issuing the bonds. The determination of no significant financial risk will be determined by the Board based upon a recommendation of the [County Manager]. If the County determines that it is not adequately protected by the security described in subsections V.A, V.B, and V.E above, the County can require additional security as it deems necessary.

H. Consultants

The County will permit the Property Owner to choose the consulting engineers and underwriter provided that the entities chosen are acceptable to the County. The payment of all fees and expenses of these consultants shall be the responsibility of the Property Owner; however, these consultants will be responsible to, and will act as consultants to, the County in connection with the district. The County will select the bond counsel and bond advisor to be used in the issuance of the bonds.

I. Expenses

The Property Owner will be required to pay out of its own pocket all of the costs of the project prior to the time bonds that are issued, including the costs of consulting engineers, assessment engineers, underwriters, the County's financial consultant, the County's bond counsel, preparing the appraisal, the absorption study, the environmental review and other matters listed above. These items will be eligible for reimbursement from bond proceeds if the bonds are ultimately issued; however, the Property Owner must agree to pay these costs even if bonds are not issued.

J. Project Acquisition

The County will acquire completed projects after final inspection by the County, an audit by the County Public Works Department and County staff, and acceptance by the County Board. Unless approved by the County Manager, the County will only acquire discrete complete projects whose cost together with the cost of other complete discrete projects being acquired at the same time is \$250,000 (two hundred fifty thousand dollars) or more.

All bond disbursements are on a reimbursement basis from completed phases of projects after inspection by the County.

K. Cost Overruns

The Property Owner must agree to fund all project costs which exceed the amount available from the proceeds of the bonds issued for the project. The County will not commit to issue additional bonds or otherwise provide funding for any such cost overruns.

L. Continuing Disclosure Reports

The Property Owner will prepare and distribute, at their own expense, reports associated with SEC Rule 15(c)2-12.

VI. PROCEDURE

A. Pre-Application Meeting

Initially, the Property Owner shall schedule a meeting with such representatives of the County as are designated by the County Manager to review the proposed development to discuss whether the development is one which may be eligible for financing under these guidelines.

B. Application

If the Property Owner decides to proceed after the initial meeting, the Property Owner and all owners of record of property in the proposed district must sign a petition for the district and file the petition and an application which contains sufficient information and exhibits to demonstrate that the proposed district will comply with all parts of these guidelines. The petition and application must be filed with the County Manager's office.

C. Board Approval

If, after an initial review, the County staff believes the application satisfies all sections of these guidelines, an item will be placed on the Board agenda authorizing negotiations with respect to the proposed project. If this item is approved by the Council, it is anticipated that staff will be authorized to begin negotiating the particulars of the financing with the Property Owner and other appropriate parties.

D. Security for Costs

Prior to entering negotiations, the Property Owner must post cash, a letter of credit, surety bond or other acceptable form of security that the County Manager deems sufficient for payment of the costs described above.

Exhibit A

INDEMNIFICATION CERTIFICATION – SAMPLE

The Property Owner (herein “Applicant”), _____, agrees to indemnify and hold harmless Storey County, its officers and employees against any and all losses, claims, damages or liability to which the County, its officers and employees may become subject under any law in connection with the issuance and sale of the Bonds and the carrying out of the transactions contemplated by the Agreement, and to reimburse the County, its officers and employees, for any out-of-pocket legal and other expenses (including reasonable counsel fees) incurred by the County, its officers and employees, in connection with investigating any such losses, claims, damages, or liabilities or in connection with defending any actions relating thereto. The Applicant further agrees to indemnify the County and its officers and employees for any and all liability and/or costs associated with any environmental hazards located on property assessed, property on which improvements financed with the assessment district are proposed to be located or on any property dedicated to the County.

The County agrees, at the request and expense of the Applicant to cooperate in the investigation in defense of any claims, threatened litigation and litigation, and upon request of the Applicant to assert any and all rights, privileges and defenses identified by the Applicant which may be available to the County’s determination that such assertion is reasonable and warranted under the facts and circumstances.

SPECIAL ASSESSMENT DISTRICT APPLICATION
Application Information

Application Information – The following information needs to be supplied as part of the Application.

- A. Contact information
 - a. Applicant Name (if other than sole proprietor, please include individual contact name and information)
 - b. Applicant Physical Address/Mailing Address
 - c. Applicant Phone Number
 - d. Applicant E-mail Address
 - e. Date of Application
- B. Previous Special Assessment District experience, previous project description
 - a. Allocating Agency (Issuer of the previous SAD bonds, if not Storey County) SAD Amount
 - b. Land Value
 - c. Date of SAD origination
 - d. Date of SAD Bond Sale/Placement
 - e. Development Team Information (Names/Phone Numbers/E-mail Addresses) Developer
- C. Contractor management Company Consultant
 - a. Attorney CPA
 - b. Appraiser
- D. Financial statements for the last three years (last two years audited) or third party compilation as defined by the American Institute of Certified Public Accountants
- E. Project Identification Site Information
 - a. Address (street, zip code) Parcel Number Approximate size in acres
 - b. Type of project (sewer, streets, sidewalks, etc.)
 - c. Zoning
 - d. If not properly zoned, is site currently in the process of rezoning? When will the zoning issue be resolved?
 - e. Date of transfer to the County (estimate). Appraisal, if available.
 - f. Phase 1 Environmental Assessment
 - g. Absorption Study, which shall, at a minimum, indicate the economic feasibility of the project based upon supply and demand trends and estimated conditions in the market area for the proposed product mix.
- F. Discussion of the ability to make assessment payments if property develops slower than anticipated.
- G. Ownership Information
 - a. Parcel No. with Owner Name and Contact Address/Phone Name(s) of vested owner on Preliminary Title Report.
- H. Source of Funds
 - a. Construction Financing (by source-must include all sources)
 - b. Provider's Name
 - c. Provider's Address (physical and mailing) Contact Person (Name, telephone, fax, and e-mail)

- d. Financing Source (Bond financing, Conventional, Non-Recourse, Owner Equity, Private, Other) Finance Type (Balloon Loan, Credit Enhancement, Deferred Loan, Forgivable Loan, Amortizing Loan, Other)
 - e. Commitment Date Principal Amount Interest Rate
 - f. Percentage of Construction Funding Underwriter Information
 - g. Expected Interest Rate Underwriter's Name
 - h. Underwriter's Address (physical and mailing) Underwriter Contact (Name, telephone, fax and e-mail) Finance Source (Bond financing, Other)
 - i. Commitment Date Principal Amount Term in Years
 - j. Type of Amortization Payment Frequency
 - k. Amortization beginning in year _____
- I. Potential Costs and Uses
- a. Costs Land Buildings Construction
 - b. Professional Fees Interim Costs
 - c. Permanent Financing Costs County Staff Costs
 - d. Soft costs (feasibility, market, environmental, compliance, appraisal, survey, other)
 - e. Number of subdivided parcels
 - f. Anticipated sales dates Anticipated sales costs
 - g. Administration costs (accounting, advertising, legal, management fees, taxes other)
- J. Proposed Project Time Schedule (Build-Out Time frame required)

The County reserves the right to request additional information. The Applicant is required to provide their best efforts to deliver the requested information.

PLEASE READ THE FOLLOWING IMPORTANT PARAGRAPHS AND ACKNOWLEDGE YOUR UNDERSTANDING BY INITIALING ALL APPLICABLE PARAGRAPHS

This application is for bond financing, the undersigned is responsible for ensuring that the project complies or will comply with the requirements of all County, State and Federal Law. The undersigned agrees to indemnify and save and hold Storey County, its agents, officers and employees harmless against all losses, costs, damages, expenses and liabilities, whatsoever the nature and kind (including, but not limited to attorney's fees, litigation and court costs, amounts paid in settlement, and amounts paid to satisfy a judgment) directly or indirectly resulting from, arising out of, or related to acceptance, consideration and approval or disapproval of this application for bond financing.

Initial here _____

In all cases, the undersigned acknowledges and agrees that the project will be regulated in accordance with the terms of these guidelines and the agreement between the property Owner (Applicant) and Storey County.

Initial here _____

The undersigned further acknowledges that the application becomes a matter of public record upon submission to Storey County, its agents, officers and/or employees.

Initial here _____

THE UNDERSIGNED, BEING DULY SWORN AND UNDER PENALTY OF PERJURY, HEREBY REPRESENTS AND CERTIFIES THAT HE/SHE IS DULY AUTHORIZED TO EXECUTE THIS APPLICATION ON BEHALF OF THE PROJECT SPONSOR AND THAT THE FOREGOING INFORMATION, TO THE BEST OF HIS/HER KNOWLEDGE, IS TRUE, COMPLETE AND ACCURATELY DESCRIBES THE PROPOSED PROJECT.

IN WITNESS HEREOF, the project sponsor has caused this document to be duly executed in its name on this day of _____, _____

Project Name

Project Sponsor

Authorized Agents Name

Title

Signature

STATE OF NEVADA)

COUNTY OF STOREY)

On this _____ day of _____, _____ before me personally came
To me known who, being by me duly affirmed that (s) he executed the above.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal.

Notary Public



Storey County Board of County Commissioners Agenda Action Report

Meeting date: February 6, 2018
minutes

Estimate of time required: 15

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☐

1. **Title:** Discussion and possible action. Acceptance of Public Works Director resignation.
2. **Recommended motion:** I move to accept the Public Works Director's resignation in lieu of termination as described in Paragraph 4 below.
3. **Prepared by:** County Manager and Legal Counsel
4. **Staff summary:** On approximately July 14, 2017, the Public Works Director was put on paid administrative leave pending an investigation related to an employee complaint. Subsequently, the Public Works Director has agreed to tender his resignation in lieu of termination, in exchange for his signing a full release of any and all legal or administrative claims which could be brought against Storey County, and payment to the Public Works Director the sum of \$5,000. This matter is brought before the County Commission for approval of the agreement.

5. Supporting materials:

None.

6. Fiscal impact:

\$5,000

7. Legal review required:

District Attorney and outside Legal Counsel

8. Reviewed by:

 County Manager

 District Attorney

9. Board action:

☐ Approved
☐ Denied


☐ Approved with Modifications
☐ Continued

Storey County Board of County Commissioners Agenda Action Report

Meeting date: Feb. 6, 2018

Estimate of time required: 5-15 min.

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☐

1. **Title:** Review of the 2nd Quarter 2018 Unaudited Budget to Actual Review
2. **Recommended motion** N/A
3. **Prepared by:** Hugh Gallagher
- Department:** Comptroller **Telephone:** 847-1006
4. **Staff summary:** Review of Departmental Budgets for the 2nd Quarter of 2018 Budget Year
5. **Supporting materials:** Second Quarter Budget Summary
6. **Fiscal impact:**
- Funds Available: Fund: ☒ Comptroller
7. **Legal review required:** District Attorney
8. **Reviewed by:**
- ☒ Department Head **Comptroller's**
Department Name: ~~Commissioner's~~ Office
-  County Manager Other agency review:

- 9. Board action:**
- | | | | |
|--------------------------|----------|--------------------------|-----------------------------|
| <input type="checkbox"/> | Approved | <input type="checkbox"/> | Approved with Modifications |
| <input type="checkbox"/> | Denied | <input type="checkbox"/> | Continued |

Agenda Item No. 11

2018

[illegible]

2018

[illegible]

2018

[illegible]



Storey County Board of County Commissioners Agenda Action Report

Meeting date: **Feb. 6, 2018**

Estimate of time required: **10-20 min.**

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☐

1. **Title:** Consideration and approval of a business impact statement, prepared pursuant to NRS 237.090, to address the proposed impact of amendment of Storey Co. code 3.60 defining transient lodging tax with a new rule ordinance.

2. **Recommended motion;** Approve

3. **Prepared by:** Deny Dotson

Department: VCTC

Telephone:

4. **Staff summary:** The draft of proposed Rule Ordinance 17 - NEW was mailed to all lodging properties in Storey Co. including the Virginia City RV Park. Of those interested parties the Silverland Hotel responded with suggested edits. They did not oppose. The Tahoe House Hotel replied with a letter opposing any new regulation.

5. **Supporting materials:** attached

6. **Fiscal impact:** No negative impact. Potential for increase in transient lodging tax with new properties in TRI

Funds Available:

Fund:

____ Comptroller

7. **Legal review required:** YES

____ District Attorney

8. **Reviewed by:**

 X Department Head

Department Name: **VCTC** ~~Commissioner's~~ Office

 Den County Manager

Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No. **12**

ORDINANCE NO. 18-____

Summary

An ordinance amending the Storey County Transient Lodging Tax to further define transient lodging, to clarify the disposition of revenues received from the Transient Lodging Tax and other matters properly relating thereto.

Title

An ordinance amending chapter 3.60 of the Storey County Code to further define transient lodging, to provide for the disposition of revenues received from taxes on transient lodging and providing for other matters properly relating thereto.

The Board of County Commissioners of the County of Storey, State of Nevada, does ordain:

SECTION 1

Storey County Code Section 3.60.010 is amended to read as follows:

The *mandatory transient lodging tax and the license tax* imposed under this chapter are known and may be cited as the Storey County "Transient Lodging Taxes."

SECTION 2

Storey County Code Section 3.60.015 is hereby amended to provide as follows:

A. "Transient lodging" is defined as *a room, rooms or suite or space spaces* for rental to temporary or transient guests in any one or more of the following:

- (a) Hotels.
- (b) Motels.
- (c) Apartments.

- (d) Apartment hotels.
- (e) Campgrounds.
- (f) Parks for recreation vehicles or recreational vehicle overflow parking and camping.
- (g) Any other establishment, including brothels, that rents rooms or spaces to temporary or transient guests.

Transient lodging consists of the occupancy of a specific room, suite or space for a period less than 30 days. It does not include any occupation of premises which is subject to the Nevada Residential Landlord and Tenant Act (NRS Chapter 118A) as such use is considered a residential rather than transient lodging and is not allowed in property zoned for commercial use.

B. "Rent" means the gross income from the rental of transient lodging in the county. *It does not include any tax on fuel or on retail sales which is collected by the transient lodging enterprise.*

C. Exemptions: ~~There is exempted from the transient lodging tax each rental by any licensee of a room or rooms for a period of twenty-eight consecutive days or more. A rental may not be deemed to have been made for a period of twenty-eight or more days unless the room or rooms rented to the lessee are paid for in advance for at least that period or having been previously rented by the lessee continuously for that period.~~ *"Mandatory transient lodging tax" means the tax imposed pursuant to NRS 244.3354 upon the rent received from transient lodging.*

D. *"License tax" means a license tax imposed pursuant to NRS 244.335 upon the rent received from transient lodging.*

SECTION 2.

Section 3.60.020 is hereby amended to provide as follows:

- A. Pursuant to the authority of NRS ~~244.335~~ through 244.3354, a tax is imposed upon the amount of rent paid for transient lodging in the county (*the mandatory transient lodging tax*). This tax is imposed at the rate of *one* percent, effective December 1, 2002. ~~The person providing the transient lodging is liable to the county for the tax whether or not it is actually collected from the paying guest.~~
- B. *Pursuant to the authority of NRS 244.335 an additional tax is imposed upon the amount of rent paid for transient lodging at the rate of nine percent (9%)(the license tax)*

SECTION 3.

Section 3.60.030 is hereby amended to provide as follows:

- A. Pursuant to NRS [244.3354](#), three-eighths of all *the* proceeds of *the mandatory transient lodging tax* of ~~the tax~~ must be paid to the Department of Taxation for deposit with the state treasurer for credit to the fund for the promotion of tourism. Five-eighths of all *the* proceeds of the *mandatory transient lodging tax* must be deposited with the county in the county fund for the promotion for tourism for use by the fair and recreation board also known as the Virginia City Tourism Commission (VCTC), pursuant to statute, to be used to advertise the resources of the county related to tourism including available accommodations, transportation, entertainment, natural resources and climate, and to promote related special events.
- B. *The proceeds of the license tax are hereby assigned to the VCTC and must be deposited with the county in the county fund for the promotion for tourism. Such funds must be used for purposes allowed by NRS 244A.597 through 244A.655.*

SECTION 4

Storey County code Section 3.60.060 is amended to provide as follows:

- A. Each licensee shall add the amount of the transient lodging tax *taxes* to the amount of the room rentals due and must collect the tax *taxes* and rentals from each lessee.
- B. The amount of the tax *taxes* must be displayed separately from the price of the accommodation or room on guest registration card or other proof of guest registration.

SECTION 5

Storey County Code Section 3.60.070 is hereby amended to provide as follows:

Each licensee shall prominently display in each room or suite of rooms leased as a unit, or at the licensee's option, in a lobby at or in the immediate vicinity of the registration desk for the business, a sign reading substantially as follows:

Notice:

For each rental of less than *thirty* days, this business is required by law to collect a ten percent transient lodging tax.

The management.

SECTION 6

Storey County Code section 3.60.090 is hereby amended to read as follows:

- A. The ~~fair and recreation board~~ VCTC or its duly-authorized agent may, at all reasonable times with thirty days advance written notice, examine and audit the books, papers and records of any person operating a transient lodging business within Storey County and make investigations in connection with the collection of the transient lodging ~~tax~~ taxes.
- B. If any person operating a rental business refuses to allow the board or its duly-authorized agent to examine and audit the books, papers, and records of the rental business, the fair and recreation board may estimate the amount of transient lodging ~~tax~~ taxes due for any month based upon the following information:
1. In cases where the rental business is a new business, the amount and volume of business of like kind, character, and location, or
 2. In cases where the rental business is a continuing business, the amount and volume of business done in the corresponding month of the preceding year, plus any reasonably estimated increase in the amount and volume of business in the present year

SECTION 7

Storey County Code section 3.60.110 is hereby amended to provide as follows:

The power and authority to enforce the transient lodging tax liens created by this chapter are delegated to the ~~fair and recreation board~~ VCTC. The ~~board~~ VCTC must keep proper records of the transient lodging ~~tax~~ taxes imposed, taxes that are due, taxes collected, including records of delinquent taxes, and any interest and penalties imposed. These records are deemed confidential and are not be revealed in whole or in part to anyone except in the necessary administration of this chapter or as otherwise provided by law.

SECTION 8

There is hereby added to Storey County Code Chapter 3.60 sections 1 and 2 which provide:

Section 1.

The proprietor of a transient lodging enterprise must maintain adequate accounting records and supporting documentation for determining the amounts collected by the proprietor for transient lodging taxes.

Section 2.

- A. Any audit of the amounts due from the transient lodging entity must not include any period for the licensing of the business ending more than 3 years before the date of the audit, unless the enterprise has been operating without such a license or the auditor has reason to believe that the entity has made a fraudulent or material misstatement of its revenue.*
- B. The proprietor of a transient lodging entity may obtain a review of the results of an audit performed pursuant to subsection A as follows:*
 - a. Upon request, the auditor must disclose the results of the audit to the proprietor.*
 - b. The auditor must discuss with the proprietor any relevant issues that have not been previously resolved and attempt to resolve those issues with the proprietor.*
 - c. If the issues are not resolved between the auditor and the proprietor within 60 days:*
 - i. The proprietor may prepare documentation of the unresolved issues and submit the documentation along with a copy of the final audit report to the executive director of the VCTC.*
 - ii. The executive director must acknowledge receipt of the documentation within seven days after receiving the documentation.*
 - iii. The executive director must respond to the proprietor within 60 days after receipt of the documentation regarding the unresolved issues.*
 - d. If the proprietor is dissatisfied with the determination made by the executive officer he/she may appeal the decision of the executive officer to the Virginia City Tourism Commission. The VCTC must hear and decide the matter at its next available meeting.*
 - e. If the proprietor is dissatisfied with the decision of the VCTC he/she may appeal the matter to the Justice's Court of Virginia Township Justice's Court. If the amount in controversy exceeds the jurisdictional limit of the Justice's court, the appeal may be taken to the First Judicial District Court.*

SECTION 9

Storey County Code Section 3.60.100 is hereby repealed.

Proposed on _____, 2018.

Proposed by Commissioner _____.

Passed on: _____, 2018.

Vote:

Ayes: Commissioners _____

Nays: Commissioners _____

Absent: Commissioners _____

Marshall McBride, Chairman

Attest:

Vanessa Stephens, County Clerk

This ordinance shall be in force and effect from and after the _____ day of the month of _____ of the year 2018.



Virginia City Tourism Commission

December 27th, 2017

Re: Revised Transient Lodging Ordinance

Dear Lodging Partner(s):

Storey County is looking to amend its transient lodging ordinance 3.60 of the Storey County code to provide for the disposition of revenues received from taxes on transient lodging. We are also looking to provide clear definitions relating to "extended stay" type properties. The current transient lodging rate of 10% is not up for review at this time.

Per NRS, the governing body is required to prepare a business impact statement. In order to prepare this study, we need to make sure you are properly notified and if need be...have an opportunity to voice your objections. Attached, you will find a summary with the purposed language and a petition form objecting to the adoption of rule.

If you object, we are asking that you to have a completed form back to us by January 26 2018.

Please feel free to email or call me with questions...

Best Regards,

Deny Dotson, Director
DDotson@StoreyCounty.org
775-847-7500 ext 15

Exhibit D

BUSINESS IMPACT STATEMENT (TEMPLATE)

The following business impact statement was prepared pursuant to NRS 237.090 to address the proposed impact of Amendment of Storey Co. code 3.60 defining transient lodging tax (insert ordinance number, or description of proposed rule).

1. The following constitutes a description of the number of the manner in which comment was solicited from affected businesses, a summary of their response and an explanation of the manner in which other interested persons may obtain a copy of the summary. *(List all trade association or owners and officers of businesses likely to be affected by the proposed rule that have been consulted).*

The draft of proposed Rule Ordinance 17 - NEW was mailed to all lodging properties in Storey Co. including the Virginia City RV Park. Of those interested parties the Silverland Hotel responded with suggested edits. They did not oppose. The Tahoe House Hotel replied with a letter opposing any new regulation (letter attached)

2. The estimated economic effect of the proposed rule on businesses, including, without limitation, both adverse and beneficial effects, and both direct and indirect effects:

Adverse effects:

Currently the transient lodging tax (10%) does not apply for lodging guests staying more than 28 days... within TRI zoning. The purposed language would require all guests staying longer than 28 days to reregister.

Beneficial effects:

It is estimated that multiple extended stay properties located in TRI, could generate approx. \$300,000 in additional revenue for the Virginia City Tourism Commission for marketing efforts each year.

Direct effects:

The passage of this measure will ensure that all "extended stay" type lodging properties will be held to the same transient lodging tax requirements that the rest of our lodging properties are currently held to.

Indirect effects:

The passing of this measure is sure to have some indirect effects, most of which will be passed on to the consumer, however at this time those effects cannot be quantified.

3. The following constitutes a description of the methods the local government considered to reduce the impact of the proposed rule on businesses ad a statement regarding whether any, and if so which, of these methods were used: *(Include whether the following was considered: simplifying the proposed rule; establishing different standards of compliance for a business; and if applicable, modifying a fee or fine set forth in the rule so that business could pay a lower fee or fine).*

A sub-committee of department heads, the DA's office and the County Manager discussed the pros and cons of this change. The new language reflects the simplification of the ordinance intended to establish standards of compliance for all lodging properties.

4. The governing body estimates the annual cost to the local government for enforcement of the proposed rule is The proposed change in the transient lodging tax presents no significant cost or decrease
5. (If applicable, provide the following:) The proposed rule provides for a new fee or increases and existing fee and the total annual amount expected to be collected is: \$ \$300,000.

6. The money generated by the new fee or increase in existing fee will be used by the local government to:

All transient lodging funds collected by the VCTC are for marketing expenses structured to promote tourism and business travel to all areas of Storey County

7. (If applicable, provide the following:) The proposed rule includes provisions that duplicate or are more stringent than federal, state or local standards regulating the same activity. The following explains when such duplicative or more stringent provisions are necessary:

The proposed change is not duplicative, or more stringent than existing federal, state or local standards

Exhibit F

OBJECTION PROCESS

1. If a business believes it is aggrieved by a rule (as defined in NRS 237.060) adopted by the governing body, the business may object by filing a petition in writing with the clerk/secretary of the local government at Storey County Courthouse, Clerk's Office, 26 S. B Street, Drawer D, Virginia City, NV 89440.
2. The governing body will accept such petitions for a period of thirty (30) days following approval of the subject Rule for one of the following reasons:
 - (a) The governing body failed to prepare a business impact statement as required pursuant to Chapter 237 of NRS; or
 - (b) The business impact statement prepared by the governing body did not consider or significantly underestimated the economic effect of the ordinance or rule on the business.
3. Upon receipt of the petition, the clerk/secretary will forward a copy to the local government's attorney, the department/agency that generated the Rule, and the local government's manager/chief executive.
4. Staff will consider the merits of the petition and forward a recommendation to the governing body.
5. The governing body will determine if the petition has merit and direct staff accordingly.
6. A sample petition is shown at Exhibit G.

Exhibit G

PETITION OBJECTING TO ADOPTION OF RULE

NRS 237.100 provides that a business that is aggrieved by an ordinance, regulation, resolution or other type of instrument through which a governing body exercises legislative powers, except pursuant to Chapter 271, 278, 278A and 278B of NRS (herein a "Rule") adopted by the governing body may object to all or a part of the Rule by filing a petition. This petition form is provided to assist those who wish to object. The petition must be filed with the clerk/secretary of the local government at Storey County Courthouse, Clerk's Office, 26 S. B Street, Drawer D, Virginia City, Nevada, within thirty (30) days after the date on which the Rule was adopted.

Petitioner's name: *(Include name of the business or proposed business and whether it is a corporation, partnership, sole proprietorship, fictitious name):*

Petitioner's type of business:

Petitioner's business location:

Street

Virginia City _____
City _____ County _____ State _____

Petitioner's mailing address: (If different from above):

Petitioner's telephone number: (____) ____ - ____

Petitioner is objecting to the following:

(Identify the Rule to which petitioner is objecting and state whether it is an ordinance, resolution, regulation or other instrument. Please give number if known.)

The basis of the petitioner's objection is as follows:

☐
☐

The governing body failed to prepare a business impact statement; or
The business impact statement did not consider or significantly underestimated the economic effect of the adopted Rule.

The nature of the impact of the above rule on the petitioner's business is as follows: (Attach additional sheets if necessary):

By signing below, the signor of this petition certifies he is a duly authorize representative of the business identified above and has been authorized by that business to file this petition on behalf of the business.

Business Name

By: _____

Title of Signor: _____

Exhibit G

PETITION OBJECTING TO ADOPTION OF RULE

NRS 237.100 provides that a business that is aggrieved by an ordinance, regulation, resolution or other type of instrument through which a governing body exercises legislative powers, except pursuant to Chapter 271, 278, 278A and 278B of NRS (herein a "Rule") adopted by the governing body may object to all or a part of the Rule by filing a petition. This petition form is provided to assist those who wish to object. The petition must be filed with the clerk/secretary of the local government at Storey County Courthouse, Clerk's Office, 26 S. 9 Street, Drawer D, Virginia City, Nevada, within thirty (30) days after the date on which the Rule was adopted.

Petitioner's name: (Include name of the business or proposed business and whether it is a corporation, partnership, sole proprietorship, fictitious name):

DAAN ECKENBERGER TAHOE HOUSE HOTEL

Petitioner's type of business:

HOTEL

Petitioner's business location:

162 S C STREET

City Virginia City Street STOREY County NV State

Petitioner's mailing address: (If different from above):

P.O. Box 652 89440

Petitioner's telephone number: () -

Petitioner is objecting to the following:

NEW POWER / REVISED LODGING ORDINANCE

(Identify the Rule to which petitioner is objecting and state whether it is an ordinance, resolution, regulation or other instrument. Please give number if known.)

The basis of the petitioner's objection is as follows:



The governing body failed to prepare a business impact statement; or
The business impact statement did not consider or significantly underestimated the economic effect of the adopted Rule.

The nature of the impact of the above rule on the petitioner's business is as follows: (Attach additional sheets if necessary):

LETTER ATTACHED

By signing below, the signor of this petition certifies he is a duly authorize representative of the business identified above and has been authorized by that business to file this petition on behalf of the business.

TAHOE HOUSE HOTEL
Business Name

By: D. Eg

Title of Signor: OWNER

January 20, 2018

RE: Response to new Transient Lodging Tax.

Dear Deny Dotson,

This new proposal seems like a totally unnecessary, burdensome slew of regulations that seem to be put together for no reasonable purpose, other than to give Storey County more unnecessary bureaucratic power. We already have numerous regulatory burdens, and only people not involved in the process of day to day survival of small businesses and homeowners trying to make some extra money would work to complicate an already difficult environment. Our situation, is that the Tahoe House Hotel is likely to close next year, a result of too many expenses and not enough income. There might be a message in that to you.

Regards

Daan Eggenberger / Tahoe House Hotel



Storey County Board of County Commissioners Agenda Action Report

Meeting date: February 6, 2018
minutes

Estimate of time required: 15

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☐

1. **Title:** Interlocal agreement providing the terms and conditions for the use of Piper's Opera House by the Storey County School District and the display of historic personal property within Pipers belonging to the School District.

2. **Recommended motion:** I move to approve the interlocal agreement with the Storey County School District and authorize the chairman to sign.

3. **Prepared by:** Keith Loomis

Department: District Attorney's Office

Telephone: 847-0964

4. **Staff summary:** Paragraph 7 of the contract for the purchase of Pipers Opera House from the School District by the County provided that following the close of escrow the County and the School District would enter into an interlocal agreement providing for the use of Pipers Opera House by the School District. Attached is that Agreement

5. **Supporting materials:** Interlocal Agreement

6. **Fiscal impact:**

Funds Available:

Fund:

___ Comptroller

7. **Legal review required:**

___ District Attorney

8. **Reviewed by:**

 Department Head
County Manager

Department Name:

Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No. 13

INTERLOCAL AGREEMENT REGARDING USE OF PIPER'S OPERA HOUSE

This Agreement is entered into by and between the County of Storey (County), a political subdivision of the State of Nevada and the Storey County School District (District), a political subdivision of the State of Nevada and is effective as of the date of its execution by the last party signing this Agreement.

BACKGROUND

On or about November 15, 2017, District entered into an agreement for the sale of Pipers Opera House (Pipers) to County. Section 7 of that agreement provided:

Interlocal Agreement. Following the close of escrow in this matter County and School District will enter into an interlocal agreement, whereby County will allow School District to utilize Piper's Opera House for school functions such as, without limitation, plays, musical events, assemblies and other functions for up to thirty days per year without charge. Further there are certain historical items of personal property on display at the Opera House which School District will agree may remain on display at Opera House. The terms of the interlocal agreement will be set out in a separate agreement.

Escrow for the sale of Pipers closed on or about December 21, 2017.

Interlocal agreements are authorized by NRS 277.180 and allow public agencies such as District and County to jointly use the facilities of the other. Accordingly, by this Agreement the parties intend to provide for the joint use of Pipers and the historic personal property located within Pipers on the terms set forth below.

AGREEMENT

1. County hereby agrees:
 - a. District may utilize Pipers for school functions such as plays, musical events, assemblies, award presentations, lectures and other similar activities for up to thirty (30) days per year.
 - b. County will not charge any fee, charge or rental amount for such use of Pipers.
 - c. County may authorize further use of Pipers by District with or without additional charge upon such terms as may be acceptable to both parties. Such additional usage and terms may be established by agreement of the Superintendent of District and the County Manager.

2. District hereby agrees:

- a. District will give notice 30 days in advance of an event for which it requests the use of Pipers. Such request will be made to the County Manager and will be granted if County does not have an event planned for the same day and has not authorized any other person to utilize Pipers on the same date.
- b. District will be responsible for the set-up, take down and clean-up of Pipers for any event for which District intends to utilize Pipers.
- c. District will allow County to display historical items of personal property belonging to District in Pipers.

3. Both Parties agree:

- a. Term. This Agreement will last for three (3) years, but will automatically renew for additional periods of one year unless a notice is sent by either party to the other at least thirty (30) days in advance of a renewal date. Termination may be for any reason or no reason at all.
- b. Insurance. Each party will be responsible for insuring its own property, i.e., County will insure building, fixtures and its personal property, District will insure its personal property.
- c. Indemnification. To the fullest extent permitted by law, each party shall indemnify, hold harmless and defend, not excluding the each parties' right to participate, each other from and against all liability, claims, actions, damages, losses, and expenses, including, without limitation, reasonable attorneys' fees and costs, arising out of any alleged negligent or willful acts or omissions of the party committing the negligent act, whether committed by that party's officers, employees and/or agents. The obligation to indemnify shall apply in all cases except for claims arising solely from either parties' own negligence or willful misconduct. Each party waives any right of subrogation against the other. Either party's duty to defend begins when a party entitled to indemnification requests defense of any claim arising from the activities arising out of this Agreement.
- d. Relationship of Parties. The parties are associated with each other only for the purposes and to the extent set forth in this Agreement, and in respect to performance of services pursuant to this Agreement, each party is and shall be a public agency separate and distinct from the other party and, subject only to the terms of this Agreement, shall have the sole right to supervise, manage, operate, control, and direct performance of the details incident to its duties under this Agreement. Nothing contained in this Agreement shall be deemed or construed to create a partnership or joint venture, to create relationships of an employer-employee or principal-agent, or to otherwise create any liability for one agency whatsoever with respect to the indebtedness, liabilities, and obligations of the other agency or any other party.
- e. Third Party Beneficiaries. Unless otherwise specifically provided herein, nothing in this Agreement shall be construed to create any third party beneficiaries.
- f. Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed to be an original, but all of which, taken together, shall constitute one and the same agreement

- g. Waiver of Conflict. The Storey County District Attorney has drafted this agreement for the benefit of both parties, but is an elected official of the County. School District is advised that it is free to have this agreement reviewed by legal counsel of its choice. If School District does not have independent review then it waives any conflict the Storey County District Attorney's Office may have in preparing this agreement for both parties.

Dated this ____ day of _____, 2018.

STOREY COUNTY

By Marshall McBride
Chairman Board of County Commissioners of Storey County

Attest:

Storey County Clerk

Dated this ____ day of _____, 2017.

STOREY COUNTY SCHOOL DISTRICT

President
Storey County School District Board of Trustees



Storey County Board of County Commissioners Agenda Action Report

Meeting date: February 6, 2018
minutes

Estimate of time required: 15

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☐

1. **Title:** Adoption of Resolution 18-482 setting forth a procedure by which a business may object to the adoption of a "rule" by Storey County which impacts the business.

2. **Recommended motion:** I move to approve the adoption of Resolution 18-482 and authorize the chairman to sign.

3. **Prepared by:** Keith Loomis

Department: District Attorney's Office

Telephone: 847-0964

4. **Staff summary:** NRS 237.030 -237.150, inclusive, require the preparation of business impact statements whenever the County adopts a "Rule" which impacts businesses. NRS 237.100(4) requires that the County adopt a procedure by which a business may object to a "rule" adopted by the County. Resolution 18-482 provides that procedure. It is based upon a procedure recommended by the Nevada Tax Commission.

5. **Supporting materials:** Resolution 18-482

6. **Fiscal impact:**

Funds Available:

Fund:

____ Comptroller

7. **Legal review required:**

____ District Attorney

8. **Reviewed by:**

 Department Head
County Manager

Department Name:

Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No. 14

RESOLUTION NO. 18-482

RESOLUTION Providing for the adoption of a procedure for objecting to the enactment of rules which require a business impact statement.

WHEREAS, NRS 237.100(4) requires that each governing body of a local government provide a procedure for an aggrieved business to object to a rule adopted by the governing body; and,

WHEREAS, NRS 237.100(4) further provides that once the procedure is adopted it must be filed with the clerk of the local government and be available upon request at no charge; and,

WHEREAS, The Nevada Tax Commission, upon the request of the Committee on Local Government Finance is required to advise officers of local government regarding procedures and forms that are required for compliance with the provisions of NRS 237.030 to 237.150, inclusive; and,

WHEREAS, The Nevada Tax Commission has promulgated a form of a procedure by which an aggrieved business may object to a rule adopted by a local government; and,

WHEREAS, Exhibit A Attached hereto sets forth a procedure by which a business may object to a rule adopted the Board of County Commissioners of Storey County based upon the form of the procedure promulgated by the Nevada Tax Commission.

NOW THEREFORE IS IT HEREBY RESOLVED AS FOLLOWS:

The Board of County Commissioners of Storey County (Board) does hereby adopt as the procedure by which a business may object to a rule adopted by the Board the procedure set forth in the Attached Exhibit A.

IT IS FURTHER RESOLVED THAT:

The attached Exhibit A be filed with the Clerk of Storey County and be made available upon request without charge.

(Signatures on next page.)

ADOPTED this ____ day of _____, 20____.

BOARD OF COUNTY COMMISSIONERS OF STOREY COUNTY

By: _____
MARSHALL McBRIDE, Chairman

ATTEST:

VANESSA STEPHENS
Storey County Clerk/Treasurer

EXHIBIT A

PROCESS TO OBJECT TO RULE CAUSING A BUSINESS IMPACT

1. If a business believes it is aggrieved by a Rule (as defined in NRS 237.060) adopted by the Board of County Commissioners of Storey County, the business may object by filing a petition in writing with the Storey County Clerk/Treasurer at 26 South B Street in Virginia City, Nevada or by mailing to: P.O. Drawer D, Virginia City, Nevada 89444
2. The Board of County Commissioners will accept such petitions for a period of thirty (30) days following approval of the subject Rule for one of the following reasons:
 - a. The governing body failed to prepare a business impact statement as required pursuant to Chapter 237 of NRS; or
 - b. The business impact statement prepared by the governing body did not consider or significantly underestimated the economic effect of the ordinance or rule on the business.
3. Upon receipt of the petition, the Clerk/Treasurer will forward a copy to the Storey County District Attorney, the department/agency/office that generated the Rule, and the Storey County County Manager.
4. Staff will consider the merits of the petition and forward a recommendation to the Board of County Commissioners.
5. The Board of County Commissioners will determine if the petition has merit and direct staff accordingly.
6. A sample petition is attached.

SAMPLE PETITION OBJECTING TO ADOPTION OF RULE

NRS 237.100 provides that a business that is aggrieved by an ordinance, regulation, resolution or other type of instrument through which a governing body exercises legislative powers, except pursuant to Chapter 271, 278, 278A and 278B of NRS (herein a "Rule") adopted by the governing body may object to all or a part of the Rule by filing a petition. This petition form is provided to assist those who wish to object. The petition must be filed with the Storey County Clerk/Treasurer 26 South B Street in Virginia City, Nevada or by mailing to P.O. Drawer D, Virginia City, NV 89444, within thirty (30) days after the date on which the Rule was adopted.

Petitioner's name: _____
(Include name of the business or proposed business and whether it is a corporation, partnership, sole proprietorship, fictitious name):

Petitioner's type of business:

Petitioner's business location:

Street

City

County

State

Petitioner's mailing address: (If different from above):

Petitioner's telephone number: (____) ____ - ____

Petitioner is objecting to the following:

(Identify the Rule to which petitioner is objecting and state whether it is an ordinance, resolution, regulation or other instrument. Please give number if known.)

The basis of the petitioner's objection is as follows:

____ The governing body failed to prepare a business impact statement; or
____ The business impact statement did not consider or significantly underestimated the economic effect of the adopted Rule.

The nature of the impact of the above Rule on the petitioner's business is as follows: (Attach additional sheets if necessary):

By signing below, the signer of this petition certifies he/she is a duly authorized representative of the business identified above and has been authorized by that business to file this petition on behalf of the business.

Business Name

By: _____

Title of Signer: _____



Storey County Board of County Commissioners

Agenda Action Report

LIQUOR BOARD

Meeting date: 2/6/18

Estimate of time required:

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☐

1. **Title:** First reading for On-Sale Liquor License – Silver Dollar Saloon, 15 N C St., Virginia City, NV 89440. Applicant is Stephanie Collins.

2. **Recommended motion:** I motion to approve the first reading, an On-sale Liquor License Silver Dollar Saloon, 15 N C St., Virginia City, NV 89440. Applicant is Stephanie Collins.

3. **Prepared by:** Brandy Gavenda, Administrative Assistant

Department: SCSO

Telephone: 775-847-0959

4. **Staff summary:** First reading for On-Sale Liquor License – Silver Dollar Saloon, 15 N C St., Virginia City, NV 89440. Applicant is Stephanie Collins.

5. **Supporting materials:**

6. **Fiscal impact:** None

Funds Available:

Fund:

____ Comptroller

7. **Legal review required:**

____ District Attorney

8. **Reviewed by:**

☒ Department Head

Department Name: Gerald Antinoro

County Manager

Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued



Storey County Board of County Commissioners

Agenda Action Report

Meeting date: 02/06/18

Estimate of time required: 20 min.

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☒

1. **Title: Discussion/For Possible Action:** Second Reading of Ordinance No. 18-279 amending Storey County Code Title 16 Subdivisions to adopt new codes for land subdivisions, parcel maps, division of land into large parcels, surety requirements, land readjustments, boundary line adjustments, and reversions to acreage/lot consolidations. In addition to provisions of the NRS, any person may complete and return to the Board or Planning Commission a statement supporting or opposing the proposed amendments to the county code. Additional information may be obtained from the Planning Department at 775-847-1144 or planning @storeycounty.org.

2. **Recommended motion:** In accordance with the recommendation by staff and the planning commission, I [commissioner] motion to approve Second Reading of Ordinance No. 18-279 amending Storey County Code Title 16 Subdivisions to adopt new codes for land subdivisions, parcel maps, division of land into large parcels, surety requirements, land readjustments, boundary line adjustments, and reversions to acreage/lot consolidations

3. **Prepared by:** Austin Osborne

4. **Department:** Planning

Telephone: 775.847.0968

5. **Staff summary:** An ordinance amending Storey County Code Title 16 to adopt new codes for land divisions and providing for other properly related matters.

6. **Supporting materials:** Enclosed and posted at <https://www.storeycounty.org/517/Updates>.

7. **Fiscal impact:** None on local government.

Funds Available:


Fund:

____ Comptroller

8. **Legal review required:**

____ District Attorney

9. **Reviewed by:**

 Department Head

Department Name:

 County Manager

Other agency review: _____

10. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No. 18

Ordinance No. 18-279

Summary

An ordinance amending Storey County Code title 16 to adopt new codes for land divisions.

Title

An ordinance amending Storey County Code title 16 to adopt new codes for land divisions and providing for other properly related matters.

The Board of County Commissioners of the County of Storey, State of Nevada, does ordain:

SECTION I: Title 16 is amended by adding the following language:

Chapter 16.10

General Provisions

Sections:

16.10.010 Declaration

16.10.020 Policy

16.10.030 Purpose

16.10.040 Authority and jurisdiction

16.10.050 Interpretation, conflict

16.10.060 Classification of division of land

16.10.070 Incorporation of standards by reference

16.10.080 Review by other agencies

16.10.090 Subdivision name

16.10.100 Effect of recordation

16.10.110 Prohibited activities

16.10.010 Declaration

This title is known as and may be cited in all proceedings as the "Procedures for Division of Land," and includes Storey County Code 17.03 Administrative Provisions.

16.10.020 Policy

A. It is declared to be the policy of the county to consider the division of land and the

subsequent development of the divided land as subject to the control of the county pursuant to the master plan for the orderly, planned, efficient, and economical development of the county.

B. Land to be divided must be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood, slope instability or other menace, and land may not be divided until adequate public facilities and improvements exist and proper provision has been made for drainage, water, sewerage, and capital improvements such as schools, parks, recreation facilities, transportation facilities, and improvements in accordance with the provisions of this code.

C. The existing and proposed public improvements must conform to and be properly related to the proposals shown in the master plan and it is intended that these regulations will supplement and facilitate the enforcement of the provisions and standards contained in building and housing codes, zoning ordinance, master plan, land use plan, and capital improvements plan and programs of the county.

16.10.030 Purpose

The general purpose of this chapter is to safeguard the public health, safety and general welfare by regulating the division of land and requiring certain necessary improvements as a consequence of the division of land. The specific purposes of this title are as follows:

A. To promote public health, safety, convenience and general welfare by ensuring development of land in a manner consistent with community objectives as set forth in the master plan and community plans.

B. To preserve and protect the natural environment, including the water and air; and to safeguard against excessive storm water runoff, erosion, flooding, wildfire and the depletion or pollution of water resources.

C. To encourage conservation of natural resources, including but not limited to, water, land, streambeds, ridge lines, hillsides and scenic areas, and concurrently assuring that open space and trails are established within a coordinated system.

D. To facilitate, through orderly design and development, law enforcement, fire protection, and other services.

E. To safeguard the general welfare by limiting the division of land in areas where excessive costs and low efficiency services may result.

F. To ensure at the time of land division the provision of adequate water supply, storm drainage and sewer disposal, and other utilities, services and improvements needed as a consequence of any change or intensification of the land use.

G. To ensure that governmental maintenance costs are minimized by requiring the installation of improvements adequate in size and quality.

H. To provide streets of adequate capacity to give access to abutting property as well as to carry anticipated increased traffic.

I. To ensure that roadways are designed to minimize safety hazards to vehicles and their occupants as well as to cyclists, pedestrians and equestrians.

J. To encourage an organized pattern of urban development and efficient provision of utilities and public services.

K. To conserve agricultural resources.

L. To prevent the pollution of air, streams, and ponds; to safeguard the water table; and to encourage the wise use and management of natural resources throughout the county in order to

preserve the integrity, stability, and beauty of the community and the value of the land.

M. To preserve the topography of the county and to insure appropriate development with regard to these natural features.

N. To provide for open spaces through the most efficient design and layout of the land.

16.04.040 Authority and jurisdiction

A. Authority. The design, improvement, mapping and sale of subdivision lots, parcel map lots, or land division map lots, are regulated by NRS chapters 117, 278 and 278A, and by the provisions of this code.

B. Jurisdiction. These procedures will apply uniformly to all divisions of land within the county. No land may be divided within the limits of the county after the effective date of these regulations until:

1. The owner or owner's agent submits a tentative map application to the county through the planning department.

2. The tentative and final maps are approved.

3. Subdivision improvements have been constructed as follows:

a. On and off-site water and sewer improvements are complete including all necessary improvements for fire flows.

b. Streets are complete or at minimum sub-base is in place and is adequate to support emergency access vehicles to the satisfaction of the fire district before a building permit for the construction of any structure in the project is issued. The streets that access a lot with permitted construction must be completed before a certificate of occupancy may be issued.

c. Street identification signs are in place.

d. Drainage conveyance facilities and other improvements have been constructed and are functional.

4. The approved final map is recorded with the county recorder.

C. No building permit will be issued for any parcel or lot created after the effective date of these regulations until the conditions in subsections 1, 2, 3, and 4 above are met.

D. The term "subdivision" does not apply to any division of land into large parcels subject to chapter 16.40 Division of land into Large Parcels.

16.10.050 Interpretation and conflict

A. In their interpretation and application, the provisions of these regulations are the minimum requirements for the promotion of the public health, safety, and general welfare.

B. Conflict with other law. These regulations are not intended to interfere with, abrogate, or annul any other ordinance, rule or regulation, statute, or other provision of law. Where any provision of these regulations impose restrictions different from those imposed by any other provision of these regulations or any other ordinance, rule or regulation, or other provision of law, whichever provisions are more restrictive or impose higher standards will control.

16.10.060 Classification of division of land

A. Whenever any division of land is proposed, before any contract is made for the sale of any part thereof, and before any permit for the erection of a structure in such proposed division is granted, the owner, or his authorized agent, must apply for and secure approval of the proposed division of land in accordance with the procedure required in this title. For the purposes of this

title, land proposed to be divided may be classed as follows:

1. Subdivision map, 5 or more parcels;
2. Commercial subdivision map, 5 or more parcels;
3. Parcel map, 4 parcels or fewer parcels;
4. Division of land into large parcels, parcels of 40 acres or more.

16.10.070 Incorporation of standards by reference

The standards to be applied for approving divisions of land relating to adequate public facilities, improvement and design standards, environmental performance standards and other substantive criteria established elsewhere in the land development code are incorporated by reference.

16.10.080 Review by other agencies

Tentative map applications will be submitted to other agencies for review, comment, and approval, as prescribed by NRS, or as otherwise provided by law.

16.10.090 Subdivision name distinction

The name of any proposed subdivision shall not duplicate, or closely approximate the name of any other subdivision in the area covered by these regulations. The county will be responsible for assigning a unique map reference number to each tentative map filed.

16.10.100 Effect of recordation

The title of any property dedicated to the county by the owner must pass to the county when the approved map is recorded. If, at the time of final map approval, any properties or improvements are rejected, offers of dedication must remain open and the board may, by resolution, at any later date and without further action by the land divider, rescind its action and accept improvements for public use, which must be recorded in the official county records.

16.10.110 Prohibited activities

A. An owner, or agent of the owner, of any parcel of land located in a proposed subdivision of land may not transfer or sell a parcel before a map of the division has been approved by the county, and recorded by the county recorder.

B. The division of any lot or any parcel of land, by the use of metes and bounds description for the purpose of sale, transfer, or lease with the intent of evading these regulations is prohibited.

C. No building permit may be issued for the construction of any building or structure located on a lot or parcel divided or sold in violation of the provisions of these regulations, except as otherwise provided in this title.

Chapter 16.20

Subdivision Application Procedure and Approval Process

Sections:

16.20.010 General requirements

- 16.20.020 Tentative subdivision map procedures**
- 16.20.030 Tentative subdivision map findings**
- 16.20.040 Conditions and phasing of maps**
- 16.20.050 Duration, extension, and amendment of tentative subdivision map**
- 16.20.060 Procedures for final subdivision map**
- 16.20.070 Effect of approval**
- 16.20.080 Signing and recordation of final subdivision map**
- 16.20.090 Reversion of final subdivision map**

16.20.010 General requirements

A. General procedures. All subdivision applications must be processed in 2 stages:

1. Application for tentative map approval; and
2. Application for final map approval.

The board is the final decision maker for purposes of tentative and final subdivision maps. The planning commission will take action and provide a recommendation to the board on all tentative subdivision maps.

B. Pre-application conference. Before preparing the tentative subdivision map, the subdivider may file a preliminary review application with the department to discuss the procedure for approval of a tentative subdivision map and the requirements as to the general layout of streets and for reservations of land, street improvements, drainage, sewerage, fire protection, and similar matters, as well as the availability of existing services, including schools.

C. Applicability. All owners of land or their authorized representatives who propose to divide any land or portion thereof, vacant or unimproved, for transfer or development into 5 or more lots, parcels, sites, units or plots, or to create a commercial subdivision, pursuant to NRS 278.325, must file an application for approval of a tentative subdivision map. Unless a method of disposition is adopted for the purpose of evading this chapter or would have the effect of evading this chapter, the provisions of this part do not apply to:

1. A division of land into large parcels which creates lots, parcels, sites, units or plots of land, each of which comprises 40 nominal acres or more of land including roads and roadway easements, and is subject to chapter 16.40 Division into Large Parcels;
2. Any division of land which is ordered by any court in this state or created by operation of law;
3. A lien, mortgage, deed or trust, or any other security instrument, provided that creation or foreclosure of such an instrument on a portion of a larger parcel will not result in the division of the larger parcel;
4. A security or unit of interest in any investment trust regulated under the laws of the state or any other interest in an investment entity;
5. Cemetery lots; or
6. An interest in oil, gas, minerals or building materials, which are now or later severed from the surface ownership of the real property.

D. The filing of a tentative map for 5 or more new condominium or townhouse dwelling units, or for the conversion of multi-family dwellings (apartments) to 5 or more condominium or townhouse dwelling units shall follow the procedures which pertain to the subdivision of land as outlined in this title unless stated otherwise.

16.20.020 Tentative subdivision map procedures

A. Application. The landowner or his/her authorized representative must submit a complete tentative map application with the department of planning in accordance with the established and published submittal schedule. The application must contain the following items:

1. A description of all contiguous holdings of the owner, including land in the same ownership with indication of the portion of the property that is to be subdivided.
2. The number of copies of the tentative subdivision map, with contents as prescribed in the application form.
3. A certificate from the county treasurer stating that no taxes or assessments are delinquent;
4. A statement as to whether the subdivision is to be developed in phases.
5. Written evidence indicating that all applicable fees and application materials have been submitted to the Nevada Division of Environmental Protection, Water Quality Division.
6. Copies of all applicable "will serve" letters.
7. Copies of all applicable special studies and reports.

B. Tentative map feasibility report. The first formal step in land development by subdivision is the preparation of a tentative subdivision map. At the time of the filing of the application for the tentative subdivision map, the developer must file a feasibility report with the department of planning. The tentative subdivision map will not be accepted for filing by the director of planning unless the feasibility report is included with the application. The feasibility report must include the following information:

1. Information as to how domestic water service will be provided including status and availability of water which may serve the proposed development that meets applicable health standards and is sufficient in quantity for the reasonably foreseeable needs required for the land development and proposed land use, and a written statement of ability and willingness of any applicable municipal agency to provide water service to the proposed development.
2. Electrical availability. Name of electrical utility that will serve the area and a written statement of ability and willingness of such company to provide electrical power to the proposed development.
3. Telephone availability. Name of the telephone company that will serve the area and a written statement of the ability and willingness of such company to provide telephone service to the proposed development;
4. Natural gas availability. Name of utility company that will serve the area and a written statement of ability and willingness of such company to provide natural gas service to the proposed development.
5. Sewage disposal. Information as to how sewage disposal will be provided and a written statement of the ability and willingness of any applicable municipal agency to provide sewage disposal to the proposed development.
6. Fire protection and emergency medical services. Distance of the proposed project from the nearest fire district station providing necessary fire suppression and emergency medical services to the proposed development. Identify the availability and accessibility of fire protection including, but not limited to, the availability and accessibility of water and service for the prevention and containment of fires, including wildland fires.,
7. Road construction. Existing legal access from the proposed development to county or state maintained roads.

8. Schools. Proximity to existing schools and school bus service, if such service is operated within the vicinity of the proposed development.

9. Parks and recreation. Parks and recreation facilities in the general area of the proposed development; distance and access to such facilities.

10. Road construction and maintenance. Proposed maintenance plan for both access roads and roads within the subdivision; general timetable for construction of such roads; plan for maintenance until public maintenance is secured if dedication to the county occurs; type of anticipated public maintenance – state or general improvement district, etc.

11. Restrictive covenants. Proposed restrictive covenants applicable to the subdivision or development.

12. Traffic impacts. Identify all roads, streets, and highways that will be affected by the development. Identify the effect of the proposed subdivision on existing public roads and streets and the need for new roads, streets, or highways, or improvements thereof, to serve the development. Provide a traffic study prepared by a Nevada licensed traffic engineer if the subdivision will meet or exceed 80 peak hour vehicle trips or 500 average daily vehicle trips.

13. Stormwater impacts. Identify existing natural and constructed stormwater structures, proposed stormwater management concepts, and general impacts from an on surrounding property.

14. Other information necessary for review of the tentative subdivision map required by administrative regulations or this code.

C. Contents of tentative subdivision map. The tentative subdivision map must show, at minimum, the following information:

1. List of the names, addresses and telephone numbers of the owners of record, the subdivider, and the engineer or surveyor preparing the map.

2. A north point, scale, date, boundary line and dimensions of the project. The direction of the north arrow should be shown pointing towards the top or right hand side of the map.

3. Show the entire assessor's parcel, identify any remainder portion, and any contiguous properties under common ownership (whole or partial ownership).

4. Legal description of the land included within the tentative subdivision map sufficient to define the boundaries of the map. Note: A portion of a section is not sufficient. If the boundary is by metes and bounds, that description must be on the tentative map.

5. The parcel layout, the approximate dimensions of each lot, where pads are proposed for building sites, the approximate pad elevation, the elevations of all adjacent parcels, the top and toe of cut and fill slopes to scale, preliminary design and approximate finish of all grading, and a number for each parcel on consecutive numbers. Any portion of property in common contiguous ownership not included in the map must be labeled as a remainder parcel.

6. In tabular form, indicate the approximate acreage, the number of lots, proposed density, existing and proposed zoning and master plan designations, proposed use of lots, number of lineal feet of new streets, and acreage of any remainder parcels.

7. Zoning and master plan designations and land uses of adjoining properties, including across any rights-of-way. Indicate distance from property line to any off-site structures that are within 25 feet of property line.

8. Note and dimensions of all existing structures, indicating the use of each structure and whether structure is to remain or to be removed. In addition, show all parking facilities and driveways.

9. The street, approximate gradient or centerline profile for each proposed highway, street easement and drainage improvement shown of the tentative subdivision map.

10. Note the width and approximate locations of all existing and proposed easements or rights-of-ways, including any proposed to be abandoned as part of the subdivision map whether for public or private roads, drainage, sewers, or flood control purposes, shown by dashed lines. Overhead utility lines on peripheral streets must also be indicated. Existing easements must show the name of the easement holder, purpose of easement, and legal reference (official records) for the easement. If an easement is blanket or intermittent in nature, a note to this effect must be placed on the tentative map.

11. Note of the approximate radius of all centerline curves on highways, streets or ways.

12. The locations of all areas subject to inundation or flood hazard and the locations, width, and directions of flow of all watercourses and flood control areas within and adjacent to the property involved. Include community panel number, date of the Flood Insurance Rate Map (FIRM) index map, and the method for handling storm water.

13. Locate, by distance from existing and proposed property lines and other above ground structures, the placement on the property of all existing structures and other manmade features including buildings, utility poles, fences, driveways, signs, existing wells, sewers, septic systems (including leach lines), culverts, bridges, drain pipes, fire hydrants and sand, gravel or other excavations within the subdivision. Indicate which existing structures will remain and which will be removed.

14. The tentative subdivision map must show contour of land at intervals of not more than 2 feet if the general slope of the land is less than the 10 percent and 5 feet for all other areas. This shall include an area of not less than 100 feet surrounding the tentative subdivision map. Indicate contour interval and the source and date the contours were compiled;

15. Vicinity map of the area showing the proposed subdivision map in relation to any established roads or other landmarks so that the site can be easily located. Indicate the proposed access route to the site from the nearest public maintained road.

16. On a subdivision map consisting of a condominium project or a planned development, the tentative subdivision map must show, by dashed lines, the approximate location from all existing and proposed property lines and other structures to be erected.

17. The claimant number under any court decree, identity and location of any existing or proposed drainage conveyance ditches, or other irrigation water conveyance structure within or adjacent to the proposed subdivision. The subdivision map must also provide dimensioned typical channel cross sections with centerline, average slope through the property, arrows indicating direction of irrigation flow, and design flow capacity of conveyance structures.

18. Storm and surface water drainage systems including:

- i. Dedication of rights-of-way, easements, design criteria. In the event that a proposed subdivision or any part thereof is traversed by a major watercourse channel, stream or creek, gulch or other natural drainage channel, the subdivider must dedicate adequate rights-of-way or easements for storm drainage purposes. Easements for drainage to natural drainage channels are required. If a comprehensive drainage plan is not available for a particular area, the design criteria for storm water runoff should follow that established as standard practice and approved by the county engineer.
- ii. Historic use of water. No development may interfere with the historic custom and use of waters adjacent to and upstream and downstream from the development. Any

- changes in conveyance facilities or the course of conveyance facilities, including the abandonment of part or all of a conveyance facility, must be done in a reasonable manner with due regard to the rights of the owners of the easement or right-of-way.
- iii. Rights-of-way for conveyance. Developments must designate irrigation and drainage rights-of-way or easements needed to facilitate the approved irrigation and drainage plan for the development. Rights-of-way must be appropriate for the operation and maintenance of the facilities. In no case may the rights-of-way be less than 20 feet in width. For rights-of-way dedicated to the county, open irrigation or storm drainage ditches rights-of-way width must equal at a minimum the top width of the ditch plus 32 feet with the width centered on the centerline of the ditch. For underground conveyance, a minimum right-of-way width must be no less than 20 feet.
 - iv. Flood control. No subdivision application may be considered for a final approval until the subdivider submits a report from an appropriately registered engineer concerning the ability of existing watercourse channels, drainage tiles, storm sewers, culverts, other works and structure design pertaining to drainage or flood control within the subdivision to handle anticipated flows with no significant impacts without appropriate mitigation.
19. Concurrently with the filing of a tentative subdivision map for new condominium or townhouse dwelling units, or for the conversion of multi-family (apartment) dwelling units, the following information must also be incorporated into the application:
- a. 2 sets of the following graphic information in the form legible, scaled drawings:
 - i. Site plans clearly showing setbacks, yards, and grades;
 - ii. Floor plans;
 - iii. Parking layout indicating stall and aisle sizes as well as indicating whether enclosed or covered;
 - iv. Landscaping, exterior design, and other elements set forth in the design manual.
 - b. A general identification and statistical information report which contains:
 - i. Street address;
 - ii. Number of stories in each building;
 - iii. Density in dwelling units per acre;
 - iv. Overall height;
 - v. Total number of parking spaces;
 - vi. Total number of units;
 - vii. Area of site (percentage and square feet/acres) to be covered by buildings;
 - viii. Floor area per dwelling unit;
 - ix. Type of construction;
 - x. Total amount of storage space per unit;
 - xi. Location of trash enclosures;
 - xii. Location of amenities including, but not limited to, clubhouse, laundry facilities, indoor and outdoor recreation facilities, parks and playgrounds, swimming pool, etc.
- D. Processing by director. The director or his or her designee will distribute copies of the tentative subdivision map and accompanying materials to all agencies charged with review by statute including:
- 1. County engineer or contracted consultant for technical review;
 - 2. Nevada division of consumer health;

3. Appropriate local water and/or sewer district;
4. State division of water resources;
5. Superintendent of Storey County school district;
6. County fire district chief;
7. County public works department;
8. County community development department;
9. Applicable irrigation districts within 1 mile of the proposed development;
10. Nevada division of environmental protection;
11. Nevada public utilities commission;
12. Nevada department of transportation.

The director will determine within 3 working days whether the application for a tentative subdivision map is complete, and notify the applicant, in writing, of his or her finding. If complete, and the applicable fees are tendered and collected, the director will file his or her report with the planning commission and board and schedule the application for public hearing.

E. Hearing notice and procedure. Notice of the hearings before the planning commission and the board must be provided in accordance with chapter 17.03 Administrative Provisions. In addition to the notice otherwise required, notice must be given to any conveyance ditch users adjacent to or downstream of the proposed map. The ditch users to be notified will be determined from the list of water right owners compiled by the Federal Water Master's Office, or for those conveyance facilities not covered by decree from the list of water right owners maintained by the state engineer. All hearings must be held in accordance with the procedures established in chapter 17.03 Administrative Provisions.

F. Planning commission recommendation. Within 60 days after the official filing date, the planning commission must hear the application and recommend to the board approval, conditional approval or disapproval of the tentative subdivision map in accordance with the procedures established in chapter 17.03 Administrative Provisions, unless the time period is extended by mutual consent of the applicant and the planning commission. The planning commission must set forth findings and reasons for its decision in accordance with the criteria identified in chapter 17.03 Administrative Provisions.

G. Decision by board. Within 30 days after receipt of the planning commission's recommendation, unless the time is extended by mutual consent of the applicant and the board, the board must conduct a public hearing, and approve, conditionally approve or disapprove the tentative subdivision map. The review and decision of the board must conform to the provisions of chapter 17.03 Administrative Provisions and include findings and reasons for its decision in accordance with the criteria identified in chapter 17.03 Administrative Provisions.

16.20.030 Tentative subdivision map findings

A. The planning commission in making its recommendation and the board in rendering a decision on the tentative subdivision map must base its decision on the requirements of NRS and make affirmative findings on the following factors, taking into account the recommendations of reviewing agencies:

1. The property to be subdivided is zoned for the intended uses and the density and design of the subdivision conforms to the requirements of the zoning regulations contained in the county code.
2. If planned unit development is proposed, the tentative subdivision map conforms to the density requirements, lot dimension standards and other regulations applicable to planned unit

developments.

3. The tentative subdivision map conforms to public facilities and improvement standards contained in the county code and in the county master plan.

4. The tentative subdivision map is deemed to be acceptable by the Storey County school district regarding new school facilities and potential impacts to existing school facilities.

5. The tentative subdivision map conforms to the improvement and design standards contained in the county code and adopted design criteria and improvement standards.

6. If applicable, that a phasing plan has been submitted and is deemed acceptable.

7. The approval contains terms that plan for the possibility of abandonment or termination of the project.

8. There are no delinquent taxes or assessments on the land to be subdivided, as certified by the county treasurer.

9. The project is not located within an identified archeological or cultural study area, as recognized by the county. If the project is located in a study area, an archeological resource reconnaissance has been performed on the site by a qualified archeologist and any identified resources have been avoided or mitigated to the extent possible per the findings in the report.

10. The applicant of the tentative subdivision map has shown in accordance with chapter 16.50 of this title that there is sufficient availability of uncommitted and unappropriated water which reasonably meets the foreseeable needs of the development and that the use of water for the development will cause no adverse impacts to existing surrounding residents, properties, and uses. The applicant is not required to procure the necessary water until before filing for the final subdivision map.

11. The tentative subdivision map conforms to the county design standards manual.

12. The tentative subdivision map will cause no substantial adverse impact to access to public lands, access to public lands provided before the subdivision map will be mitigated, or reasonable alternative access to the adjacent public lands exists in the immediate vicinity.

13. The tentative map for new condominium or townhouse dwelling units, or for the conversion of multi-family (apartment) dwelling units, contains the information required in section 16.20.020 of this title.

16.20.040 Conditions and phasing of maps

In addition to all other conditions that may be recommended by the planning commission and required by the board pursuant to chapter 17.03 Administrative Provision in reviewing a tentative subdivision map, the following actions may be taken:

A. Except as otherwise provided, as a condition of tentative subdivision map approval, the planning commission may recommend and the board may require that the subdivider install and dedicate to the county all public improvements, whether on-site or off-site, prior to the signing of the final subdivision map by the chairman of the board. In lieu of such requirement, the board may require that the subdivider provide adequate assurances for completion and maintenance of improvements.

B. The planning commission may recommend and the board may require as a condition of tentative subdivision map approval that the subdivider divide the subdivision into 2 or more phases, provided as follows:

1. Each phase must be designed to meet the public facilities and improvement standards independently and as part of the overall design.

2. The final map must be approved and recorded for the initial phase within 4 years of tentative subdivision map approval, and the final map for each subsequent phase must be approved and recorded within 2 years following recording of the final map for the previous phase. The board may grant a single extension of 2 years for final map approval for each phase.

3. All phases must be completed, and all final maps approved and recorded, within ten years of the date of initial subdivision map approval by the board.

4. Amendment of the approval to permit development beyond the initial ten year period will require submission and approval of a new tentative subdivision map application, and the approval may be conditioned on compliance with statutes, codes, design standards, fees and capital improvements plans current at the time of application for the amendment.

5. The board and the applicant may enter and adopt a development agreement, pursuant to NRS 278.0201 to implement the provisions of this chapter.

6. Procurement of sufficient water which reasonable meets the foreseeable needs of the subdivision and which will cause no adverse impacts to existing surrounding residents, properties, and uses must be submitted to the director for review and validation before filing of the final map.

C. Where a commercial subdivision is proposed and the subdivider desires to record a single final map without the completion or securing of improvements, the board may approve the map and allow recording of the final map subject to the following:

1. A conceptual development phase plan is submitted concurrently with the tentative map indicating the proposed development phasing, including a general description of improvements, on-site and off-site to be constructed with each development phase.

2. Improvement plans are to be submitted and approved for the entire project site. The improvement plans are subject to modification, based on changes to title 16 and title 17 or the county design criteria and improvement standards as they relate to public health and safety.

3. A security agreement must be prepared and approved subsequent to the filing of the final map, consistent with title 16. In addition to the standard provisions, the plan must provide a detailed description of on-site and off-site improvements to be provided prior to the issuance of a building permit within a given development phase.

4. A building permit will not be issued on the site until any and all required improvements are constructed or secured, and provided that those improvements required for fire protection and emergency access are in place.

5. Procurement of sufficient water which reasonable meets the foreseeable needs of the subdivision and which will cause no adverse impacts to existing surrounding residents, properties, and uses must be submitted to the director for review and validation before filing of the final map, and other requirements set forth in chapter 16.50 of this title.

16.20.050 Duration, extension, and amendment of tentative subdivision map

A. The subdivider must present to the director a final subdivision map, prepared in accordance with the tentative subdivision map. The map must cover the entire area for which the tentative subdivision map was approved, or one of a series of final subdivision maps, each covering one or more phases of the approved tentative subdivision map. Unless a longer time is provided in a development agreement or an agreement pursuant to NRS 278.350, the final map covering the entire subdivision or the first of a series of final maps covering a portion of the approved tentative map shall be recorded within 4 years after the date of approval of tentative subdivision map by the board, or if the subdivider elects to present a successive map in a series

of final maps, the subdivider shall present, on or before the second anniversary of the date on which the subdivider presented to community development the first in the series of final maps, the next final map covering a portion or the entire area of the approved tentative map.

B. The board may extend the period for presentation of final successive subdivision map covering a portion of the approved tentative map for not more than 2 years after the expiration of the 2-year period for presenting the successive final subdivision map. If the subdivider is presenting in a timely manner a series of final maps, each covering a portion of the approved tentative map, no requirements other than those imposed on each of the final maps in the series may be placed on the map when an extension of time is granted unless the requirement is directly attributable to a change in applicable laws which affect the public health, safety or welfare. Extension applications must be accompanied by the applicable fee and written statement of justification and must be filed 45 days prior to the expiration of the final map.

C. At any time after tentative subdivision map approval, and before the time required for presentation of a final subdivision map, the subdivider may request amendment to the approval or conditional approval of the tentative subdivision map. The director may approve minor tentative subdivision map amendments in accordance with section 17.03 Administrative Provisions, subject to appeal to the board, in accordance with chapter 17.03 Administrative Provisions. Major amendments must be determined in accordance with the procedures for original approval of the tentative subdivision map under this chapter. Additional conditions may be attached to approval of the tentative subdivision map amendment, which are reasonably related to the proposed amendment. A subdivider who is unwilling to accept conditions attached to the proposed amendment may withdraw the amendment. Action on the application for amendment of the tentative subdivision map must not stay the period for presenting the final subdivision map, unless a request for extension pursuant to paragraph B is approved.

16.20.060 Procedures for final subdivision map

A. Application requirements. Following approval of the tentative subdivision map, a subdivider who wishes to proceed with the subdivision must file with the director an application for final approval and recordation of the final subdivision map, prepared on standardized forms available at the office of the department. The application must contain the following information:

1. The original signed linen or Mylar and at least 5 black line copies of the final subdivision map in the form required by paragraphs B and C, containing all required certificates and acknowledgments required by paragraph D.
2. A certificate from the county treasurer stating that taxes and assessments are paid in full.
3. Improvement plans approved by the county engineer, and other agencies required to approve the construction plan along with either a signed executed improvement agreement or a certificate of satisfactory completion issued by the county engineer.
4. Written documentation that all conditions of the tentative map have been met.
5. Other items listed on the application form.

B. Form of final subdivision map. The entire final subdivision map must be clearly and legibly drawn or stamped in black waterproof India ink upon good tracing linen or Mylar. Each sheet must be 24 inches by 32 inches in size; a marginal line must be drawn completely around each sheet leaving an entirely black margin of one inch at the bottom, top and right edge and 2 inches at the left edge on the 24-inch dimension. A colored border must indicate the exterior boundary of land included within the subdivision.

C. Final subdivision map contents. Every final subdivision map must show all data required for the tentative subdivision map except contour lines, position of buildings, relationship to streets and highways beyond areas shown on the map and the proposed use of building sites and must contain in addition the following data:

1. The map must show all details clearly with the necessary information for intelligent interpretation of the items and location of points, lines and areas shown. All streets, drives, walks, alleys, parks, easements, etc., must be designated as such and be definitely established with bearings and distances. The subdivision must show bearings and lengths of all lines and the radius, central angle, length of curve and tangent length for all curved lines. The calculated closure must be mathematically exact to the nearest one-hundredth foot and to one-second of angle. The scale and basis of bearing must be shown. Ties must be made to the USGS Control Points or Nevada State Coordinate System Points by the State Highway Department or other engineers, whenever these controls are available. The map scale should not be smaller than 100 feet to one inch.

2. The location and description of monuments or other evidence bound upon the ground and using the terrain the boundaries of subdivisions. The exterior boundaries of subdivisions must be indicated by a colored border and any land included within the boundary, which is not a part of the subdivision or any adjoining subdivision, must be sufficiently identified in order to locate precise limits of the proposed subdivision.

3. The title of the final subdivision map must be the same of the subdivision map as it appears on the approved tentative subdivision map, with all conditions satisfied, and must be shown together with the scale used on each sheet of the final subdivision map and the number of the sheets totaled.

4. If any portion of the land within the boundaries of the final subdivision map is subject to inundation, storm flow conditions, geologic hazard or other hazard, the land so affected must be clearly marked by prominent note on each sheet.

5. A reference to any private covenants, conditions and records to be recorded with the map.

6. A signed statement indicating a petition of annexation into any special taxing district, if the subject property is so located.

7. A certificate by the division of water resources of the state department of conservation and natural resources showing that the final subdivision map is approved concerning water quality and quantity, dedication of necessary water to serve the project, and any other matters in its jurisdiction.

8. Other items listed on the application or required by conditions of approval.

D. Final subdivision map certificates. The following certificates and acknowledgments must appear on the final subdivision map and may be combined when appropriate:

1. A certificate signed and acknowledged by all parties having any record title interest in the land subdivided, consenting to the preparation and recordation of the map.

2. A certificate signed and acknowledged as above, offering for dedication for certain specified public uses those certain parcels of land which the parties desire so dedicated.

3. A certificate of title indicating:

- a. That each person signing the final subdivision map owns a record of interest in the land and that all the owners of record of the land have signed the final subdivision map.

- b. Listing of any lien or mortgage holders of record, if any. If there are no lien or

mortgage holders of record, the fact that there are none must be stated in the certificate.

c. The certificate of title must be signed and dated by an officer of the title company responsible for the statements contained within the title certificate;

4. A certificate by the surveyor responsible for the survey and final subdivision map as prescribed by state law;

5. A certificate by the county engineer stating that s/he has examined the final subdivision map, that he is satisfied that the map is technically correct, and that subdivider has complied with one of the following alternatives:

a. All the improvements have been installed in accordance with the requirements of these regulations; or

b. Adequate assurances have been provided that improvements will be completed and maintained in accordance with this title.

6. A certificate by the state health division of the department of human resources indicating that the final subdivision map is approved concerning sewage disposal, water pollution, water quality and water supply facilities.

7. A certificate by the division of water resources of the state department of conservation and natural resources showing that the final subdivision map is approved concerning water quality and quantity, dedication of necessary water to serve the project, and any other matters in its jurisdiction.

8. A certificate of the district that the map conforms to the approved tentative subdivision map and all conditions imposed upon the approval have been satisfied.

9. A certificate for execution by the county clerk stating that the county has approved the map and accepted (or deferred) on behalf of the public the parcels of land offered for dedication for public use in conformity with the terms of the offer of dedication.

10. A certificate by the appropriate public utilities accepting the designated easements.

11. Proper certificates of a notary public as required.

12. A certificate for execution by the county recorder concerning the appropriate recording data required by NRS 278.460.

13. A certificate of the fire district chief concerning necessary fire suppression and emergency medical services will be available to the development.

14. A certificate of the director of planning and community development concerning conformance with zoning, land division, and other applicable ordinances, and the county master plan.

15. A certificate granting rights-of-way for water conveyance and maintenance. The grant of the right-of-way will run to the benefit of all persons entitled to the use of the conveyance ditch under the Alpine Decree, Orr Ditch Decree, or other court decree and their successors in interest, or to the Truckee River Operating Agreement (TROA) or successor agreements, or to any ditch company or similar entity having an interest in or responsibility for the water conveyance ditch and associated structures.

16. Other certificates as may be required.

E. Filing of final map review.

1. Not less than 60 days prior to the consideration of any final map, the developer must submit the original proposed final map and 10 prints of the same to the department of planning. The director of planning will distribute the copies of the proposed map to:

i. County engineer or contract consultant for the project;

- ii. County public works department;
- iii. County fire protection district;
- iv. County assessor;
- v. Storey County school district superintendent.

2. The county engineer must check said map as to accuracy and dimensions, placing of monuments, establishment of survey records and conformance of the map to the tentative map as approved. Data concerning closure calculation, construction plans, estimates of quantities and the like must also be required by the county engineer.

E. Board's decision.

1. Unless a longer time is provided in an agreement and entered into pursuant to this title and NRS 278.0201 or 278.350, the subdivider must present to the board within 4 years after approval of a tentative map a final map, prepared in accordance with the tentative map, for the entire area for which a tentative map has been approved; or the first of a series of maps covering a portion of the approved tentative map: (a) a final map, prepared in accordance with the tentative map, for the entire area for which the tentative map has been approved; or (b) the next final map in a series of final maps covering a portion of the approved tentative map. If the subdivider fails to comply with the provisions of this subsection, all proceedings concerning the subdivision are terminated.

2. The board may approve the map only if it finds that:

a. The map conforms in every respect to the approved tentative subdivision map, as amended.

b. All conditions established upon approval of the tentative subdivision map, as amended, have been satisfied.

c. The final subdivision map conforms to all county ordinances applicable at the time of the decision on the final subdivision map.

d.. The final subdivision map conforms to the tentative map approval in accordance with the design standards manual.

e. All required improvements have been installed as certified by the county engineer, or sufficient assurances for completion and maintenance of improvements have been made pursuant to the county code.

f. All necessary certificates required by state law or by the county code have been presented with the application of approval of the final subdivision map.

3. The board must, at the time of approval of the final subdivision map, reject any or all offers of dedication. Acceptance maybe made in accordance with adopted board policy.

16.20.070 Effect of approval

No vested right will accrue to the owner, subdivider or developer of any subdivision by reason of tentative or final subdivision map approval until the actual signing of the final subdivision map by all parties required to sign the map. All requirements, conditions, or regulations adopted by the county applicable to the subdivision or on all subdivisions generally must be deemed a condition for any subdivision prior to the time of signing of the final subdivision map by the county engineer. Where the county has required the installation of improvements prior to signing of the final subdivision map, and improvements have, in fact, been completed, the subdivider may be required to comply with the local laws and regulations in effect at the time when the final subdivision map is considered for approval only if the commission makes a finding on the record

that such compliance is necessary to prevent a substantial risk of injury to the public health, safety and general welfare.

16.20.080 Signing and recordation of final subdivision map

A. Signing of map.

1. When an improvement agreement and security are required, the county engineer must endorse approval of the map only after security has been provided and all conditions of the map have been satisfied.

2. When installation of improvements is required, the county engineer must endorse approval on the map only after all conditions of the map have been satisfied and upon issuance of a notice of completion.

3. The county engineer may sign the map only after determination in cooperation with any utility providing water service to the subdivision or accepting improvements for maintenance that the map is in compliance with the county code relating to the dedication of facilities, water rights and rights-of-way.

B. Recording of the map. It is the responsibility of the director to file the original map with the county clerk for signing and submission to the county recorder within 15 working days of the date of approval of the final subdivision map by the board. Simultaneously with the filing of the map the department must cause to be recorded any other legal documents as may be required to be recorded by the county.

16.20.090 Reversion of final subdivision map

A final subdivision map which has been recorded may be revoked pursuant to chapter 17.03, and the subdivision reverted to acreage, pursuant to chapter 16.60 Land Readjustment, where applicable, in the event that the subdivider or his successor in interest fails to complete improvements as required by the subdivision improvement agreement, development agreement or as otherwise provided by law. The proceeding may be initiated by either the owner or the county. At the initiation of proceedings to revoke or revert to acreage, the county must record a document with the county clerk and recorder's office giving notice thereof. If final subdivision approval is revoked or the property reverted to acreage, the board order to that effect will be recorded with the county clerk and recorder's offices, the subdivision will no longer be valid and further sale or development of lots or parcels within the revoked subdivision is prohibited without approved division of land pursuant to this development code.

16.20.100 Procedures for planned unit development applications

Whenever an application for planned unit development proposes the division of land into 5 or more parts, the applicant must include with the application a tentative subdivision map, to be processed in accordance with the provisions of chapter 17.03 Administrative Provisions and chapter 17.56 Planned Unit Development and this chapter. Consideration of the tentative subdivision map will be reviewed in conjunction with the application for planned unit development approval, and approval of the tentative subdivision map must be conditioned upon final approval of the planned development.

Chapter 16.30

Parcel Maps

Sections:

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16.30.100 Reversion of final parcel map

16.30.110 Signing and recording of final parcel map

16.30.010 General requirements

A. The board is the final decision-maker, with action by the planning commission, for the purposes of applications for parcel maps.

B. All owners of land or their authorized representatives who propose to divide any land for transfer or development into 4 or fewer lots must file with the department of planning an application for a parcel map.

C. Unless a method of dividing land is adopted for the purpose or would have the effect of evading this chapter, no parcel map is required when the division of land is for the express purpose of the following:

1. The creation or realignment of a public right-of-way by a public agency;
2. The creation or realignment of an easement;
3. An adjustment of the boundary line or the transfer of land between 2 owners of adjacent property which does not result in the creation of any additional parcels;
4. The purchase, transfer or development of space within an apartment building or an industrial or commercial building;
5. Carrying out any order of any court or dividing land as a result of the operation of law;
6. The following transactions involving land:
 - a. The creation of a lien, mortgage, deed of trust or other security instrument, provided, that foreclosure of an interest in a portion of a parcel will not result in the lawful division of the parcel;
 - b. The creation of a security or a unit of interest in any investment trust regulated pursuant to the laws of the state of Nevada or any other interest in an investment entity;
 - c. The conveyance of an interest in oil, gas, minerals or building materials, which are severed from the surface ownership of the real property;
 - d. The conveyance of an interest in land acquired by the Nevada Department of Transportation pursuant to NRS 408;
 - e. The filing of a certificate of amendment pursuant to NRS 278.473;
7. A division of land into large parcels, pursuant to chapter 16.40 Division into Large

Parcels;

8. A lien, mortgage, deed or trust, or any other security instrument provided that the creation of foreclosure of such an instrument on a portion of a larger parcel does not result in the division of the larger parcel.

D. When 2 or more separate lots, parcels, sites, units or plots of land are purchased, they remain separate for the purposes of this chapter and NRS 278.468, 278.590 and 278.630. When the lots, parcels, sites, units or plots are resold or conveyed they are exempt from the provisions of this chapter until further divided.

16.30.020 Application for tentative parcel map

A. Contents of application. Prior to dividing land by parcel map, the landowner or his or her authorized representative, must file an application for approval of a parcel map with the director of planning. The application may be made on forms supplied by the department of planning and must contain the following information:

1. List of the names, addresses and telephone numbers of the owner of record, applicant and the engineer or surveyor preparing the map.
2. List of the names, addresses and telephone numbers of public utility companies which will serve the subject property, including water supply and method of sewage disposal.
3. A north point, scale, date, boundary line and dimensions of the project. The direction of the north arrow should be shown pointing towards the top or right hand side of the map.
4. The entire assessor's parcel, identify any remainder portion, and any contiguous properties under common ownership (whole or partial ownership).
5. Legal description of the land included within the tentative parcel map sufficient to define the boundaries of the map. Note: A portion of a section is not sufficient for the description. If the boundary is by metes and bounds, that description must be on the tentative parcel map.
6. The parcel layout, the approximate dimensions of each parcel (ditto marks not acceptable) where pads are proposed for building sites, the approximate pad elevation, the elevations of all adjacent parcels, the top and toe of cut and fill slopes to scale, preliminary design and approximate finish of all grading, and a number for each parcel in consecutive numbers. Any portion of property in common contiguous ownership not included in the map must be labeled as a remainder parcel;
7. In tabular form, indicate the approximate acreage, the number of parcels, proposed density, existing and proposed zoning and master plan designations, proposed use of parcels, number of lineal feet of new streets, and acreage of any remainder parcel.
8. Zoning and master plan designations and land uses of adjoining property, including across any rights-of-way. Indicate distance from property line to any off-site structures that are within 25 feet of property line.
9. Note and dimension of all existing structures, indicating the use of each structure and whether structures are to remain or to be removed. In addition, show all parking facilities and driveways.
10. The street approximate gradient or centerline profile for each proposed highway, street casement and drainage improvement shown on the tentative parcel map.
11. Note the width and approximate locations of all existing and proposed easements or rights-of-way whether for public or private roads, drainage, sewers, or flood control purposes, shown by dashed lines. Overhead utility lines on peripheral streets must also be indicated.

Existing easements must show the name of the easement holder, purpose of easement, and legal reference (official records) for the easement. If an easement is blanket or intermittent in nature, a note to this effect must be placed on the tentative map;

12. Note the approximate radius of all centerline curves on highways, streets or ways.

13. The locations of all areas subject to inundation or flood hazard and the locations, width, and directions of flow of all watercourses and flood control areas within and adjacent to the property involved. Include community panel number, date of most recent revision per Flood Insurance Rate Map (FIRM), and the method for handling storm water.

14. Locate, by distance from existing and proposed property lines and other above ground structures, the placement on the property of all existing structures and other manmade features including buildings, utility poles, fences, driveways, signs, existing wells, sewers, septic systems (including leach lines), culverts, bridges, drain pipes, fire hydrants and sand, gravel or other excavations within the subdivision. Indicate which existing structures will remain and which will be removed.

15. Vicinity map, such as an assessor's office vicinity map, of the area showing the proposed parcel map in relation to any established roads and other landmarks so that the site can be easily located. Indicate the proposed access route to the site from the nearest public right-of-way.

16. The number of copies of the tentative parcel map, with contents as prescribed in the application form.

17. A certificate from the county treasurer stating that no taxes or assessments are delinquent.

18. Written evidence indicating that all applicable fees and application materials have been submitted to the Nevada division of environmental protection, water quality division.

19. Copies of all applicable "will serve" letters.

20. Copies of all applicable special studies and reports.

21. Any other information necessary for review of the tentative subdivision map that may be required in accordance with administrative regulations or this code.

22. For parcels proposed to be divided and which contain 15 percent or more slope on 50 or more percent of the parcel, the director of planning may require the application to include a contour of land at intervals of not more than 2 feet if the general slope of the land is less than the ten percent, and 5 feet for all other areas. This must include an area of not less than 100 feet surrounding the tentative parcel map. Please indicate contour interval and the source and date the contours were compiled.

~~22.23.~~ The claimant number under any court decree, identity and location of any existing or proposed drainage conveyance ditches, or other irrigation water conveyance structure within or adjacent to the proposed parcel map. The parcel map must also provide typical channel centerline, right-of-way and ditch width of the conveyance ditch through the property, and arrows indicating direction of irrigation flow. The director may, when necessary for review, require additional information documenting existing and proposed conveyance ditch capacity. If the proposed parceling includes water impoundment there must be identification of the source of water and documentation of the state engineer's approval.

B. Certification. If a survey is not required for the preparation of a parcel map, the map must be prepared by a registered land surveyor, and contain a certificate which includes substantially the following: "This map was prepared from existing information (identifying it and stating

where filed or recorded), and the undersigned assumes no responsibility for the existence of monuments or correctness of other information shown on or copies of any such prior document.”

16.30.030 Procedure for tentative parcel maps

A. Action by board and planning commission. The director of planning or his or her designee must process the application for tentative parcel map approval, and the board with action by the planning commission must have a hearing on the application pursuant to chapter 17.03

Administrative Provisions.

B. Duration of approval.

1. Unless the time is extended in the manner set forth in paragraph C, the applicant must present a final parcel map which conforms to all conditions of approval to the director for processing and recording, except as provided in subsection 2, within one year from the date of the final decision on the tentative parcel map application. If the applicant fails to submit a conforming map within the above time limits, all proceedings concerning the parcel map are terminated. If the final parcel map is submitted within one year and conforms to all conditions of approval, the extension of time for the parcel map may be considered at public hearing by the board with action by the planning commission in accordance with chapter 17.03 Administrative Provisions.

2. Unless the time is extended in the manner set forth in paragraph C, the applicant must present a final parcel map which includes a conservation easement totaling 50 acres or greater and which conforms to all the conditions of approval to the director for processing and recording within 3 years from the date of the final decision on the tentative parcel map application. If the applicant fails to submit a conforming map within the above time limits, all proceedings concerning the parcel map are terminated. If the final parcel map is submitted within 3 years and conforms to all conditions of board approval, it must be approved by the director and recorded.

a. As used in this subsection, “conservation easement” means an easement that permanently preserves or protects open space, a floodplain or agricultural land from being parceled, subdivided or otherwise developed in a manner incompatible with the preservation or protection of the open space, floodplain or agricultural land.

C. Extension. For good cause shown, the board may extend the period for presentation of a conforming final parcel map for not more than one year after the expiration of the initial one-year period for presenting the map or initial 3 year period for presenting the map with a conservation easement of 50 acres or greater. The extension must be consistent with any applicable policies of the master plan and may include conditions requiring compliance with current provisions of the development code. The filing and noticing of an extension will be as provided for in chapter 17.03 Administrative Provisions.

16.30.040 Waiver requests

A. A person proposing to divide land subject to these parcel map regulations may request in writing a waiver from the requirement of a survey or a waiver of adequate public facility standards for roads. The request will be considered by the planning commission and the board as part of the tentative parcel map application.

B. Before the director may recommend to the planning commission a waiver the survey requirement, s/he must obtain a written finding from the county surveyor or other professional land surveyor that a survey is not required to accomplish the purposes of NRS 278.010 to

278.630, inclusive.

C. Waiver of adequacy standards for roads may be made in the areas of off-site access requirements, street alignment, surfacing and width, only if the applicant demonstrates that:

1. The proposed parcel map, if approved, does not result in the creation of any parcels less than 5 acres in size;
2. The land lies outside the boundaries of urban service areas designated in the adopted master plan;
3. The waiver of one or more adequate facilities standards for roads does not result in road improvements which are inconsistent with any existing use of land zoned for similar use that lies within 660 feet of any proposed parcel.

If the waiver request is denied, the tentative parcel map application must meet all requirements for a land survey and adequate public facilities standards for roads.

16.30.050 Procedure for referral and processing as subdivision

If the tentative parcel map application or applications constitute a scheme for avoiding the rules governing the subdivision of land within the meaning of this title, the application may be deemed incomplete and the director must notify the applicant or applicants that the proposed division of land must be processed and evaluated as a subdivision pursuant to chapter 16.20.

16.30.060 Findings for tentative parcel maps

The board in rendering a decision on the application for tentative parcel map approval and the commission on appeal must base the decision on the requirements of NRS and make affirmative findings on the following factors, taking into account the recommendations of reviewing agencies:

- A. The property to be divided is zoned for the intended uses and the density and design of the division conforms to the requirements of the zoning regulations contained in the county code.
- B. The proposed parcel map conforms to public facilities and improvement standards of this county land development code.
- C. The proposed parcel map conforms to the design standards manual.
- D. The developer and successor owners of each new parcel created understand that the county, county fire protection district, county school district, and special districts in the county are not obligated to furnish any service, specifically mentioning fire protection and roads, to the land so divided, and that any public utility may be similarly free from obligation.
- E. There are no delinquent taxes or assessments on the land to be divided, as certified by the county treasurer.
- F. The project is not located within an identified archeological or cultural study area, as recognized by the county. If the project is located in a study area, an archeological resource reconnaissance has been performed on the site by a qualified archeologist and any identified resources have been avoided or mitigated to the extent possible per the findings in the report.
- G. The proposed parcel map that is adjacent to public lands will not cause substantial adverse impact to access to public lands, access to public lands provided before the parcel map will be mitigated, or reasonable alternative access to the adjacent public lands exists in the immediate vicinity.
- H. The proposed parcel map conforms to the county zoning ordinance and master plan.
- I. The proposed parcel map accounts for physical characteristics of the land including

floodplains, slope, and soils.

J. Applicant for the parcel map will relinquish to the state division of water resources water rights necessary to ensure an adequate water supply for the domestic use of the newly created parcel(s) from within the water basin in which the parcel map is located. Necessary water rights shall be a minimum of 2 acre-feet per year valid underground water rights for each new parcel created.

16.30.070 Amendment of parcel map approval

At any time before the recording of the final parcel map, the owner may apply to the director for a planning commission recommendation to the board to amend the tentative parcel map approval in accordance with section 17.03 Administrative Provisions. Minor amendments may be approved by the board in the context of final parcel map approval. For any proposed major amendment to the map or terms of approval, the director may require resubmission of a tentative parcel map application.

16.30.080 Procedures for final parcel map

A. Application requirements. Following approval of the tentative parcel map, an owner who wishes to proceed with the parcel map shall file with the director of planning an application for final approval and recordation of the final parcel map, prepared on standardized forms available at the office of the department. The application must contain the following information:

1. The original signed linen or Mylar and at least 5 black line copies of the final parcel map in the form required by paragraphs B and C, containing all required certificates and acknowledgments required by paragraph D.
2. A certificate from the county treasurer stating that taxes and assessments are paid in full.
3. Improvement plans approved by the county engineer, and other agencies required to approve the construction plan along with an approved and executed improvement agreement and required security or a certificate of satisfactory completion issued by the county engineer.
4. Written documentation that all conditions of the tentative map have been met.
5. Other items listed on the application form.

B. Form of final parcel map. The parcel map must be drawn in black waterproof India Ink on tracing cloth or Mylar, or produced by the use of other materials of a permanent nature generally used for such purposes in the engineering profession, the size and border of which must conform to the requirements of this title, and must, in addition, include the following:

1. If a survey is required:
 - a. All monuments found, set, reset, replaced or removed, describing their kind, size and location and giving other data relating thereto.
 - b. Bearing or witness monuments, bases of bearings, bearings and length of lines and scale of map.
 - c. Name and legal designation of tract or grant in which the survey is located and ties to adjoining tracts.
 - d. Memorandum of oaths.
 - e. Signature of surveyor.
 - f. Date of survey.
 - g. Signature of the owner or owners of the land to be divided, witnessed by a notary.
 - h. Any easement granted or dedications made.

- i. The exterior boundary of the land to be divided shall be indicated by a graphic border.
- j. Any other data necessary for the intelligent interpretation of the various items and locations of the points, lines and areas shown.

2. If a survey is not required:

- a. The tract to be divided and the resulting lot, by appropriate reference to the existing information on which it is based.
- b. The means of access to the severed lot.
- c. The signature of the owner or owners of the land to be divided, witnessed by a notary.
- d. Any easements granted or dedications made.
- e. Any other data necessary for intelligent interpretation of the division and access.

C. Signing of map. The director must assure that the following signatures and certificates appear on or accompany the approved final parcel map prior to recordation:

1. When financial security is required, the county engineer must endorse approval of the map after the security has been provided and all the conditions of the map have been satisfied.

2. When installation of improvements is required, the county engineer must endorse approval of the map after all conditions of the map have been satisfied and all improvements satisfactorily completed. The county engineer must have written evidence that the required public facilities have been installed in a manner satisfactory to the county as shown by a certificate signed by the county engineer.

3. The county engineer must sign the map only after determining in cooperation with any utility providing water service to the parcel that the map is in accordance with title 15 water rights dedication.

4. The following certificates and acknowledgments must accompany the final parcel map:

- a. A certificate signed and acknowledged by all parties having any record or title of interest in the land subdivided, consenting the preparation and recordation of the map.

- b. A certificate signed and acknowledged as above, offering for dedication for certain specified public uses those certain parcels of land which the parties desire so to dedicate.

- c. A certificate of title indicating:

- i. That each person signing the final parcel map owns a record of interest in the land and that all the owners of record of land have signed the final parcel map.

- ii. Listing of any lien or mortgage holders of record, if any. If there are no lien or mortgage holders of record, the fact that there are none must be stated in the certificate;

- iii. The certificate of title required by this title must be signed and dated by an officer of the title company responsible for these statements contained within the title certificate;

- d. A certificate by the surveyor responsible for the survey and parcel as may be prescribed by Nevada state law.

- e. A certificate by the county engineer stating that he/she has examined the parcel map, that the map is technically correct, and that the applicant has complied with each of the following alternatives:

- i. All the improvements have been installed in accordance with the requirements of these regulations; or

- ii. Security in conformance been posted with the board in an amount sufficient to assure completion of all required improvements.

- f. A certificate by the director stating that he has examined the final parcel map and that he is satisfied that the map is in conformance with all applicable provisions of state and local

law.

g. A certificate for execution by the county clerk stating that the county has approved the map and accepted (or deferred) on behalf of the public any parcels of land offered for dedication for public use in conformity with the terms of the offer of dedication.

h. Certificates from the division of water resources of the state department of conservation and from the health division of the state.

i. A certificate by the appropriate public utilities accepting the designated easements.

j. Proper certificates of a notary public as required.

k. A certificate for execution by the county recorder concerning the appropriate recording data required by law.

l. If the property includes, impacts, or is adjacent to a conveyance ditch that all irrigation water conveyance facilities and associated access and maintenance easements or rights-of-way are depicted on the map.

D. It is the responsibility of the director to file the original map with the county clerk for signing and submission to the county recorder within 15 days of the date of presentation of the conformity map to the department. Simultaneously with the filing of the map, the department must record any other legal documents required to be recorded by the county.

16.30.090 Effect of final parcel map approval

No vested right will accrue to the owner or developer of any parcel map by reason of map approval until the actual signing of the conforming final parcel map by all parties required to sign the map. All requirements, conditions, or regulations adopted by the county applicable to parcel maps are deemed a condition for any parcel map prior to the time of signing of the map by the county engineer. Where the county has required the installation of improvements prior to signing of the final parcel map, and improvements have, in fact, been completed, the developer may be required to comply with the local laws and regulations in effect at the time when the parcel map is presented for signing only if the board determines that such compliance is necessary to prevent a substantial risk of injury to the public health, safety and general welfare.

16.30.100 Reversion of final parcel map

A final parcel map which has been recorded may be revoked pursuant to chapter 17.03, where applicable, and the parcel map reverted to acreage, pursuant to chapter 16.60, in the event that the owner or his successor in interest fails to complete improvements as required by the parcel map and any improvement agreement, development agreement or as otherwise provided by law. Either the owner or the county may initiate the proceeding. At the initiation of proceedings to revoke or revert to acreage, the county must record a document with the county clerk and recorder's office giving notice of the reversion. If final parcel approval is revoked or the property reverted to acreage, the board order to that effect will be recorded with the county clerk and recorder's offices, the parcel map will no longer be valid and further sale or development of lots or parcels within the revoked parcel are prohibited without approved division of land pursuant to this development code.

16.30.110 Signing and recording of final parcel map

A. Signing of the map.

1. When an improvement agreement and security are required, the county engineer shall endorse approval of the map only after security has been provided and all conditions of the map

have been satisfied.

2. When installation of improvements is required, the county engineer shall endorse approval on the map only after all conditions of the map have been satisfied and upon issuance of a notice of completion.

3. The county engineer shall sign the map only after determination, in cooperation with any utility providing water service to the subdivision or accepting improvements for maintenance that the map is in compliance with the county code relating to the dedication of facilities, water rights and rights-of-way.

B. Recording of the map. It shall be the responsibility of the department to file the original map with the county clerk for signing and submission to the county recorder within 15 working days of the date of approval of the final subdivision map by the commission. Simultaneously with the filing of the map the department shall cause to be recorded such other legal documents as may be required to be recorded by the county.

Chapter 16.40

Division of Land into Large Parcels

Sections:

16.40.010 General procedures

16.40.020 Applicability

16.40.030 Tentative land division map procedure

16.40.040 Findings for tentative map

16.40.050 Duration, extension, and amendment of a tentative map of division into large parcels

16.40.060 Final land division map procedure

16.40.070 Effect of approval

16.40.080 Recording

16.40.010 General procedures

All land division applications must be processed in 2 stages, except as provided in section 16.40.030:

A. Application for tentative map of division into large parcels; and

B. Application for final map of division into large parcels. The board following action by the planning commission is the final decision-maker for purposes of final maps of division of land into large parcels.

16.40.020 Applicability

All owners of land or his/her authorized representatives who propose to divide any land or portion of the land, vacant or improved, for transfer or development into lots or parcels, each of which is at least: 1) one-sixteenth (1/16) of a section as described by U.S. government land office survey; or 2) 40 acres in area, including roads and easements, must file an application for approval of a tentative map of division into large parcels; provided that, the provisions of this chapter does not apply to the proposed division of land where each lot is at least one section or 640 acres.

16.40.030 Tentative land division map procedure

A. Application. Prior to dividing land pursuant to the provisions of this chapter, the owner of the land, or his or her authorized representative, must submit to the department of planning a completed application for a tentative map of division into large parcels in accordance with chapter 17.03 Administrative Provisions. The application must be made on forms supplied by the department and must contain the following information:

1. A description of all contiguous holdings of the owner, including land in the same ownership, with indication of the portion of the property that is to be subdivided.
2. The number of copies of the tentative land division map, with contents as prescribed in the application form.
3. A certificate from the county treasurer stating that no taxes or assessments are delinquent.
4. Any other information necessary for review of the tentative land division map as may be required in accordance with administrative regulations or this code;
5. The claimant number under any court decree, identity and location of any existing or proposed drainage conveyance ditches, or other irrigation water conveyance structure within or adjacent to the proposed land division map. The land division map must also provide typical channel centerline, right-of-way and ditch width of the conveyance ditch through the property, and arrows indicating direction of irrigation flow. The director may, when necessary for its review, require additional information documenting existing and proposed conveyance ditch capacity. If the proposed parceling includes water impoundment there must be identification of the source of water and documentation of the state engineer's approval.
6. Any other information necessary for review of the tentative map established by the director.

B. Form and contents of tentative map of division into large parcels. Every tentative map must be entitled: "Tentative Map of Division into Large Parcels" and be prepared and certified by a professional land surveyor, and must show the following data and information:

1. The approximate, calculated or actual acreage of each lot and the total acreage of the land to be divided.
2. All roads or easements of access, which exist, are proposed in the applicable master plan or are proposed by the person who intends to divide the land.
3. Any easements for public utilities, which exist, or which are proposed.
4. Any existing easements for irrigation or drainage, and any normally continuous flowing watercourses and the claimant number under any court decree, identity and location of any conveyance ditches or other irrigation water conveyance structure within the proposed land division map. The land division map must also provide typical channel centerline, right-of-way and ditch width of the conveyance ditch through the property, and arrows indicating direction of irrigation flow.
5. An indication of any existing road or easement which the owner does not intend to dedicate.
6. The name and address of the owners of the land.

C. Processing by director. The director must process the application for tentative map approval pursuant to chapter 17.03 Administrative Provisions, and the director must schedule the application for public hearing before the planning commission and board.

D. Hearing notice and procedure. Notice of the hearings before the planning commission and board, and the associated hearings, must conform to the procedures established in chapter 17.03 Administrative Provisions.

E. Board and planning commission action. Within 60 days after the official filing date, unless the time is extended by mutual consent of the applicant and the board, the board after action by the planning commission must, following a public hearing, approve, conditionally approve or disapprove the tentative map of division into large parcels by a majority vote of the members present. The review and decision of the board and recommendation by the planning commission must conform to the provisions of chapter 17.03 Administrative Provisions. The board and planning commission must set forth findings and reasons for its decisions in accordance with the criteria identified in chapter 17.03 Administrative Provisions.

16.40.040 Findings for tentative map

A. The board and planning commission, in rendering its decision on the tentative map, must base approval on finding in the affirmative the following:

1. The tentative map meets the formal requirements of this chapter and NRS.
2. The tentative map secures adequate access for subsequent purchasers.
3. Where applicable, the tentative map secures the ability to irrigate and drain each parcel, consistent with the water rights appurtenant, and that the rights of downstream users are secured and not impaired.
4. The location and width of easements for roads and public utilities are adequate for the area to be divided.
5. The location and width of easements for drainage and irrigation purposes are adequate for the area to be divided.
6. There are no delinquent taxes or assessments on the land to be divided, as certified by the county treasurer.

16.40.050 Duration, extension, waiver, and amendment of a tentative map of division into large parcels

A. Time for submission of final map. Unless the time is extended by the board in the manner set forth in paragraph B, the applicant must present a final map of division into large parcels, prepared in accordance with the tentative map, to the board. The final map must include the entire area for which a tentative map has been approved. The final map must be filed within one year from the date of approval of the tentative map by the board or the date that the requirement of its filing was waived pursuant to this chapter.

B. Extension of tentative map. The board may extend the period for presentation of any final map of division into large parcels for not more than one year after the expiration of the initial one-year period for presenting the final map, upon application to the department. The extension must be consistent with any applicable policies of the master plan and may include conditions requiring compliance with the current provisions of the land development code. Extension requests must be filed within the time provided in chapter 17.03 Administrative Provisions.

C. Waiver of tentative map requirement. The board may waive the requirement of filing for a tentative map. Following the recommendation for approval, conditional approval, or disapproval of the tentative map by the planning commission, the applicant may file for the final map through the department of planning for the board to consider approval, conditional approval, or disapproval decision of the final map. The final map must conform to the standards set forth in

section 17.40.060. If the board at its public hearing does not waive the requirement of filing for a tentative map, the board will proceed with the hearing and make its determination to approve, conditionally approve, or disapprove the tentative map in accordance with the application provisions of this chapter and chapter 17.03 Administrative Provisions.

D. Amendment of tentative map. At any time after tentative map approval, and before the time required for presentation of a final map, the applicant may request amendment to the approval or conditional approval of the tentative map. The director may approve minor tentative map amendments, subject to review and approval by the board with action by the planning commission, in accordance with chapter 17.03 Administrative Provisions. Major amendments must be determined in accordance with the procedure for original approval of the tentative map under this chapter. Additional conditions, which are reasonably related to the proposed amendment, may be attached to approval of the tentative map amendment. An applicant who is unwilling to accept conditions attached to the proposed amendment may withdraw the amendment. Action on the application for amendment of the tentative map does not stay the period for presenting a final map, unless a request for extension pursuant to paragraph B is approved.

16.40.060 Final land division map procedure

A. Application requirements. Following approval of the tentative map, or approval of the final map following waiver of the tentative map by the board, the applicant must complete the land division must file with the board through the department of planning an application for final approval and recordation of the final map, prepared on standardized forms available at the department. These requirements must be met at the time of filing for a request for board waiver of tentative map if the applicant desires to request a waiver of the tentative map. The application must be filed in accordance with the scheduled set forth in chapter 17.03 Administrative Provisions. The application must contain the following information:

1. The original linen or Mylar and at least 5 black line copies of the final map in the form required by paragraph B, containing the information and the certificates of acknowledgment required by paragraphs C and D.
2. The fee for final map approval set by resolution of the board.
3. A certificate from the county treasurer stating that no taxes or assessments are delinquent.
4. Other items listed on the application form.

B. Form of final map. The final map must:

1. Be clearly and legibly drawn or stamped in black waterproof India ink upon good tracing cloth or produced by the use of other materials of a permanent nature generally used for such purposes in the engineering profession.
2. Be entitled, "Map of Division into Large Parcels".
3. Be 24 inches by 32 inches in size, with a marginal line drawn completely around each sheet leaving an entirely black margin of one inch at the bottom, top and right edges and 2 inches at the left edge along the 24-inch dimension.
4. Be of a scale large enough to show clearly all details.
5. Be prepared by a registered land surveyor.
6. Be based upon an actual survey by the preparer which shows the date of the survey, or based upon the most recent government survey.

7. Show the date of approval of the government survey and contain a certificate by the preparer that the parcels contain the number of acres shown for each parcel.

8. Clearly state the particular number of the sheet and the total of sheets comprising the final map on each of the sheets, and its relationship to each adjoining sheet.

C. Contents of final map. Every final map must include all data required for the tentative map and all changes required as conditions of tentative map approval, and in addition must contain the following:

1. All lots by number and actual acreage of each lot.

2. All roads or easements of access which exist and which the owner intends to offer for dedication, all roads or easements or access which are shown on the applicable master plan, and all roads or easements of access which are specifically required by the board with action by the planning commission.

3. Any easements for public utilities which exist or are proposed.

4. Any existing easements for irrigation or drainage, and any normally continuously flowing watercourses and the claimant number under any court decree, identity and location of any conveyance ditches or other irrigation water structure within the proposed land division map. The land division map must also provide typical channel cross sections with dimensions, centerline, average slope through the property and designed flow capacity of conveyance structures and arrows indicating direction of irrigation flow. If the proposed division of land includes water impoundment there must be identification of the source of water and documentation of the state engineer's approval.

5. An offer or offers to dedicate the utility and right-of-way easements.

D. Final map certificates. The following certificates shall appear on the final map and shall be combined when appropriate:

1. A certificate signed and acknowledged by the owner of land consenting to the dedication of the roads and granting of the easements.

2. A certificate signed by the clerk of the governing body that the map was approved, or the affidavit of the person presenting the map for filing, that the time limited by this title for action by the governing body has not expired.

3. If the property includes, impacts, or is adjacent to a conveyance ditch that all irrigation conveyance facilities and associated access and maintenance easements or rights-of-way are depicted on the map.

4. A certificate granting rights-of-way for water conveyance and maintenance. The grant of the right-of-way must run to the benefit of all persons entitled to the use of the conveyance ditch under any court decree and their successors in interest or to any ditch company or similar entity having an interest in or responsibility for the water conveyance ditch and associated structures.

E. Action by board.

1. Unless the time period is extended by a mutual consent of the developer applicant and the board, the board must approve, conditionally approve or disapprove the final map by the majority vote of the members present within 60 days of the official filing date.

2. If the board does not approve, approve with conditions or disapprove the final map within 60 days, the final map must be deemed approved unconditionally.

3. The board must approve the map only if it finds as follows:

a. The final map conforms in every respect with the approved tentative map.

b. All conditions established upon approval of the tentative map have been satisfied.

c. The final map conforms to all county ordinances applicable at the time of the hearing on the final map.

d. All necessary certificates required by state law or by the county code have been presented with the application for approval of the final map.

4. The review and decision of the board must conform to the provisions of this title. The board must set forth findings and reasons for its decision in accordance with the criteria established in this title. If the map is disapproved, the board must also provide the applicant with a written statement of what changes would be necessary to render the map acceptable.

5. The board must, at the time of approval of the final map, accept or reject any or all offers of dedication. The decision to accept or reject offers of dedication must be made in accordance with adopted board policy.

16.40.070 Effect of approval

No vested rights will accrue to the owner or developer of any division of land into large parcels by reason of the approval of a tentative or final map for division into large parcels approval until the actual signing of the final map by all parties required to sign the map. All requirements, conditions or regulations adopted by the county applicable to the division of land are deemed a condition for any division prior to the time of signing of the final map by the county engineer. Where the county has required the installation of improvements prior to signing of the final map, and improvements have, in fact, been completed, the applicant may be required to comply with the local laws and regulations in effect at the time when the final map is considered for approval only if the commission makes a finding on the record that the compliance is necessary to prevent a substantial risk of injury to the public health, safety and general welfare.

16.40.080 Recording

A. Recording of the map. Upon approval, it is the responsibility of the director or his designee to file the official final map with the county recorder within 15 working days of the date of board approval. Simultaneously with the filing of the final map, the department of planning must cause to be recorded any other legal documents required to be recorded by the county.

B. Effect of recording. Filing with the county recorder operates as a continuing:

1. Offer to dedicate for public roads the areas shown as proposed roads or easements of access, which the governing body may accept in whole or in part at any time or from time to time.

2. Offer to grant the easements shown for public utilities, which any public utility may similarly accept without excluding any other public utility whose presence is physically compatible.

C. Conveyances. After a map has been filed with the county recorder, any lot shown on the map may be conveyed by reference to the map, without further description.

Chapter 16.50

Water Resource Requirements

Sections:

16.50.010 Purpose and Intent

16.50.020 Exceptions

16.50.030 Definition

16.50.040 Applicability

16.50.050 Water Rights and Water Resource Satisfaction

16.50.060 Authority to Utilize Dedicated Water Rights and Applicant's Responsibilities

16.50.070 Water Delivery Facilities

16.50.010 Purpose and Intent

The purpose of this section is to manage the practices and procedures related to water resources requirements associated with the division of land and development in the county to ensure adequate water supply to protect the public health, safety, and general welfare.

16.50.020 Exceptions

The provisions of this section do not apply to the following:

- A. Development within any community with a public water system which is receiving or will receive a valid will-serve letter issued by the public water system;
- B. Development within a general improvement district which is receiving water from the general improvement district as demonstrated by: (a) a will-serve letter from the general improvement district; or (b) a note on the final map stating that the applicant is responsible for complying with the requirements of the general improvement district at the time of applying for a building permit.

16.50.030 Definition

A. "Relinquishment" means the relinquishment of groundwater rights to the State of Nevada Division of Water Resources within a hydrographic basin for the purpose of offsetting the impacts of additional groundwater withdrawn from proposed domestic wells to serve individual residential dwellings. Relinquishment of groundwater rights are a prerequisite to approval of newly created residential lots utilizing individual domestic wells as their source of water supply. Proof of relinquishment is satisfied when the appropriate approval affidavit from the Nevada State Division of Water Resources is recorded with Storey County.

16.50.040 Applicability

The provisions of this section apply to all development projects of any kind in Storey County which require permits or approvals of the county and which require the use of water resources or require water supply delivery. Adequate water resources are required for all new development including:

- A. Subdivisions and new residential parcels which will be served by individual domestic wells;
- B. Subdivisions and new residential parcels which will be served by a community water system;
- C. Development creating new multi-family residential dwelling units or mobile home residential dwelling units, which will be served either by individual wells or a community water system.
- D. Developments creating new commercial, industrial, or civic buildings or uses which will be served by either an on-site well or a community water system; and
- E. Any other development requiring a permit or approval of the county with a requirement

for, or an impact on, water resources.

16.50.050 Water Rights and Water Resource Satisfaction

A. Prior to accepting an application for a tentative subdivision map, tentative parcel map, or tentative map of division of land into large parcels which creates additional parcels within the county, except for the areas of the county served by a public water system or general improvement district water system, the applicant must submit to the director of planning a written and binding statement of intent to Storey County at the time that the final map application is approved, the type and amount of water necessary to serve each parcel.

B. The transfer of water rights to Storey County must be completed before filing for a final subdivision map, final parcel map, or final division of land into large parcels map.

C. The amount of water to be transferred is 2.0 acre-feet for each new parcel allowing for a single-family residential use served by a domestic well, and 2.0 acre-feet for each dwelling unit that will be served on the parcel.

D. The amount of water to be transferred for land subdivision will be determined by Storey County.

E. The developer is required to dedicate or submit proof of relinquishment to Storey County, as a condition precedent to any permit or approval, any water right reasonably necessary to ensure an adequate water supply for the intended or permitted use. The amount of water rights necessary will be determined by the director of planning and the Nevada division of water resources; said water rights amount are singular and not cumulative. In the event that the Nevada division of water resources and the county have different requirements under this section, the most stringent of the county or state requirements must be satisfied. No building permit or recordation of a subdivision map (including condominium and townhouse project), parcel map (except divisions of land which are exempt from the parcel map process), or map of division into large parcels may be granted until the dedication or the proof of relinquishment of water rights is accepted by the director of planning. Presentation of a valid will-serve letter from a water purveyor approved and under public utilities commission jurisdiction or the submittal of proof of the relinquishment of water rights may substitute for the dedication of water rights to the county. The director of planning will evaluate the proof of dedication of water rights, or the water rights offered for dedication to the county or to a water purveyor as described above based on, but not limited to, the following criteria:

1. Water resources requirements. In accordance with this section, in those instances where the county's water resources requirements are more stringent than the Nevada division of water resources, additional water rights will be dedicated as appropriate;
2. Adequacy of amount of water. The amount of water resources for the intended use is adequate to provide a reliable water supply as is offered for dedication to the county or proof of the relinquishment of water rights is submitted to the county.
3. Proximity of source. The proximity of the hydrographic basin or source of water offered for dedication to the county or proof of the relinquishment of water rights for the intended use;
4. Proof of ownership. Valid proof of ownership, including a chain of title to the original water right holder, for the water rights offered for dedication to the county or proof of the relinquishment of water rights;

5. Status of water right. The priority and yield of the water right, the current manner and place of use, and the status of the permits or certificates used by the Nevada division of water resources, or the status of the water right established in a court decree, which are offered for dedication to the county, or proof of the relinquishment of water rights;
6. Point of Diversion. The ability of the purveyor, the developer, or the property owner to obtain from the Nevada division of water resources the necessary permits to change the point of diversion, and the manner and place of the use of the water rights for the intended use; and
7. Relinquishment. In the case of parcel or subdivision maps creating new residential parcels with an individual domestic well as their source of water supply, the applicant must deliver proof of the relinquishment of the water rights to the county.

16.50.060 Authority to Utilize Dedicated Water Rights and Applicant's Responsibilities

The director of planning, or any other appropriate county department, division, or agency, may:

1. Applications to the Nevada division of water resources. File applications with the Nevada division of water resources to change the point of diversion, and the manner and place of use of the dedicated water right to put the water resources to beneficial use and to otherwise utilize and maintain the validity of the dedicated water rights; and
2. Applicant's responsibilities. Require the development owner or property owner to:
 - a. Pay all application, transfer, dedication, and other fees of the Nevada division of water resources;
 - b. If applicable, allow county staff to enter the property in order to read water meters on all wells and delivery facilities, or perform other related inspections as necessary; and
 - c. Comply with the terms of the water right permits or certificates issued by the Nevada division of water resources.

16.50.070 Water Delivery Facilities

A. The development owner or property owner is required to:

1. Petition the public utilities commission or otherwise cause the creation of a public water system under the jurisdiction of the public utilities commission; or
2. Operate and maintain, in accordance with applicable regulatory requirements and standards, any facilities for water treatment, supply, storage, transmission and distribution, and appurtenances such as wells, pipelines, pumps, and storage tanks located within or outside the property boundary or subdivision which are necessary to ensure an adequate water supply to a development, which have not otherwise been dedicated to and accepted by a water purveyor. This section also applies to facilities that will be constructed to serve one single-family dwelling on an existing parcel of land approved with an individual domestic well as its source of water supply.

Chapter 16.60

Assurance for Completion and Maintenance of Improvements

Sections:

16.60.010 Required improvements and agreement to complete

16.60.020 Improvement agreement

16.60.030 Security

16.60.040 Site improvement permits

16.60.050 Security for temporary improvements

16.60.060 Remedies

16.60.070 Acceptance of dedication offers

16.60.080 Inspection and certification of improvements

16.60.090 Reduction of escrowed funds and security

16.60.100 Security for warranty of improvements

16.60.120 Issuance of building permits for model homes

16.60.010 Required improvements and agreement to complete

A. Applicability. The requirements of this chapter apply in all instances where improvements are required to be constructed in conjunction with the division of land pursuant to this title and where improvements are proposed in conjunction with other development permits.

B. Completion of improvements. Before a final map, parcel map or final map for division of land into large parcels is signed by the county engineer, and any easements offered for dedication to the public are accepted by the county, or before a final certificate of occupancy is issued for a new structure, all developers are required to complete, in accordance with the applicable development approval and to the satisfaction of the county engineer, all project improvements, system improvements and lot improvements on the individual lots, as required in this title and as specified in the conditions of approval of the applicable map, and to dedicate those public improvements to the county, free and clear of all liens and encumbrances on the dedicated property and public improvements. The developer also must construct at his or her sole cost all temporary improvements required as a condition of approval of the applicable map or development and must maintain those temporary improvements for the period specified in such approval.

C. Deferral of required improvements. As an alternative to completion of improvements prior to final map approval, or issuance of a permanent certificate of occupancy, the board with action by the planning commission may permit the developer to enter into an improvement agreement prepared in conformance with section 16.60.020 and secured pursuant to 16.20.030 by which the developer covenants to complete all required improvements.

D. Failure to complete improvements. For divisions of land and other development projects for which no improvement agreement has been executed and no security has been posted pursuant to this chapter, if the required improvements are not completed within the period specified in the applicable approval conditions, or within 2 years following the date of recordation of a final map or issuance of a building permit, the applicable map or development approval is deemed to have expired.

16.60.020 Improvement agreement

A. Agreement. The developer must agree to construct and complete all required

improvements no later than 2 years following the date of recordation of a final map or issuance of a building permit. The developer also must agree to warrant that all required public improvements are free from defect in design, workmanship and materials for a period of at least one year following acceptance of the offer of dedication of the last completed public improvement by the appropriate authority. The improvement agreement must include, but may not be limited to, the following:

1. A detailed reference to the improvements requiring completion, including an engineer's cost estimate.
2. A specific date for completion of all improvements, fixed by the county engineer, which date may not be longer than 2 years from the date on which the county engineer signs the map.
3. A requirement for a certificate from the developer's engineer stating that all work has been completed in accordance with the improvement drawings and specifications.
4. A requirement that a notice of completion issued by the county engineer be submitted indicating that all improvements comply with the applicable map approval requirements and this code.
5. A requirement for written acceptance of all public improvements by the board or governing body of the agency or political subdivision having jurisdiction of the improvements on their completion.
6. An explanation that the financial security may be withdrawn upon final completion of the improvements only after the written approval of the board or following reduction of security as provided in this chapter.
7. A provision that the applicant must repair, at his or her sole cost and expense, any hidden defects in design, workmanship and materials which appear in the work within one year following acceptance by the county.
8. A provision requiring financial security for the warranty obligation for specified improvements which must be submitted to the board prior to withdrawal of the original financial security.
9. The agreement may include a provision requiring the developer to maintain each required public improvement for a period of one year following acceptance of the dedication of that completed public improvement.
10. Where temporary improvements are required, a provision agreeing to maintain such improvements.

B. Covenants to run. The improvement agreement must provide that the covenants contained in the improvement agreement run with the land and bind all successors, heirs and assigns of the developer. The agreement will be adopted by the board and must be recorded with the county recorder.

16.60.030 Security

A. Whenever the board permits a developer to enter into an improvement agreement, the developer must provide a letter of credit, cash escrow, or certificate of deposit as security for the improvement completion and warranty and maintenance promises contained in the improvement agreement, including those pertaining to temporary improvements. A developer who wishes to secure for improvements totaling in excess of \$250,000 must provide security in the form of a letter of credit, cash escrow or certificate of deposit. A developer who wishes to secure for improvements totaling \$250,000 or less may provide security in the form of a performance bond.

Whichever form of security chosen must be an amount equal to 150 percent of the approved engineer's cost estimate, including lot improvements. The security must name Storey County exclusively as the beneficiary of the security. The issuer of the letter of credit or certificate of deposit or the escrow agent, as applicable, must be acceptable to the county. Where a performance bond is utilized, each insurance company's rating as shown in the latest Best's Key rating guide must be fully disclosed and entered on the required certificate of insurance. The adequacy of the insurance supplied by the developer, including the rating and financial health of each insurance company providing coverage, is subject to the approval of the county.

1. Letter of Credit. If the developer posts a letter of credit as security for his improvement agreement, the letter of credit must (1) be irrevocable; (2) be for a term sufficient to cover the completion and warranty periods in subsection 16.60.01 (B); (3) require only that the government present the letter of credit with a sight draft and an affidavit signed by the director or district attorney attesting to the county's right to draw funds under the credit; and (4) be through a Nevada federally insured lending or banking institution.

2. Cash. If the developer posts cash as security for its promises contained in the improvement agreement, the developer has no right to return of any of the funds except that as provided in subsection 16.50.030(C). and the funds will be held in noninterest bearing account.

3. Certificate of deposit. If the developer posts certificates of deposit as security for the improvement agreement, the certificates of deposit must (1) be irrevocable; (2) be for the deposit time stated in the executed improvement agreement; and (3) provide that all interest will inure to the benefit of the developer or his successor in interest.

4. Performance bond. If the developer posts a performance bond as security for his improvement agreement, the performance bond must (1) be irrevocable; (2) be for a term sufficient to comply with the completion and warranty periods in subsection 16.60.010(B); and (3) be issued through an insurance company.

The insurance company must rate the contractor for the amount required to be bonded.

B. Governmental units. Other governmental units to which these improvement agreement and security provisions apply may file, in lieu of the improvement agreement and security, a certified resolution or ordinance from officers or agencies authorized to act in their behalf, agreeing to comply with the provisions of this chapter.

16.60.040 Site improvement permits

A. Prior to the commencement of any work on improvements, the developer must obtain a site improvement permit from the county engineer, accompanied by a fee, as set by resolution of the board. All costs for inspection services provided by personnel not employed by the county engineering department shall be contracted for and paid by the developer.

B. The developer's engineer must provide as-built construction drawings to the county engineer and other applicable utility.

16.60.050 Security for temporary improvements

If the developer has not entered into an improvement agreement addressing temporary improvements pursuant to section 16.60.020, prior to construction of a temporary facility or improvement, the developer must file with the county a separate improvement agreement and a letter of credit, certificate of deposit or cash in the amount appropriate for temporary facilities, which agreement and credit or escrow must ensure that the temporary facilities will be properly

constructed, maintained and removed.

16.60.060 Remedies

In those cases where an improvement agreement has been executed and securities have been posted and required public improvements have not been installed within the terms of the agreement, the county may then:

- A. Declare the agreement to be in default and require that all the improvements be installed regardless to the extent of the building development at the time the agreement is declared to be in default.
- B. Suspend map approval until the improvements are completed and record a document to that effect for the purpose of public notice.
- C. Obtain funds under the security and complete improvements itself or through a third party.
- D. Assign its right to receive funds under security to any third party, including a subsequent owner of the land to be divided for which improvements were not constructed, in whole or in part, in exchange for that subsequent owner's promise to complete the required improvements.
- E. Exercise any other rights available under the law.

16.60.070 Acceptance of dedication offers

Acceptance of formal offers of dedication of streets, utilities, public areas, easements, and parks must be made in accordance with adopted board policy, by the board, commission or official authorized by this title to approve the applicable map. The approval of any map authorizing the division of land, or approval of a site improvement or building permit must not be deemed to constitute or imply the acceptance by the county or other entity of any public improvement on the map. The county engineer may require a final map to be endorsed with the appropriate notes to this effect.

16.60.080 Inspection and certification of improvements

A. General procedure and fees. The county engineer or building official, where applicable, shall provide for inspection of required improvements during construction and ensure their satisfactory completion. Prior to the commencement of any work, the developer must obtain a site improvement permit or building permit, where applicable, and pay a fee set by resolution of the board. All costs for inspection services provided by personnel not employed by the county engineering division must be contracted for and paid for by the developer. Where the improvements are completed prior to approval of the applicable map, the county engineer may not sign the map unless the inspection fee has been paid at the time of application. No building permits or certificates of occupancy may be issued until all fees are paid. If the county engineer finds upon inspection that any one or more of the required improvements have not been constructed in accordance with the county's construction standards, design criteria and improvement standards and specifications, the applicant is responsible for properly completing the improvements.

B. Notice of completion. The dedication of required improvements will not be accepted, nor the amount of any remaining security posted by the developer be reduced until the county engineer or other utility has submitted a notice of completion stating that all required improvements have been satisfactorily completed and until:

1. The applicant's engineer or surveyor has certified to the county engineer and other

utility, through submission of a detailed "as-built" survey, indicating location, dimensions, materials and other information required by the county engineer, that the layout of the line and grade of all public improvements is in accordance with the construction plans;

2. A title insurance policy has been furnished to and approved by the county district attorney indicating that the improvements have been completed, are ready for dedication to the county and are free and clear of any and all liens and encumbrances. Upon the approval and recommendation by the county engineer and district attorney, the board, commission or official authorized by this code to approve the applicable map may accept the improvements for dedication in accordance with the established procedure.

3. A warranty bond or other form of security in conformity with the provisions of sections 16.60.090 and 16.60.100 is posted for the warranty period.

16.60.090 Reduction of escrowed funds and security

A. If the security posted by the developer was a cash escrow, the amount of that escrow may be reduced upon actual acceptance as completed, of public improvements and then only to the ratio that the costs of public improvements for which dedication was accepted bears to the total cost of public improvements for the land division. In no event may a cash escrow be reduced to less than 10 percent of the original amount unless and until a warranty bond or other form of security established in the improvement agreement, if required, is posted for the warranty period.

B. If the security provided by the developer was a letter of credit, or a certificate of deposit the county must execute waivers of the county's right to draw funds under the credit upon actual acceptance of the dedication of public improvements and then only to the ratio that the cost of the public improvements for which dedication was accepted bears to the total cost of public improvements for the land division. No waivers may be executed that would reduce the security below 10 percent of its original amount unless a warranty bond or other form of security established in the improvement agreement is posted for the warranty period.

16.60.100 Security for warranty of improvements

If a developer has not entered into an improvement agreement pursuant to section 16.50.020, he must provide a warranty bond or other acceptable form of security if required for warranty of improvements. The amount of the warranty bond must be equal to an amount established by an approved engineer's estimate for cost of replacement of improvements. The issuer of the security, as applicable, must be acceptable to the county.

16.60.110 Issuance of building permits and certificates of occupancy

A. Except as otherwise provided in section 16.60.120 below, when an improvement agreement and security has been required by this chapter, no certificate of occupancy for any structure or facility built on the project covered by such agreement may be issued prior to the completion of the required public improvements and the acceptance and dedication of the required improvements.

B. Building permits may not be issued for the final 10 percent of lots in a land division, or if 10 percent be less than 2, for the final 2 lots of the land division, until all required improvements have been fully completed and the developer's offers to dedicate the improvements have been accepted, by the appropriate authority.

Chapter 16.70

Land Readjustment

Sections:

16.70.010 Amending maps

16.70.020 Modifications to approved tentative maps

16.70.030 Reversion of maps or reversion of division of land to acreage

16.70.040 Merger and re-subdivision of land without reversion to acreage

16.70.050 Vacation or abandonment of street or easement

16.70.060 Administrative vacation or abandonment of public utility easements owned or controlled by Storey County

16.70.010 Amending maps

A. Certificate of amendment. If an error or omission is found in any subdivision map, record of survey, parcel map, map of division into large parcels, or reversionary map, and the correction does not change or purport to change the physical location of any survey monument, property line or boundary line, the error or omission may be corrected by the filing and recordation of a certificate of amendment authorized by the board. The certificate of amendment must contain the items required by NRS 278.473(2).

B. Amending map. If an error or omission is found in any recorded subdivision map, record of survey, parcel map, map of division into large parcels, or reversionary map, and the correction changes or purports to change the physical location of any survey monument, property line or boundary line, the correction may be effected by the filing of an amended map pursuant to the procedures of this section. This procedure may be utilized only to correct errors or omissions that do not result in a change of the number of lots, result in significant changes to the area of any lot or the amount of land reserved or dedicated for public use and improvements, or result in the removal of any covenants or restrictions attached to the final approved or recorded map.

C. Procedures for amending map. The same procedures and requirements must be applied to the application for an amended map as to the original land division, except, in the case of subdivisions, only those procedures for the approval and filing of a final subdivision map may apply. The amending map must be in the format and contain the certificates required by NRS 278.477(2).

16.70.020 Modifications to approved tentative maps

A. Applicability. Whenever the owners of land or their representatives desire to modify an approved tentative map or conditions of approval, an application must be filed with the department. The requests resulting in no net change or reduction in the number of parcels, the redesign of the map involving less than ten percent of the total number of parcels or land area, minor clarification of a condition resulting in no impact to public health or safety, or changes to map design resulting from the mapping of environmental constraints or historic sites, an application for a minor amendment may be filed. All other requests will constitute a major amendment.

B. Procedures for processing a minor amendment. An application for a minor amendment must be filed with the department, on the form provided, with the applicable fees. The director is

the designated authority for minor amendments. The applicant must be notified in writing of the decision regarding the request within 30 working days of the official filing date. The decision of the director may be appealed.

C. Procedures for processing a major amendment. Major amendments must be processed in the same manner as the original application for division of land. With the consent of the director the applicant may incorporate the previous applications and procedures by reference, to the extent that the amendment makes no material changes on the matters addressed by reference.

16.70.030 Reversion of maps or reversion of division of land to acreage

A. All applications for a reversion of map or reversion of division of land to acreage must be filed with the planning department on the appropriate forms and meet all applicable submittal requirements. The board is the final decision maker regarding reversion of maps or reversion of division of land to acreage.

B. The applicant must pay a fee as set by resolution of the board.

C. All applications for reversion of maps or reversion of land to acreage must comply with NRS 278.490.

D. Easements. Reversion of maps or reversion of division of land to acreage does not automatically eliminate any public utility, irrigation, or other private easement that may exist along a lot line. It is the responsibility of the property owner(s) to resolve any and all interest of record.

E. All applications of reversion of maps and lot consolidation or reversion of division of land to acreage must include a reversion to acreage map which contains the same survey dimensions as the previous recorded map.

F. Appeal. A decision of the director made under this section may be appealed in the matter provided for in chapter 17.03 Administrative Provisions.

16.70.040 Merger and re-subdivision of land without reversion to acreage

A. An owner or governing body that owns 2 or more contiguous parcels may merge and resubdivide the land into new parcels or lots without reverting the preexisting parcels to acreage pursuant to NRS 278.490.

B. Parcels merged without reversion to acreage pursuant to this section must be re-subdivided and recorded on a final map, parcel map or map of division into large parcels, as appropriate, in accordance with NRS 278.320 to 278.4725, inclusive, and this chapter. The recording of the re-subdivided parcels or lots on a final map, parcel map or map of division into large parcels, as appropriate, constitutes the merging of the preexisting parcels into a single parcel and the simultaneous re-subdivision of that single parcel into parcels or lots of a size and description set forth in the final map, parcel map or map of division into large parcels, as appropriate.

C. Streets and easements will remain in effect after the merger and re-subdivision of land, unless abandoned in accordance with the provisions of this code and NRS.

D. All applications of a merger and re-subdivision of land must be filed with the department of planning on the appropriate forms meeting all applicable submittal requirements.

E. The applicant must pay a fee as set by the board.

F. All applicants for merger and resubdivision of land must comply with NRS 278.4925, 278.4955, 278.496 and 278.4965.

G. All applications for merger and resubdivision of land must follow the same county approval process as the initial tentative map.

16.70.050 Vacation or abandonment of street or easement

Any abutting property owner desiring the vacation or abandonment of any street or easement or any portion of a street or easement must file a petition in writing with the department. The petition for vacation or abandonment of the street or easement will be processed in accordance with the procedures set forth in NRS 278.480. A vacation or abandonment of a street easement may be approved in conjunction with the approval of a tentative map pursuant to NRS 278.349. The board may initiate the vacation or abandonment of a street or easement by resolution.

16.70.060 Administrative vacation or abandonment of public utility easements owned or controlled by Storey County

A. Purpose. For the purposes of this section, a public utility easement is an easement owned or controlled by Storey County and which runs in favor of the county. Pursuant to NRS 278.480(11) and through the use of the procedure contained in this section, the director of the community development department, or his designee, is authorized to take final action on the vacation or abandonment of a public utility easement owned or controlled by the county.

B. General procedure. The owner of property who seeks abandonment of a public utility easement involving his property must file an application with the community development department on the forms provided by the department. The applicant must pay a fee as set by resolution of the board. The applicant must provide written verification that all public utility or video service providers have approved the application. The application must also include a legal description and exhibit prepared and signed a surveyor licensed in the state of Nevada, unless the county engineer waives the requirements of retaining a state licensed surveyor for the preparation of the documents. The director must provide all conditions of approval to the applicant in writing within 60 days of receiving an application.

C. Decision. The director of planning, or his/her designee, may issue a written order abandoning a public utility easement after:

1. Receiving a complete application.
2. Providing notice to each owner of property abutting the easement to be abandoned. The notice must be provided by mail pursuant to a method that provides confirmation of delivery and does not require the signature of the recipient. Property owners are given 10 days to respond.
3. Obtaining written approval from all public utility or video service providers indicating that they no longer request the reservation of the easements.
4. Verification that the applicant has fulfilled all prescribed conditions.
5. A determination that the subject public utility easement is no longer necessary or useful to the county and that the public will not be materially injured by the proposed vacation

D. Other easements. The abandonment of a public utility easement pursuant to this section does not affect an easement held by a private utility company even if such private utility easement was created by the same instrument or it has same legal description, and also does not affect an easement held by the public as distinguished from an easement held by the county or a public utility owned or controlled by the county.

E. Appeal. A decision of the director made under this section may be applied in the manner provide for in chapter 17.03 Administrative Provisions.

Chapter 16.80

Boundary Line Adjustment and Lot Consolidations

Sections:

16.80.010 Applicability

16.80.020 Exclusions

16.80.030 Standards for approval

16.80.040 Approval by director

16.80.010 Applicability

This chapter applies to an adjustment of the boundary line between 2 abutting parcels or the transfer of land between 2 owners of abutting parcels.

16.80.020 Exclusions

A. An adjustment of the boundary line between abutting parcels or the transfer of land between 2 owners of abutting parcels may not be approved if it reduces the size of a non-conforming parcel or results in the creation of a non-conforming parcel.

B. An adjustment of the boundary line between abutting parcels or the transfer of land between 2 owners of abutting parcels may be disapproved if it does not contain adequate access, utility, water conveyance and drainage easements to serve the resulting parcels.

16.80.030 Standards for approval

A. The adjustment of the boundary line between abutting parcels or the transfer of land between 2 owners of abutting parcels may be approved without conditions or further administrative proceedings when:

1. It does not result in the creation or reduction in size of non-conforming lots.
2. The map meets the formal requirements of NRS 278.5693.
3. The map is not in conflict with the provisions of this title and Title 17 of the county code, and NRS 278.010 to 278.630, inclusive.

B. If the proposed configuration results in the creation of parcels subject to new residential, commercial or industrial development, the director or his or her designee may require, prior to approval and recordation of the map, that public facilities and improvements be constructed, in the manner and at the same level as if parcel map approval had been sought.

16.80.040 Approval by director

The adjustment of the boundary line between abutting parcels or the transfer of land between 2 owners of abutting parcels may be approved, approved with conditions pursuant to this section, or disapproved by the director. Appeal of the director's decision is to the planning commission and board.

16.80.050 Lot consolidation

The purpose of this section is to allow an owner of contiguous lots in the same zoning district to consolidate the lots into a single parcel.

A. Applicability.

1. The lots involved must be within the same zoning district and master plan designation and the proposed lot consolidation must meet all the requirements of the zone.
2. The lots involved must be existing platted lots.
3. The lots must be under unified ownership.

B. Application Requirements.

1. An applicant must complete an application for a lot consolidation on a development application form approved by the director of planning and pay any required fee.
2. The applicant must include a record of survey by a professional land surveyor that shows the consolidation of the lots into a single parcel and meets the requirements of a boundary line adjustment under NRS 278.5693.

C. Administrative Lot Consolidation Procedure.

1. The director of planning may determine that an administrative lot consolidation procedure may be used instead of a record of survey if:
 - a. The lots were created by a map before the county adopted a subdivision approval process;
 - b. The consolidation of the lots will result in elimination of potential water well; or
 - c. The consolidation of the lots will reduce the density of the lots or bring the lots into conformance with existing zoning.
2. The application for the administrative lot consolidation procedure must include:
 - a. A completed development application.
 - b. A completed lot consolidation agreement with Storey County to create an equitable servitude.
 - c. An 8-and-one-half-inch by eleven-inch plot plan drawn to show the lots with identifying legal description and measurement of the property. The map must:
 - i. Include an arrow indicating north on the plot plan.
 - ii. Identify the lot, block, adjacent roadways, access roads, and easements.
 - iii. Show the 2 or more adjoining lots with middle lines designated for removal as a dotted line.
3. The plot plan and the lot consolidation agreement must meet the general recording requirements of NRS 247.110.

D. Investigation. Following the submission of a complete application for a lot consolidation or an administrative lot consolidation procedure, the director of planning will investigate the application to determine that the proposal meets the requirements of this code. After the director determines the application meets the requirements of this code, the application must be sent to the recorder for review to determine that the documents for recording are in an acceptable form. After the application has been investigated by the director, determined to be complete and in acceptable form, the application is ready for decision.

E. Decision. The director of planning is the final decision maker on an application for lot consolidation. The director must review the application within a period of 30 days after the determination of the complete application and by written decision must approve or disapprove it. The director must cite findings of fact in the decision.

F. Findings. The director's decision must be based on findings that indicate that the proposed lot consolidation:

1. Complies with the general purpose, goals, objectives, and standards of the county master

plan, this title, and any other plan, program, map, or ordinance adopted.

2. Will result in no substantial or undue adverse effect on adjacent properties, the character of the neighborhood, traffic conditions, parking, public improvements, public sites, or right-of-way, or other matters affecting the public health, safety, and general welfare.

The findings listed in this subsection are the minimum to be cited in an approval; the director may include additional findings in the decision.

G. Final Approval and Recording Procedures.

1. When director approves a lot consolidation, either a record of survey or a lot consolidation agreement and plot plan must be recorded in the office of the county recorder. If the recorder does not maintain a cumulative index for these lot consolidation documents, the recorder must make written notations of the fact on each sheet of the previously recorded maps affected by the latest recording. If such an index is maintained, the recorder must make an appropriate entry for the amendment.

2. The recorder must within 7 working days after he or she records the lot consolidation documents, provide to the county assessor at no charge:

- a. A duplicate copy of the map and any supporting documents; or
- b. Access to the digital map and any digital supporting documents.

3. A plot plan presented to the county recorder for the recording must include a certificate by the director on the plot plan stating that the director approved the map.

4. Lot consolidations become effective upon the record of survey or the lot consolidation agreement and plot plan being recorded by the county recorder. This lot consolidation process will not affect any existing easement or dedication of record.

H. Any further subdivision of a consolidated lot using this section must be done by subdivision map, parcel map, or division into large parcels and meet the requirements of this title and NRS Chapter 278.

Proposed on _____, 2018.

by Commissioner _____

Passed on _____, 2018.

Vote: Ayes Commissioners _____

Nays Commissioners _____

Absent Commissioners _____

Marshall McBride, Chair
Storey County Board of County Commissioners

Attest:

Vanessa Stephens
Clerk & Treasurer, Storey County

This ordinance will become effective on _____, 2018.



Storey County Board of County Commissioners Agenda Action Report

Meeting date: 02/06/18

Estimate of time required: 20 min.

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☒

1. **Title: Discussion/For Possible Action:** Second Reading of Ordinance No. 18-278 amending Storey County Code Title 17 Zoning, including Chapter 17.56 Planned Unit Developments to revise the procedure for approval and standards of planned unit developments. In addition to provisions of the NRS, any person may complete and return to the Board or Planning Commission a statement supporting or opposing the proposed amendments to the county code and zoning ordinance. Additional information may be obtained from the Planning Department at 775-847-1144 or planning@storeycounty.org.

2. **Recommended motion:** In accordance with the recommendation by staff and the planning commission, I [commissioner] motion to approve Second Reading of Ordinance No. 18-278 amending Storey County Code Title 17 Zoning, including Chapter 17.56 Planned Unit Developments to revise the procedure for approval and standards of planned unit developments.

3. **Prepared by:** Austin Osborne

4. **Department:** Planning

Telephone: 775.847.0968

5. **Staff summary:** An ordinance amending Storey County Code Title 17 to adopt new codes for planned unit developments other properly related matters.

6. **Supporting materials:** Enclosed and posted at <https://www.storeycounty.org/517/Updates>.

7. **Fiscal impact:** None on local government.

Funds Available:


Fund:

____ Comptroller

8. **Legal review required:**

____ District Attorney

9. **Reviewed by:**

 Department Head

Department Name:

 County Manager

Other agency review: _____

10. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No. 19

Ordinance No. 18-278

Summary

An ordinance amending Storey County Code chapter 17.56 Planned Unit Developments to revise the procedure for approval and standards of planned unit developments.

Title

An ordinance amending Storey County Code chapter 17.56 Planned Unit Developments to revise the procedures for approval and standards of planned unit developments, and providing for other properly related matters.

The Board of County Commissioners of the County of Storey, State of Nevada, does ordain:

SECTION I: Chapter 17.56 is amended as follows:

Chapter 17.56

PUD PLANNED UNIT DEVELOPMENT

Sections:

- 17.56.010 Purpose.**
- 17.56.020 General provisions.**
- 17.56.030 Procedure for application, noticing, hearing, and decision.**
- 17.56.040 Required findings for application and approval.**
- 17.56.050 Development plan components.**
- 17.56.060 Minimum PUD development standards.**
- 17.56.070 Density, intensity, and use standards.**
- 17.56.080 Increases in density.**
- 17.56.090 Open space requirements.**
- 17.56.110 Open space organization of ownership.**
- 17.56.120 Failure of an organization to act.**
- 17.56.130 Action by the county.**
- 17.56.140 Maintenance for succeeding years.**
- 17.56.150 Expense of maintenance.**

17.56.010 Purpose.

A planned unit development (PUD) is intended to further the public health, safety,

morals, and general welfare when considering residential and nonresidential subdivisions. A PUD provides for diversified housing types and design; provides for necessary commercial and industrial facilities conveniently located to that housing; encourages a more efficient use of land, public services or private services; better conforms to the local geography and topography; reflects changes in the technology of land development so that resulting economies may be made available to those who need homes; insures that increased flexibility of substantive regulations over land development authorized in this chapter is administered in such a way as to encourage the disposition of proposals for land development without undue delay, and creates a mixture of uses in the adopted ordinances. (Ord. No. 15-269, § I, 10-20-2015; Ord. No. 12-244, § I, 12-4-2012)

17.56.020 General provisions.

A. The board with action by the planning commission may only approve the level of intensity or density that is appropriate for a particular location as allowable by the provisions of this chapter. The body is not obligated to approve a PUD or the level of development intensity or density requested for a PUD. The board with action by the planning commission may require as a condition of approval any condition, limitation, or design factor that will promote proper development and the use of effective land uses which are consistent with the county master plan.

B. The entire property proposed for development as a PUD must be under common ownership or unified control to ensure unified development.

C. An application for a PUD may be accepted for any land in the county except for land described in subsections D and E of this section.

D. The overall site of a proposed PUD must be at least 5 acres in area. A PUD application for areas of less than five acres may be considered by the director if the applicant shows that the waiver of this requirement is in the public interest and that at least one of the following conditions exists:

1. Unusual physical features of the site or the surrounding neighborhood are such that development under the standard zoning provisions would not conserve the unique physical features of the site or would not allow functional or environmental compatibility with the surrounding neighborhood; or

2. The site is adjacent to an area which has been developed under the provisions of a PUD and will contribute to the amenity and functionality of the neighborhood.

E. PUDs are prohibited in the NR natural resources zone and P public zone, and otherwise where they are not consistent with the county master plan.

F. Historical development patterns (e.g., grid pattern) and historically compatible site design must be considered by the board and planning commission when reviewing and approving PUDs within the Comstock Historic District.

G. The PUD tentative map must show zones existing before the PUD ("existing zones") and proposed zones within the PUD ("new zones"). Existing zones and land uses within one thousand feet of the proposed PUD boundary must also be shown on the tentative map. New zone classifications and uses may only be those included in this title.

H. The PUD development plan must show the proposed new zones and land uses and provide development standards that will regulate those uses in conformance with this chapter and title. The development plan must comply with or surpass the standards established in the zones of similar uses in the county.

I. Commercial and industrial PUDs and those uses in residential mixed-use PUDs are not allowed to abut existing E or R zones.

J. The density, intensity, and allowable uses in the PUD are regulated pursuant to Section 17.56.070, Density, intensity and use standards, and by the design standards manual.

K. Residential PUDs must comply with the requirements of NRS 116, Common Interest Ownerships.

L. Except as prohibited by the provisions of this chapter, the board with action by the planning commission has the authority, in connection with the granting of a PUD, to change, alter, vary, or modify one or more of the provisions of this title as they deem appropriate; provided, that the PUD complies with the required findings for approval in Section 17.03.230(C) and the use under this title is not expressly prohibited in the zone.

M. The PUD project must be inaugurated within the time frame as established by a development schedule pursuant to Section 17.03.230(F) (development schedule). (Ord. No. 15-269, § I, 10-20-2015; Ord. No. 12-244, § I, 12-4-2012)

17.56.030 Procedure for application, noticing, hearing, and decision.

The procedure for a pre-application conference, application submittal and review, noticing, hearing, and action of the board and planning commission is regulated pursuant to Chapter 17.03, Administrative Provisions. (Ord. No. 15-269, § I, 10-20-2015; Ord. No. 12-244, § I, 12-4-2012)

17.56.040 Required findings for application and approval.

The PUD application must show that the required findings of fact pursuant to Section 17.03.230(C) are met. The board and planning commission must, at a minimum, include those findings in its approval of the PUD. (Ord. No. 15-269, § I, 10-20-2015; Ord. No. 12-244, § I, 12-4-2012)

17.56.050 Development plan components.

The application for a PUD must include a development plan that meets the requirements in this section and chapter. The planning department may require additional information in the application as it deems necessary to evaluate the proposed development.

A. Subdivision layout and lot design.

B. Existing and proposed public and private street, sidewalk, other right-of-way improvements, including vehicular parking, interior traffic flows, and development ingress and egress points. The plan must also include existing area road and highway improvements (including necessary expansions and improvements) that will connect the PUD with the surrounding communities and roadway systems.

C. Areas proposed to be dedicated or reserved for any public use including, but not limited to, public utilities and easements, public buildings and facilities, and public rights-of-way.

D. Areas proposed to be reserved for required open space pursuant to Section 17.56.090.

E. Existing land uses and zone classifications within one thousand feet of the external boundary of the proposed development.

F. Proposed land use and zone classifications within the PUD.

G. A minimum of three house model plans and three elevations for each house model for single-family dwellings, and a minimum of two building model plans and two elevations for each multifamily building. Portions of a PUD for which only custom homes are proposed or when lots are one acre or greater in area are exempt from this requirement.

H. Maximum building heights.

I. Maximum coverage of lot areas.

J. Minimum distance between structures.

K. Minimum setbacks from interior lot lines.

L. Minimum setbacks from street rights-of-way.

M. Landscaping, screening, and outdoor lighting.

N. Projected population and population densities within the development, including estimated population during each anticipated phase of development.

O. Projected vehicular traffic generation, including for different parts of the day such as morning and afternoon commuting times.

P. Development schedule as described in chapter 17.03, Administrative Provisions.

Q. Detailed written narrative discussing how the findings for approval in section 17.03.230(C) will be met. (Ord. No. 15-269, § I, 10-20-2015; Ord. No. 12-244, § I, 12-4-2012)

17.56.060 Minimum PUD development standards.

A. The PUDs development standards will be those which are established by NRS; this chapter and title; the approved development plans and tentative map pursuant this title, Title 16, and the design standards manual; and other requirements of the board with action by the planning commission.

B. The PUD must conform to all applicable county codes, including building and fire codes. A PUD must comply with this title and Title 16 with respect to site development standards, including parking, landscaping, screening, buffering, environmental standards, signs, and maintaining a minimum ten-foot building setback from project parameters. Variance or waiver applications to reduce requirements will not be accepted unless expressly allowed within the respective regulations of this title.

C. All infrastructure and right-of-way improvements, whether public or private, are required to meet full county standards pursuant to NRS 278.230 through 278.320 inclusive. The board with action by the planning commission may consider dedication of roads and other rights-of-way. Private use and management of roads and rights-of-way may be permitted upon approval by the board.

1. If determined by the board to be necessary for proper traffic circulation, the applicant may be required to provide improved ingress and egress to the development, including acceleration and deceleration lanes, traffic control devices, including channelization and signalization. These improvements must be offered for dedication to the county or state, whichever has jurisdiction.

D. Additional density than that allowed by the existing zone, except in E and R zones in which increased density is prohibited, may be allowed as provided for in sections 17.56.070 and 17.56.080, if the board with action by the planning commission determines the increase in density is justified by the provisions of required open space and other

design amenities that contribute positively to the beneficial effects of the development for the community and its existing surrounding zones and uses.

E. Transition requirements from adjacent properties.

1. A proposed development must incorporate height and density transitioning considerations along its perimeter to existing residential uses and zones to achieve an orderly transition between it and existing residential developments and residential zones on adjacent properties. Unless determined otherwise for good reason by the board with action by the planning commission, buildings and units proposed to be located along the perimeter of the proposed development to existing residential uses and zones must maintain setback distances and stay within fifty percent tolerance range of the height and density of residential development and residential zones that are adjacent to, or across the street from, the proposed development's perimeter. This is not required when open space creating 500 feet or more separation between the perimeter buildings and the existing residential uses and zones is provided.

2. Transitioning considerations include a range of design features related to existing and proposed development. These include, but are not limited to, height, mass, density, appropriate buffers, architecture, landscaping, loss of privacy, unsightly views, pedestrian and vehicular traffic circulation, parking concerns, and environmental impacts.

F. Development proposed on hillsides and other steep topography, and along ridgelines, must meet the minimum requirements of this subsection. The board and planning commission may consider alternatives proposed by the applicant to allow necessary development in these areas when the development plan shows that the purpose and intent of this section is met.

1. Grading and development of roads, structures, and building sites must be minimized within slopes of fifteen percent or steeper grade; canyons and ravines; prominent rock outcroppings; and other significant geographic features, in order to retain ground stability and visual value and scenic character of the surrounding natural landscape.

2. Building design and overall development must be of innovative techniques and building design that responds to the natural topographic contours and pronounced ridgelines. This is achieved by "clustering" development into areas having lesser or no slope; applying shapes and earth tone colors to structures that reasonably blend into the backdrop hillside environment; increasing setback distances between perimeter structures which may encroach into a ridgeline's sky backdrop; allowing only one-story buildings boarding the natural ridgeline; and configuring roofs so that only roof face slopes (no gables) are visible.

3. Landscaping must be designed and placed to mitigate soil erosion, lessen visual impact of grading and other development, conserve water, and mitigate risk of fire to the development and surrounding area. Landscaping will otherwise be reviewed in accordance with the design standards manual.

G.L. Streets, highways, alleys, sidewalks, and pedestrian ways must conform to the requirements in Title 16, Subdivisions. Collector and local roads in residential PUDs, except in E zones, must be designed to avoid long, straight expanses which encourage high speed vehicular travel and are not aesthetically appealing. Providing a minimum twenty-five-foot lateral deviation from a straight course for every three hundred fifty feet

of street length or other design measures may be used to achieve this goal.

H.A. Parking. Parking for commercial and industrial PUDs is pursuant to Title 16, Subdivisions, and the provisions of this title. Parking for a single-family or multifamily residential development must be provided as follows. Reduction to these standards may only be permitted with an approval of a waiver of development standards by the board with action by the planning commission.

1. Two spaces per dwelling unit must be provided. Both spaces must be on site unless an alternative is specifically approved per subsection (3) of this section.

2. One additional space must be provided for every five residential units which may be off site of the residence, and within designated visitor parking areas which are within reasonable walking distance to the residences.

3. Exception. Where the on-street parking is legally allowed and functionally feasible in terms of a PUD's overall design, each on-street parking space may be substituted on a one-for-one basis for each unit requirement; provided, that a detailed parking analysis and plan that satisfies functional and safety standards is submitted and approved.

L.P. Flood control and drainage must conform to the regulations under Title 16, Subdivisions, Title 15, Buildings and Construction, and other provisions of this code.

J.Q. The board with action by the planning commission may impose additional requirements deemed necessary for consistency with the findings required by Section 17.03.230(C) and the design standards manual. These may include but are not limited to amenities, such as recreation or play areas and open space, to compensate for any deviations that may be permitted.

K.R. Arrangement of light industrial uses in a residential PUD. Light industrial uses listed in Section 17.34.020, Allowed uses, when allowed by this chapter within a residential PUD, must be developed in park-like surroundings, utilizing landscaping, open space, and the existing natural environment as buffers to screen lighting, parking areas, loading areas or docks, and/or outdoor storage of raw materials or products. Light industrial use within the residential PUD must provide for the harmony of buildings and a compact grouping in order to economize in the provision of such utility services required. Thoroughfares must be kept to a minimum throughout the planned industrial area in order to reduce through traffic. At least one hundred feet of setback distance must separate light industrial and residential uses within the PUD. All intervening spaces between the right-of-way line and project building line and intervening spaces between buildings, drives, parking areas, and improved areas must be landscaped with trees and plantings and properly maintained at all times.

L.S. Arrangement of commercial uses in a residential PUD. Commercial and commercial-residential mixed-use buildings and establishments must be planned as groups having common parking areas and common ingress and egress points in order to reduce the number of potential accident locations at intersections with thoroughfares. Planting screens or fences must be provided on the sides of the commercial development abutting existing and proposed single-family residential uses within the PUD. For integrated commercial-residential mixed-uses, this screening is not needed when it complies with the overall site design requirements of this subsection and the design

standards manual. The development plan must provide for the integrated and harmonious design of buildings, and for adequate and properly arranged facilities for internal traffic circulation, landscaping, and such other features and facilities as may be necessary to make the project attractive and efficient from the standpoint of the adjoining, surrounding, existing and potential developments. All areas designed for future expansion or not intended for immediate improvement or development must be landscaped or otherwise maintained in a neat and orderly manner as required by the County Code.

F.M. Irrigation plans, and specifications which comply with the International Plumbing Code, must be submitted with the landscape plan to insure adequate irrigation coverage. To increase water conservation, the system must be automatic drip, bubbler, or sprinkler irrigation. Sprinkler irrigation is only allowed on lawn areas, except that some groundcover may use sprinkler irrigation with the approval by the director. All drip and bubbler irrigation systems must be installed separately from turf irrigation systems. All irrigation plans must include the following:

1. Scale at the same scale as the landscape plan, north arrow, location of adjacent streets, property lines, easements, sidewalks, drives, paved areas, lighting, signs, buildings, all utilities and mechanical equipment within the landscape areas, existing trees and other natural or man-made site features influencing the use of the site;
2. Identification and description of automatic irrigation components to insure that vegetation is adequately irrigated. All irrigation plans must incorporate water conserving principles, including multiple program controllers with percent scaling, low precipitation heads, drip irrigation, and check valves. Where applicable, irrigation details must include the method for the watering of required street trees. All valves and other devices are to be housed in a box of adequate size and design to protect the components.
3. Indication of the system point of connection and size, water pressure available, and maximum demand of the system in gallons per minute;
4. Irrigation equipment specified must be identified by manufacturer's name and equipment identification number;
5. Cross connection devices installed for all construction must have a reduced pressure backflow device presented, except for single-family development;
6. All locations of irrigation valves, controllers, hose bibs, quick coupler valves, and backflow preventers. Sprinkler location on plans must include typical pattern of sprays (i.e., full circle, half circle), psi, radius of throw and gallons per minute;
7. Irrigation details must be used to clarify particular situations. Typical details must include backflow prevention devices, valves, irrigation heads, and irrigation controllers;
8. Sizes of irrigation lines. Schedule 40 P.V.C. is required for all pressure lines and under all paved areas. Piping must be installed a minimum of 12 inches underground for non pressure irrigation lines and 18 inches underground for constant pressure irrigation lines.
9. Landscaping design standard will be pursuant to the applicable provisions in the design standards manual.
10. All landscaping must be properly installed and be according to approved plans prior to final inspection and certificate of occupancy. An exception is allowed only when the landscaping cannot be completed due to weather related delays. In lieu of the installation of landscaping, financial security must be provided to Storey County at 150

percent of the estimated cost of installation. The owner must guarantee installation as specified in the temporary certificate of occupancy agreement, and final inspection must be completed within six months of the issuance of a temporary certificate. The estimated cost of the landscaping is subject to verification by the planning department.

(Ord. No. 15-269, § I, 10-20-2015; Ord. No. 12-244, § I, 12-4-2012)

17.56.070 Density, intensity, and use standards.

A. For purpose of calculating residential density, the plan must separately designate a development envelope by phase of development for each type of residential use and each area to be developed for nonresidential use.

B. Except as provided for in subsections (B)(1) through (3) of this section, the uses allowed in the zones existing prior to the PUD are those allowed in the PUD overlay zone, including uses listed as permitted and accessory. Special use permit requirements for uses in existing zones will also be required in the respective new PUD zones.

1. A special use permit pursuant to Chapter 17.32 (F Forestry Zone) is not required for residential uses as part of the approved PUD in the F zone.

2. Up to twenty-five percent of a residential PUD (minus open space) proposed within existing A, F, and SPR zones may also include commercial, commercial-residential, and light industrial uses in order to create a mixed-use environment. Allowed light industrial uses are those listed as permitted uses (not requiring a special use permit) under Chapter 17.34, I1 Light Industrial Zone. Light industrial uses requiring a special use permit, heavy industrial uses, and special industrial uses are prohibited in residential PUDs.

3. An additional ten percent of commercial and light industrial uses, inclusive, may be added to the residential PUD if at least seventy-five percent of the area devoted to the uses pursuant to subsection (B)(2) of this section includes combined commercial-residential mixed-use.

C. The following are the allowed densities within a PUD:

1. Unless stated otherwise in subsections (C)(2) and (3) of this section, the density allowed in the zone existing before the PUD is the density allowed in the PUD overlay zone.

2. Where the PUD is located over existing A and F zones, the density of each new zone in the PUD overlay zone may be increased to the level allowed in the approved tentative map. The minimum open space requirements in Section 17.56.090 still apply.

3. Density bonuses may be granted pursuant to Section 17.56.080 (Increases in density) for PUDs applicable to subsection (C)(2) of this section. The minimum open space requirements in Section 17.56.090 still apply.

D. The density of residential development within the PUD is calculated by dividing the acreage of the residential development envelope by the minimum parcel size authorized within the existing zone. The following steps are used to calculate the total number of residential units allowable within the PUD:

1. Deduct areas devoted to nonresidential uses, such as commercial, commercial-residential, and industrial uses from the total PUD site area. Open space is not deducted from the total PUD site area.

2. Determine the number of residential units allowed under the existing zone by dividing the net residential development envelope size determined in section

17.56.070(D)(1) by the minimum parcel size permitted by the existing zone. Round down any fraction to the next lowest whole number to obtain the number of allowable units.

3. The residential development envelope may bridge existing zone boundaries and may be subdivided into phases; provided, that the density of any given phase does not exceed that allowed under the provisions of this chapter within that phase of the PUD.

4. The average lot size or the lot size for particular tracts within the PUD may be increased above or decreased below the average for the development envelopes in order to ensure compatibility and appropriate transitioning with adjacent development within or outside the PUD (see Section 17.56.060(E)). (Ord. No. 15-269, § I, 10-20-2015; Ord. No. 12-244, § I, 12-4-2012)

17.56.080 Increases in density.

A. The allowed density may be increased as provided in Section 17.56.070(D) in order to enhance development compatibility and appropriate transitioning between the proposed PUD and existing E and R zones and their uses.

B. A density bonus of one-half percent for every one percent of the PUD that is reserved for open space beyond the minimum requirements of this chapter, or agricultural easement area, may be granted in the PUD approval. The open space must meet the requirements of this chapter and the agricultural area must meet the requirements of Chapter 17.24, Agriculture Zone. Agricultural uses requiring a special use permit pursuant to Section 17.24.025 are prohibited in PUDs.

C. The density bonus described in subsection B of this section may be increased from one-half percent to one percent when at least ten percent of the PUD includes integrated commercial, light industrial, and commercial-residential mixed uses. (Ord. No. 15-269, § I, 10-20-2015; Ord. No. 12-244, § I, 12-4-2012)

17.56.090 Open space requirements.

All PUDs with ten or more lots or units and at six or more units per acre, regardless of how many lots or units, must have open space reserved as provided in this section. The location of any open space is determined individually for each PUD and will be based upon geographic and topographic characteristics of the site or other factors to meet the objectives of this chapter. Open space within the PUD must meet the requirements of this section.

A. In order to conform to the purpose and intent of the existing zone, and to make PUDs compatible with existing surrounding uses and zones, the PUD must include open space as required in the existing zone and shown in Table A. Each building envelope in the PUD must include the required open space for that new zone. This common area requirement applies to residential, commercial, and industrial PUDs.

Table A. Minimum open space requirements

	Required open space	Zone	Required open space
A	65 percent	I	35 percent
C	25 percent	P	0 percent
CR	25 percent	R	35 percent

E	60 percent	SPR	35 percent
F	60 percent		

B. Open space in residential PUDs may not include streets or alleys (public or private), sidewalks adjacent to streets, driveways, parking areas, storage, laundry or utility facilities, RV and boat storage areas, public or private K-12 school grounds, or areas covered by residential, commercial, or industrial structures, or their accessory structures. Open space may include the area between the curb and detached sidewalk, excluding driveways, when that area is landscaped with trees and appropriate groundcover. The board with action by the planning commission may allow RV and boat storage areas to count toward a portion of open space when the developer demonstrates substantial enhancement for recreational purposes of a commensurate area of land within the development.

C. Up to twenty percent of open space in commercial and industrial PUDs may include parking areas, utility facilities, and open drainage ways.

D. Open space within multifamily residential developments may include landscaping, walking trails, swimming pools, and outdoor recreation facilities.

E. Open space may include golf courses (public or private), including fairways and other recreation areas and facilities; provided, that the cumulative area does not account for more than fifty percent of the required open space. Golf courses must be irrigated with reclaimed gray water.

F. Open space may include equestrian trails and uses when open to the residents of the PUD.

G. At least twenty-five percent of the required open space must have a slope of fifteen percent or less. At least fifty percent of the required open space having a slope of fifteen percent or less must be landscaped with trees, shrubs, grass, or xeriscape landscaping, and have appropriate irrigation systems. A minimum of one hundred square feet per residential unit must be designed for recreation, which may include, but not be limited to, picnic areas, sports courts, a soft-scape surface covered with turf, sand, or similar materials acceptable for safe use by young children, including play equipment and trees, with a slope of five percent or less and no dimension less than twenty-five feet, inclusive of the required landscaped area. The use of existing, native vegetation may be used in conjunction with trails or other amenities not listed in this subsection to satisfy the requirement for improved recreational areas.

H. At least fifty percent of the required open space must consist of connected, contiguous area that is greater than or equal to two hundred square feet with widths no smaller than ten feet.

I. Open space must be accessible to all property owners within the PUD and connected by a comprehensive on-site pedestrian circulation system. Open space must enhance circulation within the site, promote pedestrian use and safety, and improve a site's aesthetic qualities.

J. Open space that are conveniently located, accessible, and visible for the occupants of the PUD must be provided as required and may contain such elements as public parks, pools, tennis courts, ball fields, and various buildings or structures intended for recreational use.

K. Open space including plazas and courtyards, should (but are not required to) be

designed, located, and landscaped to take advantage of solar orientation, maximize water conservation measures, and afford summer shade and winter sunshine.

L. Where possible, on-site recreation areas should (but are not required to) be linked with any appropriate transportation, bicycling, open space, trails, or other similar approved plan. When the property is on a trail designated by an adopted plan, the trail must be provided and that area developed for the trail may be counted as part of the required open space, even if the trail is dedicated. Similarly, if the identified trail is planned for a natural drainage way adjacent to or bisecting the development, the area of the drainage way developed as a trail or with other recreational amenities may be counted as part of the open space as well.

M. Allocation of open space must be made to each development envelope and for each phase of the PUD. The board with action by the planning commission may require open space beyond the requirements of this chapter for particular development envelopes or phases of the PUD. In the event that open space is not to be provided proportionally by phase, the developer must execute a reservation of open space by grant of easement or covenant in favor of the county authorizing the county to reserve all or a portion of the reserved area to open space in the event that the development is not completed. (Ord. No. 15-269, § I, 10-20-2015; Ord. No. 12-244, § I, 12-4-2012)

17.56.110 Open space organization of ownership.

Open space will not be accepted for dedication to the county. The developer must provide for and establish an organization such as a homeowners association for the ownership and maintenance for any and all open space and other common property which includes the following:

- A. The form of document or covenant that will legally create an automatic membership, nonprofit, homeowners, or occupants association.
- B. The style of ownership in the open space and other common properties.
- C. Restrictions on the use of the open space and other common properties.
- D. System for the operation and maintenance of the open space and other common property.
- E. System of charges or assessments on each PUD owner or occupant to assure sufficient funds for maintenance of the open space and other common property, and payment of county-assessed property taxes for the open space and other common property.
- F. Residents or occupants of PUDs may, to the extent and in the manner expressly authorized by the provisions of their conditions, covenants, and restrictions, modify or remove their rights to enforce the provisions or their conditions, covenants, and restrictions, but no such action may affect the right of the county to enforce the provisions of this chapter.

G. The documents or forms must be reviewed by the district attorney and planning department prior to tentative approval. All documents required by the county must be in a form that may be enforced by the county. (Ord. No. 15-269, § I, 10-20-2015; Ord. No. 12-244, § I, 12-4-2012)

17.56.120 Failure of an organization to act.

- A. Prior to establishing an organization that will provide for the ultimate ownership

and maintenance of any open space and other common property, the landowner will be responsible for the proper operation and maintenance of such properties. Proper operation and maintenance must constitute full compliance of the plans and schedules for such areas as approved by the board. The landowner must remain responsible for the ownership, operation, and maintenance of the open space and other common property until a minimum of forty percent of the total PUD units have been sold to individual buyers and the responsibility of the open space has been transferred to the organization.

B. If an organization established by a landowner to provide for the ownership and maintenance of any open space and other common property, at any time after the reestablishment of a PUD, fails to maintain the open space and other common property in reasonable order and condition in accordance with the development plan, the county may serve written notice upon such organization or upon the residents of the PUD, setting forth the manner in which the organization has failed to maintain the open space or other common property in reasonable condition. The notice must include a demand that the deficiencies of maintenance be cured within thirty days of the receipt of the notice and must state the date and place of a hearing before the board, which must be within fourteen days after the expiration of the thirty-day notice. At the hearing, the board may modify the terms of the original notice as to the deficiencies and may give an extension of time within which they must be cured. (Ord. No. 15-269, § I, 10-20-2015; Ord. No. 12-244, § I, 12-4-2012)

17.56.130 Action by the county.

If the deficiencies set forth in the original notice or in the modification thereof are not cured within the thirty-day period, or any extension, the board, in order to preserve the taxable values of the properties within the PUD and to prevent open space and other common property from becoming a public nuisance, may direct county departments or their designee to enter the open space or other common properties and maintain it for a period of one year or less. This, however, does not release the organization, residents, or occupants of the PUD from any liability which they would otherwise have. (Ord. No. 15-269, § I, 10-20-2015; Ord. No. 12-244, § I, 12-4-2012)

17.56.140 Maintenance for succeeding years.

Before the expiration of the period of maintenance the board must, upon its own initiative, call a show cause public hearing upon notice to the organization or to the residents of the PUD. At this hearing, the organization, residents, or occupants of a planned unit development must show cause why maintenance by the organization or residents of the PUD cannot be continued for the succeeding years. If the board determines that the organization is ready and able to maintain the open space or other common property in a reasonable condition, the county must cease its maintenance at the end of the year. If the board determines that the organization is not ready and able to maintain the open space or other common properties in a reasonable condition, the county may, at its discretion, continue the maintenance of the open space or other common property during the succeeding years. (Ord. No. 15-269, § I, 10-20-2015; Ord. No. 12-244, § I, 12-4-2012)

17.56.150 Expense of maintenance.

The cost of any and all maintenance and operations undertaken by the county must be assessed proratably against all properties in the PUD and it must be a tax lien upon the properties. (Ord. No. 15-269, § I, 10-20-2015; Ord. No. 12-244, § I, 12-4-2012)

Proposed on _____, 2018.

by Commissioner _____

Passed on _____, 2018.

Vote: Ayes: Commissioners _____

Nays: Commissioners _____

Absent Commissioners _____

Marshall McBride, Chair
Storey County Board of County

Commissioners

Attest:

Vanessa Stephens
Clerk & Treasurer, Storey County

This ordinance will become effective on _____, 2018.



Storey County Board of County Commissioners Agenda Action Report

Meeting date: 02/06/18

Estimate of time required: 20 min.

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☒

1. **Title: Discussion/For Possible Action:** Second Reading of Ordinance No. 18-280 amending Storey County Code Title 17 Zoning including chapters 17.03 Administrative Provisions, 17.10 Definitions, 17.12 General Provisions, 17.15 Public Zone, 17.24 Agriculture Zone, 17.28 Commercial Zone, 17.30 Commercial-Residential Zone, 17.32 Forestry Zone, 17.34 Light Industrial Zone, 17.35 Heavy Industrial Zone, 17.40 Estate Zone, 17.44 Special Planning Review Zone; and 17.84 Signs and Billboards. In addition to provisions of the NRS, any person may complete and return to the Board or Planning Commission a statement supporting or opposing the proposed amendments to the county code and zoning ordinance. Additional information may be obtained from the Planning Department at 775-847-1144 or planning@storeycounty.org.

2. **Recommended motion:** In accordance with the recommendation by staff and the planning commission, I [commissioner] motion to approve Second Reading of Ordinance No. 18-280 amending Storey County Code Title 17 Zoning including chapters 17.03 Administrative Provisions, 17.10 Definitions, 17.12 General Provisions, 17.15 Public Zone, 17.24 Agriculture Zone, 17.28 Commercial Zone, 17.30 Commercial-Residential Zone, 17.32 Forestry Zone, 17.34 Light Industrial Zone, 17.35 Heavy Industrial Zone, 17.40 Estate Zone, 17.44 Special Planning Review Zone; and 17.84 Signs and Billboards.

3. **Prepared by:** Austin Osborne

4. **Department:** Planning

Telephone: 775.847.0968

5. **Staff summary:** An ordinance amending Storey County Code Title 17 to adopt new codes for zoning regulations other properly related matters.

6. **Supporting materials:** Enclosed and posted at <https://www.storeycounty.org/517/Updates>.

7. **Fiscal impact:** None on local government.

Funds Available:


Fund:

____ Comptroller

8. **Legal review required:**

____ District Attorney

9. **Reviewed by:**

 Department Head

Department Name:

 County Manager

Other agency review: _____

10. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No. **20**

Ordinance No. 18-280

Summary

An ordinance amending Storey County Code Title 17 Zoning including chapters 17.03 Administrative Provisions, 17.10 Definitions, 17.12 General Provisions, 17.15 Public Zone, 17.24 Agriculture Zone, 17.28 Commercial Zone, 17.30 Commercial-Residential Zone, 17.32 Forestry Zone, 17.34 Light Industrial Zone, 17.35 Heavy Industrial Zone, 17.40 Estate Zone, 17.44 Special Planning Review Zone; and 17.84 Signs and Billboards and other properly related matters.

Title

An ordinance amending Storey County Code Title 17 Zoning including chapters 17.03 Administrative Provisions, 17.10 Definitions, 17.12 General Provisions, 17.15 Public Zone, 17.24 Agriculture Zone, 17.28 Commercial Zone, 17.30 Commercial-Residential Zone, 17.32 Forestry Zone, 17.34 Light Industrial Zone, 17.35 Heavy Industrial Zone, 17.40 Estate Zone, 17.44 Special Planning Review Zone; and 17.84 Signs and Billboards and other properly related matters.

The Board of County Commissioners of the County of Storey, State of Nevada, does ordain:

SECTION I: Chapter 17.12 General provisions is amended as follows:

17.12.023 Home Enterprises

- A. This section applies to any home enterprise.
- B. In zones where a home enterprise is allowed, the home enterprise must comply with the provisions of Title 5 Business Licenses, and a special use permit may be required pursuant to subsection (C) below.
- C. A special use permit approved by the board with action by the planning commission is required if the home enterprise may:
 - 1. Involve entry into the residential building or accessory building by customers, patrons, or other such persons not permanently residing on the property;
 - 2. Involve seven or more motor vehicle visits per week, or two or more on any given day, to the subject property;
 - 3. Involve the storage or use of flammable or hazardous substances, storage of products being sold that would increase fire loading to a level over the above standard for residential properties, or involve activities that may be potentially harmful or hazardous (e.g., welding, automotive painting, etc.) to surrounding residences and uses;

4. Involve outdoor storage; or
 5. Produce noise, odor, dust, smoke, light, vehicular traffic, or other disturbances that would adversely affect the health, safety, or general welfare of surrounding residences, or the residential character of the surrounding area, without proper mitigation.
- D. The following minimum standards apply to any home enterprise, regardless if a special use permit is or is not required:
1. The home enterprise must be operated entirely within the interior portions of the principal residential building or accessory building on the lot by a person or persons residing in the principal dwelling unit;
 2. The home enterprise use must be clearly a subservient use to the dwelling for residential purposes. The home enterprise must not change the residential character of the dwelling unit or the residential property;
 3. No more than one vehicle with commercial advertising displayed may be parked on the premises except within an entirely enclosed building. Such vehicle stored outside of the enclosed building must not exceed 10,000 pounds gross vehicle weight rating (GVWR).
 4. There may be no manufacturing, processing, or similar activities on the premises which generate noise, odor, dust, vibration, fumes, smoke, electrical interference, vehicle traffic exceeding the number stated in this section, storage of items which increase fire load, or other adverse impacts to adjacent properties.
 5. The home enterprise may not be operated by a resident-tenant without the written consent of the owner of the real property.
 6. No employees of the business may report for duty at or near the residence.
 7. The home enterprise must comply with the provisions of Title 5 Business Licenses of the county code.
 8. One non-lighted advertising sign of four square-feet may be allowed on the property. The sign must comply with chapter 17.84 Signs and Billboards.
 9. Home pet and plant sales. In any CR, R, E, or SPR zone, a person may keep or cultivate pets or raise fowl, bushes, trees, berries, or crops, or sell pets, fowl, eggs, or crops from the premises, providing that no stores or stands are constructed for the purpose, the operation is not conducted as a regular commercial enterprise, and the activity is not in violation of this chapter or any other ordinance.

17.12.044 Height of Buildings and Structures

A. Buildings and structures – general. The height limitation for buildings, manufactured homes, and other structures not listed in this section is regulated by the zone in which they are located. Church spires, belfries, cupolas, domes, chimneys, water towers, and flagpoles are exempt from the height limitations in this title.

17.12.045 Accessory buildings and shipping containers, Location and Placement (non-dwelling)

The following provisions apply to the location and placement of accessory buildings unless otherwise provided in this title. Accessory buildings must be no less than 6 feet from another building, and must comply with applicable building and fire separation requirements. Regular setback distances apply to accessory buildings with exception of the following.

A. Accessory buildings in R and SPR zone.

1. Accessory buildings up to 500 square feet or 20 feet in height may be located up to 3 feet of the rear and side property line.
2. Accessory buildings exceeding 500 square feet or 20 feet in height must conform to regular setback distances. However, a special use permit may be granted by the board with action by the planning commission to locate an accessory structure exceeding 500 square feet or 20 feet in height less than the regular setback distance to the rear and side property lines.
3. Accessory building(s) may cover no more than 50 percent of the rear yard area.

B. Accessory buildings in E zone.

1. Standard setback distances apply when the lot is larger than one acre. When the lot is one acre or less, accessory buildings may be placed no closer than 50 percent of the depth of the lot from the front property line, or 60 feet, whichever is less.
2. Accessory structures must also be no closer than 20 feet from the easement line in which the public or private access road is located (see section 17.12.090). This only applies to parcels having this encroaching easement.

C. Accessory buildings in the I1, I2, I3, and IC zones.

1. Accessory buildings 2,000 square feet or less may be located up to 20 feet of the front, rear, or side lot line.

D. Accessory buildings in the A, F, and NR zones.

1. The location, placement, and area of accessory buildings in the A, F, and NR zones are regulated by chapters 17.24 Agriculture zone, 17.32 Forestry zone, and 17.76 Natural Resources zone, respectively.

E. Area limitations. The following limitations apply to allowable cumulative square footage for accessory building(s):

Zone	Maximum square footage for accessory building
C and CR	No limitation
R1 and R2	1,500 square feet
SPR	1,500 square feet
E and E1VCH (1 to 5 acres)	4,000 square feet total. Second floor exterior walls must be offset from the first floor exterior walls by at least 10 percent on at least two sides.
E, E10HR, and E40VR (more than 5	5,000 square feet

acres, up to 40 acres)	
F	5,000 square feet
IC, I1, I2, and I3	No limitation
A	Up to 5 percent of total lot area when clearly incidental to the permitted agriculture use and 5,000 square feet when not clearly incidental to the permitted agricultural use

ion. Any detached accessory building proposed to be connected to a potable line, or a septic system or community water system (i.e., sanitary sewer) as a building permit application shall require a deed restriction to be filed with the planner's office stipulating that the structure will not be converted to an accessory building as defined by chapter 17.10 Definitions. The deed restriction shall make the building subject to the restriction and shall be obtained from the building or planning department. A copy of the recorded deed restriction shall be required prior to the issuance of a building permit.

Accessory structure – during construction. It is unlawful to construct, erect, or use garages or other accessory buildings and uses in the E, R, or SPR zone without a principal building. A temporary building may be constructed pending construction of the principal building providing that a building permit will not be issued for a temporary building unless a permit is also issued at the same time for the principal building. Temporary accessory dwelling units are regulated under section 17.12.046 regarding size, locations, and placement.

Containers: Shipping containers may be used as a detached accessory building for the purpose of storage with the following restrictions:

1. Be listed in the respective zone as an allowed use after review and approval by the director of planning.

2. The shipping container is allowed on a parcel of land having less than 3 acres and must not exceed a maximum size of 10 feet wide, 10 feet high, and 40 feet long.

3. In the C, CR, E, P, R and SPR zones, the container must:

a. Be fully surrounded by a solid fence at least 6 feet high, or located within an area screened by existing solid evergreen vegetation that is at least 6 feet high; or located toward the center of a property where existing dense vegetation meets the purpose of this section; and

b. Be painted one, solid, muted color (i.e., earth tone colors) that blends with the surrounding vegetation or topography, or adjacent building.

4. Shipping containers used for these purposes must be free from visible damage, must not be structurally altered, must be free from visible rust, and must not have exposed bare metal.

5. Must not include plumbing fixtures.

F. Deed restriction. Any detached accessory building proposed to be connected to a water supply line, or a septic system or community water system (i.e., sanitary sewer) as a part of a building permit application shall require a deed restriction to be filed with the county recorder's office stipulating that the structure will not be converted to an accessory dwelling unit as defined by chapter 17.10 Definitions. The deed restriction shall make the building subject to the restriction and shall be obtained from the building or planning department. A copy of the recorded deed restriction shall be required prior to the issuance of a building permit.

G. Temporary building. It is unlawful to construct, erect, or use a temporary building or locate private accessory buildings in the E, R, or SPR zone without an existing principal building. A temporary building may be constructed pending construction of the principal building providing that a building permit will not be issued for a temporary building unless a permit is also issued at the same time for the principal building. Temporary accessory dwelling units are regulated under section 17.12.046 regarding size, locations, and placement.

H. Shipping containers. Shipping containers may be used as a detached accessory building for the sole purpose of storage with the following restrictions:

1. Must be listed in the respective zone as an allowed use after review and approval by the director of planning.
2. Only one shipping container is allowed on a parcel of land having less than 3 acres and must not exceed a maximum size of 10 feet wide, 10 feet high, and 40 feet long.
3. In the C, CR, E, P, R and SPR zones, the container must:
 - a. Be fully surrounded by a solid fence at least 6 feet high, or located within an area screened by existing solid evergreen vegetation that is at least 6 feet high; or located toward the center of a property where existing dense vegetation meets the purpose of this section; and
 - b. Be painted one, solid, muted color (i.e., earth tone colors) that blends with the surrounding vegetation or topography, or adjacent building.
4. All shipping containers used for these purposes must be free from visible damage, must not be structurally altered, must be free from visible rust, and must not have exposed bare metal.
5. Must not include plumbing fixtures.

6. Must not be stacked, except in I zones, but must not be stacked above 2 high in the II and IP zones.
7. Must conform to chapter 17.84 Signs and Billboards.
8. Must not occupy any required off-street parking spaces for the site.
9. Must not be located within any right-of-way or access easement.
10. Must not be placed between a residence and the adjoining street or road right-of-way that provides primary access to the residence.
11. When placed on a parcel fronted by two or more street or road right-of-ways, it must be placed at least 60 feet from all street or road right-of-way, except as provided for in (9) above. In the E-1-VCH, E-10-HR, and E-40-VR zones, the unit must also be no closer than 20 feet from the easement line in which the access road is located (see section 17.12.090 and 17.40.050). This only applies to parcels having this easement area.
 - a. The director of planning has the authority to allow a minor deviation in setbacks up to 10 percent of the required setback distance when the director is presented with sufficient evidence that the proposed shipping container will be aesthetically enhanced to blend with the surrounding principal structures;
 - b. Aesthetic enhancements, as required in (a) above, consists of one or more of the following: siding and/or painting to match the adjacent principal structure; landscaping to obscure the shipping container from view from off-site; placement of the shipping container to obscure view from off-site; other techniques as proposed by the applicant and acceptable by the director.
12. Must be separated from any other structure, storage shed, or other shipping container by a minimum of 10 feet when located within 60 feet of any property line.
13. Must apply for a building permit if the shipping container meets the minimum square footage requiring a building permit. The building official may require foundations, tie-downs, or other safety apparatus to assure compliance with wind load and other safety standards.
14. Comstock Historic District Commission standards, including prohibitions or other regulation exceeding this title, supersede these regulations.

17.12.046 Accessory Dwellings, Location and Placement

The following provisions apply to accessory dwelling units defined in section 17.10 Definitions. Detached accessory dwelling units must be no less than 6 feet to another building and must comply with applicable building and fire separation requirements. Unless otherwise stated in this title, regular setback distances apply to accessory dwellings.

C. Accessory dwellings in the E, R1, NR and SPR zones

1. **Special use permit.** A special use permit for an accessory dwelling (attached or detached) may be granted by the board with action by the planning commission.

2. **Minimum parcel size.** The lot size must be at least: 10,000 square feet in the R and SPR zones; 1 acre in the E zone; and 40 acres in the NR zone.
3. **Principal occupants.** The owners of the property in which the accessory dwelling unit is permitted shall occupy at least one of the dwelling units (accessory or principal unit) on the premises, except for bona fide temporary absence.
4. **Building area.** Attached and detached accessory dwellings may be no less than 500 square feet. A detached accessory dwelling may be no more than 1,000 square feet.
5. **Parking.** At least 1 off-street parking space shall be provided in addition to the required parking requirements for the principal use.

17.12.049 Comstock Historic District standards

The provisions of NRS 384 establishing and regulating the Comstock Historic District are made part of this title within the boundaries of the Comstock Historic District. The boundaries of this area are fixed pursuant to the terms of NRS 384. The provisions of this section are those contained in NRS 384 as well as other provisions found by this ordinance to be appropriate for the area.

- A. **Commercial buildings abutting "C" Street.** Commercial buildings abutting "C" Street and located within the Virginia City Downtown District must have wooden porches over the top of the sidewalks/boardwalks extending from the building front to the street, and must have a front sidewalk constructed of wood from the building front to the street. A special use permit may be granted by the board with action by the planning commission when good cause is shown by the applicant.
- B. **Buildings, structures, and exteriors.** The following standards apply to all buildings, structures, and exteriors located within the Comstock Historic District.
 1. All exterior materials must consist of a substance shown to have existed prior to 1942, and building and structure exteriors must be appropriate in design for that time period.
 2. Outdoor signs and advertising devices must comply with the provisions of chapter 17.84 Signs and billboards.
 3. Lighting within 2,000 feet of the Comstock Historic District boundaries is limited to incandescent lighting or indirect (concealed) fluorescent, Compact Florescent Lighting (CFL), or Light Emitting Diode (LED) type lighting. CLF and LED light emitting devices which are made to look like incandescent light "bulbs" are permitted to be plainly visible. No neon, or blinking, flashing, chasing, or motion lights are permitted. The regulations of this provision including other light emitting devices which appear similar to neon signs, such as those which employ LEDs similar in hue to neon and configuration to show a continuous stream of light, which are prohibited.
 4. Wind energy turbines must conform to the requirements in section 17.12.044.

17.12.056 Setback Encroachments

Where setback distances are required by this title, they must meet the minimum dimension specified for any part, and they must be open and unobstructed from the ground upward, except as follows:

- A. Cornices, canopies, eaves, or other similar architectural features not providing additional floor space within the building may extend into the required front, side, or rear setback area no more than 3 feet.
- B. Open, unenclosed, covered and uncovered porches, decks, platforms, or landing places which do not extend above the level of the first floor of the building, may extend into any front or rear setback area no more than 6 feet and side setback area no more than 5 feet. An open-work railing up to 36 inches in height, may be installed or constructed on any porch, deck, platform, or landing place including above the first floor level.
- C. Detached accessory buildings may occupy side and rear setback areas in accordance with the provisions of this chapter.

17.12.080 Open Storage Prohibited

No open storage is allowed in any zone unless stated otherwise in this title. See also section 17.12.100 for screening and setback requirements.

17.12.060 Fences, Walls and Hedges

The following regulations apply to the placement and design of fences, walls, and hedges:

- B. Barbed or razor wire. Fences incorporating barbed wire or razor wire are not permitted in C, CR, E, and R zones, except barbed wire may be used on top of a 6 foot high solid or chain link fence or wall surrounding a public utility building, substation, or public use.

Figure 12.4: The diagram illustrates typical situations that are applicable to residential and estate zones. It is recognized that many rear yards of historic parcels in Virginia City abut the public (paved) travelled way and, in some instances, overlap the dedicated right-of-way. This situation leaves little or no room for pedestrian ways and creates challenges for public parking as well as snow removal. The rear yard fence setback requirement in R zones located within Virginia City will enable services to be provided by the county in a safe and efficient manner.

17.12.090 Access, Right-of-Ways, and Easements

This section is intended to provide sufficient right-of-way and easements which serve individual lots, uses, and communities in the county. It is recognized that sufficient right-of-way and/or easement area is needed to facilitate vehicle access ways including, but not limited to, travel lanes, shoulder lanes, center turn lanes, and street side vehicle parking, as applicable; pedestrian ways; and above-ground and below-ground public utilities which may be placed within the right-of-way and/or easement.

A. Definitions.

1. **Access ways.** A clear and unobstructed usable approach of at least 12 feet in width (residential), 15 feet in width (one-way commercial and industrial), and 24 feet in width (two-way) from a development upon land to a public travelled way located within a public right-of-way (see figure 12.7). An access way may also be established within a legal recorded easement (see figure 12.8) across another's land which benefits the subject property by connecting it to a public right-of-way, or any

other access way suitable and acceptable to the building, planning, and public works departments.

2. **Public right-of-way.** A strip of land or easement acquired by reservation, dedication, prescription, or condemnation and intended to be occupied by public traveled ways, highways, sidewalks, boardwalks, bicycle lanes, equestrian and pedestrian trails, or other transportation related improvements (see figures 12.7 and 12.8). A public utility right-of-way or easement and associated public utility improvements may be located within a public right-of-way. Public right-of-ways may also be used in reference to public-private right-of-ways (easements) in which vehicular or pedestrian access are limited to designated persons such as members of a homeowners association.
3. **Public utility right-of-way.** A strip of land or easement acquired by reservation, dedication, prescription, or condemnation and intended to be occupied by public utilities such as waterlines, sanitary sewers, telecommunication infrastructures, electricity transmission lines, and gas, but not including transportation related facilities applicable to the public right-of-way.
4. **Public traveled way.** The entire width between the boundary line of every way (from curb to curb and/or edge of paved or graveled roadway) maintained by a public authority and that is open to public use for the purpose of vehicular or other mechanized transit traffic (see figure 12.7).

B. Access Requirements.

1. **Required area.** On any subdivision, parcel, tentative or informational map, the required nominal parcel or lot area per the land use zoning requirements is the net area of the parcel or lot, excluding any access ways containing the public traveled way. A nominal gross area tolerance of 5 percent maximum may be granted in the computation of the net area by the board with action by the planning commission when there is a single access, and 10 percent where there is a double access. Any higher percentage request requires a variance.
2. **Required width.** The full dedicated or easement width, without reference to the width of the developed public traveled way. No commercial, industrial, or dwelling construction may be permitted on any parcel or lot not served by a public right-of-way of at least 50 feet in width, with a minimum public traveled way of 24 feet in width. When the public right-of-way is less than 50 feet in width, or the public traveled way is less than 24 feet in width, a variance is required. This required width applies to all areas subdivided, parceled, or under record of survey, on file in the county recorder's office. In non-subdivided areas or areas where no official map is on file in the county recorder's office, an applicant for a variance, special use permit, or a building permit must demonstrate by a title company report, or other acceptable means, the existence of the required improved access way before a variance, special use permit, or building permit may be issued.

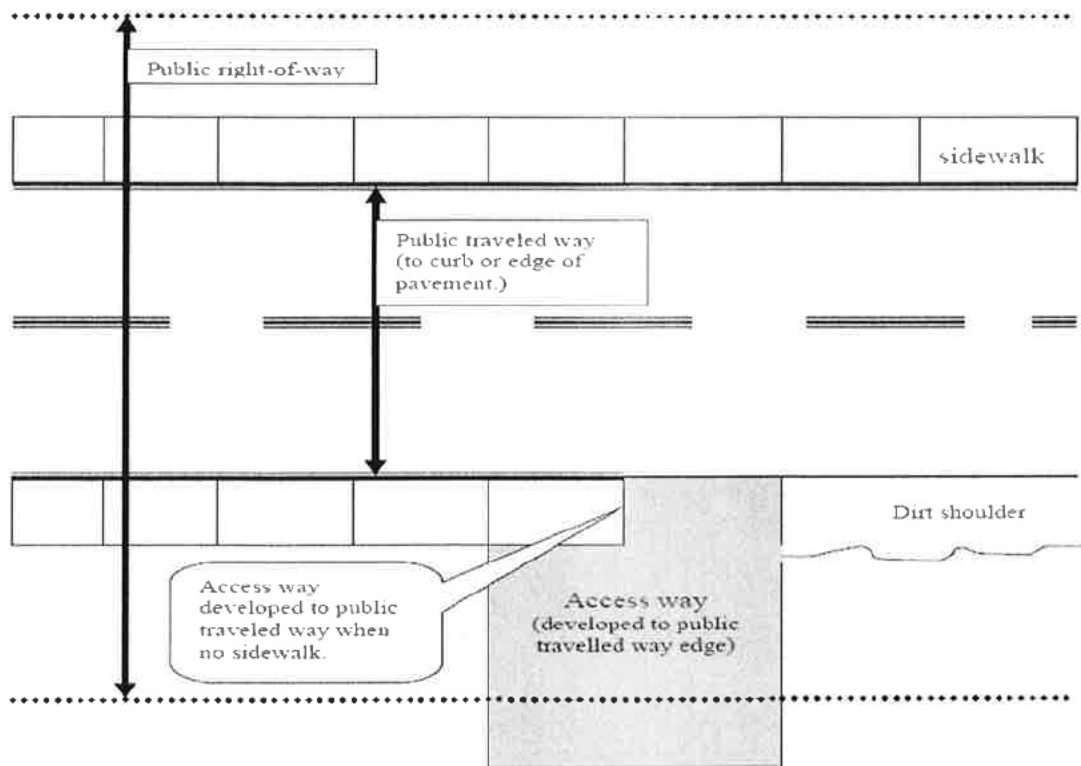


Figure 12.7: The public right-of-way encompasses much more land than the traveled way. While public utilities such as power, sanitary sewer, and water may be located above or below the traveled way, they are oftentimes located within the outer edges of the public right-of-way.

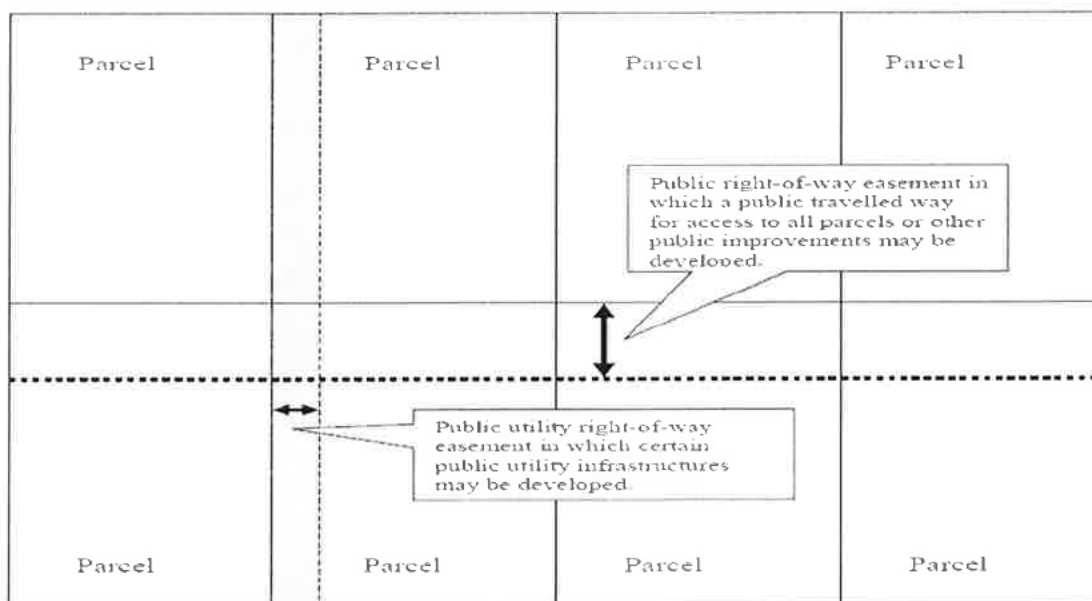


Figure 12.8: In the case illustrated above, only the lower parcels include easements for public right-of-way development. Required building and accessory building setbacks must be from that easement line. Public utilities, but not transportation improvements, may be developed in the public utility right-of-way.

3. **Surface materials.** Surface materials covering the entire length of the access way must consist of a minimum coverage of one and one-half inches of gravel installed and adequately maintained by the owner of the lot or parcel to be developed, the developer, the homeowners association, or by a cooperative effort of the adjoining lot owners. A paved 20-foot approach must be installed by the developer, property owner, or association when the access way abuts a paved public traveled way. The public works director may require an extended pavement approach up to 100 feet if necessary to minimize impacts to the paved public traveled way. The surface materials installation must be inspected and approved by the building and public works departments.
4. **Single-ownership conditions.** When there are 4 dwelling sites, each with the minimum required parcel area per zoning, within single ownership, the developed area must be served by double permanent access ways of at least 50 feet in width. When there are 3 or less dwelling sites, developed area may be served by a single 50 foot access way. The access way must meet the following requirements:
 - a. Two copies of an acceptable map, signed by a state land surveyor, showing the proposed layout together with any other supplementary information, must be submitted by the applicant to the building and planning departments.
 - b. In the event there is a sale, trade, barter, or gift of any portion of the land covered by the provisions of this section resulting in a condition which does not meet the terms of this section, the transaction is considered a violation of this section, and subject to any penalties herein, and be required to provide additional access ways acceptable to the planning commission.
5. **Drainage.** Appropriate storm water drainage or detention must be installed and maintained by the property owner and not negatively impact public right-of-ways. All roads and access ways must be sloped properly to prevent accumulation of storm water. All driveway culverts must be a minimum of 12 inches in diameter. Street crossing culverts, bridges, and overpasses must be developed and maintained as required by the building, planning, and public works departments.
6. **Fire prevention.** Property along right-of- ways and between easement lines must be kept clear of combustible materials including dead and dry vegetation and other flammables. All combustible material applicable to this subsection must be removed from the property and disposed of as required by county code. Failure to abate the hazardous conditions in accordance with the notice of violation may result in abatement of the hazardous conditions by the county at the cost of the property owner.
7. **Cuts and fills.** All cuts and fills exceeding 30 inches and that are 2:1 or steeper in slope must be mechanically stabilized. Cuts and fills exceeding 30 inches and that are flatter than 2:1 must be re-vegetated with non-invasive plant species having fire retardant characteristics. Planting or maintenance of noxious plant species is prohibited. The removal of noxious invasive plant species must comply with subsection 6.

8. **Inspection.** A site inspection by the building, planning departments, and the fire district are required prior to any actual grading work being done.

17.12.100 General Provisions for all zones

This section applies to all zones unless otherwise stated:

- A. Noise, smoke, odor, gases, weeds, or other noxious nuisances must be controlled so as not to become objectionable, or adversely affect the properties in the vicinity, and must not be detrimental to the public health, safety and welfare.
- B. Marijuana
 1. Uses involving the sale, display, dispensing, or cultivation of marijuana, regardless of whether the marijuana is for medicinal, recreational or any other purpose is prohibited and also is recognized by this ordinance as prohibited by federal regulation.
 2. The sale of items intended for use as marijuana paraphernalia to persons under the age of 21 years is also a prohibited use.
 3. Medical marijuana, as defined in SCC Section 17.10.030 and by Nevada Revised Statute Chapter 453A Medical Use of Marijuana, is a prohibited use. Medical marijuana establishments uses are unlawful and are prohibited as an allowed use, special use, accessory use, or temporary use within all zoning districts.
 4. Marijuana establishments, as defined in SCC Section 17.10.030 and by NRS Chapter 453D, the Regulation and Taxation of Marijuana Act, including any subsequent amendments or regulations is a prohibited use. Marijuana establishment uses are unlawful and are prohibited as an allowed use, special use, accessory use or temporary use within all zoning districts.
- C. In zones where a commercial business is allowed, a special use permit is required for the display, sale, barter, or trade of items outside of a permanent building, except for permitted temporary uses and farmer's markets. A business may not display items for sale or conduct any business on the public right-of-way (See Figure 12.9.) or between the public traveled way and building, such as on the boardwalk/sidewalk. Business including dining, customer seating, and other uses, but not the display of merchandise and other items for sale, barter, or trade, may occur in the front, side, and rear yards of the business where such area exists. Recessed door openings and thresholds may be used to display items for sale, barter, or trade and to otherwise conduct business.

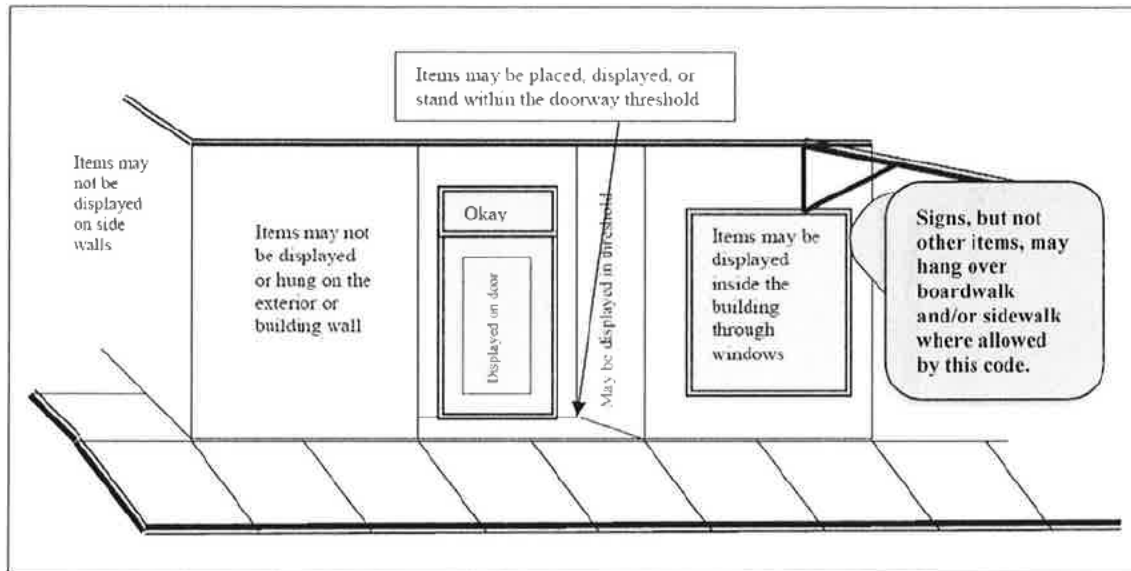


Figure 12.9: The diagram shows where merchandise and other items may and may not be displayed. The diagram does not apply to signs and advertising devices which are regulated pursuant to chapter 17.84 Signs and billboards.

- D. Incidental hotel uses. Any hotel may contain business uses that are customarily conducted in conjunction with and incidental to the hotel. Unless the business uses are otherwise permitted in the use district in which the hotel is situated, every public entrance to the business must be from a lobby, a hallway, or other interior portion of the hotel. No sign or other advertising material of the incidental hotel use may be placed outside of the hotel, except for as allowed by chapter 17.84 Signs and billboards.
- E. Outdoor lighting, including for private and public uses, must comply the regulations of chapter 8.02 Dark Skies.
- F. Access ways are defined by section 17.12.090. The access way for commercial building fronts abutting the public right-of-way are the door openings or the thresholds located at the building front.
- G. A special use permit is required for all natural resources river and waterway restoration, wetland creation, and water restoration and recycling.
- H. Up to 4 dogs and 2 pot-belly pigs more than 12 weeks of age are allowed in any zone. A special use permit is required to exceed this number. A minimum of 10 acres is required to obtain a special use permit for this use. This restriction does not apply to the A Agriculture zone.
- I. Open storage, where allowable, must be screened from view of public places and abutting private properties by a suitable structure or planting strip (e.g., solid evergreen hedge or densely placed evergreen trees) not less than 6 feet high. Storage of lumber, coal, and other combustible materials must be setback a minimum of 50 feet from the lot line.

SECTION II: Chapter 17.15 P Public Zone is amended as follows:

17.15.020 Allowed uses.

The following uses are allowed in the P public zone, unless otherwise stated, when the use is

owned and managed by a governmental entity or non-profit organization. A special use permit is required for each use listed in this section when it is owned or managed by a for-profit entity.

- A. Buildings and facilities owned, leased, or operated by Storey County, Storey County School District, other political subdivision of Storey County or the State of Nevada, or the government of the United States, including:
 - 1. Agricultural use types including, general agricultural uses, agricultural animal production, custom animal processing, agricultural supplies sales, agricultural entertainment, and commercial uses.
 - 2. Agricultural and horticultural uses for domestic purposes and incidental to the permitted uses. This use includes community gardens.
 - 3. Public facilities and buildings for fire, emergency services, sheriff, public works, and other governmental agencies and departments. A special use permit is required for county jails.
 - 4. Helipads and heliports for use only by medical evacuation transport services.
 - 5. Outdoor storage or maintenance of materials, operable vehicles, trailers, and heavy equipment, including fueling stations and maintenance buildings, associated with public works or other government entity.
 - 6. Automotive, truck, and heavy equipment services including washing and detailing (manual hand-washing, coin-operated, and production line methods), service and fueling stations, and repair (including painting and body repair).
 - 7. Childcare where 4 or less children are cared for. A special use permit is required for more than 4 children;
 - 8. Crisis care uses, temporary.
 - 9. Libraries, post offices, community centers, and courts of law.
 - 10. Education including elementary, middle, and high (K-12) schools and academies, colleges and higher education, technical and vocational education, apprentice training, whether public, private, or parochial. A special use permit is required for education institutions and academies that include student residential and boarding accommodations.
 - 11. Highway rest areas, picnicking areas, parks and playgrounds, dog parks, walking and bicycle trails, interpretive trails, restroom facilities, and information kiosks.
 - 12. Parking lots and structures, park-and-rides and carpool transfer centers, multi-modal transit hubs, transportation garages and storage, railroad and light rail infrastructures, train tunnels, and railroad switchyards and turntables.
 - 13. Indoor veterinarian services and shelters for small and large animals.
 - 14. Uses involving the indoor discharge of firearms.
 - 15. Temporary (less than 1 year) concrete and asphalt batch plants when incidental to an on-site construction project.
- B. Public Utilities uses:
 - 1. Public utility service yards, electric substations, and gas transmission stations.
 - 2. Public utility or public service buildings, structures, and uses, not including power generation for sale to a public utility.
 - 3. Water treatment and storage facilities and groundwater recharge.
 - 4. Storm water drainage, detention, retention, and storage.
- C. Tourism, cultural resources, and community health uses:
 - 1. Entertainment and casual education services such as docents, guided tours on foot,

- gold panning, and museums.
- 2. Library and cultural services.
- 3. Farmers markets.
- 4. Historical sites, markers, kiosks, and attractions.
- 5. Archeological heritage and cultural resource centers.
- 6. Permanent indoor and outdoor civic auditoriums and theatres.
- 7. Golf courses, driving ranges, miniature golf, and country clubs.
- 8. Fair grounds and rodeo arenas.
- 9. Athletic fields, buildings, and complexes.
- 10. Health clubs, personal fitness gyms, swimming pools, spas, saunas, and complexes dedicated to such uses.
- 11. Permanent indoor and seasonal or temporary outdoor roller and ice-skating rinks and skateboard parks.
- D. Healthcare Uses:
 - 1. Healthcare facilities, including, medical services, convalescent services, continuum of care facilities for seniors, and group care services. A special use permit is required for civic convalescent and group care services.
- E. Accessory uses, buildings, and structures if they are incidental to a permitted use and are placed on the same lot or parcel with a permitted use, and meet the requirements of section 17.12.045-046 Accessory buildings.
- F. The use of up to one shipping container as an accessory building. Review and approval by the director of planning for conformance with section 17.12.045 is required if the use exceeds 90 days or the period of an active building permit for the principal use on the premises.
- G. Other similar uses which are determined by the board to be consistent with the uses permitted within the zone, after considering a recommendation on the use by the planning commission.

17.15.030 Uses Subject to Special Use Permit

The following uses require a special use permit:

- A. Airports, airstrips, and related facilities.
- B. Helipads and heliports used for non-emergency evacuation, sheriff and government uses.
- C. Cemeteries, columbariums, crematories, mausoleums, mortuaries, and funeral parlors.
- D. Childcare facilities exceeding 4 children.
- E. Health care facilities and uses, which include civic convalescent and group care services. Civic convalescent care services are not be allowed within 1,500 feet of a residential use and 2,500 feet of a public or private school or daycare.
- F. Halfway houses. Halfway houses are prohibited within 1,500 feet of CR, R, and E zones and 2,500 feet of a public or private school or daycare.
- G. Education facilities which include student residential and boarding accommodations.
- H. County jails.
- I. Solid waste recycling collection center.
- J. Solid waste transfer station.
- K. Solid waste collection center.
- L. Permanent outdoor skateboard parks and related facilities.
- M. Outdoor veterinarian services and shelters for small and large animals.

- N. Zoos, animal theme and amusement parks, and other maintenance, display, or possession of 1 or more wild animals.
- O. The keeping of 5 or more dogs or 3 or more pot-belly pigs more than 12 weeks of age. A minimum of 10 acres is required.
- P. Use involving outdoor discharge of firearms.
- Q. Natural resources river restoration regulated under section 17.12.100.
- R. Sewage treatment plants and facilities and other sewage or sludge processing, treatment, or storage.
- S. Hospital services.
- T. The use of two or more shipping containers as accessory buildings exceeding 90 days or the period of an active building permit for the principal use on the premises.

17.15.050 Setback requirements

Unless otherwise stated in this section, the distance between the principal building and the property line must be in accordance with the setback requirements in the abutting regulatory zone. Setbacks for accessory buildings must meet the provisions under section 17.12.045. Setbacks are from the property line except when an encroaching easement exists for the purpose of providing a public or private road, but not driveway (see section 17.12.090 for explanation and illustration). Distance requirements are as follows:

Abutting Zone	Front Yard Setback	Side Yard Setback	Rear Yard Setback
R1-5, R1-6, and R1-8	20 feet	8 feet	20 feet
R1-10	30 feet	8 feet	20 feet
R1-15 and R1-20	40 feet	8 feet	20 feet
R2	20 feet	8 feet	20 feet
C and CR	10 feet	10 feet	10 feet
I-C	20 feet	20 feet	20 feet
I1	20 feet	20 feet	20 feet
I2	50 feet	50 feet	50 feet
IS and I3	100 feet 100 feet 100 feet Setbacks for health care, child care, education, and crisis care uses and facilities must be one mile from an IS or I3 zone boundary.		
F	30 feet	15 feet	40 feet
A	50 feet	50 feet	50 feet
SPR-5, SPR-6, and SPR-8	20 feet	8 feet	20 feet
SPR10	30 feet	8 feet	20 feet
SPR15 and SPR20	40 feet	8 feet	20 feet

SECTION III: Chapter 17.24 Agricultural Zone is amended as follows:

7.24.020 Allowed uses

The following uses are allowed in the A agricultural zone:

- A. One single-family detached dwelling of a permanent nature in a permanent location.
- B. General agricultural uses.

- C. Agricultural animal production.
- D. Custom animal processing.
- E. Agricultural entertainment and commercial uses.
- F. The growing or production of trees, shrubs, bushes, sod, and other plants for nursery stock, off-site milling and processing, off-site commercial sale, and other uses.
- G. Agricultural and horticultural uses for domestic purposes and incidental to the permitted uses. Uses also include community gardens.
- H. Seasonal holiday sales and uses.
- I. Harvesting, curing, processing, packaging and storage incidental to the principal permitted uses on the premises and shipping of agricultural products produced on the premises.
- J. The keeping of bees for agricultural purposes when beehives are setback at minimum of 200 feet from CR, E, R, and SPR zones and occupied residential uses within the premises, and 50 feet from any shared access easement or public right-of-way.
- K. Veterinary service and shelters for large and small animal.
- L. Equestrian establishments, including stables and riding academies, rodeos and equestrian events.
- M. Farm machinery equipment and services incidental to the permitted agriculture use.
- N. Childcare of 4 or less children.
- O. Home enterprises are regulated pursuant to chapter 17.12 General provisions.
- P. Two signs of 32 square feet each used only to advertise the agricultural products produced or sold on the premises or identifying the premises or the occupants.
- Q. The use of up to one shipping container per gross acre of land as an accessory building. Review and approval by the director of planning for conformance with section 17.12.045 is required if the use exceeds 90 days or the period of an active building permit for the principal use on the premises. Additional shipping containers may be used incidentally for shipping agricultural products to and from the permitted principal agriculture use when the containers remain on the premises for no longer than 90 days.
- R. Accessory use, buildings, and structures incidental to allowed agriculture uses, placed upon the same lot or parcel with the allowed agriculture uses, and compliant with section 17.12.045-046. A special use permit is required for accessory dwellings. Accessory dwellings may include those listed in section 17.12.046, and may include those used to house or provide boarding accommodations to laborers and other persons directly associated with the permitted agricultural use. A principal building is not required for accessory structures incidental to allowed agriculture uses on the premises; however, a principal single-family residential dwelling is required for an accessory dwelling to be approved. The following uses are found to be customary to the allowed agriculture uses.

1. Uses accessory to the principal residence, including private garages, garden houses, playhouses, greenhouses, enclosed swimming pools, tool sheds, storage sheds, well houses, hobby shops, and similar buildings.
2. Uses accessory to the general agricultural use including barns, grain silos, water towers, and storage facilities for products, machinery and equipment directly related to the agricultural uses taking place on the premises.
3. Buildings used for the confinement or protection of animals, animal feed, and agricultural commodities.
4. Private equestrian riding arenas and stables.
5. Temporary stands for selling goods and products produced on-site, provided that the stands are temporary, 200 square feet or less, located on the premises in which the products sold were raised or grown, no less than 20 feet from a public right-of-way, and are placed with the premises no more than 30 days within a 1 year period.

17.24.025 Uses Subject to Special Use Permit

The following additional uses may be permitted subject to securing a special use permit as provided for by chapter 17.03 Administrative provisions.

- A. Industrial agricultural uses including intensive agricultural uses, slaughter houses, agricultural packing and processing, stockyards, and auction facilities. A minimum of 40 acres is required. Industrial agricultural uses may be located no closer than 500 feet to a CR, R, E, or F zone and 50 feet from a parcel or lot boundary.
- B. Agricultural research.
- C. Cemeteries, columbariums, crematories, mausoleums, mortuaries, and funeral parlors.
- D. Dude or guest ranches.
- E. Accessory dwellings used to house or provide boarding accommodations to laborers and other persons directly associated with the agricultural use.
- F. Golf courses, driving ranges, and country clubs.
- G. Congregational establishments including religious institutions, fraternal lodges, recreational and social clubs, labor halls, service clubs and facilities for other private clubs.
- H. Public utility service yards, buildings, electric substations, gas transmission substations, and ancillary uses.
- I. Residential and non-residential facilities for pediatric and adolescent rehabilitation, family wellness, and therapy that is fully integrated with agricultural, equestrian, and other similar type activities and uses.
- J. Temporary (less than 1 year) concrete and asphalt batch plants when incidental to an on-site construction project.
- K. The keeping, maintenance, display, or possession of one or more wild animals.
- L. Pet cemeteries.
- M. Commercial kennels. A minimum of 10 acres is required.
- N. Campgrounds, but not recreational vehicle parks.
- O. Open storage not directly associated with the permitted agricultural use or an active construction project on the premises.

- P. Childcare facilities where 5 or more children will be cared for. Childcare must not exceed 15 children.
- Q. Watchman's dwelling, permanent or temporary regulated under section 17.12.046.
- R. Natural resources river restoration regulated under section 17.12.100.
- ~~S.N.~~ The use of two or more shipping containers per gross acre of land as accessory buildings exceeding 90 days or the period of an active building permit for the principal use on the premises.

17.24.040 Setback Requirements

Required setbacks for the principal residential dwelling are the minimum setbacks of the abutting zone, but no less than 10 feet. Accessory buildings, including laborer boarding accommodations, must be setback a minimum of 100 feet from any property line. The required setback for other rooming and boarding accommodations, such as bed and breakfast inns and dude ranches allowable by this chapter, are the minimum setbacks of the abutting zone, but no less than 20 feet, unless more stringent setback requirements are imposed as a condition of the special use permit. Setbacks are from the property line except when an encroaching easement exists for the purpose of providing a public or private road, but not driveway (see section 17.12.090 for explanation and illustration).

SECTION IV: Chapter 17.28 C Commercial Zone is amended as follows:

17.28.030 Uses Subject to Special Use Permit

Unless stated otherwise, the following uses may be permitted subject to securing a special use permit pursuant to chapter 17.03 Administrative provisions.

- A. Automobile paint shops and body repair shops.
- B. Buildings and structures constructed for permitted uses as listed in section 17.28.020 that will exceed 45 feet in height, or that will be less than 25 feet in width.
- C. Casinos and gaming establishments of more than 5,000 square feet of total floor area where slots and/or video machines are located, where there are more than 15 slots and/or video machines, and where other forms of gambling such as poker, craps, blackjack, keno, sports book and other similar activities may take place.
- D. Manufactured home sales lots.
- E. Propane sales and storage.
- F. Firewood sales and storage.
- G. Fortune tellers, astrology parlors, clairvoyance and palmistry. Additionally, uses under this subsection must comply with the regulations under title 5 Business licenses, and be located no closer than 1,000 feet from a public or private school, religious institution, public building or facility, or another permitted fortune teller, astrology parlor, clairvoyance and palmistry use, and 300 feet from any E, R, or SPR zone.
- H. Public utility service yards, buildings, electric substations, gas transmission substations, and ancillary uses.
- I. Recreational vehicle (RV) parks.
- J. Billboards as regulated pursuant to Chapter 17.84 Signs and billboards.
- K. The keeping of 5 or more dogs or 3 or more pot-belly pigs more than 12 weeks of

- age. A minimum of 10 acres is required.
- L. Commercial kennel. A minimum of 10 acres is required.
 - M. Mini-warehouses and storage facilities for rent including recreational vehicle, boat, utility trailer, horse trailer, and similar equipment storage.
 - N. Healthcare facilities including hospital services, medical services, convalescent services, civic convalescent and group care service, continuum of care facilities for seniors, and group care services.
 - O. Crisis care uses and facilities, permanent.
 - P. Open-air markets, flea-markets, and similar outdoor venues for the sale of goods, not including farmers markets featuring exclusively the sale of edible and items made from edible products.
 - Q. Trade and craftsman industries, including furniture and carpentry manufacturing and refining, upholstery shops, monument works, and similar uses.
 - R. Outdoor veterinarian services and shelters for small and large animals.
 - S. Permanent outdoor skateboard parks and related facilities.
 - T. Display, sale, barter, or trade of items associated with a business outside of a permanent building, except farmer's markets pursuant to this chapter and permitted temporary uses. The sale and display of merchandise and other items, and business that is conducted on the public right-of-way and between the public travelled way and the building is prohibited pursuant 17.12 General provisions.
 - U. The use of up to one shipping container as an accessory building. Review and approval by the director of planning for conformance with section 17.12.045 is required if the use exceeds 90 days or the period of an active building permit for the principal use on the premises.
 - V. Uses involving the outdoor discharge of firearms.
 - W. Uses involving outdoor archery.
 - X. Fairgrounds, rodeo arenas, horse and other animal competition tracks and arenas, and similar uses.
 - Y. Amusement parks involving various devices for entertainment such as thrill and theme rides, roller-coasters, water slides, and games and concession booths.
 - Z. Facilities and uses that include outdoor sets and props for the development and production of movies, film, television, and similar visual media.
 - AA. Race tracks and arenas involving the use of automobiles, trucks, tractors, and other motorized vehicles.
 - BB. Radio-controlled (RC) cars, vehicles, watercraft, and aircraft facilities and uses.
 - CC. Child care of more than 4 children.
 - DD. Education facilities that include student residential and boarding accommodations.
 - EE. Temporary real-estate tract offices not located within a permanent structure.
 - FF. Cemeteries, columbariums, crematories, mausoleums, mortuaries, and funeral parlors.
 - GG. Permanent outdoor theatres and other uses involving the outdoor discharge of firearms
 - HH. Micro-distilleries
 - II. Open storage not directly associated with an active construction project on the premises.
 - JJ. The use of two or more shipping containers as accessory buildings exceeding 90

days or the period of an active building permit for the principal use on the premises.
KK. Zoos, animal theme and amusement parks, and other maintenance, display, or possession of one or more wild animals.

LL. Retail establishments featuring “adult” material not exceeding 5 percent or 200 square-feet, whichever is less, of the retail floor area of the business that is identified for display, sale, lease, or rental of books, merchandise, periodicals, video tapes, video disks including DVDs and other recorded video devices, computer disks, instruments, devices or paraphernalia which are distinguished or characterized by the emphasis on matter depicting, describing, or relating to “specific sexual activities” and “specific anatomical areas”. The merchandise must only be available for sale or lease for private use by the purchaser or lessee off the premises of the business. The merchandise must be located within a fully enclosed room which is entirely segregated from the remaining floor area of the business and the room’s entrance must be screened from view of the remaining floor area. Retail establishments featuring the above material in excess of the allowable retail floor area are prohibited.

MM. Natural resources river restoration regulated under section 17.12.100.

17.28.050 Setback Requirements

Front and side setbacks for commercial uses are 0 (zero) feet unless the use abuts an E or R zone or a permitted detached single-family residential use in other zones. When the commercial building abuts an E or R zone or a detached single-family residential use in other zones, the abutting side minimum setback distance is 8 feet, and the front minimum setback is 20 feet. The minimum rear setback is 10 feet. Setbacks are from the property line except when an encroaching easement exists for the purpose of providing a public or private road, but not driveway (see section 17.12.090 for explanation and illustration).

SECTION V: Chapter 17.30 CR Commercial Residential Zone is amended as follows:

17.30.015 Purpose and Intent

The commercial-residential zone is intended to serve as a walkable, pedestrian-friendly, live-work community providing a three dimensional center of vertical and horizontal mixed uses including single-family and multi-family residences which are stand-alone and/or integrated with commercial, cultural, and civic uses. It is also intended to become a transportation center in the form of a destination for vehicular, public transit, and rail traffic supporting all allowable uses.

In general, the zone provides for centers and uses of regional importance and provides an integrated and attractive environment for visitors and residents. It is intended to be an area of high intensity uses in which a full range of public facilities (including water, sewer, schools, law enforcement, fire protection, etc.) will generally be focused in accordance with the county master plan and connected to the immediate surrounding residential uses.

17.30.020 Allowed uses

The following uses are allowed in the CR commercial-residential zone unless stated otherwise:

- J. Boarding accommodations including hotels, motels, hostels, bed and breakfast inns, short-term vacation rentals, time shares, and other transient lodging.
- K. Residential uses and buildings of permanent character and permanent location including the following.
 - 1. One single-family dwelling, detached.
 - 2. One or more single-family dwellings, attached.
 - 3. Multi-family dwellings.
 - 4. Mixed-uses. This includes any commercial-residential combined uses on a single lot.
 - 5. Accessory uses, buildings, and structures if they are clearly incidental to a permitted residential use, placed upon the same lot or parcel with a permitted use, and comply with the regulations of section 17.12.045-046.
 - 6. Manufactured and mobile home parks are prohibited.
- L. Other uses similar to the above which are determined by the board with action by the planning commission to be consistent with the uses permitted within the zone.

17.30.030 Uses Subject to Special Use Permit

Unless stated otherwise, the following uses may be permitted subject to securing a special use permit as provided for in chapter 17.03 Administrative provisions:

- A. Buildings and structures exceeding 45 feet in height or less than 25 feet in width.
- B. Recreational vehicle (RV) parks.
- C. Regional stores and shopping centers and super regional stores and shopping centers.
- D. Automotive washing and detailing using coin-operated and production line methods.
- E. Automotive services including service and fueling stations, repair, sales, and rentals.
- F. Casinos and gaming establishments of more than 5,000 square feet of total floor area where slots and/or video machines are located, where there are more than 15 slots or video machines, and where other forms of gambling such as poker, craps, blackjack, keno, sports book and other similar activities may take place.
- G. Golf courses.
- H. Fairgrounds, rodeo arenas, horse and other animal competition tracks and arenas, and similar uses.
- I. Outdoor veterinary service for small animals.
- J. Amusement parks involving various devices for entertainment such as thrill and theme rides, roller-coasters, water slides, and games and concession booths.
- K. Facilities and uses that include outdoor sets and props for the development and production of movies, film, television, and similar visual media.
- L. Fortune teller, astrology parlor, clairvoyance and palmistry. Uses under this subsection must comply with the requirements under title 5 Business licenses, and be located no closer than 1,000 feet from a public or private school, religious institution, public

- building or facility, or another permitted fortune teller, astrology parlor, clairvoyance and palmistry use, and 300 feet from any E, R, or SPR zone.
- M. Race tracks and arenas involving the use of automobiles, trucks, tractors, and other motorized vehicles.
 - N. Facilities for the use of radio-controlled (RC) cars, vehicles, watercraft, and aircraft.
 - O. Healthcare facilities including hospital services, medical services, convalescent services (but not civic convalescent and group care service), continuum of care facilities for seniors, and group care services.
 - P. Crisis care uses and facilities, permanent.
 - Q. Education facilities which include student residential and boarding accommodations.
 - R. The keeping of 5 or more dogs or 3 or more pot-belly pigs more than 12 weeks of age. A minimum of 10 acres is required.
 - S. Commercial kennels when entirely indoors. A minimum of 10 acres is required.
 - T. Mini-warehouses and storage facilities for rent, including operable recreational vehicle, boat, utility trailer, horse trailer, and similar equipment storage.
 - U. Outdoor storage or maintenance of building materials, vehicles, trailers, and heavy equipment associated with a commercial building contractor or business when not directly associated with a construction project on the premises.
 - V. Open-air markets, flea-markets, and similar outdoor venues for the sale of goods. A special use permit is not required for farmers markets featuring the sale of edible and items made of edible products.
 - W. Permanent outdoor skateboard parks and related facilities.
 - X. Display, sale, barter, or trade of items associated with a business outside of a permanent building, except farmer's markets pursuant to this chapter and permitted temporary uses. The sale and display of merchandise and other items, and business that is conducted on the public right-of-way and between the public travelled way and the building is prohibited pursuant 17.12 General provisions.
 - Y. Personal dry cleaning.
 - Z. Micro-distilleries.
 - AA. Childcare facilities where five 5 or more children will be cared for. Childcare must not exceed 15 children.
 - BB. Cemeteries, columbariums, crematories, mausoleums, mortuaries, and funeral parlors.
 - CC. Temporary real-estate tract offices not located within a permanent structure.
 - DD. Uses involving the outdoor discharge of firearms.
 - EE. Open Storage not directly associated with an active construction project on the premises.
 - FF. The use of a shipping container as an accessory building exceeding 90 days or the period of an active building permit for the principal use on the premises.

GG. Zoos, animal theme and amusement parks, and other maintenance, display, or possession of one or more wild animals.

HH. Multi-family and attached single-family dwellings with density exceeding 1 unit for every 2,000 square feet of gross lot area (see Section 17.30.020).

II. Single-family detached dwellings of less than 800 square-feet for a one-bedroom, 1,000 square-feet for a two-bedroom, and 1,200 square-feet for a three or more bedroom residence.

~~II. JJ.~~ Natural resources river restoration regulated under section 17.12.100.

17.30.050 Setback Requirements

The following are the required setback distances for uses in the CR zone. For the purposes of this section, the Virginia City Downtown District means all parcels delineated in Appendix A. Setback distances must also comply with section 17.12.050 Visibility at intersections. Setbacks are from the property line except when an encroaching easement exists for the purpose of providing a public or private road, but not driveway (see section 17.12.090 for explanation and illustration).

A. Commercial uses

1. Virginia City Downtown District. Setbacks are: front, 0 feet; side, 0 feet; and rear, 10 feet. However, if the use abuts an E or R zone, or a permitted detached single-family residential use in other non-CR zones, the abutting minimum side setback is 8 feet, and the front minimum setback is 20 feet. The required rear setback is 10 feet.
2. Other areas zoned CR. Setbacks are: front, 0 feet; side, 0 feet; and rear, 10 feet. However, if the parcel in which a new commercial building is to be developed abuts on one or both side(s) a parcel(s) containing an existing permitted detached single-family dwelling, the front setback for the new commercial building shall be 20 or more feet, or shall be the average distance between the front outside wall (excluding porches and awnings) of the existing detached single-family residential dwelling(s) and the front property line (see Figure 30.1), or otherwise beyond that average distance. If the existing neighboring single-family residential dwelling is setback more than 20 feet from the front property line, the required 20 foot setback, not the actual structure distance, shall be the determining point for establishing the average for the new commercial structure.
3. State Route 342 Setbacks in Gold Hill. Except under the following circumstances, setback distances must meet the requirements in subsections 1 and 2 above.
 - a. For buildings located between the Virginia City/Gold Hill city limits line and Sky Lane in Gold Hill, the minimum setback distance between the building and State Route 342 is 5 feet. This requirement applies to all properties abutting State Route 342.
 - b. For buildings located between Sky Lane and the Storey/Lyon County boundary, the minimum setback distance between the building and State Route 342 is 20 feet. This requirement applies to all properties abutting State Route 342.

B. Residential uses

1. Virginia City Downtown District

- a. Single-Family Dwelling, Detached. Setbacks are: front, 0 feet; side, 0 feet; and rear, 10 feet. No primary emergency egress doors or windows may be placed on the building side walls, unless the subject side walls, doors, and windows are setback a minimum of 5 feet from the side lot line.*
- b. Single-Family and Multi-Family Dwelling, Attached. Setback distances are: front, 0 feet; side, 0 feet (between each dwelling unit and between the building and property line); and rear, 10 feet. No primary emergency egress doors or windows may be placed on the building side walls, unless the subject side walls, doors, and windows are setback a minimum of 5 feet from the side lot line.*

*Note: Primary emergency egress doors and windows are those which provide the only required emergency egress pursuant to currently adopted International Fire Codes (with amendments); National Fire Protection Association (NFPA); or specific agencies having jurisdictional requirements. Nothing in this ordinance may replace, amend, or supersede the currently adopted fire codes.

2. Other areas zoned CR.

Except for parcels described in section (1) above, the required setback distances for single-family attached, single-family detached, and multi-family residential buildings not combined within a commercial use are: front, 20 feet; side, 8 feet (except 0 feet between each attached dwelling unit); and rear, 20 feet. A corner lot abutting two streets shall have a 10 foot side setback for the side abutting the street.

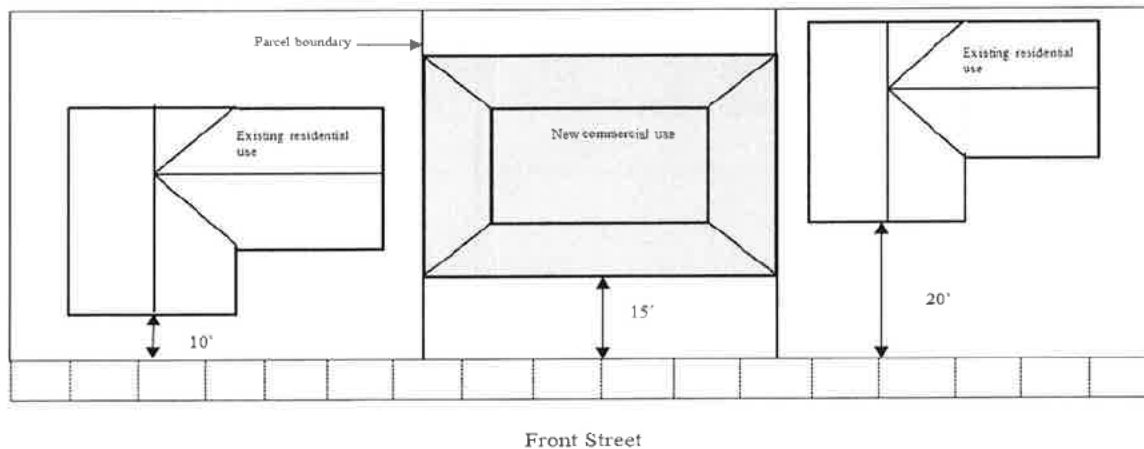


Figure 30.1: The figure shows the front setback distance for the new use abutting existing uses to be the average of the front setback distance of the existing uses.

17.30.060 Use Density, Minimum Dwelling Area, and Parcel Width

The density for commercial, residential, and mixed uses is regulated as follows. Uses must also

comply with setback and minimum parking area requirements in this chapter and chapter 17.12 General provisions.

A. Commercial use, residential use, and mixed-use.

1. The parcel must be at least 2,000 square feet and at least 25 feet in width (the side facing the street).
2. There is no minimum square-foot requirement for a commercial use ~~or residential use~~ except as may be required by the International Building Code (IBC).
3. Single-family detached dwellings must be at least 800 square-feet for a one-bedroom, 1,000 square-feet for a two-bedroom, and 1,200 square-feet for a three or more bedroom residence unless a special use permit is granted pursuant to section 17.30.030.
- ~~3.4.~~ Only one single-family detached dwelling is allowed on a lot.
- 4.5. For single-family attached and multifamily dwellings, one dwelling unit is allowed for every 2,000 square feet of gross lot area except when a special use permit is provided to exceed this density pursuant to subsection (5) below.
- 5.6. Except for detached single-family residential uses, a special use permit may be granted for increased dwelling units per square feet of gross lot area when the use is located within the Virginia City Downtown District boundaries (see Appendix A of this chapter). Findings for approval of the special use permit for increased density shall, at a minimum, cite no significant adverse impacts to area vehicular parking, circulation, and egress, and public health, safety, comfort, convenience, and general welfare.

SECTION VI: Chapter 17.32 F Forestry Zone is amended as follows:

17.32.020 Uses Subject to Special Use Permit

The following uses may be permitted subject to securing a special use permit as provided for in Chapter 17.03 Administrative provisions.

- A. One single family detached dwelling of permanent character and location.
- B. General agricultural uses, agricultural animal production, agricultural entertainment, accessory structures related to the agricultural use, and custom animal processing.
- C. Agricultural and horticultural uses for domestic purposes and incidental to the permitted uses. Uses also include community gardens.
- D. The keeping of 5 or more dogs or 3 or more pot-belly pigs more than 12 weeks of age. A minimum of 10 acres is required.
- E. Commercial kennel. A minimum of 40 acres is required.
- F. Civic uses including:
 1. Public facilities and offices for fire, emergency services, and sheriff. Jails are prohibited.

2. Helipads and heliports for use only by medical evacuation transport services. Any other use is prohibited.
 3. Education including elementary, middle, and high (K-12) schools and academies, colleges and higher education, technical and vocational education, apprentice training, whether public, private, or parochial. Student residential and boarding accommodations are prohibited.
 4. Picnicking areas, parks, dog parks, walking and bicycle trails, interpretive trails, restroom facilities, and information kiosks.
- G. Buildings for the sale and display of products grown or raised on-site.
 - H. Recreational uses and buildings, including dude or guest ranches, tennis, golf courses, driving ranges, miniature golf, and country clubs.
 - I. Cemeteries.
 - J. Congregational establishments including religious institutions, fraternal lodges, recreational and social clubs, labor halls, service clubs and facilities for other private clubs.
 - K. Highway and public utility maintenance camps.
 - L. Home enterprises as regulated by chapter 17.12 General provisions.
 - M. Mining and extraction as regulated by chapter 17.92 Mineral exploration, mining, and extraction, and aggregate facilities.
 - N. Milling and processing related to mining.
 - O. Commercial energy production use types such as geothermal, hydrological, solar, wind, and other similar low-impact renewable energy generation systems. Commercial energy production from combustion of fossil fuels and other type fuels or other similar power generation systems is prohibited.
 - P. Public utility service yards, buildings, electric substations, gas transmission substations, and ancillary uses.
 - Q. Temporary (less than 1 year) concrete plants and asphalt batch plants when clearly incidental to an on-site construction project.
 - R. Natural resources river restoration regulated under section 17.12.100.
 - S. Growing and preservation of trees and nursery stock.
 - T. Hunting, fishing and skiing lodges wildlife refuges, game farms and public campgrounds.
 - U. The keeping of bees for agricultural purposes when beehives are setback at minimum of 200 feet from CR, E, R, and SPR zones and occupied residential uses within the premises, and 50 feet from any shared access easement or public right-of-way.
 - V. The use of a shipping container as an accessory building exceeding 90 days or the period of an active building permit for the principal use on the premises.

17.32.025 Accessory Uses and Structures

Accessory uses, buildings, and structures are considered a permitted use if they are clearly incidental to another permitted use, that being a use which has been approved by a special use permit or otherwise by right. The provisions of section 17.12.045-046 also apply to accessory structures. A principal building is not required for an accessory structure incidental to the allowed uses on the premises; however, a principal single-family residential dwelling is required for an accessory dwelling to be approved.

17.32.041 Setback Requirements

Minimum setbacks for a principal building and accessory building in the F zone are: front, 30 feet; rear, 40 feet; and side, 30 feet.

SECTION VII: Chapter 17.34 I-1 Light Industrial Zone is amended as follows:

17.34.020 Allowed Uses

The following uses are allowed in the I1 light industrial zone:

- A. Ten percent of the total area in the light industrial zone as designated in the county master plan may be utilized for commercial use. A site plan must be approved by the building department. No special use permit is required for commercial uses in the I1 zone, but the provisions under chapter 17.28 apply to commercial uses in an I1 zone.
- B. Limited indoor manufacturing and assembly involving the production process that uses already manufactured components to assemble, print, or package a product such as cloth, paper, plastic, leather, wood, glass, stones, or computer and electronic parts, but not including such operations as paper, sawmills, milling, steel, iron or other metal works, rolling mills, or any manufacturing uses involving primary production of commodities of raw material.
- C. Trade and craftsman industries, including furniture and carpentry, manufacturing and refining, upholstery shops, monument works, welding shops, and similar uses.
- D. Contractor services, including general contractor offices, contractor service shops, carpet cleaning, pest control, printing and publishing, and similar uses.
- E. Agricultural use types including general agricultural uses, agricultural animal production, custom animal processing, agricultural research, agricultural supplies sales, and agricultural entertainment and commercial uses.
- F. Agricultural and horticultural uses for domestic purposes and incidental to the permitted uses. These uses also include community gardens.
- G. Civic uses including:
 1. Public facilities and offices for fire, emergency services, and sheriff. Jails are prohibited.
 2. Helipads and heliports for use only by medical evacuation transport services. These uses are prohibited for any other purpose.
 3. Libraries, governmental offices, post offices, community centers, and courts of law.
 4. Education including elementary, middle, and high (K-12) schools and academies, colleges and higher education, technical and vocational education, apprentice training, whether public, private, or parochial. A special use permit is required for student residential and boarding accommodations.
 5. Highway rest areas, picnicking areas, parks and playgrounds, dog parks, walking and bicycle trails, interpretive trails, restroom facilities, and information kiosks.

6. Parking lots and structures, park-and-rides and carpool transfer centers, multi-modal transit hubs, parking garages, railroad and light rail infrastructures, train tunnels, and railroad switchyards and turntables.
7. Veterinarian services and animal shelters.
- H. Warehouses, warehouse complexes, distribution operations, and wholesale distribution.
- I. Storage and distribution of paints, shellac, turpentine, varnishes, and similar materials within a warehouse facility.
- J. Storage and distribution of petroleum products within a warehouse facility.
- K. Temporary (less than 1 year) concrete and asphalt batch plants when incidental to an on-site construction project.
- L. Laundromats and personal dry-cleaning.
- M. Laboratory and testing services. The use of live animals in laboratory, testing, and experimentation is prohibited.
- N. Retail sales and shopping centers including:
 1. Stores; shopping centers; convenience stores; principal grocery stores; neighborhood stores and shopping centers; regional stores and shopping centers; super regional store and shopping centers; seasonal holiday sales and use; and seasonal farmers markets.
- O. Mini-warehouses and storage facilities for rent including operable recreational vehicle, boat, utility trailer, horse trailer, and similar equipment storage.
- P. Gaming when incidental to a primary use and limited to no more than 15 slot or video machines.
- Q. Heavy equipment sales and service.
- R. The use of up to one shipping container as an accessory building. Review and approval by the director of planning for conformance with section 17.12.045 is required if the use exceeds 90 days or the period of an active building permit for the principal use on the premises. Additional shipping containers may be used incidentally for shipping products to and from the permitted principal use when the containers remain on the premises for no longer than 90 days.
- S. Automotive, truck, and heavy equipment services including washing and detailing (manual hand-washing, coin-operated, and production line methods), service and fueling stations, repair (including painting and body repair), sales, and rental.
- T. Accessory use, buildings and structures when incidental to a permitted use, placed upon the same lot or parcel with a permitted use, and compliant with section 17.12.045.

17.34.030 Uses Subject to Special Use Permit

The following additional uses may be permitted subject to securing a special use permit as provided for in chapter 17.03 Administrative provisions.

- A. Casinos and gaming establishments over 5,000 square feet, where more than 15 slots or video machines are located and where other forms of gambling may take place such as poker, craps, blackjack, sports book and other similar activities.
- B. Watchman's dwelling, permanent or temporary as regulated by section 17.12.046.
- C. Buildings and structures constructed for uses listed in sections 17.34.020 and 17.34.030 that will exceed 50 feet in height.
- D. The keeping of 5 or more dogs or 3 or more pot-belly pigs more than 12 weeks of age. A minimum of 10 acres is required.

- E. Commercial kennel. A minimum of 10 acres is required.
- F. Health care facilities including hospital services, medical services, convalescent services (but not civic convalescent and group care service), continuum of care facilities for seniors, and group care services.
- G. Billboards as regulated by chapter 17.84 Signs and billboards.
- H. Commercial energy production use types such as geothermal, hydrological, solar, wind, and other similar low-impact renewable energy generation systems. Commercial energy production from combustion of fossil fuels and other type fuels or other similar power generation systems is prohibited.
- I. Hunting, fishing, and skiing facilities and lodges, wildlife refuges, and game farms.
- J. Truck stops.
- K. Cemeteries, columbariums, crematories, mausoleums, mortuaries, and funeral parlors.
- L. Solid waste recycling collection center.
- M. Solid waste recycling center.
- N. Solid waste transfer station.
- O. Solid waste collection center.
- P. Temporary (less than 1 year) concrete and asphalt batch plants when not incidental to an on-site construction project or located within 2,500 feet of a CR, E, R, or SPR zone. Permanent batch plants are prohibited.
- Q. Education facilities which include student residential and boarding accommodations.
- R. Natural resources river restoration regulated under section 17.12.100.
- S. Open storage not directly associated with an active construction project on the premises.
- T. Auction facilities involving open storage.
- U. Public utility service yards, buildings, electric substations, gas transmission substations, and ancillary uses.
- V. The use of two or more shipping containers as accessory buildings exceeding 90 days or the period of an active building permit for the principal use on the premises.
- W. Other uses similar to the above which are determined by the board with action by the planning commission to be consistent with the uses requiring a special use permit within the zone.

17.34.050 Setback Requirements

The required distance between the building and the property line is 20 feet. Setback requirements for accessory structures must comply with section 17.12.045. Setbacks are from the property line except when an encroaching easement exists for the purpose of providing a public or private road, but not driveway (see section 17.12.090 for explanation and illustration).

SECTION VIII: Chapter 17.35 I-2 Heavy Industrial Zone is amended as follows:

17.35.020 Allowed Uses

The uses listed in this section are allowed in the I2 heavy industrial zone. They include all uses allowed in the I1 light industrial zone if they are compatible with the surrounding heavy industrial uses. I1 light industrial uses in the I2 zone are governed by the provisions of chapter 17.34 Light industrial zone, except that a special use permit pursuant to section 17.34.030 is not required unless the use is expressly listed in section 17.35.030 as requiring a special use permit. The following heavy industrial uses are allowed:

- A. Ten percent of the total area in the heavy industrial zone as designated in the county master plan may be utilized for commercial use. A site plan must be approved by the building department. No special use permit is required for commercial uses, but the provisions under chapter 17.28 apply to commercial uses in an I2 zone.
- B. Manufacturing and assembly involving the production process which uses already manufactured components to assemble, print, or package a product such as cloth, paper, plastic, leather, wood, glass, stones, or computer and electronic parts and manufacturing operations involving primary production of commodity of raw materials, except those uses listed in section 17.35.040 as requiring a special use permit.
- C. Trade and craftsman industries, including furniture and carpentry manufacturing and refining, upholstery shops, blacksmithing, monument works, ornamental ironworks, and similar uses.
- D. Contractor services, including general contractor offices, contractor service shops, carpet cleaning, pest control, printing and publishing, and similar uses.
- E. Civic uses including:
 - 1. Public facilities and offices for fire, emergency services, and sheriff. Jails are prohibited.
 - 2. Helipads and heliports for use only by medical evacuation transport services. These uses are prohibited for any other purpose.
 - 3. Libraries, governmental offices, post offices, community centers, and courts of law.
 - 4. Education including elementary, middle, and high (K-12) schools and academies, colleges and higher education, technical and vocational education, apprentice training, whether public, private, or parochial. A special use permit is required for student residential and boarding accommodations.
 - 5. Highway rest areas, picnicking areas, parks and playgrounds, dog parks, walking and bicycle trails, interpretive trails, restroom facilities, and information kiosks.
 - 6. Parking lots and structures, park-and-rides and carpool transfer centers, multi-modal transit hubs, parking garages, railroad and light rail infrastructures, train tunnels, and railroad switchyards and turntables.
- F. Agricultural use types including general agricultural uses, agricultural animal production, custom animal processing, agricultural research, agricultural supplies sales, and agricultural entertainment and commercial uses.
- G. Agricultural and horticultural uses for domestic purposes and incidental to the permitted uses. Uses also include community gardens.
- H. Laboratories and testing services. The use of live animals in laboratory testing and experimentation is prohibited.
- I. Bottling and canning plants.
- J. Building material manufacturing.
- K. Breweries, distilleries, wineries.

- L. Warehouses, warehouse complexes, distribution operations, and wholesale distribution.
- M. Mini-warehouses and storage facilities for rent including operable recreational vehicle, boat, utility trailer, horse trailer, and similar equipment storage.
- N. Storage and distribution of paint, shellac, turpentine, varnishes, and similar materials within a warehouse facility.
- O. Storage and distribution of liquid petroleum products within a warehouse facility.
- P. Laundromats and personal dry cleaning.
- Q. Automotive, truck, and heavy equipment services including washing and detailing (manual hand-washing, coin-operated, and production line methods), service and fueling stations, repair (including painting and body repair), sales, and rental.
- R. Truck stops.
- S. Indoor and outdoor archery uses.
- T. Uses involving the indoor discharge of firearms.
- U. Recovery of methane and other combustible gasses emitted from a permitted solid waste landfill and used for the generation of energy.
- V. Temporary (less than one year) concrete and asphalt batch plants when incidental to an on-site construction project.
- W. Solid waste recycling collection center.
- X. Solid waste recycling center.
- Y. Healthcare facilities including medical services, convalescent services (but not civic convalescent and group care service), continuum of care facilities for seniors, and group care services.
- Z. Seasonal farmers markets.
- AA. Public utility service yards, buildings, electric substations, gas transmission substations, and ancillary uses.
- BB. Veterinary services for small and large animals.
- CC. The use of up to one shipping container as an accessory building. Review and approval by the director of planning for conformance with section 17.12.045 is required if the use exceeds 90 days or the period of an active building permit for the principal use on the premises. Additional shipping containers may be used incidentally for shipping products to and from the permitted principal use when the container(s) remain on the premises for no longer than 90 days.
- EE. Accessory use, buildings and structures when incidental to a permitted use, placed upon the same lot or parcel with a permitted use, and compliant with the regulations of section 17.12.045-046.
- FF. Other uses similar to the above which are determined by the board with action by the planning commission to be consistent and compatible with the other uses permitted within the zone.

17.35.030 Uses Subject to Special Use Permit

The following additional uses may be permitted subject to securing a special use permit as provided for in chapter 17.03 Administrative provisions:

- A. Industrial agricultural uses including intensive agricultural uses, slaughter houses, agricultural packing and processing, stockyards and livestock auction facilities. Industrial agricultural uses must be located no closer than 500 feet to any CR, E, or R zone and 50 feet from a parcel or lot boundary.
- B. Manufacturing of paint, shellac, turpentine, varnishes, and similar materials.
- C. Manufacturing, reclaiming, and refining of liquid petroleum products.
- D. Storage and distribution of liquid petroleum products, except from within a warehouse facility.
- F. Manufacturing, reclaiming, refining, storage, distribution, and use of hazardous material.
- G. Temporary (less than 1 year) concrete and asphalt batch plants when not incidental to an on-site construction project or when located within 2,500 feet from a CR, E, R, or SPR zone, and 1,000 feet of an IC zone.
- H. Permanent (1 year or more) concrete and asphalt batch plants.
- I. Junk, salvage, reclamation, or auto wrecking and dismantling yards.
- J. Brick, tile or terra cotta products manufacturing.
- K. Cemeteries, columbariums, crematories, mausoleums, mortuaries, and funeral parlors.
- L. Congregational establishments, including religious institutions, fraternal lodges, recreational and social clubs, labor halls, service clubs and facilities for other private clubs.
- M. Uses involving the outdoor discharge of firearms.
- N. Race tracks and arenas involving the use of automobiles, trucks, motorcycles (e.g., motocross), tractors, and other motorized vehicles.
- O. Radio-controlled (RC) cars, vehicles, watercraft, and aircraft facilities and uses.
- P. Facilities and uses that include outdoor sets and props for the development and production of movies, film, television, and similar visual media.
- Q. Mining and extraction as regulated by chapter 17.92 Exploration, mining, and extraction, and aggregate facilities.
- R. Milling and processing related to mining and extraction.
- S. Dry cleaning plants and laundry services.
- T. Natural resources river restoration regulated under section 17.12.100.
- U. Paper manufacturing.
- V. Hunting, fishing, and skiing facilities and lodges, wildlife refuges, and game farms.
- W. Saw mills.

- X. Temporary real-estate tract offices not located within a permanent structure
- Y. Manufacturing, reclaiming, refining, storage, distribution, and use of explosives or propellants.
- Z. Waste to energy type production and generation facilities involving use, recovery or residue of petroleum and petroleum related wastes, biomass wastes, bio-hazardous wastes, solid wastes, and other non-hazardous wastes and waste products.
- AA. Facilities and recycling facilities involving use, recovery, or residue of hazardous materials and/or wastes.
- BB. The keeping of 5 or more dogs or 3 or more potbelly pigs more than 12 weeks of age. A minimum of 10 acres is required.
- CC. Commercial kennel. A minimum of 10 acres is required.
- DD. Recycling facilities and operations involving use, recovery or residue of hazardous materials and/or wastes.
- EE. Sewage treatment plants and facilities and other sewage or sludge processing, treatment, or storage.
- FF. Blast furnaces and incinerators, of any type and used for any purpose.
- GG. Crisis care facility, permanent.
- HH. Watchman's dwelling, permanent or temporary as regulated by section 17.12.046.
- II. Commercial energy production from coal, petroleum, natural gas, propane, other fossil fuels, and other non-renewable energy generation.
- JJ. Commercial energy production use types such as geothermal, hydrological, solar, wind, and other similar low-impact renewable energy generation systems.
- KK. Education facilities which include student residential and boarding accommodations.
- LL. Open storage not directly associated with an active construction project on the premises.
- MM. The use of two or more shipping containers as accessory buildings exceeding 90 days or the period of an active building permit for the principal use on the premises.
- NN. Auction facilities involving open storage.
- OO. Healthcare facilities including hospital services.
- PP. Tattoo, permanent cosmetics, and invasive body piercing facilities. These uses are only allowable within the boundaries of the Tahoe-Reno Industrial Center which is zoned I2 Heavy Industrial. They are prohibited within 1,500 feet of a public or private school or religious institution, and another permitted tattoo, permanent cosmetics, and invasive piercing facility.
- QQ. Billboards as regulated by chapter 17.68 Signs and billboards.
- RR. Other uses similar to the above which are determined by the board with action by the planning commission to be consistent with the uses requiring a special use permit within the zone.

17.35.050 Setback Requirements

The required distance between the building and the property line is 50 feet. Setback requirements for accessory structures must comply with section 17.12.045. *Setbacks are from the property line except when an encroaching easement exists for the purpose of providing a public or private road, but not driveway (see section 17.12.090 for explanation and illustration).*

SECTION IX: Chapter 17.40 E Estate Zone is amended as follows:

17.40.020 Allowed Uses.

The following uses are allowed in the E estates zone:

- A. One single-family detached dwelling of permanent character in a permanent location. The minimum floor area requirement for residences is 800 square feet for a one bedroom structure, 1,000 square feet for a two bedroom structure, and 1,200 square feet for a three bedroom structure.
- B. Accessory uses customarily incidental to a permitted use, located on the same lot or parcel with a permitted use, and in compliance with the provisions under section 17.12.048.
- C. Storage parking for recreational vehicles, boats, utility trailers, horse trailers and similar equipment owned by the occupant of the permitted principal use, provided that such items are stored entirely within the private property.
- D. Agricultural and horticultural uses for domestic purposes and incidental to the permitted uses. Use also includes community gardens.
- E. Childcare where 4 or less children are cared for.
- F. The use of up to one shipping container as an accessory building. Review and approval by the director of planning for conformance with section 17.12.045 is required if the use exceeds 90 days or the period of an active building permit for the principal use on the premises.

- G. The keeping of large domestic animals such as sheep, bovine, swine, llamas, horses, goats, and other similar domestic farm animals under the ownership of the resident occupant of the lot, provided that any combination of such animals on any one lot does not exceed the following:

See section 17.40.030 for minimum lot size requirements.	
E-1	4 or less large domestic animals
E-2.5	4 or less large domestic animals
E-5	6 or less large domestic animals
E-10	8 or less large domestic animals
E-40	16 or less large domestic animals
E-1-VCH	4 or less large domestic animals
E-10-HR	8 or less large domestic animals
E-40-VR	16 or less large domestic animals

1. A special use permit is required to exceed the above maximums for large domestic animals.
2. Sanitary conditions must be maintained at all times in order to prevent a nuisance or health hazard from occurring.
3. There must be a minimum of 400 square feet of penned land area per large domestic animal, which must be on less than 10 percent slope grade.

17.40.025 Uses Subject to Special Use Permit.

The following additional uses may be permitted subject to securing a special use permit as provided for in chapter 17.03 Administrative provisions.

- A. Child care facilities where more than 4 children are cared for. Child care must not exceed 15 children.
- B. The keeping of 5 or more dogs or 3 or more pot-belly pigs more than 12 weeks old, but not a commercial kennel. A minimum of 10 acres is required.
- C. The keeping of large domestic animals exceeding the maximum number allowed pursuant to section 17.40.020.
- D. The keeping, maintenance, display, or possession of 1 or more wild animals.
- E. Civic uses including:
 1. Public facilities and offices for fire, emergency services, and sheriff. Jails are prohibited.
 2. Helipads and heliports for use only by medical evacuation transport services. These uses are prohibited for any other purpose.
 3. Crisis care use, temporary.
 4. Libraries, governmental offices, post offices, and community centers.
 5. Education including Elementary, middle, and high (K-12) schools and academies, colleges and higher education, technical and vocational education, apprentice training, whether public, private, or parochial. Student residential and boarding accommodations are prohibited.
 6. Picnicking areas, parks, dog parks, walking and bicycle trails, interpretive trails,

restroom facilities, and information kiosks.

F. Natural resources river restoration regulated under section 17.12.100.

G. One attached or detached accessory dwelling unit (i.e., mother-in-law quarters) as regulated by section 17.12.046, Accessory dwelling, location and placement.

H. The use of two or more shipping containers as accessory buildings exceeding 90 days or the period of an active building permit for the principal use on the premises.

17.40.050 Setback Requirements

Unless stated otherwise in this section, the distance between the building and the property line must be as shown in the following table. Setback requirements for accessory buildings must comply with section 17.12.045. Setbacks are from the property line except when an encroaching easement exists for the purpose of providing a public or private road, but not driveway (see section 17.12.090 for explanation and illustration).

Estates Zone	Front Setback	Rear Setback	Side Setback
E-1	20 ft.	12 ft.	12 ft.
E-2.5	30 ft.	50 ft.	30 ft.
E-5	30 ft.	50 ft.	30 ft.
E-10	50 ft.	80 ft.	50 ft.
E-40	80 ft.	150 ft.	80 ft.
E-I-VCH	30 ft.	40 ft.	15 ft.
E-10-HR	30 ft.	40 ft.	15 ft.
E-40-VR	30 ft.	40 ft.	15 ft.

SECTION X: Chapter 17.44 SPR Special Planning Zone is amended as follows:

17.44.020 Allowed Uses

All allowed uses in the SPR special planning review zone must comply with the applicable provisions of chapter 17.12 General provisions, and must be reviewed and approved by the board with action by the planning commission. The allowed uses are as follows:

- A. One single-family dwelling of permanent character in a permanent location.
- B. Accessory use, buildings and structures if they are clearly incidental to a permitted use, placed upon the same lot or parcel with a permitted use, and in compliance with section 17.12.045-046.
- C. Agricultural and horticultural uses for domestic purposes and incidental to the permitted uses. Uses included community gardens.
- D. Private and commercial equestrian facilities and uses, including riding arenas, rodeos and equestrian events, stables, horse and pony rides, and carriage and stagecoach rides.
- E. Childcare where 4 or less children are cared for.
- F. Museums including those related to history, natural resources, mining, milling, trains, railroads, and other subjects.

- G. Library and cultural services.
- H. Signs as regulated by chapter 17.84 Signs and billboards.
- I. Any material or site improvement to enhance and promote the V&T Railroad and/or V&T Railway.
- J. Civic uses including:
 - 1. Public facilities and offices for fire, emergency services, and sheriff. Jails are prohibited.
 - 2. Helipads and heliports for use only by medical evacuation transport services. These uses are prohibited for any other purpose.
 - 3. Crisis care use, temporary.
 - 4. Libraries, governmental offices, post offices, and community centers.
 - 5. Education including elementary, middle, and high (K-12) schools and academies, colleges and higher education, technical and vocational education, apprentice training, whether public, private, or parochial. A special use permit is required student residential and boarding accommodations.
 - 6. Picnicking areas, parks, dog parks, walking and bicycle trails, interpretive trails, restroom facilities, and information kiosks.

K.~~H~~ The use of up to one shipping container as an accessory building. Review and approval by the director of planning for conformance with section 17.12.045 is required if the use exceeds 90 days or the period of an active building permit for the principal use on the premises.

17.44.030 Uses Subject to Special Use Permit

A special use permit will be required for following uses or development which is determined by the board with action by the planning commission to be potentially incompatible or detrimental to the purpose and intent of the SPR special planning review zone.

- A. Mining and extraction as regulated by chapter 17.92 Exploration, mining, and extraction.
- B. Milling and processing associated with mining and extraction.
- C. Temporary (less than 1 year) concrete and asphalt batch plants when not incidental to an on-site construction project or when located within 2,500 feet of a CR, E, R, or SPR zone.
- D. Bed and breakfast inns offering accommodations for up to 8 guests, subject to providing one off-street parking space for each additional 10,000 square feet of lot area.
- E. Education facilities that include student residential and boarding accommodations.
- F. Indoor and outdoor archery clubs and indoor gun club for the sport of shooting at moving or stationary targets or education related to the use and safety of firearms and archery.
- G. The keeping of 5 or more dogs or 3 or more pot-belly pigs more than 12 weeks of age. A minimum of 10 acres is required.
- H. Commercial kennel. A minimum of 10 acres is required.
- I. Cemeteries, but not columbariums, crematories, mausoleums, mortuaries, or funeral parlors.
- J. Congregational establishments, including religious institutions, fraternal lodges, recreational and social clubs, labor halls, service clubs and facilities for other private clubs.

- K. Maintenance, display, or possession of one or more wild animals.
- L. Open storage not directly associated with an active construction project on the premises.
- M. The use of two or more shipping containers as accessory buildings exceeding 90 days or the period of an active building permit for the principal use on the premises.
- N. Natural resources river restoration regulated under section 17.12.100.
- O. Other similar uses to the above which are determined by the board with action by the planning commission to be consistent with the uses permitted within the zone.

17.44.060 Setback Requirements

The required distance between the building and the property line is indicated in the following table. Setback requirements for accessory structures must comply with section 17.12.045. Setbacks are from the property line except when an encroaching easement exists for the purpose of providing a public or private road, but not driveway (see section 17.12.090 for explanation and illustration).

Zone and Suffix and Lot Configuration	Front Setback	Side Setback	Rear Setback
SPR-5, SPR-6, SPR-8, and SPR10	20 feet	8 feet	20 feet
SPR15	30 feet	8 feet	20 feet
SPR20	40 feet	8 feet	20 feet
Corner lot facing two streets	Same as above	10 feet street side; 8 feet non-street side	Same as above

SECTION XI: Chapter 17.84 Signs and Billboards is amended as follows:

Sections:

- 17.84.010 Purpose and findings
- 17.84.020 Applicability
- 17.84.040 Comstock Historic District applicability
- 17.84.070 Permit validity
- 17.84.080 General requirements
- 17.84.090 Comstock Historic District sign requirements
- 17.84.110 Exempt signs
- 17.84.120 Temporary signs & banners
- 17.84.130 Prohibited signs
- 17.84.140 Billboards
- 17.84.150 Variances
- 17.84.160 Violation—report
- 17.84.170 Complaint by state personnel
- 17.84.180 Nuisance declared

- 17.84.260 Violation—liability
17.84.270 Violation—remedies not exclusive

17.84.070 Sign Validity.

The sign may remain in place until it no longer complies with the provisions set forth by this chapter or the business or attraction for which the sign represents changes physical location, no longer operates, or fails to maintain a valid Storey County Business License. All signs must be immediately removed at the time the business or attraction is no longer operating or when the sign's license or permit is no longer valid. Notice, violation, abatement, and hearing must follow the applicable provisions of this chapter.

SECTION XII: Chapter 17.10 Definitions is amended as follows:

17.10.030 Definitions

Abandoned. The term “abandoned” concerns a building or use that has not been developed or maintained for a period of time as stated in an ordinance.

Access Way. The term “Access Way” means a clear and unobstructed usable approach of at least 12 feet in width (residential), 15 feet in width (one-way commercial), and 24 feet in width (two-way) from a development upon land to a public travelled way located within a public right-of-way. An access may also be secured by means of an easement from the owner of a parcel or lot proposed to be built upon for the full length of the parcel or lot extending to a public right-of-way, or any other access way suitable or acceptable to the community and public works departments.

Accessory building, detached. The term “Accessory Building, Detached” refers to a building on the same lot as the principal building, but which is physically separated from the principal building, subordinate to the principal building, and devoted to a use incidental to that principal building. A detached accessory building is not designed, configured, or used for human habitation. The detached accessory building may be connected to water and wastewater systems subject to the recordation of a deed restriction prohibiting the use of the structure as a dwelling unit (see accessory dwelling unit). Installation of both a kitchen, and bathroom with bathtub or shower, changes the building to an accessory dwelling unit and, therefore, subject to the respective regulations. Typical uses include detached garages, outbuildings, storage buildings, barns, sheds, etc.

Accessory dwelling unit, attached. The term “Accessory Dwelling Unit, Attached” refers to a portion of a principal single-family dwelling or other principal building that is designed to be used as a separate and completely independent dwelling unit. An attached accessory dwelling unit includes, at a minimum, a permanent kitchen and a bathroom with bathtub or shower. It may also include habitable space for living, sleeping, and eating. The attached accessory dwelling is separated from the principal unit by walls, ceilings, or other permanent partitions, or by non-habitable space such as a garage, and is accessed through a lockable door between the partitions, or by a separate entrance from the principal living space. Incidental and accessory features such as trellises, decks, patios, breezeways, tunnels, or bridges connecting the non-principal dwelling space to the principal structure, are not considered as establishing an attached dwelling unit. Typical uses include guesthouses, second units, granny-flats, mother-in-law quarters, etc.

Accessory dwelling unit, detached. The term “Accessory Dwelling, Detached” refers to a separate and completely independent dwelling unit on the same lot as the principal single-family dwelling or other principal building, but which is physically separated from the principal building. A detached accessory dwelling unit includes, at a minimum, a permanent kitchen and a bathroom with bathtub or shower. It may also include habitable space for living, sleeping, and eating. The accessory dwelling unit is considered detached regardless of whether it is connected to the principal single-family dwelling by trellises, decks, patios, breezeways, tunnels, or bridges. Typical uses include guesthouses, second units, granny flats, mother-in-law quarters, etc.

Accessory Use. The term “Accessory use” means customarily incidental and subordinate to the principal use of the land located on the same lot or parcel.

Active Permit. The term “Active Permit” means a permit issued by a federal, state, or county agency that is active, has not expired, has not been revoked or suspended, and otherwise remains in effect.

Adjacent. The term “Adjacent” for the purpose of determining setback requirements for adjacent uses means that a parcel is “adjacent” if it is contiguous with the principal parcel on any side or it is situated opposite the principal parcel across a public or private right-of-way or access easement. Where an adjacent parcel is located across a public or private right-of-way or access easement, setback requirements will be measured from the centerline of the right-of-way or access easement.

Administrative Offices. The term “Administrative Offices” refers to public or private offices, firms, or organizations that are primarily used for the provision of executive, management, or administrative services. Examples of these services include recordkeeping, secretarial service, telephone answering, photocopying and reproduction, and similar services customarily associated with the functions of administrative offices.

Adult Merchandise Retail Use. The term “Adult Merchandise Retail Use” refers to retail establishments furnishing adult material for display, sale, lease, or rental. Adult material includes but is not limited to books, merchandise, periodicals, video tapes, video disks (including DVDs and other recorded video devices), computer disks, instruments, devices, or any other paraphernalia depicting, describing, or otherwise relating to “specific sexual activities” and “specific anatomical areas.”

- A. For the purposes of this chapter “specific anatomical areas” includes exposed human genitals, the pubic region, buttocks, and female breasts below a point immediately above the areola;
- B. For purposes of this chapter, “specific sexual activities” includes any form of actual or simulated sexual intercourse, copulation, bestiality, sadism, masochism, and fondling or touching of “specific anatomical areas.”

Aggregate Facility. The term “Aggregate Facility” refers to an operation involved in the exploration and mining of rock quarries, gravel pits, and sand or earth borrow pits, as well as the excavation, extraction, and processing of sand, diatomite, gravel, and rock. The term does not apply to the excavation, extraction, beneficiation, and processing of locatable metallic minerals, such as gold, silver, lead, copper, zinc, nickel, etc., nor to that of non-metallic minerals, such as fluorspar, mica, limestone and gypsum, titanium, heavy mineral placer form, and gemstones.

Agricultural, Animal Production. The term “Agricultural, Animal Production” use type refers to the raising of animals or production of animal products, such as eggs or dairy products, on an agricultural or commercial basis, but excluding commercial slaughtering. Typical uses include

grazing, ranching, dairy farming, and poultry farming, but do not include intensive agricultural uses.

Agricultural, Entertainment and Commercial. The term “Agricultural Entertainment and Commercial” use refers to agriculturally-themed visitor-oriented services, sales, and attractions “with an agricultural theme” conducted in conjunction with on-site agricultural uses. The use includes but is not limited to retail and food sales, as well as the provision of tasting rooms, reception facilities, and outdoor entertainment areas.

Agricultural, General. The term “Agricultural General” refers to the use of land for agricultural purposes, including farming, dairying, pasturage, apiculture, horticulture, floriculture, viticulture, and animal and poultry husbandry, and the accessory uses of packing, treating, and storing of produce; provided that the operation of the accessory uses is secondary to that of the principal agriculture use. The term does not include agricultural industrial uses, laboratories or testing facilities involving the use of animals, recreation, hunting clubs, fishing clubs, and other similar uses types.

Agricultural, Industrial Use. The term “Agricultural, Industrial Use” refers to the following agriculturally related uses that are classified as industrial uses related to agriculture:

- A. **Agricultural, Intensive Use.** The term “Agricultural, Intensive Use” also known as “factory farms”, means the process of raising large numbers of livestock and other animals in close confinement at high stocking density. Typical uses include, but are not limited to, dairies, hog farms, poultry production, slaughterhouses, shipping terminal holding pens, concentrated feeding or holding of large numbers of animals, and areas for storage or processing of manure, garbage, or spent compost materials. The term does not include animal husbandry.
- B. **Agricultural Packing and Processing.** The term “Agricultural Packing and Processing” refers to the washing, storing, crating, rendering, packing and other functional operations such as drying, field crushing, or other preparation of meats and other agricultural products, but not those which are incidental to the general agricultural use, custom animal processing, or butcher shops;
- C. **Slaughter House.** The term “Slaughter House” refers to any land, building, place, or establishment in which animals are slaughtered, eviscerated, or dressed and that is not incidental to general agricultural use or custom animal processing;
- D. **Stockyard and Livestock Auction Facilities.** The term “Stockyard and Livestock Auction Facilities” refers to any land, building, place, or establishment in which agricultural goods or livestock are sold by auction.
- E. **Agricultural, Research.** The term “Agricultural Research” use refers to establishments conducting experimental research relating to the production of agricultural commodities. The research typically involves experimentation relating to landscaping techniques, seed choice, use of herbicides and pesticides, and other agricultural practices. Agricultural Research use does not include laboratories or testing facilities involving the use of animals for experimentation purposes.

Alley. The term “Alley” refers to a public way permanently reserved as a secondary means of access to abutting property and not intended for general traffic circulation.

Allowed Use. The term “Allowed Use” refers to a land use that is allowed under this title and does not require a special use permit.

Alter. The term “Alter” refers to change, make different, adjust, or modify in any way.

Amusement Park. The term “Amusement Park” refers to a permanent facility or park where amusement rides are available for use by the public. An amusement ride means a type of ride, including, without limitation, any mechanical or aquatic device that carries passengers over a fixed or restricted route primarily for the passengers’ amusement. The term includes any ride propelled by its passengers or gravity if it is located in an amusement park. The term does not include temporary carnivals, circuses, or fairs that are transient (lasting no longer than 30 days in one year) in nature.

Animal Processing, Custom. The term “Animal Processing, Custom” refers to slaughtering, eviscerating, dressing, or processing an animal or processing meat products for the owner of the animal or of the meat products, if the meat products derived from the custom operation are returned to the owner of the animal.

Animal Processor, Custom. The term “Animal Processor, Custom” refers to a person who slaughters or processes non-inspected meat (not under continuous inspections by either the Nevada Department of Agriculture or the U.S. Department of Agriculture for slaughter house activities) for the owner of the animals, and returns the majority of the meat products derived from the slaughter or processing to the owner. “Custom processor” does not include a person who slaughters animals or processes meat for the owner of the animals on a farm or premises of the owner of the animals.

Apartment Building. The term “Apartment Building” refers to a building of multi-family dwelling units devoted to monthly rental, lease arrangements, and other long-term residential use.

Archery Range. The term “Archery Range” refers to an indoor or outdoor facility in which the art, skill, or sport of shooting with a bow and arrow or similar devices are conducted.

Assessment Work. The term “Assessment Work” refers to the minimum amount of work required annually by the Bureau of Land Management to keep an unpatented mining claim active.

Attached. The term “Attached” means joined in close association.

Auction Facilities. The term “Auction Facilities” refers to any land, building, place, or establishment in which goods are sold by auction.

Automotive, Repair. The term “Automotive Repair” use refers to the use of a location principally for the repair of automobiles and light-duty motor vehicles. The use includes the sale, installation, and servicing of automobile equipment and parts. Examples of Automotive Repair use include muffler and brake shops, automobile repair garages, automobile glass shops, and similar establishments.

Automotive, Sales and Rentals. The term “Automotive Sales and Rentals” use refers to on-site sales or rentals of automobiles, motorcycles, or similar light-duty motor vehicles. It also includes incidental repair, maintenance, washing, and detailing. Examples of this use include new and used car dealerships and rental agencies.

Automotive, Service Station. The term “Automotive, Service Station” refers to a place where automobiles or similar light-duty motor vehicles are fueled or serviced, including gasoline sales and service station, retail sales of petroleum products from the premises of the establishment and incidental sales of tires, batteries, replacement items, lubricating services, and minor repair services. An automotive service station may be combined with a convenience store, a retail establishment that is principally devoted to providing the public with a convenient location to purchase consumable products quickly and in which the area open to the public is less than 5,000 square feet in area.

Automotive, Washing and Detailing. The term “Automotive, Washing and Detailing” use refers to the washing, detailing, waxing, or cleaning of automobiles or similar light-duty motor vehicles. Facilities may use manual washing methods (including coin operated) or production line conveyor mechanisms.

Auto wrecking and dismantling yard. The term “Auto Wrecking and Dismantling Yard” use refers to a facility where land is used for the salvage, dismantling or wrecking of motor vehicles and trailers required to be registered under the motor vehicle laws of the state of Nevada, including premises used in the storing, keeping, buying, selling, or dealing in salvaged, dismantled, wrecked, inoperative or disabled vehicles or integral parts of component materials thereof, and the storage, sale or dumping of dismantled, partially dismantled or wrecked inoperative vehicles and trailers, or parts thereof. Automobile dismantling does not include the incidental storage of inoperative or dismantled vehicles in connection with the legal operation of an automobile repair garage or automobile body and fender repair shop while waiting for repair. Uses must not be carried out within the required setback. A natural or artificial screen or buffer must be provided to obscure the subject use from the street and from any opposite or adjoining properties.

Banner. The term “Banner” refers to a long strip of flexible material that is suspended between two points for the purpose of decoration, advertising, or otherwise displaying a message.

Batch Plant (Concrete and Asphalt). The term “Batch Plant” refers to an industrial facility used for the production of concrete or asphalt or related products, used in building or construction, including facilities for the administration or management of the business, the stockpiling of bulk materials used in the production process of finished products manufactured on the premises, and the storage and maintenance of required equipment but not including the retail sale of finished concrete or asphalt products. A facility operating for less than 1 year is considered a temporary batch plant; a facility operating for a period of 1 year or more is considered permanent.

Bed and Breakfast Inn. The term “Bed and Breakfast Inn” refers to a facility with sleeping rooms and dining accommodations, limited to stays of less than 30 days in a one year period, designed to serve paying guests within a single-family residential dwelling, with required parking to be located off-street.

Billboard. The term “Billboard” refers to a device, display, sign, or structure, or part thereof with a sign face measuring more than 128 square feet in area, that is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event, or location; or to express a point of view, by any means, including words, letters, figures, design, symbols, fixtures, colors, illuminations.

Board. The term “Board” refers to the Storey County Board of County Commissioners.

Brew Pub. The term “Brew Pub” also known as a “micro-brewery” refers to an establishment that is 10,000 square-feet or less in area that manufactures malt beverages and sells those malt beverages for on-site consumption, off-site consumption, and retail sale.

Brewery. The Term “Brewery” refers to an establishment exceeding 10,000 square-feet in area that manufactures malt beverages, but does not sell those malt beverages for on-site consumption.

Building. The term “Building” refers to any structure having a single or common roof supported by columns or walls. The following definitions also relate to buildings:

- A. **Building Height.** The term “Building height” means the vertical distance from the average grade level to the highest point of the structure.

- B. **Building Line.** The term "Building line" means a line between any street right-of-way, either existing or future, and any building, or parts of a building or structures which may be erected or altered on a lot, parcel or tract of land.
- C. **Public Building.** The term "Public building" means a building owned and operated, or owned and intended to be operated, by a public agency of the United States of America; of the State of Nevada, the county, or any political subdivision thereof.
- D. **Building Site.** The term "Building site" means the ground area of a building or buildings, together with all open spaces which are required.

Building Department. The term "Building Department" refers to the department designated by the board to administrate building codes and other county functions, and enforce and administrate the county regulations of those functions.

Building Face. The term "Building Face" refers to all window and solid wall area of a building in one place or elevation.

Building Permit. The term "Building Permit" refers to a written approval issued by the county building official pursuant to the latest edition of the adopted building code by the county that authorizes construction of any building or structure.

Butcher Shop. The term "Butcher Shop" refers to a custom retail meat cutting operation. This definition does not include slaughter houses but does include other accessory uses such as frozen food lockers.

Casino. The term "Casino" refers to any place where gaming is operated or maintained, except that "casino" may not be construed to include any place devoted to 15 or less slot machines or video gaming devices.

Cemetery. The term "Cemetery" refers to land used for burial of the dead, including columbariums, mausoleums, and mortuaries.

Changeable Copy Sign. The term "Changeable Copy Sign" refers to any sign in which the portrayed message or image can be changed without manually replacing the sign's face.

Childcare Facility. The term "Childcare Facility" refers to child daycare use and refers to the use of a building or a portion of the building for the care (day or night) of individuals less than 18 years of age. The use includes nursery schools, preschools, daycare centers, and similar uses, including those provided in a private dwelling but excluding those classified as "education facilities." For the purposes of this title, child daycare refers to services providing non-medical care to any number of children in need of personal services or supervision on less than a 24-hour basis.

Children's Camp. The term "Children's Camp" as used in NRS 444 means any land with permanent buildings, tents or other structures established or maintained as living quarters where both food and lodging or the facilities are provided for minors, operated continuously on a 24-hour basis for a period of 5 days or more each year for religious, recreational or vacation purposes, either free of charge or for a fee, but does not mean any camps owned or leased for individual or family use, penal or correctional purposes, or places operated for the education, care or treatment of children.

Civic Holiday. The term "Civic Holiday" refers to any seasonal holiday officially recognized by the United States of America, the State of Nevada, or Storey County.

Coffee House. The term "Coffee House" (also includes "coffee shop") refers to a business establishment with the principal business of preparing and selling coffee, lattes, mochas, tea,

or other non-alcoholic beverages for on-site and off-site consumption. The use may also include facilities for the purchase and consumption of light meals.

Columbarium. The term “Columbarium” refers to a room or building with niches in which funeral urns are stored.

Commercial, Convenience Store. The term “Commercial, Convenience Store” refers to a retail establishment that is principally devoted to providing the public with a convenient location to purchase consumable products quickly and in which the area open to the public is less than 5,000 square feet.

Commercial, Neighborhood Store or Shopping Center. The term “Commercial, Neighborhood Store or Shopping Center” refers to a commercial establishment or group of commercial establishments that: measures between 30,000 and 100,000 square feet in gross area; provides for the commercial sale of convenience goods (food, drugs, sundries, etc.) and personal services (laundry and personal dry cleaning, barbering, shoe repair, etc.) for the day-to-day living needs of the immediate area; and has a supermarket as the principal tenant. A typical example is a principal grocery supermarket grouped with or attached to secondary stores.

Commercial, Principal Grocery Store. The term “Commercial, Principal Grocery Store” refers to a commercial retail establishment that: measures between 5,000 and 30,000 square feet in gross area; is principally devoted to the sale of food for human consumption off the premises; and derives a substantial amount of its gross revenue from such sales, regardless of whether the store also derives revenue from the sale of non-food items.

Commercial, Regional Store or Shopping Center. The Term “Commercial, Regional Store or Shopping Center” refers to a commercial establishment or group of commercial establishments that: measures between 100,000 and 250,000 square feet in gross area; provides for the commercial sale of convenience goods (food, drugs, sundries, etc.) and personal services (laundry and dry cleaning, barbering, shoe repair, etc.) for the day-to-day living needs of the immediate area; and has a supermarket as the principal tenant. Typical examples include department stores, warehouse shopping clubs, “Big Box” retail stores (which may be grouped with or attached to secondary stores and non-retail services such as automobile service and fueling, as permitted in the zone).

Commercial, Shopping Center. The term “Commercial, Shopping Center” refers to a building or group of buildings housing two or more commercial businesses on a unified tract as opposed to a lease lot or parcel subdivided out of the original larger shopping center parcel. Businesses within the shopping center are typically arranged as in-line tenants, operating under one banner as a pedestrian oriented environment or having common ingress and egress points. Its occupants provide or are intended to provide for the retail sale of goods and services to the public, including postal services, etc.

Commercial, Store. The term “Commercial, Store” refers to a freestanding commercial retail establishment that is not included as part of a shopping center.

Commercial, Super Regional Store or Shopping Center. The term “Commercial, Super Regional Store or Shopping Center” refers to a commercial establishment or group of commercial establishments that measures between 250,000 and 1,000,000 or more square feet in gross area and provides an extensive variety of general merchandise. These centers typically include one or more “anchor” department stores as principal tenants that generally have individual square footage of 100,000 square feet each.

Common Area. The term “Common Area” refers to a parcel or parcels of land or area of water or a combination of land and water with the site designated for a planned unit development that is designed and intended for the general use or enjoyment of the residents of residential developments and land occupants in commercial or industrial developments. Common area may contain complementary structures and improvements (clubhouses or social halls) necessary and appropriate for the benefit and enjoyment of the residents. Perimeter setbacks may be included in common area.

Community Center. The term “Community Center” refers to a public or quasi-public building designed for and used as a social, recreational, and cultural center. As part of such recreation centers, there may be included craft rooms, music rooms, game rooms, meeting rooms, and auditoriums, swimming pools, and kitchen facilities. Kitchen facilities and dining areas may be used for special events only.

Community Garden. The term “Community Garden” refers to the growing or production of vegetables, fruit, and other produce not for profit and through collaborative community effort on private or public land. Accessory structures incidental to gardens such as protective fences, greenhouses, and other buildings below 200 square feet in area are also considered elements of community gardens.

Comstock Historic District. The term “Comstock Historic District” refers to the area within the boundaries set forth by NRS 384 and regulated pursuant to both that chapter and section 17.12.049 of the county code.

Condominium. The term “Condominium” refers to an estate in real property consisting of an undivided interest in common in portions of a parcel of real property together with: (a) a separate interest in space in a residential, industrial, or commercial building or industrial or commercial building on such real property, such as, but not restricted to, an apartment, office or store; and (b) a separate interest in air space only, without any building or structure, to be used for a mobile home. A condominium may include in addition to a separate interest in other portions of such real property. The estate may, with respect to the duration of its enjoyment, be either an estate or inheritance or perpetual estate, and estate for life, or an estate for years.

Construction Sales and Services. The term “Construction Sales and Services” use refers to establishments or places of business primarily engaged in construction activities and incidental storage, but that are also engaged in the retail or wholesale sale from the premises of materials used in construction. This use does not include retail sales of paint, fixtures, and hardware, nor does it include other uses classified as automotive and equipment use. The use does not refer to actual construction sites. Examples of Construction Sales and Services use include businesses that sell or rent tools and equipment, as well as building material stores.

Corrections Facility. The term “Corrections Facility” refers to a community correctional center, conservation camp, minimum security prison facility, or other place for the confinement, care, and training of persons convicted of crimes. The term does not include Corrections Institutions.

Corrections Facility, Private. The term “Corrections Facility, Private” refers to a Corrections Facility operated by a private organization.

Corrections Institution. The term “Corrections Institution” refers to a medium or maximum security prison facility designed for the confinement and care for persons convicted of crimes within a secure perimeter.

Corrections Institution, Private. The term “Corrections Institution, Private” refers to a Corrections Institution operated by a private organization.

Crematorium. The term “Crematorium” refers to a facility where a furnace is used to incinerate human or animal remains and reduce them to ashes.

Crisis Care Facility, Permanent. The term “Crisis Care Facility, Permanent” refers to a building or part of a building used principally (for more than 7 days in a 30-day period) to provide crisis intervention shelter for children and adults who are immediate victims of crime, abuse, or neglect. The term does not include homeless shelters.

Crisis Care Use, Temporary. The term “Crisis Care Use, Temporary” refers to a building or part of a building used temporarily (7 or less days in a 30-day period) to provide crisis intervention shelter for children and adults who are immediate victims of crime, abuse, or neglect. The term does not include homeless shelters. The use may include a private residence or other building used in accordance with this definition and the applicable zones.

Cultural and Library Services. The term “Cultural and Library Services” use refers to non-profit, museum-like preservation and exhibition of objects of permanent interest in any of the arts and sciences. Examples of such use include gallery exhibitions of artwork and library collections of books, manuscripts, etc., for study and reading.

Dairy Farm. The term “Dairy Farm” refers to a type of indoor or outdoor commercial farm specializing in the raising of dairy cows for milk and dairy production.

Designee. The term “Designee” refers to a department, official, or employee of the county authorized by the Storey County Board of Commissioners to administer and enforce established certain county codes and regulations.

Development Agreement. The term “Development Agreement” refers to an agreement between a governing body and a party that has a legal or equitable interest in land largely or completely undeveloped that is entered into upon the application of the party wishing to develop the land. The purpose of such an agreement is to enable the governing body to distribute equitably the cost of developing infrastructure for the land. This cost distribution will be based on an analysis of the need for infrastructure prepared pursuant to NRS 278.

Development permits. The term “development permits” refers to permits classified as zoning permits, land division permits or building permits.

A. Zoning permits include approval of any of the following types of development applications:

1. Master plan map amendment.
2. Master plan text amendment.
3. Zoning map amendment, including applications for overlay district.
4. Zoning text amendment.
5. Special use permit.
6. Variance.
7. Modification (major or minor) to an approved permit.
8. Planned unit development.
9. Temporary use permit (special event permit).

B. Land division permits include approval of any of the following types of development applications:

1. Tentative or final subdivision map.
2. Tentative or final parcel map.
3. Tentative or final land division map.

4. Variances or exceptions to such maps.
5. Modifications (major and minor) to such maps.
6. Boundary line adjustment.
7. Lot consolidation.
8. Reversions to acreage.
9. Amended map filings.
10. Small operations mining permit.

C. Building permits include approval of any of the following types of development applications:

1. Building permit.
2. Site improvement permit.
3. Encroachment permit.
4. Grading permit.

Directional Sign. The term “Directional Sign” refers to a directional sign which displays a type of service that is provided away from the local arterial or collector roadways and when the traveler must change direction from one public right-of-way to another to reach a business, event, or attraction. With exception of traffic regulatory devices installed by a governmental agency, directional signs may only be located where the traveler must change direction from one public right-of-way to another to reach the attraction for which the sign represents.

Director. The term “Director” refers to the director of the planning, building, or other department as designated by the Board of County Commissioners.

Docent. The term “Docent” refers to a casual teacher or lecturer who leads guided tours or shares popular knowledge and history with an open audience.

Dog Park. The term “Dog Park” refers to a public or private park where dogs may run off-leash within an area completely surrounded by a fence.

Dry Cleaning, Personal. The term “Dry Cleaning, Personal” refers to a facility of less than 5,000 square feet where customers drop off and pick up clothing or other textile articles for dry cleaning, dry dyeing, cleaning and spotting, and stain removing.

Dry Cleaning, Plant. The term “Dry Cleaning, Plant” refers to establishments primarily engaged in the provision of large-scale (5,000 square feet or more) dry cleaning, dry dyeing, and cleaning of clothing and other textile articles.

Dwelling Unit. The term “Dwelling Unit” refers to any building or portion of a building used exclusively by one or more persons for permanent (thirty days or more) residential purposes. A dwelling unit must have, at a minimum, a permanent kitchen, and a bathroom with a bathtub or shower. A dwelling unit may also include habitable space for living, sleeping, and eating. The term does not include hotels, motels, boarding or rooming houses, transient lodging, corrections facilities and institutions, or health care institutions and facilities.

Easement. The term “Easement” refers to an interest in real property that entitles the easement holder to use the land of another in a specified manner. A negative easement is an interest in real property that entitles the easement holder to prevent another from using land in a specified manner.

Exploration. The term “Exploration” means any activity which involves disturbance of the existing environment, including core drilling, construction of access roads, excavation, blasting, seismic testing or similar activities conducted while in search of mineral deposits, precious metals, gemstones, sand, gravel, stone or any other material to be mined or extracted.

Factory Built Building. The term “Dwelling, Factory Building” means a single-family dwelling built in accordance with NRS 461 and in compliance with the standards for single-family residential dwellings of the building code most recently adopted by the International Conference of Building Officials. Factory-built housing is defined at NRS 461.080 as a residential building, dwelling unit or habitable room that is either wholly manufactured or is in substantial part manufactured at an off-site location to be wholly or partially assembled on-site in accordance with regulations adopted by the division, but does not include a mobile home or recreational vehicle park trailer.

Fairground. The term “Fairground” refers to land devoted to entertainment on a seasonal or temporary basis, including grandstands, barns, and other accessory buildings normally associated with such use.

Family. The term “Family” means a group of individuals, not necessarily related by blood, marriage, adoption, or guardianship, living together in a dwelling unit as a single housekeeping unit under a common housekeeping management plan based on an intentionally structured relationship proving organization and stability.

Farmer's Market. The term “Farmer’s Market” refers to an indoor or outdoor area providing retail sales booths for numerous merchants of produce and plant life. Arts and crafts booths may be permitted as accessory to a produce or plant life booth. A flea market or open-air- market may not be considered a farmer’s market.

Feed Store. The term “Feed Store” means a retail establishment that is principally devoted to the sale of food for domestic animal consumption off the premises and that derives a substantial amount of its gross revenue from such sales, regardless of whether the store is also devoted to or derives revenue from the sale of non-food items such as tack supplies.

Filming Activity. The term “Filming Activity” refers to the taking or making of any motion picture or still photograph, but not including the filming or photographing for news media purposes or filming or photography that is not for distribution or sale for commercial purposes. The term does not include filming or photography related to adult uses, adult themes, or other pornographic themes.

Final Map. The term “Final Map” refers to a map prepared in compliance with NRS 278 and the county code and placed on record in the office of the county recorder.

Flag Pole. The term “Flag Pole” refers to a pole on which a flag is raised; also called a flagstaff.

Flashing Light. The term “Flashing Light” refers to a rhythmic and arrhythmic light in which the total duration of light in each period is clearly shorter than the total duration of the dark.

Flea Market. The term “Flea Market” refers to a building or outdoor area where secondhand goods, articles, and antiques are temporarily or intermittently offered for barter, trade, or retail sale to the general public. The term does not include garage or yard sales, or any other retail establishment otherwise defined or classified in this chapter.

Florescent Lighting. The term “Florescent Lighting” refers to a gas-charged source of light, sometimes in the form of a Compact Florescent Light (CFL), in which electricity is used to excite mercury vapors. The excited mercury atoms produce short-wave ultraviolet light that then causes a phosphor to fluoresce, producing visible light. Neon lighting (See definition for Neon Lighting.) will not be considered as florescent lighting for the purposes of the title.

Fortune Teller. The term “Fortune Teller” refers to any person who practices, teaches, or professes to practice the business of astrology, hypnotism, or the psychic arts and sciences for

a fee, gift, donation, or other compensation. Psychic arts and sciences include but are not limited to palmistry, phrenology, life reading, fortune telling, cartomancy, clairvoyance, clairsaudience, crystal gazing, mediumship, prophecy, augury, divination, magic and necromancy.

Fossil Fuels. The term “Fossil Fuels” includes non-renewable sources of energy, such as oil, coal, natural gas, and other naturally-occurring substances created from dead carbon-based organic material that has been deposited, compressed, decomposed, and fossilized over very long periods of time.

Fraternal Organization. The term “Fraternal Organization” also known as a “fraternity” refers to a group of people formally organized for a common interest, usually one based in culture, religion, or entertainment. Such organizations typically hold regular meetings, observe rituals, and establish formal written membership requirements.

Funeral Parlor. The term “Funeral Parlor” refers to a place of business devoted exclusively to activities related to the preparing and arranging for the funeral, transportation, and burial or other disposition of human deceased remains.

Game Farm. The term “Game Farm” refers to boarding or breeding of exotic animals generally considered wild or not normally domesticated.

Gaming. The term “Gaming” refers to all games of chance played for money or for checks or tokens redeemable in money, including those played on electric or mechanical devices such as slot machines.

Gaming Establishment. The term “Gaming Establishment” refers to any place where gaming is operated and maintained. “Gaming” or “gambling” means all games of chance played for money or for checks or tokens redeemable in money, including those played on electric or mechanical devices such as slot machines.

Gaming, Limited. The term “Gaming, Limited” refers to an establishment that contains no more than fifteen slot or video gaming machines (and no other games or gaming devices), where the operation of the slot or video machine is incidental to the primary business of the establishment.

Gaming, Non-Restricted. The term “Gaming, Non-Restricted” refers to an establishment that is used or is intended to be used for the conducting of gaming activities for which a non-restricted gaming license is required. For example, the term includes any establishment whose gaming operations consist of 16 or more slot machines, or any number of slot machines together with any other game, gaming device, race book, or sports pool establishment.

General Improvement District (GID). The term “General Improvement District (GID)” refers to a political subdivision organized or proposed to be organized pursuant to NRS 318.

Golf Course. The term “Golf Course” refers to a tract of land laid out for playing at least 9 holes of the game of golf and improved with trees, greens, fairways, and obstacle hazards. A golf course may include a clubhouse, driving range, and necessary and incidental structures.

Golf Course, Miniature. The term “Golf Course, Miniature” known as “miniature golf” refers to an area of land or a building, structure, or premises or any part, operated for profit or gain as a commercial place of amusement in which facilities are provided to simulate the game of golf or any aspect of it on a small scale. The term does not include a golf driving range.

Government Agency: The term “Government Agency” refers to an administrative unit of federal, state, or local government.

Government Services. The term “Government Services” use refers to all types of uses by federal, state, or local governments (including municipal corporations, general improvement districts, and other political subdivisions of federal, state or local governments). Typical uses include offices, courts, jails, maintenance yards, equipment or materials storage, and legislative facilities, but not those uses that are classified as major public facilities, safety services, or utility services.

Grade. The term “Grade” (ground level) is the average of the finished ground level at the center of all walls of a building.

Groundwater Recharge. The term “Groundwater Recharge” refers to the process by which water is transmitted underground to an aquifer.

Gun Repair. The term “Gun Repair” refers to the repair of firearms.

Gun Shooting Range. The term “Gun Shooting Range” refers to a facility for the sport of shooting at stationary or moving targets, including skeet shooting, to test skill and accuracy in rifle, pistol, or shotgun shooting. These facilities may be owned or operated by corporations, associations, or individuals.

Gun Show. The term “Gun Show” refers to a temporary (less than one week) indoor event at which ammunition and firearms, ranging from small handheld pistols to large pieces of artillery, are displayed, exhibited, and sold to the general public.

Gun Store. The term “Gun Store” refers to a retail establishment where ammunition and firearms, ranging from small handheld pistols to large pieces of artillery, are displayed, exhibited, and sold to the general public.

Gunsmith. The term “Gunsmith” refers to a person who repairs or builds firearms. Gunsmith does not include industrial or large-scale manufacturing of firearms.

Guyed Tower. The term “Guyed Tower” refers to a monopole or lattice tower that is tied to the ground or other surface by diagonal cables known as guy wires.

Halfway House. The term “Halfway House” refers to a facility providing supervision or detention, or both, for residents making the transition from institutional to community living, or a facility for recovering alcohol and drug abusers as described by NRS 449.008. This classification includes pre-parole detention facilities and halfway houses for juvenile delinquents and adult offenders, and shelters for the homeless.

Hazardous Material. The term “Hazardous Material” refers to any substance or material that, by reason of its toxic, caustic, corrosive, abrasive, or otherwise injurious properties, or is listed in the U.S. Department of Transportation Emergency Response Guidebook, Pipeline and Hazardous Materials Safety Administration guidebook, or may be detrimental or deleterious to the health of any person handling or otherwise coming into contact with such material or substance.

Hazardous Waste. The term “Hazardous Waste” refers to a byproduct or remnant of an operation or process that is dangerous or potentially harmful to the health of humans, animals, or the environment. Hazardous wastes can be liquids, solids, gasses, or sludge.

Health Care Facilities. The term “Health Care Facilities” refers to a use type or establishment primarily engaged in the provision of health and medical services ranging from prevention, diagnosis, and treatment. Uses are categorized as follows:

- A. **Civic Convalescent and Group Care Service.** The term “Civic Convalescent and Group Care Service” refers to a use type allowing uses listed under Convalescent

Services and Group Care but also allowing the in-patient and out-patient treatment and rehabilitation for alcohol, drug, and substance abuse addiction;

B. Continuum of Care Facilities for Seniors. The term “Continuum of Care Facilities for Seniors” refers to establishments that provide range housing, activities, and health services to allow for adults to age in place. Facilities may include independent living, assisted living, nursing care, and hospice care as well as accessory buildings for staff, and medical facilities and services for residents;

C. Convalescent Services. The term “Convalescent Services” refers to a use type referring to a provision of bed care and in-patient services for persons requiring regular medical attention, but excludes a facility providing surgical or emergency medical services and a facility providing care for alcohol, drug, and substance addiction.

D. Group Care Services. The term “Group Care Services” refers to care services provided in facilities that accommodate eleven or more persons who are not defined as a family, excluding caregivers and their family, halfway-houses for recovering alcohol, drug, and substance abusers, and those uses classified under hospital services. Typical uses include intermediate care facilities or senior citizen board and care homes.

E. Hospital Services. The term “Hospital Services” refers to medical, psychiatric, or surgical services for sick or injured persons primarily on an in-patient basis, including ancillary facilities for out-patient and emergency medical services, diagnostic services, training, research, administration, and services to patients, employees, and visitors.

F. Medical Services. The term “Medical Services” refers to establishments primarily engaged in the provision of personal health services ranging from prevention, diagnosis, and treatment, or rehabilitation services provided by physicians, dentists, nurses, and other health personnel as well as the provision of medical testing and analysis services. Typical uses include medical and primary care offices, dentist laboratories, health maintenance organizations, immediate care facilities, sports medicine facilities, acupuncture services, chiropractic services, and physical therapy.

Health Club. The term “Health Club” refers to a facility in which recreational athletic activities are performed, including but not limited to bodybuilding and exercise classes. A club may also provide associated facilities like saunas, solariums, and swimming pools.

Hedge. The term “Hedge” refers to a sight-obscuring fence-like boundary (of approximately 75 to 100 percent sight-obscuring density) formed by a dense row of shrubs or low growing mature trees.

Heliport. The term “Heliport” refers to areas used by helicopters or other steep-gradient aircraft for takeoff and landing, maintenance, and storage. A heliport may include passenger and cargo facilities, maintenance and overhaul facilities, fueling services, storage space, tie-down space, hangars and other accessory buildings, and open space. This use is subject to applicable state and federal flight path and air space regulations and restrictions.

High Technology Industry. The term “High Technology Industry” use refers to research, development, and controlled production of high-technology electronic, industrial, or scientific products. Examples of this use include biotechnology firms and computer component manufacturers.

Historic, Archaeological and Cultural Sites. The term “Historic, Archaeological and Cultural Sites” refers to an area of land associated with history, tradition, archaeological findings, or the cultural heritage of the county as determined by the Nevada State Office of Historic Preservation.

Hog Farm. The term “Hog Farm” refers to a type of indoor and outdoor intensive agricultural use specializing in the raising of domestic pigs and hogs for breeding or slaughter.

Holiday: The term “Holiday” refers to official or unofficial observances of religious, national, or cultural significance, often accompanied by celebration or festivities.

Home Enterprise: The term “Home Enterprise” means a business within a principal residence or accessory structure to the principal residence that does not change the residential nature of the property or abutting residential uses. The use is incidental to the primary residential purpose, thus the residential character of the property is not changed.

Homeless. The term “Homeless” refers to an individual who lacks a fixed, regular, and adequate nighttime residence; an individual whose primary nighttime residence is a supervised publically or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill and other persons); or a public or private place not designed for, or originally used as, a regular sleeping accommodation for human beings.

Homeowners Association. The term “Homeowner’s Association” refers to a corporation responsible for the operation of a community or a mobile home subdivision in which the voting membership is made up of parcel owners or their agents, or a combination of both; membership is a mandatory condition of parcel ownership; and the corporation is authorized to impose assessments that, if unpaid, may become a lien on the parcel. The term does not include a general improvement district or other similar special taxing district created pursuant to NRS 318.

Hotel. The term “Hotel” refers to any transient lodging use having two or more units providing for dwelling, living, or sleeping, as well as on-site parking for each unit. These units are intended primarily for transient use and may or may not provide cooking facilities.

Human Sign. The term “Human Sign” refers to any person who holds or wears a sign for the purpose of displaying a message or attracting attention to a business or service. Human signs are also known in the advertising industry or colloquially as sign walkers or sign twirlers. Frequently, the sign holder will spin, dance, or otherwise exhibit movement with the promotional sign in order to attract attention.

Inactive Permit. The term “Inactive Permit” means a permit issued by a federal, state, or county agency that expires, is not renewed, is revoked or suspended, or otherwise becomes null and void.

Indirect Illumination. The term “Indirect Illumination” refers to lighting or illumination of a place, structure, or object that employs the use of a concealed light source that is not visible when viewed upon at a horizontal plane.

Inflatable Sign. The term “Inflatable Sign” refers to a sign that is either expanded to its full dimension or supported by gasses contained within the sign, or sign parts, at pressure greater than atmospheric pressure.

Intersection. The term “Intersection” refers to a junction where two or more roads meet or cross at-grade, i.e. at the same level. A junction may also be called a “crossroads.”

Interstate Highway. The term “Interstate Highway” refers to a roadway included in the Interstate Highway System, a network of limited-access highways (also called freeways or expressways) connecting the 48 contiguous states of the United States of America.

Jail. The term “Jail” refers to a facility owned and operated by Storey County, including the county jail and branch county jails, for the detention of prisoners in accordance with NRS 211.

Junk. The term “Junk” refers to any scrap, waste, reclaimable material, or debris, whether or not stored, for sale, or in the process of being dismantled, destroyed, processed, salvaged, stored, baled, disposed, or other use or disposition.

Kennel, Commercial. The term “Kennel, Commercial” refers to dog breeding with four or more dogs, boarding kennels and other kennel services, doggie day-care, pet motels, dog training centers, and dog shelters with four or more dogs exceeding 12 weeks in age.

Laboratories and Testing Services. The term “Laboratories and Testing Services” use refers to electronic, mechanical, biological, or other scientific or analytical testing, including the housing of animals, raising of plants, and other similar activities used in the testing process that do not fall under agricultural research use. Experimentation on any animals may only be conducted in the I-S Special Industrial Zone within adequately secured facilities.

Laundry Services. The term “Laundry Services” refers to establishments primarily engaged in the provision of large-scale (15,000 square feet or more) laundering, dry cleaning (see Dry Cleaning Plants), or dying services other than those classified as personal services. Examples of this use include laundry agencies, diaper services, and linen supply services.

Light Emitting Diode (LED). The term “Light Emitting Diode (LED)” refers to a semiconductor diode that emits light when voltage is applied.

Light Rail Infrastructure. The term “Light Rail Infrastructure” refers to facilities directly related and incidental to light rail transportation.

Lighted & Illuminated Signs. The term “Lighted & Illuminated Signs” refers to any sign that is directly or indirectly lighted by a source or sources of light.

Livestock Auction Facility. The term “Livestock Auction Facility” refers to a type of industrial agricultural use establishment primarily used for the sale of livestock by public auction, including the incidental temporary storage of livestock in conjunction with their sale.

Loading Area. The term “Loading Area” refers to a designated area or recessed driveway for delivery or pick-up of goods or people.

Lot. The term “Lot” refers to a parcel of land occupied or to be occupied by a building or group of buildings, together with yards, open spaces, lot width and lot area as required by this title, having frontage upon a street or private easement. A lot may be land recorded on a plat of record, or considered as a unit of property and described by metes and bounds, and which may include parts of or a combination of lots, when adjacent to one another, providing the grounds are used for one improvement. All lots must front or have ingress or egress by means of officially approved public right-of-way. The following definitions also apply to lots:

- A. **Lot Area.** The term “Lot area” means the total horizontal area within the lot.
- B. **Lot, Corner.** The term “Corner lot” means a lot abutting two intersecting streets, where the interior angle of intersection does not exceed one hundred thirty-five degrees.
- C. **Lot, Interior.** The term “Interior lot” means a lot other than a corner lot.
- D. **Lot, Through.** The term “Through lot” means a lot having frontage on two parallel or approximately parallel streets.
- E. **Lot Line, Front.** The term “Front lot line” means the property line dividing a lot from a street. On a corner lot only 1 street line may be considered as a front line and the shorter street frontage will be considered the front lot line.
- F. **Lot Line, Rear.** The term “Rear lot line” means the property line opposite the front lot line.

G. **Lot Line, Side.** "Side lot line" means any lot boundary not a front line or a rear lot line.

H. **Lot, Width of.** The term "Width of lot" means the horizontal distance between the side lot lines measured at right angles to the depth at the front yard setback line. The street frontage of a lot may be at least 80 percent of the required width.

Lumen. The term "Lumen" refers to the lumen (symbol: lm) which is the SI unit of luminous flux, a measure of the perceived power of light. Luminous flux differs from radiant flux, the measure of the total power of light emitted, in that luminous flux is adjusted to reflect the varying sensitivity of the human eye to different wavelengths of light. The lumen is defined in relation to the candela by $1 \text{ lm} = 1 \text{ cd} \cdot \text{sr}$.

Manufactured/Mobile Home Park. The term "Manufactured/Mobile Home Parks" refers to areas permitted only in approved zoning for mobile home parks (MHP) and must comply with all requirements of the county code. Manufactured/mobile home parks may also be called a "land lease community."

Manufactured Home. The term "Manufactured Home" means a single-family dwelling defined by NRS 489.113 as a structure that is: built on a permanent chassis; designed to be used with or without a permanent foundation as a dwelling when connected to utilities; transportable in 1 or more sections; and is 8 feet or more in body width or 40 feet or more in body length when transported or 320 square-feet or more when erected on site. The term includes the plumbing, heating, air-conditioning, and electrical systems of the structure. The term also includes any structure built in compliance with the requirements of NRS 461, as well as any structure built in compliance with the requirements of NRS 489.113 and certified by the manufacturer to meet the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. §§ 5401 et seq., as required by the Secretary of Housing and Urban Development. The term does not include a recreational vehicle or trailer.

"Marijuana establishment": means: (1) a marijuana cultivation facility, (2) a marijuana testing facility, (3) a marijuana product manufacturing facility, (4) a marijuana distributor, (5) a retail marijuana store, and (6) a facility or organization from which a person may obtain marijuana and marijuana related products. The facility or establishments identified in subparts 1, 2, 3, 4, and 5 above are further defined in NRS 453D.030, the Regulation and Taxation of Marijuana Act, which definitions are hereby incorporated.

"Marijuana paraphernalia" means any equipment, products, and materials of any kind which are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, preparing, testing, analyzing, packaging, repacking, storing, or containing marijuana, or for ingesting, inhaling, or otherwise introducing marijuana into the human body.

Massage Establishments. The term "Massage Establishments" use refers to fixed places of business where massage is administered for compensation or from which a massage business or service for compensation is operated. A Massage Establishment does not include establishments where massage is administered incidentally with any of the following:

- A. The practice of a medical doctor, chiropractor, dentist, osteopath, physical therapist, or registered nurse;
- B. A state-approved massage school;
- C. An athletic club; or
- D. A barber or beauty salon.

For the above establishments listed in “A” thru “D,” the term “incidental” is defined as not being more than 15 percent of net floor space used for massage activity, and not more than 15 percent of gross revenue derived from massage activity. No adult entertainment, escort services, or adult book, materials, or video sales, rentals, or uses are allowed in a massage establishment.

“Medical marijuana establishment” means: (1) an independent testing laboratory to test marijuana or marijuana products, (2) a cultivation facility for marijuana, (3) a facility for the production of edible marijuana products or marijuana-infused products, (4) a medical marijuana dispensary, (5) a facility or organization otherwise from which a person may obtain medical marijuana and medical marijuana related products, or (6) a business or organization conducting any combination of the above. The facilities or establishments identified in subparts 1, 2, 3 and 4, above are further defined in NRS Chapter 453A which definitions are incorporated herein.

Micro-Brewery. The term “Micro-Brewery” also known as a “Brew Pub” refers to an establishment that is 10,000 square-feet or less in area that manufactures malt beverages and sells those malt beverages for on-site consumption, off-site consumption, and retail sale.

Micro-Distillery. The term “Micro-Distillery” refers to an establishment that is 10,000 square-feet or less in area that manufactures distilled alcoholic spirits and sells those distilled alcoholic spirits for on-site consumption, off-site consumption, and retail sale.

Micro-Winery. The term “Micro-Winery” refers to an establishment that is 10,000 square-feet or less in area that manufactures wine and sells that wine for on-site consumption, off-site consumption, and retail sale. This term applies whether the wine is manufactured from grapes or other substances originating on-site or off-site, and whether on-site consumption is for tastings or general consumption.

Mining or Extraction Operation. The term “Mining or Extraction Operation” refers to the extraction of minerals, precious metals, whether by underground or surface methods. Materials extracted may or may not require milling or finishing on or in the proximity of the extraction site. The term does not include “aggregate facilities” as defined in this chapter.

Mixed Use. The term “Mixed Use” refers to a land use pattern in which residential uses and/or non-residential uses are intermixed or integrated. This land use pattern may be vertical by which different uses are combined in the same building, horizontal by which single-use buildings are located on distinct parcels in a range of land uses within a block or area, or fully integrated by which vertical and horizontal land uses are intermixed in an infinite number of configurations.

Mobile Home. The term “Mobile Home” refers to a vehicular structure, built before 1976, constructed on a chassis or frame, which is designed to be used with or without a permanent foundation and, in its initial configuration, is designed to be capable in whole or part of being drawn by a motor vehicle. It may be used as a dwelling when connected to utilities or may be used permanently or temporarily for the advertising, sales, display, or promotion of merchandise or services. The size is eight feet or more in body width or forty feet or more in body length when transported, or when erected on site, and contains 320 square feet in area or more. The term includes the plumbing, heating, air-conditioning and electrical systems of the structure. The term does not include a manufactured building, manufactured home, or a travel trailer.

Mobile Sign. The term “Mobile Sign” refers to advertising devices that are affixed to a frame or chassis having wheels and capable of being carried, or otherwise portable and designed to stand free from a building or other structure and fulfill the purpose of advertising. Mere removal of wheels or temporary securing of the mobile sign to the surface of real estate does not change the device to free-standing sign. Mere identification of a business or service on an associated utility vehicle will not be considered a mobile sign.

Motel. The term “Motel” refers to any transient lodging use having 2 or more units providing for dwelling, living or sleeping therein, with or without cooking facilities, primarily intended for transient use, and having individual on-site parking areas allocated to each unit.

Motor Vehicle. An automobile, automobile truck, automobile wagon, motorcycle, or any other self-propelled vehicle designed for running on land but not on rails.

Multi-Family Complex. The term “Multi-Family Complex” refers to more than one multi-family dwelling building on a parcel of land and designed or used to house multiple families living independently of each other. The term includes duplexes, triplexes, or fourplexes, but does not include row houses or town houses.

Multi-Family Dwelling. The term “Multi-Family Dwelling” refers to a building designed or used to house multiple families living independently of each other. The term includes duplexes, triplexes, or fourplexes, but does not include row houses, townhouses, or apartment hotels. Refer to Multi-Family Complex for more than one building on a parcel of land and fulfilling this purpose.

Multi-Modal Transit Hub. The term “Multi-Modal Transit Hub” refers to a centralized area or facility in which 2 or more converging modes of ground transportation, including trains, light rail, bus, taxi service, automobiles, etc., arrive and depart. Ancillary uses may include passenger and freight loading and unloading, parking areas, luggage claim and handling, passenger waiting area, and restrooms.

Multi-Tenant Shopping Center. The term “Multi-Tenant Shopping Center” refers to stores and businesses that face a system of enclosed walkways and are located on a single parcel or piece of land.

Mural. The term “Mural” refers to non-commercial images such as paintings or enlarged photographs applied directly onto walls and ceilings. They are usually but not always large in size. Murals typically exhibit few or no words and are not intended to advertise or otherwise bring attention to any attraction. Non-commercial images oftentimes are intended to enhance an area’s beauty, highlight the community’s social or historical character, or otherwise depict a message or theme that is common to the immediate community in which they are displayed.

Museum. The term “Museum” refers to a building that has public significance by reason of its architecture, its former use or occupancy, or its use as a repository for a collection of natural, scientific, literary, or artistic curiosities or objects of interest and that is arranged, intended, and designed for public viewing, with or without an admission charge. A museum may also engage in, as an accessory use, the sale of museum-related goods to the public, such as in a museum gift shop.

NAC. The term “NAC” refers to the Nevada Administrative Code.

Neon Lighting. The term “Neon Lighting” refers to any sign that employs the use of a small electrical current (AC or DC) that is allowed through a tube, causing it to glow. Neon lighting also includes devices that use Argon, Helium, Krypton, Xenon, or any other substance or periodic element that produces a similar illumination effect. Florescent lighting (See

definition for Florescent Lighting.) is not considered as neon lighting for the purposes of the title.

Net Metering. The term “Net Metering” as regulated by NRS 704, is a practice in which electricity generated by a customer-generator through the use of renewable energy generating systems may be fed back to a public utility in order to offset the customer’s use of electricity supplied by the utility during an applicable billing period.

Nightclub. The term “Nightclub” refers to a commercial establishment dispensing alcoholic beverages for consumption on the premises, typically requiring an entrance fee or cover charge, and where dancing and musical entertainment are provided on a regular basis.

Nonconforming Building or Structure. The term “Nonconforming Building or Structure” refers to a building or structure or portion thereof, lawfully existing at the time of adoption of this title and which does not conform to all the current height, area, yard, or other regulations prescribed in the zone in which it is located.

Nonconforming Use. The term “Nonconforming Use” means any use of land which was lawfully established prior to the adoption of this title or amendments thereto, or lot which was created on or after July 1, 1999 which would not be permitted under the current provisions of this title. This includes any use which was lawfully established without a discretionary review, and would require that review under the current provisions of this title.

Non-Renewable Energy. The term “Non-Renewable Energy” refers to energy that is derived from non-renewable resources such as coal, gas, petroleum, and fossil fuels.

Noxious Weeds. The term “Noxious Weeds” refers to plant species identified by NRS 555 as being “noxious” or “invasive.”

NRS. The term “NRS” refers to the Nevada Revised Statutes.

Nursery Sales - Retail. The term “Nursery Sales – Retail” refers to the retail sale of plants, flowers, and related nursery items. Examples of this use include retail nurseries and home garden stores.

Nursery Sales. Wholesale. The term “Nursery Sales – Wholesale” refers to the wholesaling of plants and flowers, with incidental retail sales. A wholesale nursery is an example of this use.

Office Building. The term “Office Building” refers to a building used primarily for conducting the affairs of a business, profession, service, industry, or government and that may include ancillary services for office workers, such as restaurants, newsstands, or other minor commercial establishments.

Off-Site. The term “Off-Site” in the context of land use refers to areas or activities located at a site other than the specific site where the particular use is permitted.

On-Site. The term “On-Site” in the context of land use refers to areas or activities located at the same site where the particular use is permitted.

Open Air Market. The term “Open Air Market” use refers to an outdoor area where secondhand goods, articles, or antiques are temporarily or intermittently offered for barter, trade, or retail sale to the general public. This use includes the display or sale of merchandise from, or in connection with, a truck, trailer, or movable building of any type, but does not include garage or yards sales, or any other retail establishment otherwise defined or classified in this chapter.

Open Storage. The term “Open Storage” refers to a portion of a lot exceeding 20 percent of the lot that will be used for the long-term retention (more than 72 hours) of materials, machinery, trailers, inoperable or unregistered vehicles, or equipment outside of a permanent

building, regardless of whether the items are to be bought, sold, repaired, stored, incinerated, or discarded. The term does not include new or used motor vehicle sales and rental display; accessory and incidental parking of operable registered vehicles for residents, guests, customers, or employees in connection with a permitted principal use; or the storage of firewood not for sale and which will be used to heat the permitted principal building on the lot.

Operator. The term “Operator” refers to any person or organization responsible for and having the legal right to operate, control or supervise a mining or extraction operation.

Outdoor Advertisement. The term “Outdoor Advertisement” refers to any form of advertisement or display, whether temporary or permanent, that takes place on or within the exterior of a building or an outdoor area.

Overlay Zone. The term “Overlay Zone” refers to a zoning district that is imposed on one or more underlying base zoning districts and that provides additional requirements, limitations, or allowances beyond those of the underlying zoning district.

Paper Sign. The term “Paper Sign” refers to a sign made from any kind of paper stock including, but not limited to, construction paper and cardboard.

Permanent Cosmetics. The term “Permanent Cosmetics” means the application of pigments to or under the skin of a person, using ink or other substances that result in permanent coloration of the skin by means of the use of needles or other instruments designed to contact or puncture the skin. This term includes, but is not limited to, eyebrows, eyeliner, and lip color.

Permit. The term “Permit” refers to a legal document, certification, or license giving permission to do something (e.g., building or grading permit, or business license).

Pet Cemetery. The term “Pet Cemetery” use refers to services involving the preparation of dead animals for burial and the keeping of animal bodies on cemetery grounds.

Pharmacy. The term “Pharmacy” refers to a store or shop licensed by the Nevada State Board of Pharmacy where drugs, controlled substances, poisons, medicines, or chemicals (not including marijuana and related products) are stored, displayed, possessed, compounded, dispensed, or sold at retail. The term does not include an institutional pharmacy as defined by NRS 639. The storage, possession, dispensing, or display for sale or retail of “medicinal marijuana” or any other substance found to be illegal by the State of Nevada or United States of America is not considered a pharmaceutical use and is prohibited.

Planned Unit Development. The term “Planned Unit Development” means an area of land controlled by 1 landowner, that is developed as a single entity for 1 or more planned unit residential developments, 1 or more public, quasi-public, commercial, or industrial developments, or both.

Planned Unit Development, Commercial. The term “Planned Unit Development, Commercial” means a planned unit development in which 75 percent or more of the developable area is devoted to commercial uses.

Planned Unit Development, Industrial. The term “Planned Unit Development, Industrial” means a planned unit development in which at least 90 percent of the developable area is devoted to industrial uses.

Planned Unit Development, Residential. The term “Planned Unit Development, Residential” means a planned unit development in which 75 percent or more of the developable area is devoted to residential uses.

Planning Department. The term “Planning Department” refers to the department designated by the board to administrate this title and other land use planning codes and other county functions, and enforce and administrate the county regulations of those functions.

Political Sign. The term “Political Sign” refers to a sign, display, or device that expresses the support for or opposition to a candidate, political party, or ballot question, or otherwise relates to a political campaign or election (NRS 405.030).

Postal Services. The term “Postal Services” use refers to mailing services such as those provided by the United States Postal Service, including branch post offices and public and private facilities. The term does not include major postal service processing facilities.

Pot-Belly Pig. The term “Pot-Belly Pig” refers to a domesticated Vietnamese, Chinese, or Asian pot-bellied or pot-belly pygmy pig or mini-pig that stands no higher than 20 inches at the shoulder and weighs no more than 50 pounds.

Premises. The term “Premises” refers to the contiguous land in the same ownership or control that is not divided by a street.

Primitive Area. The term “Primitive Area” refers to an area of undisturbed natural environment which may be considered as wilderness area with limited recreational use.

Principal Building. The term “Principal Building” means the main or primary building or the main buildings on a lot, or a building or one of the main buildings housing a principal use upon a lot.

Dwelling, Principal. The term “Principal Dwelling” means the main or primary residential dwelling on the lot which is not accessory to any other use.

Principal Residence. The term “Principal Residence” means the main or primary residential use on the lot which is not accessory to any other use.

Professional Building. The term “Professional Building” refers to a structure used for rendering professional services to individuals and businesses on a fee or contract basis. Examples of this use include banks, financial institutions, stock brokerages, advertising agencies, employment services, and title companies.

Prohibited Use. The term “Prohibited Use” refers to a use that is not permitted by any means in a particular zoning district.

Project Area. The term “Project Area” refers to a single tract of land, mining claim, or group of mining claims upon which an operator is, or will be, conducting operations.

Projection Sign. The term “Projection Sign” refers to any sign that employs the use of a device (e.g., LCD Projector) that projects a lighted image or animation onto an outdoor wall or other surface. A projection that is associated with a permitted outdoor theater (i.e., drive-in movie theater) or permitted temporary outdoor theater event is not be considered a Projection Sign for the purposes of this Ordinance.

Public Place. The term “Public Place” refers to an area or place that is open and accessible to all citizens, regardless of gender, race, ethnicity, age, etc. Examples include, but are not limited to, public right-of-ways, parks, government buildings, schools, libraries, and other buildings and structures providing service to persons of the public.

Public Right-of-Way. The term “Public Right-of-Way” refers to a strip of land or easement acquired by reservation, dedication, prescription, or condemnation and intended to be occupied by public traveled ways, highways, sidewalks, boardwalks, bicycle lanes, equestrian and pedestrian trails, or other transportation related improvements.

Public Travelled Way. The term “Public Travelled Way” refers to the entire width between the boundary line of every way (measured from the curbs or edges of paved or graveled

roadways) maintained by a public authority and that is open to public use for the purpose of vehicular or other mechanized transit traffic.

Public Use. The term “Public Use” refers to a publicly owned structure or parcel of land or a recognized 501(c)3 non-profit organization that is permitted to take place within a publicly owned structure or parcel of land.

Public Utility. The term “Public Utility” refers to any business or utility that the Public Utilities Commission of the State of Nevada is authorized to regulate pursuant to NRS 704.

Public Utility Right-of-Way. The term “Public Utility Right-of-Way” refers to a strip of land or easement acquired by reservation, dedication, prescription, or condemnation and intended to be occupied by public utilities such as waterlines, sanitary sewers, communication infrastructures, electricity transmission lines, but not including transportation related facilities applicable to the Public Right-of-Way.

Radio Controlled (RC) Vehicles. The term “Radio Controlled (RC) Vehicles” refers to an unmanned recreational hobby device controlled remotely, including radio-controlled cars and trucks, aircraft, and watercraft, but not including unmanned drones, reconnaissance craft, or other non-recreational devices.

Railroad or Railway. The term “Railroad or Railway” refers to any track on which the wheels of a vehicle may run; transport via locomotive; to convey by train.

Real-Estate For-Sale Sign. The term “Real-Estate For-Sale Sign” refers to a sign indicating that a property or any portion on which the sign is located is available for inspection, sale, lease, or rent. A commercial advertisement sign indicating the presence of a real-estate office or service is not to be considered a real estate sign.

Real-Estate Office. The term “Real-Estate Office” refers to a permanent or temporary administrative office space in which private real-estate firms or organizations conduct real-estate business.

Recreational Vehicle. The term “Recreational Vehicle” refers to a vehicular-type structure without permanent foundation that can be towed, hauled, or driven and primarily designed as a temporary living accommodation for recreation, camping, and travel use and including, but not limited to, travel trailers, truck campers, camping trailers, and self-propelled motor homes.

Recreational Vehicle Park. The term “Recreational Vehicle Park” refers to any lot or parcel of land upon which two or more recreational vehicle sites are located, established, or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreation or vacation purposes.

Religious Institution. The term “Religious Institution” refers to any building used for religious worship services, religious education and fellowship activities, or programs of a religious organization. The term includes the use of the building and premises for activities such as childcare, formal educational programs, preschool classes, and recreational activities; provided that these activities must be ancillary to the religious use and a special use permit is required as provided in this title. The term does not include general child care facilities, general education classrooms or facilities, thrift shops, homeless shelters, or buildings used for commercial activities.

Renewable Energy. The term “Renewable Energy” refers to energy that is derived from renewable resources such as geothermal, hydrological, solar, and wind.

Resort. The term “Resort” refers to a group or groups of buildings containing more than five dwelling units or guest rooms and providing outdoor recreational activities that may include

golf, horseback riding, swimming, shuffleboard, tennis, and similar activities. A resort may furnish services customarily furnished by a hotel, including a restaurant, cocktail lounge, and convention facilities. At least 15 percent of its land area must be devoted to usable open space in addition to required landscaping.

Rest Area. The term “Rest Area” refers to a designated paved or unpaved area beside a main road where cars and other vehicles can stop temporarily.

Restaurant, Fast Food. The term “Restaurant, Fast Food” refers to an establishment that offers quick food and non-alcoholic drink service, accomplished through a limited menu of items that are readymade, or quickly prepared, fried, griddled, or heated in a device such as a microwave oven. Orders are generally taken and dispensed at a counter, parking stall, or drive-through window rather than at a table.

Re-Vegetation. The term “Re-Vegetation” refers to the stabilization of disturbed or graded soils and land by replanting with indigenous or non-invasive plant species.

Right-of-Way. The term “Right-of Way” refers to areas of land legally designated and used for a road or sidewalk, including the side of the roadway or sidewalks.

Roadside Parks and Rest Areas. The term “Roadside Parks and Rest Areas” refers to a public facility located next to a large thoroughfare such as a highway, expressway, or freeway at which drivers and passengers can rest, eat, or refuel without exiting onto secondary roads.

Rodeo Arenas. The term “Rodeo Arena” refers to any activity involving the exhibition or competition of the traditional skills of cowboys, such as riding of rough stock, roping, and timed events, as well as equestrian events including training, exercise, handling, competition, and exhibition of horses.

Rowhouse. The term “Rowhouse” refers to a series of three or more dwelling units placed side-by-side, with no side yards between them. Each dwelling unit has a separate entry and is located on a separate building lot with fee-simple ownership with little or no common interest land ownership. Row houses usually have a common wall separating them (that is, a solid wall that is a shared structural part of the adjacent houses). In some instances, each dwelling unit has its own two side walls, and there may be approximately 1 inch of airspace or insulation between the dwellings.

Salvage and Reclamation. The term “Salvage and Reclamation” refers to a facility or area for storing, keeping, selling, dismantling, or salvaging scrap or discarded material or equipment that is not considered as another use under this title. Scrap or discarded material includes, but is not limited to, metal, paper, rags, tires, bottles, inoperable or wrecked motor vehicles, motor vehicle parts, machinery, structural steel, equipment, and appliances.

Sandwich Board Sign. The term “Sandwich Board Sign” refers to a portable sign typically consisting of large boards bearing placards, hinged at the top by straps or other flexible mechanisms.

Scenic Resource. The term “Scenic Resource” refers to a natural setting in combination with certain undisturbed physical qualities such as streams, rivers, rock outcroppings, vegetation, or outstanding scenic features.

Schools and Educational Uses. The term “Schools and Educational Use” includes—whether public, private, or parochial—elementary, middle, and high schools and academies (K-12), colleges and higher education institutions, technical and vocational schools, and apprentice training, including:

- A. K-12 schools in which children and teenagers (usually up to 17 years of age) are provided academic education;

- B. Colleges, universities, and educational institutions for higher learning, including undergraduate colleges and graduate schools in various disciplines such as medical, law, and other professional specialties;
- C. Trade schools for instruction and training in trades or crafts such as auto repair, welding, bricklaying, machine operating, or other similar trade or craft that requires the use of large equipment, outdoor training activities, or both;
- D. Vocational schools and institutions that specialize in teaching a specific skill, especially a practical vocation, including, but not limited to, business, dance, music, martial arts, trade, or driving. The term includes a school where student classes are relayed to a remote location, with limited student time spent at the physical location of the school or institution.

Screening. The term "Screening" refers to a permanent method of visually screening or obscuring a structure or use from the view of any abutting property, sidewalk, or roadway.

Seasonal Holiday Sales and Use. The term "Seasonal Holiday Sales and Use" (less than 60 days in a 1-year period) refers to a piece of land for activities associated with the holidays, including corn mazes, haunted houses, skating rinks, Santa Clause visits, nativity displays, caroling, etc. This use also includes the retail sale of seasonal holiday celebratory symbols such as Halloween pumpkins, Christmas trees, Hanukkah bushes, etc.

Setback. The term "Setback" refers to the required separation between a building or structure and the lot line and/or right-of-way or easement line. The following define specifically front, rear, and side setbacks:

- A. **Setback, Front.** The term "Setback, Front" refers to the required setback separation distance extending between the front exterior wall, front of a bay window, or front of a covered porch, or other similar projections of the building, whichever is nearest the lot line, and the front lot line, and extending across the full width of the lot.
- B. **Setback, Rear.** The term "Setback, Rear" refers to the required setback separation distance extending between the rear exterior wall, front of a bay window, or the front of a covered porch, or other similar projects of the building, and the rear lot line, and extending across the full width of the lot.
- C. **Setback, Side.** The term "Setback, Side" refers to the required setback separation distance extending between the side exterior wall, front of a bay window, or the front of a covered porch, or other similar projections of the building, whichever is nearest the lot line, and the side lot line, and extending across the full length of the lot.

Sign. The term "Sign" refers to any writing (including letter, word, or numeral); pictorial representation (including illustration or decoration); emblem (including device, symbol, or trademark); flag (including banner, streamer, or pennant); or lights or any combination that is designed, intended, or used to advertise, attract special attention, or otherwise inform when any part of the advertising or information content is visible from an outdoor area.

Searchlight. The term "Searchlight" refers to a light source with reflectors that projects a beam of light in a particular direction or many directions.

Secretary of Transportation (23 U.S.C. Section 131). The term "Secretary of Transportation" refers to the person who holds the Secretaryship of the United States Department of Transportation.

Shipping Container. The term "Shipping Container" means a fully enclosed unit, excluding semi-truck trailers, originally designed to withstand shipment, storage, and handling of goods

in transport. The units range from large reusable steel boxes used for intermodal shipment to the ubiquitous corrugated boxes.

Similar Use. Where a specific use is cited, the term “Similar Use” is any use that has the same characteristics as the cited use in terms of trip generation and type of traffic, parking, and circulation, utility demands, environmental impacts, physical space needs and clientele, and other land use impacts, as determined by the board with action by the planning commission to be consistent with the allowed uses within the zone.

Single-Family Dwelling. The term “Single-Family Dwelling” refers to a building used to house not more than 1 family or a group of not more than 4 unrelated persons living together and sharing a noncommercial single dwelling unit with common housekeeping facilities. The term includes factory built homes and manufactured home in compliance with NRS 278, 461, and 489.

Single-Family Dwelling, Attached. The term “Single-Family Dwelling, Attached” refers to a single-family dwelling intended for occupancy by 1 family. This term includes “rowhouses”, “townhouses”, “twinhomes”, and “condominiums”, but does not include “duplexes”, “triplexes”, “fourplexes”, “apartment buildings”, “rooming houses”, and other multi-family dwellings.

Single-Family Dwelling, Detached. The term “Single-Family Dwelling, Detached” refers to a free-standing structure intended for occupancy by 1 family, and constructed on a separate building lot, that is owned in fee simple. Each building has a front yard, a rear yard, and two side yards.

Skateboard Park. The term “Skateboard Park” refers to a park or part of a park with paths, slopes, structures, jumps, and other areas open to the public that are designated for use with a skateboard, roller skates, a bicycle, or a scooter.

Skating Rink. The term “Skating Rink” refers to an indoor or outdoor facility, open to the public, where roller skating, rollerblading, or ice skating or uses associated therewith and may be conducted. The term does not include skateboard parks or associated uses.

Solid Waste. The term “Solid Waste” refers to all putrescible and non-putrescible refuse in solid or semisolid form, including, but not limited to, garbage, rubbish, junk vehicles (not including “junkyards”), ashes, incinerator residue, street refuse, dead animals, demolition waste, construction waste, and solid or semisolid commercial and industrial waste. The term does not include hazardous waste managed pursuant to NRS 459.

Solid Waste Collection Center. The term “Solid Waste Collection Center” refers to a facility used for the collection and temporary storage of municipal solid wastes within enclosed bins or storage containers. The term does not include solid waste transfer stations, solid waste landfills, or facilities involving infectious or hazardous wastes.

Solid Waste Landfill. The term “Solid Waste Landfill” refers to any place, including municipal and regional facilities, where solid waste is permanently dumped, abandoned, accepted, or disposed of by incineration, land filling, composting, or any other method in accordance with NRS 444.

Solid Waste Recycling Center. The term “Solid Waste Recycling Center” refers to a facility designed and operated to receive, store, process, or transfer recyclable material that has been separated at the source from other solid waste.

Solid Waste Recycling Collection Center. The term “Solid Waste Recycling Collection Center” refers to a totally enclosed structure or container where plastic, aluminum, glass,

paper, clothing, or other recoverable resources are collected and stored for later pick up and recycling.

Solid Waste Transfer Stations. The term “Solid Waste Transfer Station” refers to a fixed facility where solid wastes from collection vehicles are consolidated and temporarily stored outside of containers but within an enclosed facility for subsequent transport to a permanent disposal site. This use does not include facilities involving infectious or hazardous wastes.

Special Event. The term “Special Event” refers to any activity listed in and regulated by chapter 8.28 of the county code.

Special Use Permit. The term “Special Use Permit” refers to a specific discretionary approval for a use that has been determined to have unique circumstances, be more intense, or to have a potentially greater impact than an allowed use within the same zoning district.

Stockyards. The term “Stockyards” refers to establishments primarily used for the keeping, sale, and display of livestock for public auction, including the incidental temporary storage of livestock in conjunction with livestock auction facilities.

Streamer. The term “Streamer” refers to a long narrow strip of material used for ornament, decoration, or to attract attention to a particular place, business, event, or object.

Street. The term “Street” refers to a thoroughfare that has been dedicated or abandoned to the public and accepted by proper public authority, or a thoroughfare that has been made public by right of use and that affords the principal means of access to abutting property.

Substandard Development. The term “substandard development” refers to a lawfully improved lot or parcel, including any structure thereupon, which does not satisfy the current provisions of this title regarding parking, landscaping, signs, or other site development standards including building height, building design, setbacks or other dimensional standards.

Surety. The term “Surety” refers to a corporation authorized to transact surety business in the State of Nevada pursuant to NRS 679 that is included in the United States Department of the Treasury’s Listing of Approved Sureties and issues a surety bond pursuant to NRS 108 that does not exceed the underwriting limitations established for that surety by the United States Department of the Treasury.

Surety Bond. The term “Surety Bond” refers to a bond issued by a surety for the release of a prospective or existing lien pursuant to NRS 108.

Tattoo Facility. The term “Tattoo Facility” (also known as a “Tattoo Parlor”) refers to an establishment that places permanent designs, letters, figures, symbols, or other marks upon or under the skin of any person, using ink or other substances that result in the permanent coloration of the skin, including permanent cosmetics, by means of the use of needles or other instruments designed to contact or puncture the skin.

Temporary. The term “Temporary” refers to impermanent; not permanent; not lasting.

Temporary Batch Plant. The term “Temporary Batch Plant” refers to a temporary (lasting less than 1 year) facility for mixing asphalt or concrete.

Temporary Sign or Banner. The term “Temporary Sign or Banner” refers to any sign or banner governed by the provisions of chapter 17.84 that is displayed for a period of time not exceeding 30 consecutive or non-consecutive days in a 12-month period of time.

Tentative Map. The term “Tentative Map” refers to a map made to show the design of a proposed subdivision and the existing conditions around it as pursuant to NRS 278.

Theme Park. The term “Theme Park” refers to an entertainment or amusement park built around one or more themes and typically including amusement rides.

Tower. The term “Tower” refers to a structure or mast that is exceptionally high in proportion to its width and length and is free-standing, guyed, or fixed to a roof, side of a building, or a structure other than a building, and is generally intended to support devices including, but not limited to, antennas, transmitters, relay wireless communications, wind energy turbines, sensors, water tanks, sound or light emitting devices, etc.

Tower, Lattice. The term “Lattice Tower” refers to a structure, mast, or tower that consists of an open network of braces forming a support structure that is usually but not always triangular or square in cross section and is free-standing, guyed, or fixed to a roof, side of a building, or a structure other than a building.

Tower, Monopole. The term “Monopole Tower” refers to a structure, mast, or tower that consists of a vertical pole that is freestanding, guyed, or fixed to a roof, side of a building, or a structure other than a building.

Townhouse. The term “Townhouse” refers to a form of row housing that may utilize a combination of fee-simple and condominium land ownership. Unlike the “row house”, the townhouse has fee-simple ownership on land in which the building is situated (i.e., the “footprint” of the building), plus a small amount of land for a private patio or yard. The remainder of the land surrounding the structures is used for attractively landscaped areas and recreational facilities. The land that surrounds the private buildings sits is jointly owned by the owners of all the buildings, usually in condominium ownership. It is maintained by a homeowners’ association with funds from dues assessed to the property owners.

Transient Lodging. The term “Transient Lodging” refers to the use of a unit, for remuneration, as a hostel, hotel, inn, motel, resort, vacation rental, or other form of transient lodging for a term of occupancy, possession, or use of the unit or dwelling of less than 28 consecutive calendar days.

Travel Trailer. The term “Travel Trailer” refers to a portable vehicle built on a chassis designed to be used as a temporary dwelling for travel, recreational and vacation uses. When factory equipped for the road, it must have a body width of not more than 8 feet and a body length of not more than 45 feet.

Truck and Equipment, Repair. The term “Truck and Equipment, Repair” refers to an establishment devoted principally to the repair of large trucks, recreational vehicles, tractors, and equipment together with the sale, installation, and servicing of associated equipment and parts. Examples of this use include muffler shops, repair garages, glass shops, and similar establishments.

Truck and Equipment, Sales and Rentals. The term “Truck and Equipment, Sales and Rentals” refers to an establishment engaged in the on-site sales or rentals of large trucks, recreational vehicles, tractors, and equipment together with incidental repair, maintenance, washing, and detailing. Examples of this use include dealerships and rental agencies.

Truck and Equipment, Service Station. The term “Truck and Equipment, Service Station”, also known as a “truck stop,” refers to an establishment where large trucks, recreational vehicles, tractors, and equipment are fueled or serviced. Examples of this use include the sale of gasoline and petroleum products, service station work, and incidental sales of tires, batteries, replacement items, lubricating services, and minor repair services. A truck and equipment service station may be combined with a convenience store or other commercial uses permitted in the zone. A convenience store located within a truck stop may include retail area open to the public that is less than 5,000 square feet in area.

Truck and Equipment, Washing and Detailing. The term “Truck and Equipment, Washing and Detailing” refers to washing, detailing, waxing, or cleaning of large trucks, recreational vehicles, tractors, and equipment. Facilities may use manual washing methods (including coin-operated) or conveyor mechanisms.

Truck and Railroad Terminals. The term “Truck and Railroad Terminals” use refers to freight terminals for goods transported by truck or rail, with associated facilities for the loading and transfer of goods.

Truck Stop. The term “Truck Stop” refers to a place where large trucks, recreational vehicles, tractors, and equipment are fueled or serviced, including: on-site retail sales of gasoline and petroleum products; service station work such as lubrication and minor repair; washing and detailing; and incidental sales of tires, batteries, and replacement items. A truck stop is typically combined with a convenience store, restaurant, gaming uses, Laundromat, showering and personal hygiene facilities, sleeping accommodations, areas for medium-term (up to 24 hours) truck staging areas, and other commercial uses as permitted in the zone in accordance with this title.

Twinhome. The term “Twinhome” refers to two residential dwelling units placed side-by-side with no side yards between them. Each dwelling unit has a separate entry and is located on a separate building lot. Twinhomes usually have a common wall separating them (that is, a solid shared structural part of the adjacent house). In some instances, each dwelling unit has its own side wall which abuts the neighboring side wall with nominal (e.g., one inch or less) distance, airspace, or insulation between them.

UAV. The term “UAV” (Unmanned Aerial Vehicle) or “drone” refers to powered aerial vehicles sustained in flight by aerodynamic lift over most of their flight path and guided without an onboard person or crew. They may be expendable or recoverable and can fly autonomously or piloted remotely.

Uniformity. The term “Uniformity” refers to a condition in which two or more similar things (e.g., signs) are precisely the same, regular, and unvarying.

Use. The term “Use” refers to the purpose for which land or building is arranged, designed or intended, or for which it is or may be occupied or maintained.

Use, Principal. The term “Use, Principal”, means the main or primary use of a premises which is not accessory to any other use on the premises. Unless the use customarily occurs indoors, or the definition of the use explicitly mentions that it occurs outdoors, a principal use occurs indoors. See also “principal building” definition in this chapter.

Utility Substation. The term “Utility Substation” refers to an assembly of electrical, telephone, gas, or other utility company equipment used to provide distribution of services.

Vacation Rental. The term “Vacation Rental” refers to any transient lodging providing for dwelling, living, or sleeping within a single-family or multi-family residential dwelling for a period of less than 30 days in a 1-year period.

Variable Image Sign. The term “Variable Image Sign” refers to any lighted sign on which the portrayed message or image changes periodically or continuously (i.e., reader board).

Variance. The term “Variance” excuses a particular parcel from full compliance with the provisions of a zoning ordinance where requiring full compliance would result in hardship to the interested party. Variances, however, may not be granted for failure to comply with use restrictions. The grant of a variance does not change the zoning ordinance or underlying zoning of the parcel and may only be granted upon demonstration of hardship based on the peculiarity of the property in relation to other properties in the same zoning district. The

hardship may be demonstrated where, due to special circumstances applicable to the property, strict application of the development code's standards or requirements would deprive the property of privileges enjoyed by others in the vicinity. A self-imposed hardship is not a legitimate ground or reason for a variance approval.

Vending Machine. The term "Vending Machine" refers to a mechanical device that dispenses merchandise.

Veterinary Services, Large Animals. The term "Veterinary Services, Large Animals" specializes in the care and medical treatment of large animals or livestock. Veterinary services for small animals including pet clinics and small animal hospitals may be included to provide full veterinary services. An example of this use is a large animal hospital providing veterinary services for livestock, including stables and pens associated with care and feeding.

Veterinary Services, Small Animals. The term "Veterinary Services, Small Animals" specializes in the care and medical treatment of small animals and pets. Examples of this use include pet clinics and small animal hospitals.

Video Sales and Rental. The term "Video Sales and Rental" refers to an establishment primarily engaged in the retail rental or lease of video tapes, films, CD-ROMs, laser disks, electronic games, cassettes, or other electronic media.

Vision Clearance Triangle. The term "Vision Clearance Triangle" is formed by establishing a set distance from the point of intersection of a street or driveway in both directions and by a straight line connecting those two points.

Warehousing, Storage and Distribution. The term "Warehousing, Storage, and Distribution" refers to establishments or places of business primarily engaged in warehousing, storage, and wholesale distribution, including, but not limited to, handling of material, goods and equipment.

Wastewater Treatment Facility. The term "Wastewater Treatment Facility" refers to a facility or group of units used for the treatment of industrial or domestic wastewater from sewer systems and for the reduction and handling of solids and gases removed from these wastes.

Watchman's Dwelling. The term "Watchman's Dwelling" also called "watchman's quarters" refers to a single-family dwelling unit that is accessory to a permitted principal use and for the occupancy by the owner, operator, or an employee of the permitted principal use acting as caretaker, custodian, or security personnel, together with his or her immediate family, if applicable. The use may not be rented or leased.

Water Storage Facility. The term "Water Storage Facility" refers to a system for collecting, storing, and distributing potable water from a source of supply to users.

Wild Animal. The term "Wild Animal" refers to any animal wild by nature and not customarily domesticated, including but not limited to mammals, fowl, fish or reptiles.

Wind Energy Turbine. The term "Wind Energy Turbine" refers to a system consisting of a wind turbine, support tower, and associated control or conversion electronics that generates electrical power for a lawful principal use.

Winery. The term "Winery" refers to a facility engaged in the production of wine, including storage, bottling, distribution, and related administrative functions such as office management and on-site tasting. Incidental production of olive oils, non-alcoholic grape juices, and similar products is also permitted.

Wireless Communications Facilities. The term “Wireless Communications Facilities” refers to all equipment, buildings, and structures that receive and broadcast communication services over radio-frequency waves. The term includes any of the following:

- A. **Amateur Radio Communication Facility.** The term “Amateur Radio Communication Facility” refers to a non-commercial radio service involving amateur radio operators communicating locally and worldwide using store-bought or homemade radios, computers, satellites, and the internet, and including above-ground antenna support structures.
- B. **Antenna.** The term “Antenna” refers to a whip (omni-directional antenna), panel (directional antenna), disk (parabolic antenna), or similar device used for transmission or reception of radio or electromagnetic waves and signals.
- C. **Antenna Array.** The term “Antenna Array” refers to more than one whip, panel, disk, or similar device used on the same antenna support structure.
- D. **Antenna Support Structure.** The term “Antenna Support Structure” refers to a structure, mast, tower, framework, or monopole that is designed to support devices including, but not limited to, antennas, transmitters, relay wireless communications, and related devices. These structures include free-standing, guyed, or mounted to a roof, side of a building, ground, or a structure other than a building. The overall height, regardless of its mounting position, is measured from ground grade level to the uppermost portion of the antenna support structure.
- E. **Commercial Communication Facility.** The term “Commercial Communication Facility” refers to a communication system that uses a network of short-range transmitters in overlapping zones and a central station to connect to telephone lines and oftentimes including antenna support structures.
- F. **Repeater.** The term “Repeater” refers to a receiver or relay transmitter designed to provide service to areas that are not able to receive adequate coverage from the primary sending and receiving site in a wireless communications network;
- G. **Satellite Dish Antenna.** The term “Satellite Dish Antenna” refers to any parabolic or dish-shaped (and related equipment) designed to receive communications from orbiting satellites or other communication source.
- H. **Wireless Communication Services.** The term “Wireless Communication Services” refers to commercial mobile radio services, unlicensed wireless services, and common carrier wireless exchange access services as defined in the Telecommunications Act.
- I. **Wireless Communication Service Provider.** The term “Wireless Communication Service Provider” refers to an entity licensed by the Federal Communication Commission (FCC) to provide wireless communication services to individuals, businesses or institutions.

Yard, Rummage, Estate, or Garage Sale. The term “Yard, Rummage, Estate, or Garage Sale” refers to a sale of used household belongings typically held outdoors at the primary residence of the seller limited to 2 days in a 12-month period.

Youth Recreation Facility. The term “Youth Recreation Facility” refers to an indoor or outdoor facility designed and equipped for the performance of sports activities, leisure activities, and other customary and usual youth recreation activities. The operators of these facilities often design arts, sports, fitness, and recreation programs for the youth, as well as

other more specialized programs on topics such as leadership, education and career guidance, and health and life skills.

Zoo. The term “Zoo” refers to a park where wild animals are kept in enclosures for public viewing, and where they may be bred and observed for research. The term does not include laboratory or experimental animal research.

Proposed on _____, 2018.

by Commissioner _____

Passed on _____, 2018.

Vote: Ayes: Commissioners _____

Nays: Commissioners _____

Absent Commissioners _____

Marshall McBride, Chair
Storey County Board of County Commissioners

Attest:

Vanessa Stephens
Clerk & Treasurer, Storey County

This ordinance will become effective on _____, 2018.



Storey County Board of County Commissioners Agenda Action Report

Meeting date: 02/06/18

Estimate of time required: 20 min.

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☒

1. **Title: Discussion/For Possible Action:** Second Reading of Ordinance No. 18-281 amending Storey County Code Title 17 Zoning including Chapter 17.06 Nonconforming Uses pertaining to legally nonconforming uses and adding language pertaining to substandard development. In addition to provisions of the NRS, any person may complete and return to the Board or Planning Commission a statement supporting or opposing the proposed amendments to the county code and zoning ordinance. Additional information may be obtained from the Planning Department at 775-847-1144 or planning @storeycounty.org.

2. **Recommended motion:** In accordance with the recommendation by staff and the planning commission, I [commissioner] motion to approve Second Reading of Ordinance No. 18-281 amending Storey County Code Title 17 Zoning including Chapter 17.06 Nonconforming Uses pertaining to legally nonconforming uses and adding language pertaining to substandard development.

3. **Prepared by:** Austin Osborne

4. **Department:** Planning

Telephone: 775.847.0968

5. **Staff summary:** An ordinance amending Storey County Code Title 17 to adopt new codes for legally non-conforming uses and adding language pertaining to substandard development and other properly related matters.

6. **Supporting materials:** Enclosed and posted at <https://www.storeycounty.org/517/Updates>.

7. **Fiscal impact:** None on local government.

Funds Available:

Fund:

___ Comptroller

8. **Legal review required:**

___ District Attorney

9. **Reviewed by:**

[Signature] Department Head

Department Name:

[Signature] County Manager

Other agency review: _____

10. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No. 21

Ordinance No. 18.281

Summary

An ordinance amending Storey County Code title 17 Zoning Ordinance, to amend requirements pertaining to legally nonconforming uses and to add language pertaining to substandard development.

Title

An ordinance amending Storey County Code title 17 Zoning Ordinance, to amend requirements pertaining to legally nonconforming uses and to add language pertaining to substandard development, and providing for other properly related matters.

The Board of County Commissioners of the County of Storey, State of Nevada, does ordain to amend Chapter 17.06 as follows:

Chapter 17.06

Nonconforming Uses and Substandard Development

Sections:

- 17.06.010 Purpose.
- 17.06.015 Definitions.
- 17.06.020 Continuance of nonconforming use
- 17.06.025 Abandonment of nonconforming use
- 17.06.030 Expansion of nonconforming use
- 17.06.035 Nonconforming parcel size
- 17.06.040 Discontinuance of nonconforming use
- 17.06.050 Damaged nonconforming buildings
- 17.06.060 Procedure for loss of legal nonconforming use status
- 17.06.070 Substandard development

17.06.010 Purpose

The purpose of this chapter is to regulate and limit the continued existence of lawfully created uses, structures, and parcels, and legally created uses, structures and parcels which do not satisfy the current provisions of this title regarding parking, landscaping, signs, or other development standards including building height, building design, setbacks, and other dimensional standards established before the enactment of this title, or any amendments that do not conform to the provisions of this title.

These nonconforming uses may continue; but the intent is to limit substantial investment in nonconforming uses and structures and when necessary to preserve the integrity of this title to bring about their eventual elimination.

17.06.015 Definitions

1. A "nonconforming use" means any use of land which was lawfully established prior to the adoption of this title or amendments thereto, or lot which was created on or after July 1, 1999, which would not be permitted under the current provisions of this title. This includes any use which was lawfully established without a discretionary review, and would require that review under the current provisions of this title.
2. A "substandard development" means a lawfully improved lot or parcel, including any structure thereupon, which does not satisfy the current provisions of this title regarding parking, landscaping, signs, or other site development standards including building height, building design, setbacks or other dimensional standards.

17.06.020 Continuance of Nonconforming Use

A lawful use of land or buildings not in conformance with the regulations prescribed in this title but legally existing before the enactment of this title or any amendments may be a continued nonconforming use.

17.06.025 Abandonment of Nonconforming Use

3. Abandonment is any cessation of a use regardless of intent to resume the use. In considering whether a use is abandoned, the Administrator shall consider any combination of the following:
 - a. Failure to maintain regular business hours, typical or normal for the use;
 - b. Failure to maintain equipment, supplies or stock-in-trade that would be used for the active operation of the use;
 - c. Failure to maintain utilities that would be used for the active operation of the use;
 - d. Failure to pay taxes, including but not limited to sales tax, workers' compensation taxes, corporate taxes that would be required for the active operation of the use;
 - e. Failure to maintain required local, state or federal licenses or other approvals that would be required for the active operation of the use;
 - f. Failure to maintain applicable business license(s); and
 - g. Other relevant evidence.
4. If a nonconforming use ceases for a continuous period of more than two years, or is superseded by a permitted use for a period of at least two years, the nonconforming use is deemed abandoned and shall not be reestablished.

17.06.030 Expansion of Nonconforming Use

1. A nonconforming use of land or building may not be extended or expanded more than 10 percent of the area lawfully occupied by the nonconforming use as of the date on which it became nonconforming, except with a special use permit. The extension or expansion must not extend onto an additional parcel.
2. Any enlargement of a nonconforming use not requiring a special use permit must be reviewed and approved by the director of planning for conformance with this chapter.

17.06.035 Nonconforming Parcel Size

The area of any lot created on or after July 1, 1999 must not be less than the minimum area required by the respective zone. Where an existing lot has less area than required in the zone, but was recorded before July 1, 1999 or any amendments that make the lot nonconforming, the lot may remain at its existing size and be developed with the uses allowable in the zone. A variance pursuant to chapter 17.03 Administrative provisions, will be required if building setback requirements cannot be met.

17.06.040 Discontinuance of Nonconforming Use

A lawful use of nonconforming land or buildings, including house trailers or mobile homes, which is operationally abandoned or discontinued for a period of one year or more, may not be resumed or re-established.

17.06.050 Damaged Nonconforming Buildings

Nonconforming buildings that have been damaged or destroyed by natural calamity may be repaired or reconstructed within one year from the date of damage; provided the repaired or reconstructed building is same as the previous use and the repairs cost less than 50% of the fair market valuation.

17.06.060 Procedure for Loss of Legal Nonconforming Use Status

The building and planning departments have the responsibility to ensure compliance with this chapter. If either or both department determine that a use or structure no longer meets the requirements of a legally created nonconforming structure or use, the department will file a report with the reason for the determination and a recommendation with the board. Personal notice must given to the owner of the nonconforming structure and a hearing must be set within 30 days of the date the notice is mailed specifying the time and place of the hearing. The board must decide whether the use or structure is required to meet the provisions of this title.

17.06.070 Substandard Development

1. Applicability. Substandard development means a lawfully improved lot or parcel, including any structure thereupon, which does not satisfy the current provisions of this title regarding parking, landscaping, signs, or other site development standards including building height, building design, setbacks or other dimensional standards.
2. Alteration, extension, or expansion. A structural alternation, including an extension or expansion of a nonconforming structure is allowed if it:

- a. Does not increase the applicable nonconformity; and
 - b. Does not involve or create a nonconforming use or substandard development.
- 3. Maintenance, repairs, and alterations. Routine maintenance of nonconforming structures is permitted, including necessary non-structural repairs, paint, and incidental alternation which do not extend or intensify the nonconformity.
- 4. Right to continue a substandard development. A substandard development may continue to be occupied and used for any purpose permitted by this title unless it becomes a public nuisance or is damaged or destroyed as provided in this title.
- 5. Intensification of a substandard development.
 - a. Intensification of a substandard development (order "intensify") is any:
 - i. Increase in lot coverage;
 - ii. Increase in building floor area; or
 - iii. Increase in building height.
 - b. A substandard development must not intensify unless the incremental changes and/or additions meet the current requirements of this title, except as provided below.
 - c. If the development is substandard as to parking, the intensification is not allowed unless the entire development provides at least 75 percent of the currently required parking.
 - d. If the development is substandard as to landscaping requirements in the county design standards manual , the intensification of the use is not allowed unless the entire development provides at least 65 percent of the county required landscaping.
 - e. If the development is unable to meet the requirement of this section, the changes or enlargements to a substandard development may be approved through a special use permit when the proposed changes are not detrimental to the public health, safety, and welfare.

Proposed on _____, 2018.

by Commissioner _____

Passed on _____, 2018.

Vote: Ayes: Commissioners _____

Nays: Commissioners _____

Absent

Commissioners _____

Marshall McBride, Chair
Storey County Board of County Commissioners

Attest:

Vanessa Stephens
Clerk & Treasurer, Storey County

This ordinance will become effective on _____, 2018.



Storey County Board of County Commissioners

Agenda Action Report

Meeting date: 02/06/18

Estimate of time required: 20 min.

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☒

1. **Title: Discussion/For Possible Action:** Second Reading of Ordinance No. 18-282 amending Storey County Code Title 17 Zoning including Chapter 17.03 Administrative Provisions to revise the procedure for the expiration of development permits. In addition to provisions of the NRS, any person may complete and return to the Board or Planning Commission a statement supporting or opposing the proposed amendments to the county code and zoning ordinance. Additional information may be obtained from the Planning Department at 775-847-1144 or planning@storeycounty.org.

2. **Recommended motion:** In accordance with the recommendation by staff and the planning commission, I [commissioner] motion to approve Second Reading of Ordinance No. 18-282 amending Storey County Code Title 17 Zoning including Chapter 17.03 Administrative Provisions to revise the procedure for the expiration of development permits.

3. **Prepared by:** Austin Osborne

4. **Department:** Planning

Telephone: 775.847.0968

5. **Staff summary:** An ordinance amending Storey County Code Chapter 17.03 to address the expiration of development permits, such as special use permits for which no development occurs within 24 months, and other properly related matters.

6. **Supporting materials:** Enclosed and posted at <https://www.storeycounty.org/517/Updates>.

7. **Fiscal impact:** None on local government.

Funds Available:

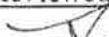
Fund:

____ Comptroller

8. **Legal review required:**

____ District Attorney

9. **Reviewed by:**

 Department Head

Department Name:

 County Manager

Other agency review: _____

10. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No. **22**

Ordinance No. 18-282

Summary

An ordinance amending Storey County Code chapter 17.03 Administrative Provisions to revise the procedure for the expiration of development permits.

Title

An ordinance amending Storey County Code chapter 17.03, ~~230~~ Administrative Provisions, to revise the procedure for the expiration of development permits, and providing for other properly related matters.

The Board of County Commissioners of the County of Storey, State of Nevada, does ordain:

SECTION I: Chapter 17.03 is amended by adding the following sections:

17.03.112 Expiration of time for development permits.

A. Unless otherwise specifically provided for in this title, development permits will automatically expire and become null or void, and all activities related to the permit will be deemed in violation of this title, if the applicant:

1. Fails to inaugurate the project;
2. Fails to pursue the project to completion;
3. Fails to satisfy any condition that was imposed as part of the original or revised approval of the development application or that was made pursuant to the terms of any development agreement, within the time limits established in the agreement for satisfaction of the condition or term; or
4. Fails to present a subsequent development application required by this title within the time required or as may be required by law.

B. If no time limit for satisfaction of conditions is specified in the original or revised approval of the development application, the time is deemed to be two years from the date the approval was granted by the final decision-maker.

17.03.114 Extension procedures.

An applicant may request an extension of the following approved development permits: design review, modification, sign permit, special use permit, or variance. The director may grant one, two-year administrative extension of time from the original date of the development permit expiration. The director may refer the extension application and decision to the final decision maker who originally approved the development permit. An administrative extension does not require notice to be provided or a public hearing. Subsequently, the final decision maker who originally approved the development permit, may grant one additional extension of time up to two years. All requests for an extension must include a letter of request, the applicable fee, and a written justification for the extension prior to the expiration of the development permit. In

reviewing any extension, the final decision maker must consider the continued appropriateness of the development permit and may add conditions, as necessary, to ensure the project does not adversely impact other properties in the area, protects the public interest, and ensures the public health, safety, or welfare. No further extension may be granted by the director or by the final decision maker except as provided by an adopted development agreement or by law.

17.03.116 Revocation of development permits.

A. Duties of director. If the director or board determines, based on inspection by county staff, that there are reasonable grounds for revocation of a development permit authorized by this title, the director must set a hearing before the original hearing body, or if the decision was made by the director, to the body to which appeal may be taken under this title. If the board was the original hearing body, it may refer the proposed revocation to the planning commission for its report and recommendation prior to the hearing.

B. Notice must be given in the same manner provided in chapter 17.03. The public hearing must be conducted in accordance with the procedures established in chapter 17.03.

C. Required findings. The hearing body may revoke the development permit upon making one or more of the following findings:

1. That the development permit was issued on the basis of erroneous or misleading information or misrepresentation by the applicant.
2. That the terms or conditions of approval of the permit relating to establishment or operation of the use approved have either been violated or not met, or that other laws or regulations of the county, state, federal or regional agencies applicable to the development have been violated.

D. Decision and notice. Within ten working days from the conclusion of the hearing, the hearing body must render a decision, and must notify the holder of the permit and any other person who has filed a written request for the notice in the manner provided in chapter 20.20.

E. A decision to revoke a development permit will become final ten days after the date of notice of the decision was given, unless appealed. After the effective date, all activities pursuant to the permit are deemed in violation of this title. Appeal of the director's decision to revoke the permit may be made to the board and must conform to the procedures established in chapter 17.03. There is no appeal where the board has revoked a development permit. Whenever any application for a development permit is revoked, an application for a development permit for all or a part of the same property must not be considered for a period of one year from the date of revocation unless the subsequent application involves a proposal that is materially different from the previously revoked proposal.

F. The county's right to revoke a development permit, as provided in this chapter, is cumulative to any other remedy allowed by law.

Proposed on _____, 2018.

by Commissioner _____

Passed on _____, 2018.

Vote: Ayes: Commissioners _____

Nays: Commissioners _____

Absent Commissioners _____

Marshall McBride, Chair
Storey County Board of County Commissioners

Attest:

Vanessa Stephens
Clerk & Treasurer, Storey County

This ordinance will become effective on _____, 2018.



Storey County Board of County Commissioners Agenda Action Report

Meeting date: 02/06/18

Estimate of time required: 20 min.

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☒

1. **Title: Discussion/For Possible Action:** Second Reading of Ordinance No. 18-276 amending Storey County Code Title 17 Zoning to provide for design criteria and improvement standards for certain types of development and a design review process with review by the planning director with appeal to the planning commission and board. In addition to provisions of the NRS, any person may complete and return to the Board or Planning Commission a statement supporting or opposing the proposed amendments to the county code and zoning ordinance. Additional information may be obtained from the Planning Department at 775-847-1144 or planning@storeycounty.org.
2. **Recommended motion:** In accordance with the recommendation by staff and the planning commission, I [commissioner] motion to approve Second Reading of Ordinance No. 18-276 amending Storey County Code Title 17 Zoning to provide for design criteria and improvement standards for certain types of development and a design review process with review by the planning director with appeal to the planning commission and board.
3. **Prepared by:** Austin Osborne
4. **Department:** Planning **Telephone:** 775.847.0968
5. **Staff summary:** An ordinance amending Storey County Code Title 17 zoning to adopt new codes allowing for the adoption by Resolution of the County Commissioners a design standard manual for certain residential and non-residential development in the county, and other properly related matters.
6. **Supporting materials:** Enclosed and posted at <https://www.storeycounty.org/517/Updates>.
7. **Fiscal impact:** None on local government.
Funds Available: _____ Fund: _____ Comptroller
8. **Legal review required:** _____ District Attorney
9. **Reviewed by:**

Department Head

County Manager
Department Name: _____
Other agency review: _____
10. **Board action:**
☐ Approved ☐ Approved with Modifications
☐ Denied ☐ Continued

Agenda Item No. 23

Ordinance No. 18-276

Summary

An ordinance amending Storey County Code title 17 to provide for design criteria and improvement standards for certain types of developments and a design review process with review by the planning director with an appeal to the planning commission and board.

Title

An ordinance amending Storey County Code title 17 to provide for design criteria and improvement standards for certain types of developments and a design review process with review by the planning director with appeal to the planning commission and board, and providing for other properly related matters.

The Board of the County of Storey, State of Nevada, does ordain:

SECTION I:

Chapter 17.03 is amended as follows:

17.03.050 Applications.

A. Application deadline. An application for a variance, a special use permit, a zoning map amendment, a master plan amendment, zoning code amendment, an amendment to this title, or an appeal of an administrative decision must be filed with the director no later than ~~five~~ 5:00 p.m. on the Friday of the third week before the planning commission meeting at which the application will be heard. The director may under certain exigent circumstances make a determination to accept an application after the deadline but before that planning commission meeting.

B. Determination of a complete application. Within 5 working days after receiving an application, the director will determine whether the application is complete. If the director determines that the application is not complete, the director must contact the applicant during that time period verbally or in writing and state the application's deficiencies and describe the additional information required. The director may take no further action on the application unless the deficiencies are remedied. An application may only be scheduled for hearing if the director deems the application complete before the agenda deadline date of the planning commission or board. A determination of completeness will not constitute a determination of compliance with other requirements of this title or federal and state regulations.

C. Fee submittal. The required application fee must be tendered to the planning department with the submitted application.

D. Processing of an application. The director will review the application and prepare a report for the planning commission and board recommending approval, approval with conditions, denial, or continuance for redesign. The director will schedule the application for public hearing within the time and in the manner required by this title and state statute. An application for a planned unit development must be preceded by a pre-submittal conference pursuant to Section 17.032.320(A).

E. Official filing date. The time for processing and acting on planning commission and board applications as established by NRS or this title will commence on the date that the application is deemed complete. Material modifications of any application by the applicant following the filing of the application will re-establish the time for processing and acting on the application upon the director's determination that the modified application is complete.

17.03.070 Notice provisions.

A. Published notice. Unless as otherwise provided by this title, any application, including a zoning map or text amendment, tentative map, planned unit development, master plan amendment (land use amendment or element text amendment), that requires a public hearing to be held, a notice of the time and place of the hearing must be published in an official newspaper of general circulation in the county at least ten days before the date for the hearing.

B. Personal notice. Whenever personal notice of a public hearing is required by this title or NRS 278, in addition to the published notice, including an application for a variance, special use permit, zoning map or text amendment, tentative map, planned unit development map, master plan amendment (land use map amendment or element text amendment), appeal of administrative decision or administrative permit, the director will mail notice of the hearing not less than ten days before the public hearing date to:

1. The applicant;
2. All record property owners, as shown on the latest equalized assessment rolls, within three hundred feet of the exterior boundaries of the subject property, to all property owners of land within such area proposed for rezoning;
3. Each tenant of a mobile home park if that park is located within three hundred feet of the property in question, written notice of the time, place and date of such hearing and the general location of the property of the addressee with reference to the property proposed for change; and
4. At least thirty unique property owners nearest the subject site if there are not thirty unique property owners within three hundred feet of the subject site.

C. Notice for zoning map and text amendments. In addition to published and personal notice required above, the notice for a zoning map or text amendment must set forth the time, place and purpose of the hearing and a physical description of or a map detailing the proposed change. It must indicate the existing zoning designation and the proposed zoning designation of the property in question, and must contain a brief summary of the intent of the proposed change. If the proposed amendment involves a change in the boundary of the zoning district that would reduce the density or intensity with which a parcel of land may be used, the notice

must include a section that an owner of property may complete and return to the board to indicate his or her approval of or opposition to the proposed amendment.

D. Notice for design review, excluding minor design review. The planning department must send, by first class mail, notice of the filing of an application to all contiguous property owners. Contiguous for the purpose of this section includes those properties that touch the parcel which is subject to the land use request including those which would touch the property when projected across a public or private easement or right-of-way. The notice must contain a brief description of the request, the location of plans for review and a deadline for comment.

E. When notice of a hearing is sent, the board or other entity must retain:

1. A copy of the notice;
2. A list of the persons or governmental entities to which the notice was addressed; and
3. A record of the date on which the notice was deposited in the United States mail postage prepaid, or sent by electronic means. (Ord. No. 15-269, § I, 10-20-2015; Ord. No. 12-244, § I, 12-4-2012)

17.03.135 Design Review

A. Design review is required for:

1. Subdivision maps (division into 5 or more parcels);
2. Parcel maps (division into 4 or less parcels);
3. Planned unit developments;
4. Multi-family complexes (consisting of 2 or more principal multi-family residential buildings);
5. All uses located within the Industrial Professional zone; and
6. Shopping centers including: commercial neighborhood store or shopping center, commercial regional store or shopping center, commercial shopping center, and commercial super regional store or shopping centers.

B. A building permit may not be issued for a development subject to design review until a design review has been approved in accordance with this chapter and conditions of approval have been met.

C. The following uses are exempt from the design review requirements:

1. Interior remodels which do not result in substantial changes in the character of the occupancy or use, or cause greater impact on traffic, water or sewer usage, as determined by the director.
2. Repair and maintenance of structures or parking areas constrained by the existing structure and not altering existing drainage patterns or easements;
3. Replacement or repair of a structure partially destroyed by fire, flood or other natural occurrence, when the repair of the structure is determined by the director to be consistent with the design, use and intensity of the original structure and consistent with the zoning and master plan designations;
4. Reductions of floor area or building area within a previously approved design review where it is determined that the modification would not result in a significant change in site design, building design, or functionality of the site;

D. The following projects are subject to minor design review:

1. Accessory dwelling units;
2. Expansions of uses listed in subsection (A) above of less than 25% in total floor area, where the proposed expansion will not cause increased impacts on existing infrastructure and public services, as determined by the director;
3. Changes in use requiring additional parking, where the proposed use will not cause increased impacts on existing infrastructure and public services, as determined by the director, and the use is proposed in existing structures;
4. Exterior remodeling;
5. Residential multi-family uses consisting of one building on a single parcel.
6. Wireless communication facilities as defined in section 17.10 Definitions and regulated pursuant to chapter 17.12 General Provisions.
7. Non-commercial telecommunications site, multiple structures, or those not meeting setback or height requirements, including station antenna structures, as defined in section 17.10 Definitions and regulated pursuant to chapter 17.12 General Provisions.
8. All wind energy conversion systems regulated pursuant to chapter 17.12 General Provisions.

17.03.136 Procedure for Design Review

A. The director will review the development application for conformance with the design criteria manual, set forth findings in accordance with section 17.03.137, and make a recommendation to the board and planning commission based on those findings. The board and planning commission will consider those findings and make other findings necessary before the decision on the development application.

17.03.137 Procedure for review for multi-family complexes

A. The director is the final decision-maker for design review applications. Design review applications are subject to administrative review and do not require a public hearing.

B. The director will review the submitted site and building plans of the multi-family complex for conformance with the design criteria manual, set forth findings in accordance with section 17.03.137, and make a final decision.

17.03.138 Findings

When considering development applications and applications for design review, the director, board, and planning commission, as applicable, must evaluate the impact of the design review on and its compatibility with surrounding properties and neighborhoods to ensure the appropriateness of the development and make the following findings:

A. The proposed development is consistent with the goals and policies embodied in the master plan and the general purpose and intent of the applicable district regulations.

B. The proposed development is compatible with and preserves the character and integrity of adjacent development and neighborhoods and includes improvements or modifications

either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, or other similar adverse effects to adjacent development and neighborhoods. These improvements or modifications may include but are not be limited to the placement or orientation of buildings and entryways, parking areas, buffer yards, and the addition of landscaping, walls, or both.

C. The proposed development will not generate pedestrian or vehicular traffic that will be hazardous or conflict with the existing and anticipated traffic in the neighborhood.

D. The proposed development incorporates roadway improvements, traffic control devices or mechanisms, or access restrictions to control traffic flow or divert traffic as needed to reduce or eliminate development impacts on surrounding neighborhood streets.

E. The proposed development incorporates features to minimize adverse effects, including visual impacts, of the proposed development on adjacent properties.

F. The project is not located within an identified archeological/cultural study area, as recognized by the county. If the project is located in a study area, an archeological resource reconnaissance has been performed on the site by a qualified archeologist and any identified resources have been avoided or mitigated to the extent possible per the findings in the report.

G. The proposed development complies with all additional standards imposed on it by the particular provisions of this chapter, the Storey County design criteria and improvement standards and all other requirements of this title applicable to the proposed development and uses within the applicable base zoning district; and

H. The proposed development will not be materially detrimental to the public health, safety, convenience and welfare, or result in material damage or prejudice to other property in the vicinity.

17.03.135 Decision on design review and appeal for multi-family complexes

A. The director must approve, deny, or conditionally approve the design review of multi-family complexes within 30 working days of submittal of building and site plans. Appeal of the director's decision is to the planning commission and board.

B. The director in his sole discretion may refer the design review of multi-family complexes for review by the planning commission and decision by the board in lieu of rendering a decision on the site plans. In such event, the planning commission must consider the design review at a public hearing and render its recommendation to the board in accordance with section 17.03. The decision of the board must be in accordance with section 17.03. The planning commission and the board must apply the standards for design review set forth in this title.

Proposed on _____, 2018.

by Commissioner _____

Passed on _____, 2018.

Vote: Ayes: Commissioners _____

Nays: Commissioners _____

Absent: Commissioners _____

Marshall McBride, Chair
Storey County Board of County Commissioners

Attest: _____

Vanessa Stephens
Clerk & Treasurer, Storey County

This ordinance will become effective on _____, 2018.



Storey County Board of County Commissioners Agenda Action Report

Meeting date: 02/06/18

Estimate of time required: 20 min.

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☒

1. **Title: Discussion/For Possible Action:** Approval of Resolution No. 18-474 to the Board of County Commissioners with recommendation by the Planning Commission adopting a design criteria and improvement manual setting forth certain development and design standards and guidelines for residential and non-residential planned unit developments, multi-family residential complexes, and other uses. This item was continued at the 01/16/18 board meeting.
2. **Recommended motion:** I [commissioner] motion to approve Resolution No. 18-474 adopting a design criteria and improvement manual setting forth certain development and design standards and guidelines for residential and non-residential planned unit developments, multi-family residential complexes, and other uses.
3. **Prepared by:** Austin Osborne
4. **Department:** Planning **Telephone:** 775.847.0968
5. **Staff summary:** See Enclosure A Staff Summary. Certain amendments to Title 17 Zoning must complete before this resolution may be considered. See Ordinances 18-278 and 18-276.
6. **Supporting materials:** Enclosure A Staff Summary; enclosed clean copy; and online posting at <https://www.storeycounty.org/517/Updates>.
7. **Fiscal impact:** None on local government.

Funds Available:

Fund:

____ Comptroller

8. **Legal review required:**

____ District Attorney

9. **Reviewed by:**

 Department Head

Department Name:

 County Manager

Other agency review: _____

10. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No. **24**

Enclosure A: Staff Summary

PURPOSE

Storey County has experienced significant industrial, commercial, and residential growth over the past two decades and this trend is expected to continue. This design manual was developed in accordance with the goals and objectives of the 2016 Storey County Master Plan in order to provide property owners, designers, and developers of industrial, commercial, and residential planned unit developments, and developers of multi-family complexes, clear and concise development standards that are consistent with the master plan.

The objective of the design standards manual is to enhance and promote the aesthetic and economic viability of Storey County and protect its historic, cultural, and scenic resources. The design manual also encourages the highest level of quality while also providing flexibility and uniqueness of individual projects. The design manual will be used by community development and planning staff during review of planned unit development proposals in the county.

APPLICABILITY

The design manual is not to be construed as a county code of regulations, but rather a document providing county leaders, staff, and land developers guidelines for development to occur within the goals and objectives of the county master plan.

This design manual applies to new commercial, industrial, residential, and mixed-use planned unit developments and also to new multi-family complexes consisting of two or more principal buildings. This design manual does not apply to new commercial, industrial, and residential construction, or significant improvements or expansions to existing structures.

GOALS

The Planning Design Criteria attempts to achieve the following goals and objectives laid out in the Storey County Master Plan.

1. Provide design standards which conform with and implement the goals, objectives, and policies of the Storey County Master Plan.
2. Direct and manage orderly, efficient, and sustainable development in the county.
3. Create and maintain livable and sustainable communities.
4. Create and maintain complete communities.
5. Facilitate pedestrian-friendly communities.
6. Facilitate existing and future automobile-alternative transportation systems.
7. To ensure safe and sustainable water resources for each community and natural ecosystem in the county.
8. Design communities which attract diverse people and workforce.
9. Create and maintain a diverse economy.
10. Create integrated public facilities.
11. Maintain distinct communities in the county.
12. Maintain compatibility between uses.
13. Implement design and performance standards that minimizes use conflicts.
14. Balance renewable energy systems with other uses.

Resolution Number 18-474

**A Resolution adopting the 2018 Storey County Design Criteria
and Improvement Manual**

Whereas, Nevada Revised Statutes (NRS), sections 278.150 to 278.220 and Storey County Code, 17.03.210, provides the procedure for the adoption and amendment of the Master Plan by Planning Commissions and the Boards of County Commissioners; and

Whereas, NRS 278.160 requires the master plan to have a land use element, which must include (1) provisions concerning community design, including standards and principles governing the subdivision of land and suggestive patterns for community design and development, (2) a land use plan, including an inventory and classification of types of natural land and of existing land cover and uses, and comprehensive plans for the most desirable utilization of land. The land use plan must, if applicable, address mixed-use development, transit-oriented development, master-planned communities and gaming enterprise districts.

Whereas, NRS 278.230 requires the governing body, upon recommendation of the planning commission, to put the adopted master plan into effect. The governing body shall determine upon reasonable and practical means for putting into effect the master plan or part thereof, in order that the same will serve as a pattern and guide for that kind of orderly physical growth and development of the county which will cause the least amount of natural resource impairment. The governing body may adopt and use such procedure as may be necessary for this purpose; and

Whereas, Storey County has conducted hearings to obtain public input to ensure consistency between the master plan, Storey County Codes, and the Design Criteria and Improvement Standards Manual;

Now therefore, the Storey County Board of County Commissioners resolves to approve the 2018 Storey County Design Criteria and Improvement Standards Manual attached to this resolution as Exhibit A.

Adopted this ____ day of _____, 2018, by the following vote:

Vote: Ayes: Commissioners:

Nays: Commissioners:

Absent: Commissioners:

Marshall McBride, Chairman
Storey County Board of County Commissioners

Attest:

Vanessa Stephens
Storey County Clerk



Storey County Board of County Commissioners Agenda Action Report

Meeting date: 2/6/18

Estimate of time required:

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☐

1. **Title:** Second reading for General Business License – CCW Instructor. Applicant is James Wes Francis, owner of First Shot, 176 Ring Rd. Dayton NV.
2. **Recommended motion:** I motion to approve the second reading for General Business License – CCW Instructor, James Wes Francis, First Shot, 176 Ring Rd., Dayton NV 89403.
3. **Prepared by:** Brandy Gavenda, Admin. Asst.

Department: Storey County Sheriff's Office

Telephone: 775-847-0959

4. **Staff summary:** Second reading for General Business License – CCW Instructor. Applicant is James Wes Francis, owner of First Shot, 176 Ring Rd. Dayton NV.

5. **Supporting materials:** None

6. **Fiscal impact:** None

Funds Available:

Fund:

____ Comptroller

7. **Legal review required:**

____ District Attorney

8. **Reviewed by:**

☒ Department Head

Department Name: Sheriff, Gerald Antinoro

Gerald Antinoro

Deed

Deed

County Manager

Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No. **25**



Storey County Board of County Commissioners Agenda Action Report

Meeting date: 2-6-18

Estimate of time required: 0 - 5

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☐

1. **Title:** Business License Second Readings -- Approval

2. **Recommended motion:** Approval

3. **Prepared by:** Melissa Field

Department: Community Development

Telephone: 847-0966

4. **Staff summary:** Second readings of submitted business license applications are normally approved unless, for various reasons, requested to be continued to the next meeting. A follow-up letter noting those to be continued or approved will be submitted prior to the Commission Meeting. The business licenses are then printed and mailed to the new business license holder.

5. **Supporting materials:** See attached Agenda Letter

6. **Fiscal impact:**

Funds Available:

Fund:

___ Comptroller

7. **Legal review required:**

___ District Attorney

8. **Reviewed by:**

☒ Department Head

Department Name:

 County Manager

Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No. 26

Storey County Community Development

Business Licensing



P O Box 526 • Virginia City NV 89440 • (775) 847-0966 • Fax (775) 847-0935 • mfield@storeycounty.org

To: Vanessa Stephens, Clerk's Office
Pat Whitten, County Manager

January 29, 2018
Via email

Please add the following item(s) to the **February 6, 2018** COMMISSIONERS Agenda:

Storey County Building Department has inspected and found that the following businesses meet code requirements necessary to operate in the county:

LICENSING BOARD SECOND READINGS

- A. INTERNATIONAL FLOW TECHNOLOGIES, INC** – Contractor / 30230 Los Alamos Rd ~ Murrieta, CA
- B. CONCRETE NORTH, INC** – Contractor / 10274 Iron Rock Way ~ Elk Grove, CA
- C. ENCORE** – Contractor / 14830 Kivett Ln ~ Reno, NV
- D. FREMOUW ENVIRONMENT SERVICES, INC** – Transportation / 6940 Tremont Rd ~ Dixon, CA
- E. MIKE HICKEY CONSTRUCTION, DBA: 3M ROOFING** / Contractor / 3046 Achilles Dr ~ Reno, NV
- F. THE JAMO TRUCK** – General / 1416 Canyon Creek Rd ~ Reno, NV

Ec: Community Development
Commissioners' Office

Planning Department
Comptroller's Office

Sheriff's Office