

STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

11/19/2018 9:00 A.M.

26 SOUTH B STREET, VIRGINIA CITY, NEVADA

SPECIAL MEETING 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 9:00 A.M.
- 2. PLEDGE OF ALLEGIANCE
- 3. **DISCUSSION/POSSIBLE ACTION:**

Approval of the Agenda for November 19, 2018.

- 4. DISCUSSION ONLY (No Action No Public Comment): Committee/Staff Reports
- 5. **BOARD COMMENT (No Action No Public Comment)**
- 6. WORKSHOP/DISCUSSION ONLY (No Action):

Presentation on the TRIC Effluent pipeline project and formation of related Tax Increment Area.

7. DISCUSSION ONLY (No Action):

Public Hearing on a proposed undertaking concerning a tax increment area formed pursuant to Nevada Revised Statutes Chapter 278C.

8. DISCUSSION/POSSIBLE ACTION:

Consideration and possible action on Bill No. 110, the first reading of Ordinance No. 18-299, an ordinance creating the Tahoe-Reno Industrial Center Tax Increment Area pursuant to Nevada Revised Statutes Chapter 278C; ordering an undertaking relating to the tax increment area; ordering an undertaking relating to the tax increment area; creating the tax increment account for the undertaking; and ratifying action taken by County officers toward the undertaking and the tax increment area.

9. DISCUSSION/POSSIBLE ACTION:

Consideration and possible action on a resolution no. 18-521 approving the form of the reimbursement agreement among the County and all owners of property in the Tahoe-Reno Industrial Center Tax Increment Area.

10. RECESS TO CONVENE AS THE STOREY COUNTY LIQUOR LICENSE BOARD

11. DISCUSSION/POSSIBLE ACTION:

Amending of existing liquor license for the Ponderosa Saloon. Add Off-Sale.

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

13. **DISCUSSION/POSSIBLE ACTION:**

Discussion and possible action on Bill 107, the second reading of Ordinance 18-284, an ordinance revising Chapter 17.84 of the Storey County Code addressing signs and billboards and amending other provisions of Title 17 Zoning Code of the Storey County Code relating to signs and billboards, and providing for other matters properly relating thereto. Additional information including, but not limited to, draft text may be obtained from the Planning Department at 775.847.1144 or planning@storeycounty.org, or viewed online at

http://storeycounty.org/517/Updates. In addition to the provisions of the NRS, any person may complete and return to the Board a statement supporting or opposing the proposed amendments to the county code and/or zoning ordinance.

14. PUBLIC COMMENT (No Action)

15. 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). The public comment will be allowed as to any of the boards that convened during the course of the meeting. 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: <u>program.intake@usda.gov</u>.

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 11/14/2018; 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.

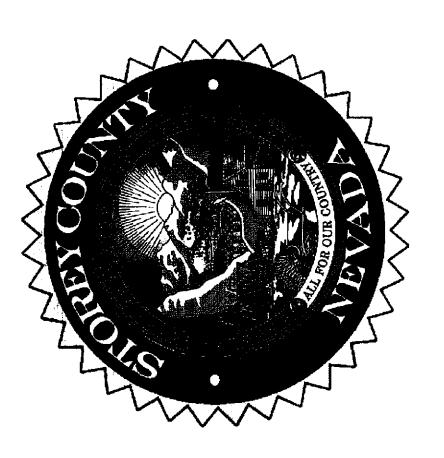
By MANUSCHURT STANKS

Vanessa Stephens Clerk-Treasurer



Storey County Board of County Commissioners Agenda Action Report

Meeting date: November 19, 2013	8	Estimate of time required: 5-20 min
Agenda: Consent [] Regular ager	nda [x]	Public hearing required []
		LY (No Action): Presentation on the TRIC Effluent of related Tax Increment Area.
2. Recommended motion		
3. Prepared by:		
Department:		Telephone:
4. Staff summary:		
5. Supporting materials:		
6. Fiscal impact:		
Funds Available:	Fut	nd: Comptroller
7. Legal review required:		District Attorney
8. Reviewed by: Department Head		Department Name: Commissioner's Office
County Manager		Other agency review:
9. Board action: [] Approved [] Denied	[]	Approved with Modifications Continued



TRIC Effluent Pipeline Project Tax Increment Area Update

November 2018

TRIC Effluent Pipeline Project

Change from prior proposal:

- ➤ No SAD or Bond Issue only Tax Increment Area
- ➤ With no bonding the County's general fund no longer at risk
- Fingineer's Report reflects updated costs and participation
- Less reimbursement due to no interest and Blockchains opting out
- ➤ Reimbursement only occurs from growth in revenues
- ➤ Received updated TIA revenue projections
- ▶ Provided by Applied Analysis based on updated development representations from project participants
- Numbers are subject to change based on actual development timelines
- Projections were also provided assuming the pipeline is not built
- ▼TIA term now 21 years



Updated Project Costs

Costs directly related to the bond reserve fund, State issue were eliminated (i.e.

Cost Category	Amount
Construction	\$22,157,000
Engineering, Surveying, Construction Management	\$2,800,000
Temporary and Permanent Easement & Right-of-Way Costs	\$1,000,000
Water Rights Professional Services	\$500,000
Professional Services Related to Creation of the TIA	\$543,000
Participant Costs	\$565,000
Project Contingency	\$5,400,000
Total	1 \$32,965,000





Allocation of Costs

- Costs were allocated based on their share to each participant of the water A
 - purposes ("Scheduled reimbursed is divided into 20 equal annual installments for reimbursement Amount to be Payments") A

have opted out of the Prior participants that TIA are marked with A

Entity	Allocation of Project Cost (%)	Apportionment of Project Costs (\$)	Project Costs Included in the TIA (\$)	% Share of TIA Project Cost
Switch	20.00%	\$16,482,500.00	\$16,482,500.00	58.1%
Google	18.74%	\$6,177,641.00	\$6,177,641.00	21.8%
Tesla	12.00%	\$3,955,800.00	\$3,955,800.00	13.9%
Blockchains*	13.49%	\$4,446,978.50	0	%0
Emerald City	3.82%	\$1,259,263.00	\$1,259,263.00	4.4%
Reno Land	1.50%	\$494,475.00	\$494,475.00	1.7%



%0

OI

\$148,342.50

0.45%

Ryze Renewables*

100%

\$28,369,679.00

\$32,965,000.00

100%

Totals



Tax Increment Area

- ➤ Formed under NRS 278C
- ➤ Redirects revenues in excess of "base" for three different taxes
- ▼ Property Tax
- ➤ County (\$1.8514)
- ➤ School Operating (\$0.75) PROTECTED
- ➤ School Debt/Capital (\$0.1447) PROTECTED
- ➤ County Fire (\$0.5446)
- ➤ State Debt (\$0.17) **\$0.02 PROTECTED**
- ➤ Modified Business Tax 50% PROTECTED (State general (pund)
- ➤ Sales Tax 50% PROTECTED
- ➤ Consolidated Tax (BCCRT and SCCRT)
- ➤ Local School Support Tax
- County Option (V&T, Infrastructure, Tourism)
- ➤ State General Fund



Flow of Funds

- Incremental Sales Tax and Modified Business Tax revenues are split 50/50 oetween TIA Account and receiving governmental entities
- Incremental Property Tax is treated as follows:
- Revenue related to School District rates goes to School District
- Revenue related to a portion of the State's Debt Rate goes to State
- ➤ Remaining revenues go to TIA Account
- ➤ TIA Funds are used as follows:
- ➤ Reimbursement to the County for administrative expenses
- Reimbursement to the Participants for the "Scheduled Payment"
- Remaining revenues are split 50/50 between further reimbursement and a Distribution Account
- ➤ Further reimbursement goes towards outstanding balance, Scheduled Payments do not change
- ▶ Distribution Account
- Property tax allocated pro rata between County, Fire District and State
- Sales tax allocated based on pro rata tax rates
- MBT allocated to State General Fund

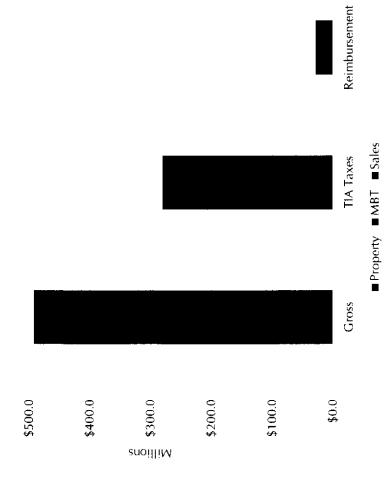


Tax Increment Area Revenues

Reimbursement is planned to be made proportionally from all revenue sources in the TIA.

\$600.0

➤ MBT is estimated to cover
 ~ 1% of the amount
 reimbursed, Sales Taxes
 ~ 57% and Property Tax





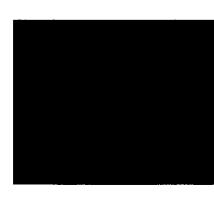


Allocation of Reimbursement

\$30.0

Due to the different ratios revenues the contribution that the various taxes ratios vary by entity. represent of the TIA

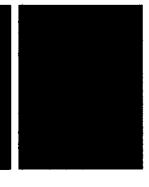
\$25.0



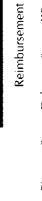
\$20.0

snoilliM \$15.0

\$10.0





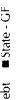














Revenue Comparison

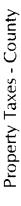
The following table shows the projected annual revenues with and without the pipeline being constructed.

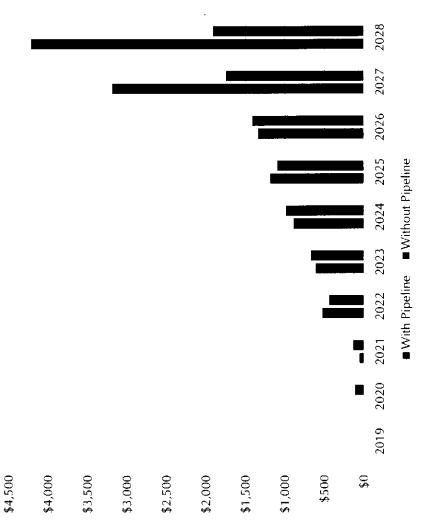
	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28
With Pipeline Total Taxes Due	216	4,794	4,503	9,047	9,042	13,683	17,085	17,085 17,718	22,295
TIA Revenues	2	2,507	2,336	5,063	5,159	7,700	9,661	10,125	12,624
Reimbursement	2	2,507	2,041	3,241	3,289	4,559	5,540	5,772	1,419
Net Revenues	214	2,287	2,462	5,806	5,753	9,124	11,545	11,946	20,876
Without Pipeline Total Taxes Due	216	334	3,299	3,784	5,346	5,457	8,547	10,136	10,433



Property Tax Revenue Comparison

- The County's operating property tax rate is \$1.8514
 - Future property tax revenues were estimated based on development projections (with and without the pipeline) provided by private sector participants.
- Pover the expected reimbursement term, the total property tax revenue kept by the County if the pipeline **IS** built is estimated to be ~\$12,020,000 net of all reimbursements.
- If the pipeline IS NOT built, the total estimated property tax revenue is estimated to be ~\$8,520,000.







Tax Increment Area Formation

- ➤ September 5th: Interim Finance Committee approved TIA
- making a provisional order and set a hearing for November ➤ October 29th: County Commission approved resolution
- ➤ November 19th: County Commission considers 1st reading of TIA Creation Ordinance and resolution approving reimbursement agreement
- December 4th: County Commission considers 2nd reading of TIA Creation Ordinance and resolution making determinations related to NRS 278C.250



Storey County TRIC Pipeline Project Sample Reimbursement Scenario

	Storey County TIA Revenue Flow	FY19	FY20	EY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29	Totals
	Sales Tax (net of 50% carveout) MBT (net of 50% carveout)	0 0		1,791,562	1,699,228	2,986,677	2,774,007	4,580,435	5,715,702	5,716,950	7,517,789	8,878,138	41,660,485
<	Property Tax Total Increment	. O O	2,344	676,027	596,973	2,016,474	2,323,979	3.010.774	3,822,303	4.283,232	4.940.049	5.799.018	22,471,173
			: - -										
•	Construction Costs Construction Costs	4,255,452	17,021,807			9	3	; ;	9	3	:	3	28,369,679
	Scheduled Payment (20 yr amort)		(1,418,484)	(1,418,484)	(1,418,484)	(1,418,484)	(1,418,484)	(1,418,484)	(1,418,484) (1,418,484) (1,418,484) (1,418,484) (1,418,484) (1,418,484) (1,418,484) (1,418,484)	(1,418,484)	(1,418,484)	(1,418,484)	
	REIMBURSEMENT SUBACCOUNT												
U	Scheduled Payments		1,418,484	1,418,484	1,418,484	1,418,484	1,418,484	1,418,484	1,418,484	1,418,484	1,418,484	0	
۵	Amount Reimbursed		(2,344)	(2,507,215)	(1,745,893)	(1,418,484)	(1,418,484)	(1,418,484)	(1,418,484)	(1,418,484)	(1,418,484)	0	
	Carryforward Balance		1,416,140	327,409	0	0	0	0	0	0	0	0	
	Remaining revenues (A-D)		0	0	590,594	3,644,778	3,740,602	6,281,585	8,242,428	8,706,539	11,205,521	14,858,792	
50.0%	50.0% Distribution Account	0	0	0	295,297	1,822,389	1,870,301	3,140,793	4,121,214	4,353,269	5,602,761	7,429,396	
50.0%	50.0% Reimbursement Account	0	0	0	295,297	1,822,389	1,870,301	3,140,793	4,121,214	4,353,269	5,602,761	7,429,396	
											20,876,456		
ш	Remaining Revenue	0	0	0	295,297	1,822,389	1,870,301	3,140,793	4,121,214	4,353,269	5,602,761	7,429,396	
ı	Balance Forward		4,255,452	4,255,452 19,858,775	25,532,711	٠,	20,578,057	17,289,272	12,729,996	7,190,297	1,418,544	0	
_	Additional Reimbursement (min of L or G)	r or G)		0	(295,297)		(1,870,301)	(3,140,793)	(4,121,214)	(4,353,269)	(09)	0	
G	Remaining Balance (B-C+F)	4,255,452	4,255,452 19,858,775 25,532,711	25,532,711	23,818,930	20,578,057	17,289,272	12,729,996	7,190,297	1,418,544	0	0	
	Remaining Revenue to Distribute	0	0	0	0	0	0	0	0	0	5,602,700	7,429,396	-
	DISTRIBUTION SUBACCOUNT												
	TIA Carveout	0	0	0	295,297	1,822,389	1,870,301	3,140,793	4,121,214	4,353,269	5,602,761	7,429,396	28,635,420
	Remainder from prepayments (G)	O	ō	a	0	a	O	O [†]	a	O)	5,602,700	7.429.396	13,032,097
	Total	0	0	0	295,297	1,822,389	1,870,301	3,140,793	4,121,214	4,353,269	11,205,461	14,858,792	41,667,517
	Distribution												
	Sales Tax (98.9% to State)		0	0	214,757	1,074,976	1,005,649	1,868,320	2,438,241	2,458,012	6,673,024	8,878,138	24,611,116
	MBT (100% to State)		0	0	5,092	21,635	22,151	44,403	52,431	53,675	147,495	181,637	528,519
	Property Tax		0	0	75,448	725,777	842,502	1,228,069	1,630,543	1,841,583	4,384,942	5,799,018	16,527,881
	County		0	•	54,865	527,771	612,650	893,027	1, 185, 698	1,339,162	3, 188, 642	4,216,929	12,018,743
	Fire District		0	0	16,139	155,247	180,215	262,689	348,780	393,922	937,957	1,240,434	3,535,383
	State		0	0	4,445	42,760	49,637	72,353	96,065	108,499	258,343	341,655	973,756



Storey County Board of County Commissioners Agenda Action Report

Meeting date: November 19, 2018	Estimate of time required: 20 min.
Agenda: Consent [] Regular agenda [] P	ublic hearing required [X]
1. <u>Title</u> : Public Hearing on a proposed under pursuant to Nevada Revised Statutes Chapte	rtaking concerning a tax increment area formed or 278C.
2. Recommended motion: No action requi	red.
3. Prepared by: Pat Whitten	
Department: Commissioner's Office	Telephone: 847-0968
4. Staff summary: Please see Item 4 below	7.
5. <u>Supporting materials</u> : Resolution 18	-517
6. Fiscal impact: Yes	
Funds Available: Future Incremental Comptroller	State and County Revenue Fund: Various
7. <u>Legal review required</u> : Yes	X District Attorney
8. Reviewed by:	
Department Head	Department Name: Commissioner's Office
County Manager	Other agency review:
9. Board action: [] Approved [] [] Denied []	Approved with Modifications Continued

Agenda Item No. 4. **Staff Summary**: The Board of County Commissioners (the "Board") of Storey County, Nevada (the "County") received a request from Silver Slate LLC, Comstock TRIC Associates, LLC, Supernap Reno, LLC, Tesla, Inc. (f/k/a Tesla Motors, Inc.), 1200 USA Pkwy LLC and Emerald City Empire, LLC (collectively, the "Owners") to order an undertaking pursuant to Nevada Revised Statutes ("NRS") Chapter 278C (the "Act") for a water project as defined in NRS 278C.140 (the "Undertaking"). On September 5, 2018, the State of Nevada's Interim Finance Committee approved the Undertaking, which constitutes a natural resources project pursuant to the Act. On October 29, 2018, the Board adopted a resolution ordering the County's engineer to

prepare preliminary plans, cost estimates and related items to pay the costs of the Undertaking, and Farr West Engineering, as the County's engineer, prepared such preliminary plans, cost estimates and related items to pay the costs of the Undertaking. After review of the preliminary plans, cost estimates and related items placed on file with the County Clerk, the Board provisionally ordered the Undertaking by adoption of resolution 18-517 on October 29, 2018 and called a public hearing on the undertaking for November 19, 2018. Pursuant to the resolution, the Board ordered notice of the public hearing be given by mail, publication and posting. At the public hearing, the Board shall cause to be read and shall consider all written complaints, protests, objections and other relevant comments in accordance with NRS 278C.170 and shall hear all oral complaints, protests, objections and relevant comments related to the Undertaking and the Tax Increment Area.

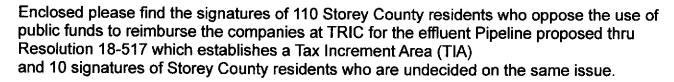
2010 OCT 30 PM 1:56

Nicole Barde 1160 Globe Road Reno, NV 89521

October 30, 2018

Vanessa Stephens Storey County Clerk-Treasurer 26 S. B St. Drawer D Virginia City, NV 89440

Dear Ms. Stephens,



The signatures were obtained thru face to face public meetings as well as an on online petition. I can provide the online file if you wish.

I have also enclosed my prior two statements which were read into the record at the Commission meetings of August 7, 2018 and September 18, 2018 also opposing the use of public funds, thru the establishment of a TIA, to reimburse the companies at TRIC for the construction of the effluent pipeline currently proposed thru resolution 18-517.

I would like to reiterate that I believe that the pipeline project is needed and I wholeheartedly support the County in it's efforts to help TRIC in getting the water, rights of ways and other logistics required to make the pipeline happen. I stop short of utilizing public funds to pay for the pipeline or in reimbursing those companies and the developer for its construction or maintenance. By public funds I mean any and all revenues generated within Storey County by residents or other entities, inclusive of the companies at TRIC, which are assessed through taxes or fees.

With an eye on stable future revenues the State of Nevada and Storey County has already given many of these companies abatements and incentives to locate and operate here. The abatements and incentives give those companies the financial "relief" to more rapidly expand and develop. That is good for Nevada and that is good for Storey County.

However, if after receiving the incentives and even without them, if their financial conditions on their own do not allow them to develop their investments without more pubic money then they have deeper problems and the State and the County is propping them up with money that would otherwise benefit the residents.

Some of the companies at TRIC may not have located there without the abatements and incentives. While I understand that, I also agree with many other Storey County residents that the continued use of public funds to keep them here is not the best use of our financial resources which would be better spent on improved or increased services for our residents.

Sincerely,

Nicole Barde

Statement made by Nicole Barde for the record at Storey County Commission Meeting of August 7,2018

First I would like to state that I am in favor of this pipeline. Having worked in the semiconductor industry for 20 years I understand fully the need for water in a manufacturing process. I also understand what it takes to attract the types of high caliber companies like Tesla and Switch into a new location and so I am not opposed in principle to the offering of incentives to do that.

What I am opposed to is the continued assault on taxpayers to pay for the costs associated with the operations of corporate entities who should be bearing that burden themselves.

The State of Nevada has given epic abatements to these companies to get them here. They are enjoying tax relief that none of our small businesses enjoy in order to produce their products which we will eventually get sales tax revenues from.

Visitors who come to town are greeted with a sign proclaiming Storey County as "The Richest Place On Earth".

At the last VCTC meeting, a board member announced that Storey County is the wealthiest county in the United States per capita.

In contrast, when I attended the Community Chest's needs assessment meeting, Erik Schoen provided a contrasting view.

According to his presentation based on recent statistics from commuitycommons.org:

Storey County's median age is 54...compared to 37 for the State and the US.

28% of our population is 65+ older and are on fixed incomes. This compares to 14% for Nevada and the US

Storey County has 49% of it's population designated as "food insecure" compared to 25% for the state and 29% for the US....which means after the hard expenses are paid there is little left for other necessities. 50% of our children are "food insecure"

Storey County has 7.25% of it's housing units without kitchen facilities compared to 1.93% for Nevada and 2.84% for the US.

Storey County has little to no childcare facilities accessible or affordable to it's residents.

We are not a rich county.

Our people are not rich.

So when I stand up and speak against the pilfering of our tax revenues , past, present or future I speak out because we need those revenues to help our citizens.

We've been told that we are the richest county in America. By what standard? Certainly not by the statistics I just read.

We've been told that TRI would give the county and it's resident so much revenue that we could expect a tax roll back. Empty promise.

We are not stupid...we understand that you have to spend money to make money and so we're waiting patiently for the abatements to cease so that we can have the revenues we need to provide more service to our residents.

Now you tell me that the future revenues of the abated companies are going to pay for a pipeline that only they need and only they will use. You want to use revenues that are needed to help feed, service and support our own residents to build a pipeline for some of the richest companies in Nevada?

What I want to say to those companies is this.... The state of Nevada has given you a spectacular deal...you are enjoying great tax relief....\$35 million dollars split between the key companies is the equivalent of an ATM transaction for each of you. Be generous....pay for it yourselves. Let the good people of Storey County keep our revenues so that we may better our lives.

Statement by Nicole Barde for the record on September 18, 2018 Storey County Commission Meeting

I would like to once again ask that you not go forward to the conclusion of this process and approve the diverting of future TRI tax revenue from the general fund in order to fund and purchase a private pipeline which will then be given to private parties.

In the capitalist system, people and companies are free to promote their business ideas, invest their funds and take the risk of failure for the possibility of future profits. The state of Nevada and Storey County have already invested in future "profits" and tax revenues thru the incentives and abatements given to many of the companies at TRI. One day this investment will pay off big....just not today.

I think that residents understand that the use of public funds for the incentives and abatements is a cost of doing business and are willing to do that in order to secure future county revenues. The expectation , however, is that once those companies are here they need to fund their own development and expansion

I don't think that residents are willing to continue to forego receiving needed services today or in the future for the sake of continuing to "help" big business. Our own C street merchants use their own money and bear the full weight of risk as they run and expand their businesses. They don't ask for, nor do they expect, handouts from the County.

Why would they approve of your handing out public money to other businesses?

In going door to door in our communities in the last several weeks people are expressing concern and opposition to giving away our future revenues for these private companies when they see needs going unmet in their community.

Why would they approve of your putting the needs of big business before their needs?

Lockwood points to portions of their roads and easements that need repair, they point to the I80 onramp that needs reconfiguring, and they cite continuing water issues for some of its residents.

Mark Twain needs flood and speeding mitigation on many of their roads, a couple of 4 way stop signs, and some street lighting for safety. The Highlands is still waiting for a community center. Virginia City residents wait for their water and sewer bills to go back down and some flood mitigation on their roads to be done after this years "big dig".

We have current and future needs in the county that are going unaddressed today while you think about giving away future revenues. \$60 million dollars of future revenues , \$60 million dollars of debt.

You are thinking of giving away future revenues and taking on debt at a time when the abatements are still in force and at a time when we still have to pay Roger Norman 35% of TRI revenues in order to repay our \$47 million infrastructure debt to him.

While the economy is booming now, given how long it has been roaring wouldn't it be more prudent to look at preserving our future revenue streams for the eventual and obligatory slow down that always follows rapid growth? Now is not the time to take on more debt.

The Pipeline is needed by the 6 companies at TRI and our residents understand thatlet us help those companies get the pipeline by selling the bond at the reduced cost for them to finance it, let's have them pay us back thru the SAD.

But thats it. Enough is enough.

Opposed

I am **CARRECTE** about the use of TRI revenues to pay for and build the Effluent Pipeline For use by TRI Companies.

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Name Ells	10 Rue De La Acure Address
Saly Prouve	Allress La Azur
Name Name	243 Am Duh Balelo
	243 Jan No Ke Comban
Richary Schmall	Address 49 AUE DELA Angota Address
PA+ Micia Schun	Address
Ňame	Address
Larry Huddleson.	306 AVE DE LA COVIENDS SPARTS NV Address
Cathy Huldleson	306 Aur ne La Couleurs Sparks Address
1 Mile	25 RVE DELAD NOIRE SPARKS, NV 89434 Address
Name Miller 226	Rue de la Divoire Sparks NV Address
ROBERT CURRAN	Address SPHHS NU 37CEPULE 1) FLA CIREST 89434 Address
RUSSE VENSEN Name	1007 COUR DE LA ARGENT SPARKS, N Address 81434
14qmc	Address 8 9 4 5 4

I OPPOSE the use of TRI revenues to pay for and build the Effluent Pipeline For use by TRI Companies.	
Name Address	
Name Address	
Call Mark	
CARL Morcilli 74 Cercle de la Cerese, Sparks 89434	
Name , Address	
Rathryn, Hamlin	
Kathy Hamlin 18 Are de la Conteurs Spak 5 NV 894	3
Name Bitte HAMLIN Address	
Name 76 CERUI DE 114 CERESE Address	
JEANNIE HARTIEY	
Name CURTIS E LAGUE Address REAVE Date COULDINS	
NO AVE DE ILL CONCICIO	
Sparts Ney 89434	
Name Olene Hamein Address 76 Cercle de la Cerese sparks av 85434	
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Name DON BANNES Address 62 COULDO 24 CODRANT	-
De Mu SPARKS, NU 89434	
Name MYRABARNES Address 2 COUR DE LA CEDRAN	>
Myo Bain SPARK, NV 89431	
Name Carol B. Age GO Cour de la Cedrant	
Constable Stork NV 89434	
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Shuly Mullio 140 Cour Do LA CANABG 89434 Name Address
Name Address Squar Dista CANABE 89434
Name 93 CERCLE DE LA CERES 89434 Address
Donvis Smith 93 Cercle de la Cercse 49434 Name Address
Lynn Juhman 271 Rue Dela Fauve, 89434 Name Address
Eva Jorges 169 Cercle De La Cerese 894; Name Address
Devisse Fuller-Hilton 352 Rue de la Rouge 89434 Name Address
Name Address Rue de On Blave 89434
Name Address Name Address
Maley Hoover 21570 Dontont DR 89521 Name Address
Plana Paris 1921 Low Serown Ro 89521 Name Address
11444

L. DALE TYSON 1790 COMBINATION ROAD
Name Address
Christina Schwanke 9183 Address Address
Kim Mitchell 2321 CARTWRIGHT RD RND NV 89521 Name Address
Name 2321 GARTWIGHT RD REND HV 8952
Name lature 2,565 Dariort De Reno 89521
Name Address 2710 GOLBFIELD RD. 89521
Hay Down 1710 Goldfield Rd. 89521. Name Address
Karlyn Mctartlin 2440 Lousetown Rd Name Address
RAYMOND MCPARIZIN 2440 Louse Town Roll Name Address
Brandy Gavenda 1880 Castle Peak Rd. UCH Name Address
Name Doug Tuctrer 2630 Castle Peat Rd VCH
Bruce Sabah 21590 Dortort Dr VCH Name Address

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SLOAN	VENASSUES 18W CASTLO PEAK ROVC Address Towenda 1880 Castle Peak Rd VC	H 8954
Name	Address	
James C	Eavenda 1880 Castle Peak Rd VC	A 89521
Name	Address	
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Name	Address
Sam Toll	1757 Main Street Gold Hill
Name	Address
Soms OMAHOUS	LOU KLIONIS ACUET A
Name	Address
Name GRETORY	SZO CASTZURIGHT Pd VCH Address
Jed Mongslin	1981 Empire Rd VCH
Name	Address
Sharon Snell	2321 EMPIRE RO VCH
Name	Address
Cassy Jackson Name	238/ Lousetown Rd, UC (+ Address
	Address
Konson Joels al	2381 Lousetown Ro. VCH
Name	Address
Stone Waldow	230 Boul Springe Rd.
Name	Address
Cyst We	230 Barrel Springs Rd Address
Name/	Address
Micole BAR	De 1160 6lobe RD, Renc 5957
Name	Address

Address

Name

I am UNDECIDED about the use of TRI revenues to pay for and build the Effluent Pipeline For use by TRI companies.

DAVID MASCALI	200 CERCIE dela CERESR
Name /	Address
Name HORN	4/8 LA ROCIGE Address
,	
£.Hook	189 AVE De LA DEmill
Name	Address
STEVE MANY Name	158 Rue DA LA ORANGE
Name	Address
Jan & Ken Howley	220 Cercle de La Cerese
Name	Addrose
Sugar allen	195 ave to la Delmarla
Name	Address
Jarge firsty	335 guede la Couleurs Sparks
Name d	Address
Phil Matthies 3	37 Avre Le la Farre Sparks 79434
Name	Address
Lerry Predmore	291 Rus du 27 Janus SAMS 5
Name	Address
Name	Address
Name	Address
Name	Address
1 TULLE	MUNICAN

Online Petition Form with E-Signature

Have your voice heard. I oppose the use of future tax revenue to pay for the

pipeline.

Name John Emerick

Address Street Address: 1590 Combination Rd

City: Reno

State / Province: NV

Postal Zip Code: 89521 Country: United States

Signature

E-mail (optional)

jemerick@vantageofnevada.com

De Online Petition Form with E-Signature

Have your voice heard.

I am undecided.

Name

Anna Manrique

Address

Street Address: 247 Ave De La Couleurs

City: Sparks

State / Province: NV Postal / Zip Code: 89434

Signature

E-mail (optional)

acmanrique27@hotmail.com

Online Petition Form with E-Signature

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

lan Eckstrom-Browne

Address

Street Address: 4 Rue De La Azure

City: Sparks

State / Province: Nv Postal / Zip Code: 89434

Signature



Have your voice heard.

i oppose the use of future tax revenue to pay for the

pipeline.

Name

Pamela Burfitt

Address

Street Address: PO Box 788

City: Virginia City State / Province: NV Postal / Zip Code: 89440

Signature

/ Online Petition Form with E-Signature

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Thomas Gribbin

Address

Street Address: 1921 Lousetown Rd

City: VC Highlands State / Province: NV Postal / Zip Code: 89521

Signature

they pall

A Online Petition Form with E-Signature

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Jeanne Gribbin

Address

Street Address: 1921 Lousetown Rd ~

City: VC Highlands State / Province: NV Postal / Zip Code: 89521

Signature

Jan. Jall

E-mail (optional)

nvwildandfree@gmail.com

Online Petition Form with E-Signature

Have your voice heard. I oppose the use of future tax revenue to pay for the

pipeline.

Name russ nobiit

Address Street Address: 2349 cartwright road

City: rebo

State / Province: nv Postal / Zip Code: 89521

E-mail (optional) noblit99@aol.com

Online Petition Form with E-Signature

Have your voice heard. I oppose the use of future tax revenue to pay for the

pipeline.

Name John Emerick

Address Street Address: 1590 Combination Rd 👱

City: Reno

State / Province: Nevada Postal / Zip Code: 89521 Country: United States

Signature

E-mail (optional)

jemerick@vantageofnevada.com

Comments You want it built? Do this yourself. We already pay

enough taxes for items none of us utilize. I realize that the companies are to "pay back" the money over 25 years; according to the "agreement." However, anyone who actually thinks for themselves (or those that that have more than 2 firing Neurons in their brain) will realize, from experience, there will be an amendment to the deal which will allow the companies to keep their money and obligate the taxpayers of the county to pay the entire bill. This will, most likely, occur in about 3-5

years after this "deal" is no longer in the news.

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Carl Elizondo

Address

Street Address: 120 N stree

Street Address Line 2: P.O. box 165

City: Virginia City State / Province: Nv Postal / Zip Code: 89440

Signature



A Online Petition Form with E-Signature

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Steve Dragovich

Address

Street Address: 2780 North Star Rd.

Street Address Line 2: RRR2

City: V.C. Ranches State / Province: NV Postal / Zip Code: 89521

Signature

Jel .

E-mail (optional)

steved@intercomm.com

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Marie Dufresne

Address

Street Address: P.O. Box 832

Street Address Line 2: 2247 South Main St

City: Virginia City State / Province: NV Postal / Zip Code: 89440

Signature

E-mail (optional)

eyelashprincess@yahoo.com

Online Petition Form with E-Signature

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

iudith Cohen

Address

Street Address: 58 N C st

City: Virginia City State / Province: NV Postal / Zip Code: 89440

Signature

whath P other

E-mail (optional)

cohen_judy@hotmail.com

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

ed whyte

Address

Street Address: 1440 highland spur

City: reno

State / Province: NV Postal / Zip Code: 89521

Signature

2/2 Pyte

Comments

The industrial park was meant to enrich Storey County, not impoverish it.

Online Petition Form with E-Signature

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Jim Maushardt

Address

Street Address: 2200 castle peak rd

City: Vch

State / Province: Nevada Postal / Zip Code: 89521

Signature

An Madra

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

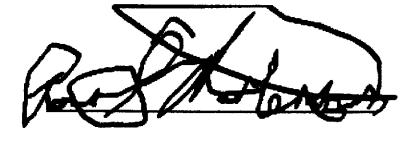
Ross S. Mortensen

Address

Street Address: Ross S. Mortensen Street Address Line 2: Michael Dudgan

City: Virginia City Highlands State / Province: Nevada Postal / Zip Code: 89521

Signature



E-mail (optional)

htcdesperado@yahoo.com

Online Petition Form with E-Signature

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Mark Quam

Address

Street Address: P.O.box 1096-66 A St.

City: Virginia City

State / Province: Nevada Postal / Zip Code: 89440

E-mail (optional)

maquam 1954@att.net

Online Petition Form with E-Signature

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Mark Quam

Address

Street Address: P.O.box 1096-66 A St.

City: Virginia City

State / Province: Nevada Postal / Zip Code: 89440

E-mail (optional)

maquam 1954@att.net

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Robin Cobbey

Address

Street Address: 1911 Main Street

City: Gold Hill

State / Province: NV Postal / Zip Code: 89440 Country: United States

E-mail (optional)

cobbey@cobbey.com

Comments

How will our tax dollars pay for this without raising our property tax and water bill? Make the companies that

benefit pay for it.

Donline Petition Form with E-Signature

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Jamesjames Colonna

Address

Street Address: 21217 HIGHLAND RD

City: VC Highlands State / Province: NV Postal / Zip Code: 89521 Country: United States

Signature

E-mail (optional)

pat.colonnafinancial@gmail.com

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Jos

Address

Street Address: 2141 cartwright rd

Postal / Zip Code: 89521

Signature

Comments

No new taxes!!!

Online Petition Form with E-Signature

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Donna Stanley

Address

Street Address: 1870 Harte Road

City: VC Highlands State / Province: NV Postal / Zip Code: 89521

Signature

Donne Starke

E-mail (optional)

DStanley51@outlook.com

Have your voice heard. I oppose the use of future tax revenue to pay for the

pipeline.

Name Curtis Cannon

Address Street Address: 177 Territory Rd

City: Dayton

State / Province: Nv Postal / Zip Code: 89403

Signature

Comments

l oppose this corporate welfare.

Online Petition Form with E-Signature

Have your voice heard. I oppose the use of future tax revenue to pay for the

pipeline.

Name Maureen Hullinger

Address Street Address: 254 Ave De La Demerald

City: Lockwood State / Province: NV

Postal / Zip Code: 89434

Signature

E-mail (optional)

m_hullinger@sbcgiobal.net

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Mindy Dallas

Address

Street Address: 1080 Combination road

City: VC Highlands State / Province: NV Postal / Zip Code: 89521

Signature

Mindy Saller

E-mail (optional)

mindy.dallas1@gmail.com

Comments

Not my best signature, but close enough

多 Online Petition Form with E-Signature

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Catherine Manly

Address

Street Address: 158 Rue de la Orange

City: SPARKS

State / Province: NV Postal / Zip Code: 89434

Signature

Catt That

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Sharon PATRO

Address

Street Address: 4170 PALISADE ROAD

City: RENO

State / Province: NV

Postal / Zip Code: 89521-7033

Signature

E-mail (optional)

sharon.patro@yahoo.com

Comments

Let the companies benefiting from this pipeline pay for it.

/ Online Petition Form with E-Signature

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Elizabeth Koibe

Address

Street Address: 233 Ave Bleu de Clair

City: Sparks

State / Province: NV Postal / Zip Code: 89434

Signature

CKOLO

E-mail (optional)

ejkkoibe@hotmaii.com

Have your

voice

I oppose the use of future tax revenue to pay for the pipeline.

heard.

Name

Phillip Hilton

Address

Street Address: 382 Rue De La Rouge

City: Lockwood

State / Province: Nevada Postal / Zip Code: 89434

Signature

E-mail (optional)

philliphilton@actsreno.com

Comments It's time to stop the corporate giveaway.

Online Petition Form with E-Signature

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Marlene Prowse

Address

Street Address: 30 Ave de la Argent

City: Lockwood State / Province: NV Postal / Zip Code: 89434

Signature

mulle m Trouse

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Maggie Harrison-Sherrod

Address

Street Address: 21850 Adobe Rd

City: Reno

State / Province: NV

Postai / Zip Code: 69521-7401

Country: United States

Signature

E-mail (optional)

FamilySherrod@yahoo.com

Online Petition Form with E-Signature

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Debra Lekas

Address

Street Address: 378 Rue de la Mauve

City: Sparks

State / Province: Nevada

Postal / Zip Code: 89434-9519

E-mail (optional)

DebiLekas@aol.com

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

CJ Gueldner

Address

Street Address: 720 Sutro Springs Road

City: Dayton

State / Province: NV Postal / Zip Code: 89403 Country: United States

Signature

-J. Julm

E-mail (optional)

ciqueidner@yahoo.com

Online Petition Form with E-Signature

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

lan Eckstrom-Browne

Address

Street Address: 4 Rue De La Azure

City: Sparks

State / Province: Nv Postai / Zip Code: 89434

Signature

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Richard Oates

Address

Street Address: 136 north c street ~

City: Vc

State / Province: Nv Postal / Zip Code: 89440

Signature

2 Online Petition Form with E-Signature

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Phillip Matthies

Address

Street Address: 327 Rue de la Jaune v

City: Sparks

State / Province: NV Postal / Zip Code: 89434

Signature

Comments

At the Lockwood meeting I signed as undecided. After

much consideration I am opposed to using public money

to pay for the pipeline.

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Martin Harrison-Sherrod

Address

Street Address: 21850 Adobe Rd

City: Reno

State / Province: NV

Postal / Zip Code: 89521-7401

Country: United States

Signature

MartinHarrison@live.com

D Online Petition Form with E-Signature

Have your voice heard.

E-mail (optional)

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Maggie Harrison-Sherrod

Address

Street Address: 21850 Adobe Rd

City: Reno

State / Province: NV

Postal / Zip Code: 89521-7401

Country: United States

Signature

M

E-mail (optional)

FamilySherrod@yahoo.com

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Richard Fitzgerald

Address

Street Address: 21459 Delta

City: V.C. Highlands State / Province: Nevada Postal / Zip Code: 89521

Signature

E-mail (optional)

rtfitz@sbcglobal.net

Comments

I oppose the county having anything to do with the pipeline. It is time for the county to take care of it's residents who have been paying taxes for years and are here to stay. These big companies do not need, nor deserve any more handouts. It's time for them to pay their own way, just as the small businesses and homeowners do.

A Online Petition Form with E-Signature

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Andrew Burfitt

Address

Street Address: 81 N C St

City: Virginia City State / Province: NV Postal / Zip Code: 89440

Signature

E-mail (optional)

burfitt@yahoo.com

Comments

I think it is outrageous that we are being asked to pay for the pipeline. These companies have already received tax deferments to entice them to Nevada. They or TRIC should be paying for infrastructure.

Have your

voice heard. I oppose the use of future tax revenue to pay for the pipeline.

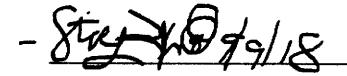
Name

Stacy Fitzgerald

Address

Street Address: 21459 Delta City: V. C. Highlands State / Province: NV Postal / Zip Code: 89521

Signature



E-mail (optional)

sifftz@sbcglobal.net

Comments It's time for the county commissioners to represent the taxpayers, not big business at TRIC. The businesses need to pay for their own infrastructure, just as the homeowners pay for their own improvements. We can't afford this pipeline! The county is atready over a million dollars in debt and does not need to add to it. We should not be left to hold the bag when any of these businesses fold, which undoubtedly some of them will. Please consider the future of all Storey County residents, not just big business.

Online Petition Form with E-Signature

Have your voice heard.

i oppose the use of future tax revenue to pay for the

pipeline.

Name

Allan Hadwick

Address

Street Address: 138 Cercle de la cerese

City: Lockwood

State / Province: NV Postal / Zip Code: 89434

Signature

Comments

Totally against using tax payer money for pipe line

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

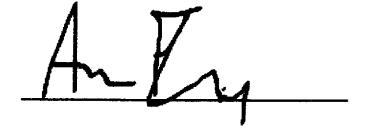
Ann Flory

Address

Street Address: 5300 Wild Rose Rd

City: VC Highlands State / Province: NV Postal / Zip Code: 89521 Country: United States

Signature



A Online Petition Form with E-Signature

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Vicki Allen

Address

Street Address: 2203 Cartwright Road

City: V.C. Highlands State / Province: NV Postal / Zip Code: 89521

Signature

Vick Cil

Comments

The residents were supposed to see tax benefits from these businesses. Not the businesses to see tax benefits from the residents. Definitely something wrong with this picture! It is wrong that Lance Gilman used his position as

commissioner to line his own pockets!

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Ruth Brust

Address

Street Address: 196 Ave de la DEmerald

City: Sparks

State / Province: NV Postal / Zip Code: 89434 Country: United States

Signature

E-mail (optional)

ruthbrust1@yahoo.com

2 Online Petition Form with E-Signature

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Donald Carter

Address

Street Address: 21910 Adobe Rd

City: Virgina City Highlands

State / Province: NV Postal / Zip Code: 69521

Signature

some farten

E-mail (optional)

shootistorc@yahoo.com

Comments

That signature looks rugged, but contact me if need to

verify.

Pipeline is fine. Use of tax money for it or in support of it

is not.

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Mary Jane Noblehart

Address

Street Address: 402 Ave de la Bleu de Clair

City: Sparks

State / Province: NV Postal / Zip Code: 89434

A Online Petition Form with E-Signature

Name

David Toll

Address

Street Address: P.O. Box F

City: Virginia City

State / Province: Nevada

Postal / Zip Code: 89440-0150

Country: United States

Signature

Dec W Grass

E-mail (optional)

david@nevadaweb.com

Have your voice heard. I oppose the use of future tax revenue to pay for the

pipeline.

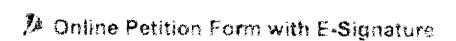
Name Michael Greene

Address Street Address: PO Box 375

Street Address Line 2: City: Virginia City

State / Province: Nevada Postal / Zip Code: 89440 Country: United States

Signature



Have your voice heard. I oppose the use of future tax revenue to pay for the

pipeline.

Name Faith StClair

Address Street Address: 401 Canyon Way Spc 47

City: Lockwood State / Province: NV

Postal / Zip Code: 89434-9616

Signature

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Alexia Sober

Address

Street Address: 136 n C street

City: Virginia City

State / Province: Nevada Postal / Zip Code: 89440

Signature

E-mail (optional)

alexia.sober@gmail.com

Online Petition Form with E-Signature

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Alexia Sober

Address

Street Address: 136 n C street

City: Virginia City

State / Province: Nevada Postal / Zip Code: 89440

Signature

E-mail (optional)

alexia.sober@gmail.com

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Michael Kramer

Address

Street Address: 89 Cercle De La Cerese

City: SPARKS

State / Province: NV Postal / Zip Code: 89434 Country: United States

Signature

E-mail (optional)

alexkram73@gmail.com

Online Petition Form with E-Signature

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Freda Brooks

Address

Street Address: 119 AVE De La Bleu De Clair

City: Sparks

State / Province: NV Postal / Zip Code: 89434

Signature

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Greg Ferdock

Address

Street Address: 21885 Adobe Rd.

City: VCH

State / Province: NV Postal / Zip Code: 89521

Signature

ThenDelk

Comments

Have the business owners in TRIC pay for it

> Online Petition Form with E-Signature

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Stephanie Ferdock

Address

Street Address: 21885 Adobe Rd.

City: VCH

State / Province: NV Postal / Zip Code: 89440

Signature

E-mail (optional)

enviro62@yanco.com

I **SUPPORT** the use of TRI revenues to pay for and build the Effluent Pipeline For use by TRI Companies.

Name	
	Address
Name	Address

Have your voice heard. I oppose the use of future tax revenue to pay for the

pipeline.

Name John Emerick

Address Street Address: 1590 Combination Rd

City: Reno

State / Province: NV

Postal | Zip @ode: 89521

Country: United States

Signature

jemerick@vantageofnevada.com

E-mail (optional)

A Online Petition Form with E-Signature

Have your voice heard.

I am undecided.

Name

Anna Manrique

Address

Street Address: 247 Ave De La Couleurs

City: Sparks

State / Province: NV Postal / Zip Code: 89434

Signature

E-mail (optional)

acmanrique27@hotmail.com

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

lan Eckstrom-Browne

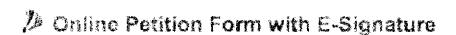
Address

Street Address: 4 Rue De La Azure

City: Sparks

State / Province: Nv Postal / Zip Code: 89434

Signature



Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Pamela Burfitt

Address

Street Address: PO Box 788

City: Virginia City State / Province: NV Postal / Zip Code: 89440

Signature

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Thomas Gribbin

Address

Street Address: 1921 Lousetown Rd

City: VC Highlands State / Province: NV Postal / Zip Code: 89521

Signature

thing bell

/ Online Petition Form with E-Signature

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Jeanne Gribbin

Address

Street Address: 1921 Lousetown Rd ~

City: VC Highlands State / Province: NV Postal / Zip Code: 89521

Signature

nvwildandfree@gmail.com

E-mail (optional)

Have your voice heard. I oppose the use of future tax revenue to pay for the

pipeline.

Name russ nobiit

Address Street Address: 2349 cartwright road

City: rebo

State / Province: nv Postal / Zip Code: 89521

E-mail (optional) noblit99@aol.com

1/2 Online Petition Form with E-Signature

Have your voice heard. I oppose the use of future tax revenue to pay for the

pipeline.

Name John Emerick

Address Street Address: 1590 Combination Rd 🗸

City: Reno

State / Province: Nevada Postal / Zip Code: 89521 Country: United States

Signature

E-mail (optional)

jemerick@vantageofnevada.com

Comments You want it built? Do this yourself. We already pay

enough taxes for Items none of us utilize. I realize that the companies are to "pay back" the money over 25 years; according to the "agreement." However, anyone who actually thinks for themselves (or those that that have more than 2 firing Neurons in their brain) will realize, from experience, there will be an amendment to the deal which will allow the companies to keep their money and obligate the taxpayers of the county to pay the entire bill. This will, most likely, occur in about 3-5 years after this "deal" is no longer in the news.

Have your voice heard. I oppose the use of future tax revenue to pay for the

plpeline.

Name Carl Elizondo

Address Street Address: 120 N stree

Street Address Line 2: P.O. box 165

City: Virginia City State / Province: Nv Postal / Zip Code: 89440

Signature



A Online Petition Form with E-Signature

Have your voice heard. I oppose the use of future tax revenue to pay for the

pipeline.

Name Steve Dragovich

Address Street Address: 2780 North Star Rd.

Street Address Line 2: RRR2

City: V.C. Ranches State / Province: NV Postal / Zip Code: 89521

Signature

Del

E-mail (optional)

steved@intercomm.com

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Marie Dufresne

Address

Street Address: P.O. Box 832

Street Address Line 2: 2247 South Main St

City: Virginia City State / Province: NV Postal / Zip Code: 89440

Signature

E-mail (optional)

eyelashprincess@yahoo.com

/ Online Petition Form with E-Signature

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

judith Cohen

Address

Street Address: 58 N C st

City: Virginia City State / Province: NV Postal / Zip Code: 89440

Signature

whathe when

E-mail (optional)

cohen_judy@hotmail.com

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

ed whyte

Address

Street Address: 1440 highland spur

City: reno

State / Province: NV Postal / Zip Code: 89521

Signature

2/2 Pyte

Comments

The industrial park was meant to enrich Storey County,

not impoverish it.

Online Petition Form with E-Signature

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Jim Maushardt

Address

Street Address: 2200 castle peak rd

City: Vch

State / Province: Nevada Postal / Zip Code: 89521

Signature

An Madra

Have your voice heard. I oppose the use of future tax revenue to pay for the

pipeline.

Name Ross S. Mortensen

Address Street Address: Ross S. Mortensen

Street Address Line 2: Michael Duggan

City: Virginia City Highlands State / Province: Nevada Postal / Zip Code: 89521

Signature

E-mail (optional) htcdesperado@yahoo.com

Online Petition Form with E-Signature

Have your voice heard. I oppose the use of future tax revenue to pay for the

pipeline.

Name Mark Quam

Address Street Address: P.O.box 1096-66 A St.

City: Virginia City

State / Province: Nevada Postal / Zip Code: 89440

E-mail (optional) maquam1954@att.net

Online Petition Form with E-Signature

Have your voice heard. I oppose the use of future tax revenue to pay for the

pipeline.

Name Mark Quam

Address Street Address: P.O.box 1096-66 A St.

City: Virginia City

State / Province: Nevada Postal / Zip Code: 89440

E-mail (optional) maquam1954@att.net

Have your voice heard. I oppose the use of future tax revenue to pay for the

pipeline.

Name Robin Cobbey

Address Street Address: 1911 Main Street

City: Gold Hill

State / Province: NV Postal / Zip Code: 89440 Country: United States

E-mail (optional) <u>cobbey@cobbey.com</u>

Comments How will our tax dollars pay for this without raising our

property tax and water bill? Make the companies that

benefit pay for it.

A Online Petition Form with E-Signature

Have your voice heard. I oppose the use of future tax revenue to pay for the

pipeline.

Name Jamesjames Colonna

Address Street Address: 21217 HIGHLAND RD

City: VC Highlands State / Province: NV Postal / Zip Code: 89521 Country: United States

Signature

E-mail (optional)

pat.colonnafinanciai@gmail.com

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Jos

Address

Street Address: 2141 cartwright rd

Postal / Zip Code: 89521

Signature

Imprales

Comments

No new taxes!!!

加 Online Petition Form with E-Signature

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Donna Stanley

Address

Street Address: 1870 Harte Road

City: VC Highlands State / Province: NV Postal / Zip Code: 89521

Signature

Donne Starke

E-mail (optional)

DStanley51@outlook.com

Have your voice heard. I oppose the use of future tax revenue to pay for the

pipeline.

Name Curtis Cannon

Address Street Address: 177 Territory Rd

City: Dayton

State / Province: Nv Postal / Zip Code: 89403

Signature

Comments

•

I oppose this corporate welfare.

Online Petition Form with E-Signature

Have your voice heard. I oppose the use of future tax revenue to pay for the

pipeline.

Name Maureen Hullinger

Address Street Address: 254 Ave De La Demerald

City: Lockwood

State / Province: NV Postal / Zip Code: 89434

Signature

E-mail (optional)

im hullinger@sbcglobal.net

Have your voice heard. I oppose the use of future tax revenue to pay for the

pipeline.

Name Mindy Dalias

Address Street Address: 1080 Combination road

City: VC Highlands State / Province: NV Postal / Zip Code: 89521

Signature

E-mail (optional) mindy.dallas1@gmail.com

Comments Not my best signature, but close enough

炒 Online Petition Form with E-Signature

Have your voice heard. I oppose the use of future tax revenue to pay for the

pipeline.

Name Catherine Manly

Address Street Address: 158 Rue de la Orange

City: SPARKS

State / Province: NV Postal / Zip Code: 89434

Signature

A Online Petition Form with E-Signature

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Sharon PATRO

Address

Street Address: 4170 PALISADE ROAD

City: RENO

State / Province: NV

Postal / Zip Code: 89521-7033

Signature

E-mail (optional)

sharon.patro@yahoo.com

Comments

Let the companies benefiting from this pipeline pay for it.

A Online Petition Form with E-Signature

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Elizabeth Kolbe

Address

Street Address: 233 Ave Bleu de Clair

City: Sparks

State / Province: NV Postal / Zip Code: 89434

Signature

E-mail (optional) ejkkolbe@hotmaii.com

D Online Petition Form with E-Signature

Have your

voice

I oppose the use of future tax revenue to pay for the pipeline.

heard.

Name

Phillip Hilton

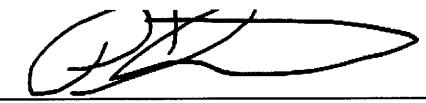
Address

Street Address: 382 Rue De La Rouge

City: Lockwood

State / Province: Nevada Postal / Zip Code: 89434

Signature



E-mail (optional)

philliphilton@actsreno.com

Comments It's time to stop the corporate giveaway.

A Online Petition Form with E-Signature

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

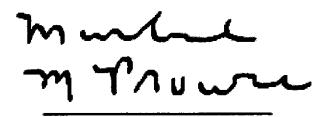
Marlene Prowse

Address

Street Address: 30 Ave de la Argent

City: Lockwood State / Province: NV Postal / Zip Code: 89434

Signature



Online Petition Form with E-Signature

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Maggie Harrison-Sherrod

Address

Street Address: 21850 Adobe Rd

City: Reno

State / Province/NV

Postal / Zip Code: 69521-7401

Country: United States

Signature

E-mail (optional)

FamilySherrod@yahoo.com

Online Petition Form with E-Signature

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Debra Lekas

Address

Street Address: 378 Rue de la Mauve

City: Sparks

State / Province: Nevada

Postal / Zip Code: 89434-9519

E-mail (optional)

DebiLekas@aol.com

☼ Online Petition Form with E-Signature

Have your voice heard. I oppose the use of future tax revenue to pay for the

pipeline.

Name CJ Gueldner

Address Street Address: 720 Sutro Springs Road

City: Dayton

State / Province: NV Postal / Zip Code: 89403 Country: United States

Signature

Cy dulm

E-mail (optional)

cjgueldner@yahoo.com

Online Petition Form with E-Signature

Have your voice heard. I oppose the use of future tax revenue to pay for the

pipeline.

Name lan Eckstrom-Browne

Address Street Address: 4 Rue De La Azure

City: Sparks

State / Province: Nv Postal / Zip Code: 89434

Signature

A Online Petition Form with E-Signature

Have your voice heard. I oppose the use of future tax revenue to pay for the

pipeline.

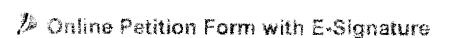
Name Richard Oates

Address: 136 north c street ~

City: Vc

State / Province: Nv Postal / Zip Code: 89440

Signature



Have your voice heard. I oppose the use of future tax revenue to pay for the

pipeline.

Name Phillip Matthies

Address Street Address: 327 Rue de la Jaune 👱

City: Sparks

State / Province: NV Postal / Zip Code: 89434

Signature

Comments

At the Lockwood meeting I signed as undecided. After

much consideration I am opposed to using public money

to pay for the pipeline.

A Online Petition Form with E-Signature

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Martin Harrison-Sherrod

Address

Street Address: 21850 Adobe Rd

City: Reno

State / Province: NV

Postal / Zip Code: 89521-7401

Country: United States

Signature

THE STATE OF THE S

E-mail (optional)

MartinHarrison@live.com

A Online Petition Form with E-Signature

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Maggie Harrison-Sherrod

Address

Street Address: 21850 Adobe Rd

City: Reno

State / Province: NV

Postal / Zip Code: 89521-7401

Country: United States

Signature

MA

E-mail (optional)

FamilySherrod@yahoo.com

M Online Petition Form with E-Signature

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Richard Fitzgerald

Address

Street Address: 21459 Delta

City: V.C. Highlands State / Province: Nevada Postal / Zip Code: 89521

Signature

Phys 5/9/18

E-mail (optional)

rtfitz@sbcglobal.net

Comments

I oppose the county having anything to do with the pipeline. It is time for the county to take care of it's residents who have been paying taxes for years and are here to stay. These big companies do not need, nor deserve any more handouts. It's time for them to pay their own way, just as the small businesses and homeowners

do.

22 Online Petition Form with E-Signature

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Andrew Burfitt

Address

Street Address: 81 N C St

City: Virginia City State / Province: NV Postal / Zip Code: 89440

Signature

maya.

E-mail (optional)

burfitt@yahoo.com

Comments

I think it is outrageous that we are being asked to pay for the pipeline. These companies have already received tax deferments to entice them to Nevada. They or TRIC

should be paying for infrastructure.

D Online Petition Form with E-Signature

Have your

voice

I oppose the use of future tax revenue to pay for the pipeline.

heard.

Name

Stacy Fitzgerald

Address

Street Address: 21459 Delta City: V. C. Highlands State / Province: NV

Postal / Zip Code: 89521

Signature



E-mall

(optional)

sifitz@sbcglobal.net

Comments

It's time for the county commissioners to represent the taxpayers, not big business at TRIC. The businesses need to pay for their own infrastructure, just as the homeowners pay for their own improvements. We can't afford this pipeline! The county is already over a million dollars in debt and does not need to add to it. We should not be left to hold the bag when any of these businesses fold, which undoubtedly some of them will. Please consider the future of all Storey County residents, not just big business.

Online Petition Form with E-Signature

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Allan Hadwick

Address

Street Address: 138 Cercle de la cerese

City: Lockwood

State / Province: NV Postal / Zip Code: 89434

Signature

Comments

Totally against using tax payer money for pipe line

Online Petition Form with E-Signature

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

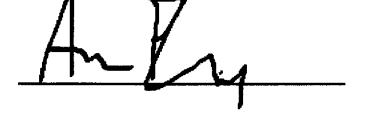
Ann Flory

Address

Street Address: 5300 Wild Rose Rd

City: VC Highlands State / Province: NV Postal / Zip Code: 89521 Country: United States

Signature



/ Online Petition Form with E-Signature

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Vicki Allen

Address

Street Address: 2203 Cartwright Road

City: V.C. Highlands State / Province: NV Postal / Zio Code: 89521

Signature

Vickall

Comments

The residents were supposed to see tax benefits from these businesses. Not the businesses to see tax benefits from the residents. Definitely something wrong with this picture! It is wrong that Lance Gilman used his position as

commissioner to line his own pockets!

A Online Petition Form with E-Signature

Have your voice heard. I oppose the use of future tax revenue to pay for the

pipeline.

Name Ruth Brust

Address Street Address: 196 Ave de la DEmerald

City: Sparks

State / Province: NV Postal / Zip Code: 89434 Country: United States

en Brown

Signature

E-mail (optional) ruthbrust1@yahoo.com

1 Online Petition Form with E-Signature

Have your voice heard. I oppose the use of future tax revenue to pay for the

pipeline.

Name Donald Carter

Address Street Address: 21910 Adobe Rd

City: Virgina City Highlands

State / Province: NV Postal / Zip Code: 89521

Signature

O DO VI D LOS

E-mail (optional) shootistdrc@yahoo.com

Comments That signature looks rugged, but contact me if need to

verify.

Pipeline is fine. Use of tax money for it or in support of it

is not.

净 Online Petition Form with E-Signature

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Mary Jane Noblehart

Address

Street Address: 402 Ave de la Bieu de Clair

City: Sparks

State / Province: NV Postal / Zip Code: 89434

2 Online Petition Form with E-Signature

Name

David Toll

Address

Street Address: P.O. Box F

City: Virginia City

State / Province: Nevada

Postal / Zip Code: 89440-0150

Country: United States

Signature

David W. Dollar

E-mail (optional)

david@nevadaweb.com

A Online Petition Form with E-Signature

Have your voice heard. I oppose the use of future tax revenue to pay for the

pipeline.

Name Michael Greene

Address Street Address: PO Box 375

Street Address Line 2:

City: Virginia City

State / Province: Nevada Postal / Zip Code: 89440 Country: United States

Signature



I Online Petition Form with E-Signature

Have your voice heard. I oppose the use of future tax revenue to pay for the

pipeline.

Name Faith StClair

Address Street Address: 401 Canyon Way Spc 47

City: Lockwood State / Province: NV

Postal / Zip Code: 89434-9616

Signature

A Online Petition Form with E-Signature

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Alexia Sober

Address

Street Address: 136 n C street

City: Virginia City

State / Province: Nevada Postal / Zip Code: 89440

Signature

E-mail (optional)

alexia.sober@gmail.com

> Online Petition Form with E-Signature

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Alexia Sober

Address

Street Address: 136 n C street

City: Virginia City

State / Province: Nevada Postal / Zip Code: 89440

Signature

E-mail (optional)

alexia.sober@gmail.com

净 Online Petition Form with E-Signature

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Michael Kramer

Address

Street Address: 89 Cercle De La Cerese

City: SPARKS

State / Province: NV Postal / Zip Code: 89434 Country: United States

Signature

E-mail (optional)

alexkram73@gmail.com

A Online Petition Form with E-Signature

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Freda Brooks

Address

Street Address: 119 AVE De La Bleu De Clair

City: Sparks

State / Province: NV Postal / Zip Code: 89434

Signature

FB.A.

Online Petition Form with E-Signature

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Greg Ferdock

Address

Street Address: 21885 Adobe Rd.

City: VCH

State / Province: NV Postal / Zip Code: 89521

Signature

Thereday

Comments

Have the business owners in TRIC pay for it

Online Petition Form with E-Signature

Have your voice heard.

I oppose the use of future tax revenue to pay for the

pipeline.

Name

Stephanie Ferdock

Address

Street Address: 21885 Adobe Rd.

City: VCH

State / Province: NV Postal / Zip Code: 89440

Signature

6 My Janes

E-mail (optional)

enviro62@yahoo.com



Storey County Board of County Commissioners Agenda Action Report

Meeting date: November 19, 2018 Estimate of time required: 15 min.

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

1. <u>Title</u>: For possible action: consideration and possible action on first reading of Bill No. 110 creating the Tahoe-Reno Industrial Center Tax Increment Area pursuant to Nevada Revised Statutes Chapter 278C; considering all complaints, protests, objections and comments to the Area and the undertaking, ordering an undertaking relating to the tax increment area; creating the tax increment account for the undertaking; and ratifying action taken by County officers toward the undertaking and the tax increment area.

2. <u>Recommended motion</u>: I, Commissioner (name), move to introduce on first reading Bill No. 110 creating the Tahoe-Reno Industrial Center Tax Increment Area pursuant to Nevada Revised Statutes Chapter 278C; ordering an undertaking relating to the tax increment area; creating the tax increment account for the undertaking; and ratifying action taken by County officers toward the undertaking and the tax increment area.

3. Prepared by: Pat Whitten

Department: Commissioner's Office Telephone: 847-0968

4. Staff summary: The Board of County Commissioners (the "Board") of Storey County, Nevada (the "County") received a request from Silver Slate LLC, Comstock TRIC Associates, LLC, Supernap Reno, LLC, Tesla, Inc. (f/k/a Tesla Motors, Inc.), 1200 USA Pkwy LLC and Emerald City Empire, LLC (collectively, the "Owners") to order an undertaking pursuant to Nevada Revised Statutes ("NRS") Chapter 278C (the "Act") for a water project as defined in NRS 278C.140 (the "Undertaking"). On September 5, 2018, the State of Nevada's Interim Finance Committee approved the Undertaking, which constitutes a natural resources project pursuant to the Act. On October 29, 2018, the Board adopted a resolution ordering the County's engineer to prepare preliminary plans, cost estimates and related items to pay the costs of the Undertaking, and Farr West Engineering, as the County's engineer, prepared such preliminary plans, cost estimates and related items to pay the costs of the Undertaking. After review of the preliminary plans, cost estimates and related items to pay the costs of the Undertaking. After review of the preliminary plans, cost estimates and related items placed on file with the County Clerk, the Board provisionally ordered the Undertaking by adoption of a resolution on October 29, 2018. A public hearing on the Undertaking was held on November 19, 2018.

This ordinance authorizes the creation of the Tahoe-Reno Industrial Center Tax Increment Area (the "Area"), considers all complaints, protests, objections and comments to the Area and the Undertaking and orders the Undertaking. The tax increment revenues will pay, in whole or in part, the costs of such an Undertaking, as more fully provided in NRS Chapter 278C, specifically NRS 278C.150, 278C.157 and NRS 278C.250, including (i) payments under contracts with the Owners to reimburse the Owners for costs incurred by the Owners in connection with the Undertaking, and (ii) advances by the County for administrative costs associated with administering the Area, and all appurtenances and incidentals necessary, useful or desirable, including real and other property therefor, which is more particularly described (with all segment lengths to be current approximations subject to minor adjustment). This ordinance sets forth the boundaries of the Area, details of the Undertaking and creates the "Tax Increment Account" for the Undertaking.

Final adoption (second reading) of this ordinance will be considered by the Board on December 4, 2018, following a public hearing thereon.

5. Supporting mate	erials: Bill No 110 C	Ordinance No. 18-299
6. Fiscal impact:	Yes	Comptroller:
the Area each year, NRS 363A.130 and which must be alloc tax proceeds to be Undertaking during	any tax on the sale or 363B.110 by or for the ated, divided and dispercied annually to	ected in the Area will consist of taxes levied upon taxable property in use of tangible personal property and any tax imposed pursuant to be benefit of the State of Nevada, the County and any public body, used of as provided in NRS 278C.250. The estimated amount of the the tax increment account pertaining to paying the costs of the proposed Tahoe-Reno Industrial Center Tax Increment Area is \$33,500,000 in 2039.
7. Legal review req	uired: Yes KL – District KF – Bond C	
8. Reviewed by:		
Departs	ment Head	Department Name: Commissioner's Office
County	Manager	Other agency review:
9. Board action: [] Appr [] Denie		Approved with Modifications Continued Agenda Item No.

Summary-

An ordinance creating the Tahoe-Reno Industrial Center Tax Increment Area and ordering an undertaking relating to the tax increment area pursuant to Nevada Revised Statutes Chapter 278C, ratifying action taken by County officers toward the undertaking and the tax increment area and providing other matters related thereto.

BILL NO. 110

ORDINANCE NO. 18-299

TAHOE-RENO ORDINANCE **CREATING** THE AN**INCREMENT INDUSTRIAL** CENTER TAX PURSUANT TO NEVADA REVISED STATUTES CHAPTER 278C; ORDERING AN UNDERTAKING RELATING TO THE TAX INCREMENT AREA; CREATING THE TAX INCREMENT ACCOUNT FOR THE UNDERTAKING; RATIFYING ACTION TAKEN BY COUNTY OFFICERS THE UNDERTAKING AND TOWARD THE **OTHER** PROVIDING AREA; AND **INCREMENT** MATTERS RELATED THERETO.

WHEREAS, the Board of County Commissioners (the "Board") of Storey County, Nevada (the "County") has received a request from Silver Slate LLC, Comstock TRIC Associates, LLC, Supernap Reno, LLC, Tesla, Inc. (f/k/a Tesla Motors, Inc.), 1200 USA Pkwy LLC and Emerald City Empire, LLC (collectively, the "Owners") to order an undertaking pursuant to Nevada Revised Statutes ("NRS") Chapter 278C (the "Act") for a water project as defined in NRS 278C.140 (the "Undertaking") and to pay with tax increment revenues, in whole or in part, the costs of such an Undertaking, as more fully provided in the Act, specifically NRS 278C.150, 278C.157 and NRS 278C.250, including (i) payments under contracts with the Owners to reimburse the Owners for costs incurred by the Owners in connection with the Undertaking, and (ii) advances by the County for administrative costs associated with administering the Tahoe-Reno Industrial Center Tax Increment Area, and all appurtenances and incidentals necessary, useful or desirable, including real and other property therefor, which is more particularly described (with all segment lengths to be current approximations subject to minor adjustment); and

WHEREAS, the Undertaking constitutes a "natural resources project" pursuant to NRS 278C.075(4); and

WHEREAS, on September 5, 2018, the Interim Finance Committee approved the Undertaking in accordance with NRS 278C.157; and

WHEREAS, on October 29, 2018, the Board adopted a resolution ordering the County's engineer to prepare preliminary plans, cost estimates and related items to pay the costs of the Undertaking; and

WHEREAS, Farr West Engineering, as the County's engineer (the "Engineer"), has prepared such preliminary plans, cost estimates and related items to pay the costs of the Undertaking and they are on file with the County Clerk; and

WHEREAS, the Board has reviewed such preliminary plans, cost estimates and related items to pay the costs of the Undertaking; and

WHEREAS, the Board has, by a resolution previously adopted on October 29, 2018 (the "Provisional Order Resolution"), provisionally ordered the Undertaking related to a tax increment area to be formed pursuant to the Act; and

WHEREAS, pursuant to the Provisional Order Resolution, the County Clerk (the "County Clerk") gave notice by publication, posting and mailing of the time and place of the hearing thereon, in the manner required by the Act; and

WHEREAS, the manner of giving such notice by mail, publication and posting was reasonably calculated to inform the parties of the proceedings concerning the Undertaking and the proposed tax increment area which might directly and adversely affect their legally protected interests; and

WHEREAS, the Federal Government, the State, any public body, or any person who resides in the County or owns taxable personal or real property in the County, or any representative of any such person (each an "Interested Party" and collectively, the "Interested Parties") were permitted to file a written complaint, protest or objection or to appear before the Board on Monday, November 19, 2018, and be heard as to the propriety and advisability of the Undertaking provisionally ordered and the proposed tax increment area related thereto; and

WHEREAS, the Board has now considered each and every written protest and objection and all oral complaints, protests and objections made at the hearing, and the Board finds that each and every written or oral protest or objection is without sufficient merit and is hereby overruled and denied; and

WHEREAS, the plans, estimates and statements prepared by the Engineer and on file with the County Clerk are satisfactory to the Board, and the Board desires to create the tax increment area, order the Undertaking and create the tax increment account for the Undertaking; and

WHEREAS, pursuant to NRS 278C.157(1)(d) and upon creation of the tax increment area, the County intends to enter into a reimbursement agreement with the Owners pursuant to which the County agrees to pay certain tax increment revenues from the tax increment account created by NRS 278C.250 to the Owners for costs incurred by such Owners in connection with the Undertaking.

NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF STOREY COUNTY, NEVADA, DOES ORDAIN:

Section 1. This ordinance shall be known as, and may be cited by, the short title "Tahoe-Reno Industrial Center Tax Increment Area Creation Ordinance" (the "Ordinance").

Section 2. The Board has determined and does hereby determine that each and every complaint, protest and objection filed or otherwise made is without sufficient merit, and that the same is hereby overruled and finally passed on by the Board.

Section 3. Pursuant to NRS 278C.220(1), the Board has also determined and does hereby declare that the public interest and necessity require the creation of the Area and the ordering of the Undertaking to promote economic development in the County, and certain of the tax increment revenues from the Area allocated, divided and disposed of as provided in NRS 278C.250 shall benefit the County.

Section 4. Pursuant to Section 278C.270 of the Act, any party who filed a written complaint, protest or objection in the manner and within the time provided in NRS 278C.170 may, within 30 days after the date on which the Board has finally passed on the complaint, protest or objection, commence an action or suit in a court of competent jurisdiction to correct or set aside the determination, but thereafter all actions or suits attacking the validity of the proceedings are perpetually barred.

Section 5. The Tahoe-Reno Industrial Center Tax Increment Area (the "Area") pertaining to the Undertaking is hereby created. Unless otherwise dissolved by action of the Board, the Area shall expire on the date which is 21 years from the effective date of this

Ordinance. The boundaries of the Area shall be described by the following assessor parcel numbers ("APNs") and legal descriptions:

APN: 005-011-58

That certain real property located in Sections 20, 21, 28, and 29, T19N, R23E, M.D.M. shown as Parcel 2016-26 on that Record of Survey recorded as File No. 125488 in the Official Records of Storey County, Nevada.

APN: 005-011-65

That certain real property located in Sections 17, 20, and 21, T19N, R23E, M.D.M. shown as Parcel 2017-16 on that Record of Survey recorded as File No. 126225 in the Official Records of Storey County, Nevada.

APN: 005-011-66

That certain real property located in Section 17, T19N, R23E, M.D.M. shown as Parcel 2017-19 on that Record of Survey recorded as File No. 126225 in the Official Records of Storey County, Nevada.

APN: 005-011-70

That certain real property located in Sections 17, 18, 19 and 20, T19N, R23E, M.D.M. shown as Parcel 2017-14 on that Record of Survey recorded as File No. 126223 in the Official Records of Storey County, Nevada.

APN 005-011-45

That certain real property located in Sections 14 and 15, T19N, R22E, M.D.M. shown as Parcel 2015-27 on that Record of Survey recorded as File No. 122561 in the Official Records of Storey County, Nevada.

APN 005-011-46

That certain real property located in Sections 22 and 23, T19N, R22E, M.D.M. shown as Parcel 2015-28 on that Record of Survey recorded as File No. 122561 in the Official Records of Storey County, Nevada.

APN 005-011-49

That certain real property located in Sections 13, 14, and 23, T19N, R22E, M.D.M. shown as Parcel 2015-32 on that Record of Survey recorded as File No. 122565 in the Official Records of Storey County, Nevada.

APN 005-011-50

That certain real property located in Section 23, T19N, R22E, M.D.M. shown as Parcel 2015-33 on that Record of Survey recorded as File No. 122565 in the Official Records of Storey County, Nevada.

APN 005-011-85

That certain real property located in Sections 16 and 17, T19N, R22E, M.D.M. shown as Parcel 2017-39 on that Record of Survey recorded as File No. 127018 in the Official Records of Storey County, Nevada.

APN 005-011-89

That certain real property located in Sections 15, 16, 21, and 22, T19N, R22E, M.D.M. shown as Parcel 2017-61 on that Record of Survey recorded as File No. 127035 in the Official Records of Storey County, Nevada.

APN 005-071-08

That certain real property located in Section 14, T19N, R22E, M.D.M. shown as Parcel 2008-5 on that Record of Survey recorded as File No. 108658 in the Official Records of Storey County, Nevada.

APN 005-071-12

That certain real property located in Section 14, T19N, R22E, M.D.M. shown as Parcel 2008-6 on that Record of Survey recorded as File No. 108658 in the Official Records of Storey County, Nevada.

APN 005-071-57

That certain real property located in Sections 10 and 11, T19N, R22E, M.D.M. shown as Parcel 2018-13 on that Record of Survey recorded as File No. 127272 in the Official Records of Storey County, Nevada.

APN 005-081-07

That certain real property located in Section 14, T19N, R22E, M.D.M. shown as Parcel 2015-10 on that Record of Survey recorded as File No. 122160 in the Official Records of Storey County, Nevada.

APN 005-081-10

That certain real property located in Sections 14 and 15, T19N, R22E, M.D.M. shown as Parcel 2015-25 on that Record of Survey recorded as File No. 122561 in the Official Records of Storey County, Nevada.

APN 005-091-29

That certain real property located in Section 12, T19N, R22E, M.D.M. shown as Parcel 2014-4 on that Record of Survey recorded as File No. 120562 in the Official Records of Storey County, Nevada.

APN 005-091-42

That certain real property located in Section 1, T19N, R22E, M.D.M. shown as Parcel 2014-34 on that Record of Survey recorded as File No. 121588 in the Official Records of Storey County, Nevada.

APN 005-091-44

That certain real property located in Sections 1 and 6, T19N, R22E and R23E, M.D.M. shown as Parcel 2015-3 on that Record of Survey recorded as File No. 121903 in the Official Records of Storey County, Nevada.

APN 005-091-47

That certain real property located in Section 1, T19N, R22E, M.D.M. shown as Parcel No. 2015-34 on that Record of Survey recorded as File No. 123219 in the Official Records of Storey County, Nevada.

APN 005-091-49

That certain real property located in Section 1, T19N, R22E, M.D.M. shown as Parcel No. 2015-36 on that Record of Survey recorded as File No. 123219 in the Official Records of Storey County, Nevada.

APN 005-091-52

That certain real property located in Sections 1 and 12, T19N, R22E, M.D.M. shown as Parcel No. 2015-38 on that Record of Survey recorded as File No. 123221 in the Official Records of Storey County, Nevada.

APN 005-111-48

That certain real property located in Sections 1 and 6, T19N, R22E and R23E, M.D.M. shown as Parcel No. 2012-13 on that Record of Survey recorded as File No. 117725 in the Official Records of Storey County, Nevada.

APN: 005-051-29

That certain real property located in Section 2, T19N, R22E, M.D.M. shown as Parcel 2005-5 on that Record of Survey recorded as File No. 099901 in the Official Records of Storey County, Nevada.

APN: 005-051-30

That certain real property located in Section 2, T19N, R22E, M.D.M. shown as Parcel 2005-1A1D on that Record of Survey recorded as File No. 101973 in the Official Records of Storey County, Nevada.

APN: 005-051-53

That certain real property located in Section 2, T19N, R22E, M.D.M. shown as Parcel 2014-33 on that Record of Survey recorded as File No. 121590 in the Official Records of Storey County, Nevada.

APN: 005-051-57

That certain real property located in Section 2, T19N, R22E, M.D.M. shown as Parcel 2017-11 on that Record of Survey recorded as File No. 127020 in the Official Records of Storey County, Nevada.

APN: 005-101-36

That certain real property located in Sections 1 and 2, T19N, R22E, M.D.M. shown as Parcel 2018-5 on that Record of Survey recorded as File No. 127126 in the Official Records of Storey County, Nevada.

APN: 005-101-39

That certain real property located in Section 2, T19N, R22E, M.D.M. shown as Parcel 2018-2 on that Record of Survey recorded as File No. 127128 in the Official Records of Storey County, Nevada.

APN: 005-101-40

That certain real property located in Section 2, T19N, R22E, M.D.M. shown as Parcel 2018-3 on that Record of Survey recorded as File No. 127128 in the Official Records of Storey County, Nevada.

Section 6. The Undertaking is hereby ordered. The Undertaking shall consist of the acquisition, improvement and equipment of certain improvements for the Tahoe-Reno Industrial Center Tax Increment Area to include without limitation a water project as defined in

NRS 278C.140, and the County shall pay with tax increment revenues, in whole or in part, the costs of such an Undertaking, as more fully provided in the Act, specifically NRS 278C.150, 278C.157 and NRS 278C.250, including (i) payments under contracts with the Owners to reimburse the Owners for costs incurred by the Owners in connection with the Undertaking, and (ii) advances by the County for administrative costs associated with administering the Tahoe-Reno Industrial Center Tax Increment Area, and all appurtenances and incidentals necessary, useful or desirable, including real and other property therefor, which is more particularly described (with all segment lengths to be current approximations subject to minor adjustment) as set forth below:

This Undertaking consists of the acquisition and improvement of a water project consisting of an approximately 13 mile reclaimed water pipeline for reclaimed water of an approximate diameter of 24 inches to deliver at a minimum 4,000 acre-feet of treated wastewater effluent from the Truckee Meadows Water Reclamation Facility in Sparks, Nevada, to the boundary of the Tahoe-Reno Industrial Center, including facilities appertaining to said pipeline for the transmission of reclaimed water, including without limitation pumping plants and stations, valves, tanks, connections, water transmission mains, and pumps, meters, apparatus, tools, equipment, fixtures, structures, buildings, and all appurtenances and incidentals necessary, useful or desirable for the acquisition and transportation of reclaimed water (or any combination thereof), including real and other property therefor.

Section 7. The tax increment account for the Undertaking (the "Tax Increment Account") is hereby established and created as a separate account in the treasury of the County. After the effective date of this Ordinance, any taxes levied upon taxable property in the Area each year, any tax on the sale or use of tangible personal property and any tax imposed pursuant to NRS 363A.130 and 363B.110 by or for the benefit of the State, the County and any public body, must be allocated, divided and disposed of as provided in NRS 278C.250.

Section 8. In accordance with NRS 278C.157(1), the Area was created herein for an Undertaking which constitutes a natural resources project; the Undertaking has been approved by the Interim Finance Committee; and tax increment revenues within the Area shall include, without limitation:

(a) The allocation of the proceeds of any taxes levied upon taxable property in the Area each year pursuant to NRS 278C.250(1)(a);

- (b) The allocation of the proceeds of any tax on the sale or use of tangible personal property to the Tax Increment Account of the Area pursuant to NRS 278C.250(1)(b); and
- (c) The allocation of the proceeds of any tax imposed pursuant to NRS 363A.130 and 363B.110 to the Tax Increment Account of the Area pursuant to NRS 278C.250(1)(c).

Section 9. All action, proceedings, matters and things previously taken, had and done by the County, and the officers thereof (not inconsistent with the provisions of this Ordinance), concerning the Undertaking and the Area be, and the same are, ratified, approved and confirmed.

Section 10. The officers of the County are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance.

Section 11. All ordinances or resolutions, or parts thereof, in conflict with the provisions of this Ordinance, are repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance or resolution, or part thereof, previously repealed.

Section 12. In accordance with NRS 244.100, this Ordinance when first proposed is to be read by title to the Board, immediately after which several copies of the proposed Ordinance are to be filed with the office of the County Clerk for public examination; thereafter, the County Clerk is authorized and directed to give notice of the filing together with the title of the Ordinance and an adequate summary of the Ordinance, and the date upon which a public hearing will be held on such Ordinance by publication at least once in the Comstock Chronicle, i.e., a newspaper published and having general circulation in the County, at least ten (10) days before the date set for such hearing, i.e., at least ten (10) days before December 4, 2018, such publication to be in substantially the following form:

(Form of Publication of Notice of Filing of Bill for an Ordinance)

BILL NO. 110

ORDINANCE NO. 18-299

ORDINANCE CREATING THE **TAHOE-RENO** AN **INCREMENT** INDUSTRIAL CENTER TAX PURSUANT TO NEVADA REVISED STATUTES CHAPTER 278C; ORDERING AN UNDERTAKING RELATING TO THE TAX INCREMENT AREA; CREATING THE TAX INCREMENT ACCOUNT FOR THE UNDERTAKING; RATIFYING ACTION TAKEN BY COUNTY OFFICERS AND THE TAX **UNDERTAKING** TOWARD THE **PROVIDING OTHER** AREA: AND INCREMENT MATTERS RELATED THERETO.

PUBLIC NOTICE IS HEREBY GIVEN that typewritten copies of the abovenumbered and entitled Ordinance are available for public examination at the office of the County Clerk of Storey County, located at 26 S. B St. Drawer D, Virginia City, Nevada.

The following is a brief summary of the provisions of the Ordinance: The Ordinance authorizes the creation of the Tahoe-Reno Industrial Center Tax Increment Area (the "Area") and orders an undertaking relating to the Area consisting of the acquisition, improvement and equipment of certain improvements for the Area to include without a limitation a water project as defined in Nevada Revised Statutes ("NRS") 278C.140 (the "Undertaking"). The tax increment revenues will pay, in whole or in part, the costs of such an Undertaking, as more fully provided in NRS Chapter 278C, specifically NRS 278C.150, 278C.157 and NRS 278C.250, including (i) payments under contracts with Silver Slate LLC, Comstock TRIC Associates, LLC, Supernap Reno, LLC, Tesla, Inc. (f/k/a Tesla Motors, Inc.), 1200 USA Pkwy LLC and Emerald City Empire, LLC (collectively, the "Owners") to reimburse the Owners for costs incurred by the Owners in connection with the Undertaking, and (ii) advances by the County for administrative costs associated with administering the Area, and all appurtenances and incidentals necessary, useful or desirable, including real and other property therefor, which is more particularly described (with all segment lengths to be current approximations subject to minor adjustment). The Ordinance sets forth the boundaries of the Area, details of the Undertaking and creates the "Tax Increment Account" for the Undertaking.

Such Ordinance was proposed on November 19, 2018 and will be considered for adoption at the regular meeting of the Board to be held on December 4, 2018. Prior to consideration of the Ordinance for final adoption, the Board will hold a public hearing on the proposed Ordinance at its regular meeting to be held on Tuesday, December 4, 2018 at 10:00 a.m. at the Storey County Commission Chambers, 26 South B Street, Virginia City, Nevada.

Copies of the Bill are on file in the office of the County Clerk, 26 S. B St. Drawer D, Virginia City, Nevada, for public examination. The Board shall adopt or reject the Ordinance (or the Ordinance as amended) within 35 days after the date of the final public hearing.

IN WITNESS WHEREOF, the Board of County Commissioners of Clark County, Nevada, has caused this notice to be published this November ___, 2018.

(SEAL)

/s/ Vanessa Stephens County Clerk

(End of Form of Publication of Notice of Filing of Bill for an Ordinance)

Section 13. After this Ordinance is signed by the Chairman of the Board and attested and sealed by the County Clerk, this Ordinance shall be published by title only, together with the names of the commissioners voting for or against its passage, and with a statement that typewritten copies of such Ordinance are available for inspection by all interested parties at the office of the County Clerk, such publication to be made in the Comstock Chronicle, a newspaper published and having general circulation in the County, at least once a week for a period of 2 weeks by 2 insertions, pursuant to NRS 244.100, and all laws thereunto enabling, such publication to be in substantially the following form:

(Form of Publication)

BILL NO. 110

ORDINANCE NO. 18-299

CREATING THE TAHOE-RENO AN ORDINANCE INCREMENT INDUSTRIAL CENTER TAX PURSUANT TO NEVADA REVISED STATUTES CHAPTER 278C; ORDERING AN UNDERTAKING RELATING TO THE TAX INCREMENT AREA; CREATING THE TAX INCREMENT ACCOUNT FOR THE UNDERTAKING; RATIFYING ACTION TAKEN BY COUNTY OFFICERS AND THE TAX TOWARD THE UNDERTAKING INCREMENT AREA; AND PROVIDING **OTHER** MATTERS RELATED THERETO.

ordinance are available for inspection by all interstorey County, Nevada, at Storey County, Nevada; and that such ordinance was proposed 19, 2018, and was passed and adopted without	amendment at a regular meeting held not more at the regular meeting on December 4, 2018, by
Those Voting Aye:	
Those Voting Nay: Those Abstaining: Those Absent:	
This Ordinance shall be in for December 2018, i.e., the date of the second pub	rce and effect from and after the day of lication of such Ordinance by its title only.

IN WITNESS WHEREOF, the Board of County Commissioners of Storey

County, Nevada, has caused this ordinance to be published by title only.

DATED this December 4, 2018.

	/s/ Marshall McBride
	Chairman
(SEAL)	Board of County Commissioners
	Storey County, Nevada
Attest:	
/s/ Vanessa Stephens	
County Clerk	

(End of Form of Publication)

Section 14. If any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

	Proposed on November 19, 2018.	•
	Proposed by Commissioner	
	Passed December 4, 2018.	
	Vote:	
	Aye:	
	Nays: Absent:	
Attest:		
		Chairman Board of County Commissioners Storey County, Nevada
County Cle	rk	

This Ordinance shall be in force and effect from and after the ____ day of December, 2018, i.e., the date of the second publication of such Ordinance by its title only.

STATE OF NEVADA)	
) ss	
STOREY COUNTY)	

I am the duly chosen, qualified and acting County Clerk of Storey County (the "County"), in the State of Nevada (the "State"), do hereby certify:

- 1. The foregoing pages constitute a true, correct and compared copy of an ordinance introduced at a regular meeting of the Board of County Commissioners (the "Board") held on November 19, 2018, and passed and adopted by the Board at a regular meeting of the Board held on December 4, 2018; such copy of such ordinance is a true, correct and compared copy of the original passed and adopted by the Board at the designated meeting and the original of such ordinance has been approved and authenticated by the signature of the Chairman of the Board and myself as Clerk, and has been recorded in the minute book of the Board kept for that purpose in my office, which record has been duly signed by such officers and properly sealed.
- 2. The members of the Board were present at each meeting and voted on the passage of such ordinance as provided therein.
- 3. All members of the Board were given due and proper notice of each meeting.
- 4. Public notice of each meeting attached as Exhibit A and Exhibit B was given and each such meeting was held and conducted in full compliance with the provisions of NRS 241.020. A copy of the notice of each such meeting and excerpt from the agenda for the meeting relating to the ordinance, as posted at least 3 working days in advance of the meeting at the Board's office, the County's website, the State's website, and three other locations, i.e., at:
 - (i) Virginia City Post Office
 - (ii) Storey Courty Courthouse
 - (iii) Virginia City Fire Station
 - (iv) Virginia City Highlands Fire Station
 - (v) Lockwood Fire Station
- 5. At least three working days before such meeting, such notice was given to each member of the Board and to each person, if any, who has requested notice of meetings of the Board in accordance with the provisions of Chapter 241 of NRS.
- 6. Affidavits of publication of the notice of filing of the Ordinance and notice of adoption of the Ordinance are attached hereto as Exhibit C.

IN WITNESS WHEREOF, I have hereunto set my hand on December 4, 2018.
County Clerk

EXHIBIT A

(Attach Copy of Notice of Meeting held November 19, 2018)

EXHIBIT B

(Attach Copy of Notice of Meeting held December 4, 2018)

EXHIBIT C

(Attach Affidavit of Publication of Filing of Ordinance)

EXHIBIT D

(Attach Affidavit of Publication of Adoption of Ordinance)

Summary – A resolution approving the proposed form of the Reimbursement Agreement among the County and all owners of real property in the Tahoe-Reno Industrial Center Tax Increment Area.

RESOLUTION NO. 18-521 (of Storey County, Nevada)

A RESOLUTION APPROVING THE FORM OF THE REIMBURSEMENT AGREEMENT AMONG THE COUNTY AND ALL OWNERS OF REAL PROPERTY IN THE TAHOE-RENO INDUSTRIAL CENTER TAX INCREMENT AREA.

WHEREAS, the Board of County Commissioners (the "Board") of Storey County, Nevada (the "County") has received a request from Silver Slate LLC, Comstock TRIC Associates, LLC, Supernap Reno, LLC, Tesla, Inc. (f/k/a Tesla Motors, Inc.), 1200 USA Pkwy LLC and Emerald City Empire, LLC (collectively, the "Owners") to order an undertaking pursuant to Nevada Revised Statutes ("NRS") Chapter 278C (the "Act") for a water project as defined in NRS 278C.140 (the "Undertaking") and to pay with tax increment revenues, in whole or in part, the costs of such an Undertaking, as more fully provided in the Act, specifically NRS 278C.150, 278C.157 and NRS 278C.250, including (i) payments under contracts with the Owners to reimburse the Owners for costs incurred by the Owners in connection with the Undertaking, and (ii) advances by the County for administrative costs associated with administering the Tahoe-Reno Industrial Center Tax Increment Area, and all appurtenances and incidentals necessary, useful or desirable, including real and other property therefor, which is more particularly described (with all segment lengths to be current approximations subject to minor adjustment); and

WHEREAS, the Undertaking constitutes a "natural resources project" pursuant to NRS 278C.075(4); and

WHEREAS, on September 5, 2018, the Interim Finance Committee approved the Undertaking in accordance with NRS 278C.157; and

WHEREAS, the Board has, by a resolution previously adopted on October 29, 2018 (the "Provisional Order Resolution"), provisionally ordered the Undertaking related to a tax increment area to be formed pursuant to the Act; and

WHEREAS, the Board held a public hearing on Monday, November 19, 2018, on the advisability of the Undertaking provisionally ordered and the proposed tax increment area related thereto; and

WHEREAS, the Board considered, overruled and denied each and every written or oral protest or objection made at the public hearing; and

WHEREAS, the Board desires to create the tax increment area, order the Undertaking and create the tax increment account for the Undertaking; and

WHEREAS, pursuant to NRS 278C.157(1)(d) and upon the creation of the tax increment area, the County intends to enter into a reimbursement agreement with the Owners (the "Reimbursement Agreement") pursuant to which the County agrees to pay certain tax increment revenues from the tax increment account created in conformance with the requirements of NRS 278C.250 to the Owners for costs incurred by such Owners in connection with the Undertaking; and

WHEREAS, the proposed form of the Reimbursement Agreement is on file with the County Clerk; and

WHEREAS, the Board has reviewed the proposed form of the Reimbursement Agreement on file with the County Clerk and has found such Agreement to be satisfactory.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF STOREY, IN THE STATE OF NEVADA:

Section 1. As authorized by NRS 278C.157(1)(d), the form, terms and provisions of the Reimbursement Agreement are hereby approved in substantially the form thereof on file with the County Clerk, with only such changes therein as are not inconsistent herewith and are approved by the officers of the County executing the same. The officers of the County are hereby authorized to enter into, execute and deliver the Reimbursement Agreement and the execution and delivery of the same shall constitute conclusive evidence of the County's approval thereof in accordance with the terms hereof.

Section 2. The officers of the County be, and they hereby are, authorized to take all action necessary to effectuate the provisions of this resolution.

Section 3. All actions, proceedings and matters previously taken, had and done by the County and the officers of the County (not inconsistent with the provisions of this resolution) concerning the tax increment area and the Undertaking hereby are, ratified, approved

and confirmed. This resolution does not obligate the County to enter into the Reimbursement Agreement.

Section 4. All bylaws, orders and resolutions, or parts thereof, in conflict with this resolution, are repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any bylaw, order, or resolution, or part thereof, previously repealed.

Section 5. If any section, paragraph, clause or provision of this resolution shall be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.

Section 6. The Board has determined and does hereby declare that this resolution shall be in effect upon its passage in accordance with law.

PASSED AND APPROVED THIS November 19, 2018.

	PASSED AND APPRO	VED THIS November 19, 2018.
[SEAL]		
Attest:		
		Chairman
	*	Board of County Commissioners
		Storey County, Nevada
County Cleri	k	

STATE OF NEVADA)
) ss
COUNTY OF STOREY)

I am the duly appointed, qualified and acting County Clerk of Storey County (the "County"), Nevada, and in the performance of my duties as County Clerk and ex officio Clerk of its Board of County Commissioners (the "Board"), do hereby certify:

- 1. The foregoing pages are a true and correct copy of a resolution adopted at a regular meeting of the Board held on November 19, 2018.
- 2. The adoption of the Resolution was duly moved and seconded and the Resolution was adopted by an affirmative vote of a majority of the members of the Board as follows:

Those Voting Aye:

Those Voting Nay:	
Those Absent:	
Those Abstaining:	

- 3. The members of the Board were present at such meeting and voted on the passage of such Resolution as set forth above.
- 4. The resolution was approved and authenticated by the signature of the Chairman of the Board, sealed with the County seal, attested by the Clerk and recorded in the minutes of the Board.
- 5. All members of the Board were given due and proper notice of the meeting. Public notice of the meeting was given and the meeting was held and conducted in full compliance with the provisions of NRS 241.020. A copy of the notice of meeting was posted not later than 9:00 a.m. at least 3 working days in advance of the meeting at:
 - (i) Virginia City Post Office
 - (ii) Storey County Courthouse
 - (iii) Virginia City Fire Station
 - (iv) Virginia City Highlands Fire Station
 - (v) Lockwood Fire Station

- 6. A copy of the notice was posted on the County's website and on the State of Nevada's official website no later than 9:00 a.m. on the third working day prior to the meeting.
- 7. A copy of the notice was given to each person, if any, who has requested notice of the meetings of the Board in the same manner in which notice is required to be given to a member of the Board. Such notice, if mailed, was delivered to the postal service no later than 9:00 a.m. on the third working day prior to the meeting.
- 8. Upon request, the Board provides at no charge, at least one copy of the agenda for its public meetings, any proposed Resolution which will be discussed at the public meeting, and any other supporting materials provided to the Board for an item on the agenda, except for certain confidential materials and materials pertaining to closed meetings, as provided by law.
- 9. A copy of the notice so given of the meeting of the Board held on November 19, 2018 is attached to this certificate as Exhibit A.

IN WITNESS WHEREOF, I have hereunto set my hand on November 19, 2018.

County Clerk	 	

EXHIBIT A

(Attach copy of posted notice)



Storey County Board of County Commissioners Agenda Action Report

Meeting date: November 19, 2018 Estimate of time required: 15 min.

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

1. <u>Title</u>: For possible action: consideration and possible action on a resolution no. 18-521 approving the form of the reimbursement agreement among the County and all owners of property in the Tahoe-Reno Industrial Center Tax Increment Area.

2. <u>Recommended motion</u>: I, Commissioner (name), move to approve resolution no. 18-521 approving the form of the reimbursement agreement among the County and all owners of property in the Tahoe-Reno Industrial Center Tax Increment Area.

Telephone: 847-0968

3. Prepared by: Pat Whitten

Department: Commissioner's Office

4. Staff summary: The Board of County Commissioners (the "Board") of Storey County, Nevada (the "County") received a request from Silver Slate LLC, Comstock TRIC Associates, LLC, Supernap Reno, LLC, Tesla, Inc. (f/k/a Tesla Motors, Inc.), 1200 USA Pkwy LLC and Emerald City Empire, LLC (collectively, the "Owners") to order an undertaking pursuant to Nevada Revised Statutes ("NRS") Chapter 278C (the "Act") for a water project as defined in NRS 278C.140 (the "Undertaking"). On September 5, 2018, the State of Nevada's Interim Finance Committee approved the Undertaking, which constitutes a natural resources project pursuant to the Act. On October 29, 2018, the Board adopted a resolution ordering the County's engineer to prepare preliminary plans, cost estimates and related items to pay the costs of the Undertaking, and Farr West Engineering, as the County's engineer, prepared such preliminary plans, cost estimates and related items to pay the costs of the Undertaking. After review of the preliminary plans, cost estimates and related items placed on file with the County Clerk, the Board provisionally ordered the Undertaking by adoption of a resolution on October 29, 2018. A public hearing on the Undertaking is to be held on November 19, 2018.

On December 4, 2018, the Board is scheduled to create the Tahoe-Reno Industrial Center Tax Increment Area (the "Area"), order the Undertaking and create the "Tax Increment Account" for the Undertaking. The tax increment revenues will pay, in whole or in part, the costs of such an Undertaking, as more fully provided in NRS Chapter 278C, specifically NRS 278C.150, 278C.157 and NRS 278C.250, including (i) payments under contracts with the Owners to reimburse the Owners for costs incurred by the Owners in connection with the Undertaking, and (ii) advances by the County for administrative costs associated with administering the Area, and all appurtenances and incidentals necessary, useful or desirable, including real and other property therefor, which is more particularly described (with all segment lengths to be current approximations subject to minor adjustment).

This resolution approves the form of a reimbursement agreement between the County and the Owners to reimburse the Owners for costs incurred by the Owners in connection with the Undertaking (as more fully described under "Fiscal Impact" below). The reimbursement agreement, in substantially final form, has been placed on file with the County Clerk. The reimbursement agreement is authorized and permitted by NRS 278C.150 and 278C.157 and NRS 278C.250.

5. Supporting mate	rials: Resolution N	[0	
6. Fiscal impact:	Yes	Comptroller:	
the Area each year, NRS 363A.130 and which must be alloca agreement, to the eadvances by the Coube entitled to be rein	any tax on the sale of 363B.110 by or for thated, divided and disponsive tax increment anty for administrative inbursed for the actual	ected in the Area will consist of tax r use of tangible personal property he benefit of the State of Nevada, seed of as provided in NRS 278C.25 revenues are available therefor (costs associated with administering amounts paid by such Owner for the the Owners shall not exceed \$28,369	and any tax imposed pursuant to the County and any public body, 0. Pursuant to the reimbursement following the reimbursement of the Area), each Owner shall only he costs of the Undertaking. The
7. <u>Legal review req</u>	uired: Yes KL – Distric KF – Bond C		
8. Reviewed by:			
Departr	ment Head	Department Name: Commissione	r's Office
County	Manager	Other agency review:	
9. Board action: Appro		Approved with Modifications Continued	Agenda Item No.

REIMBURSEMENT AGREEMENT Tahoe-Reno Industrial Center Tax Increment Area

This REIMBURSEMENT AGREEMENT (this "Agreement") dated this ____ day of ____, 2018 ("Effective Date"), by and between STOREY COUNTY, NEVADA (the "County"), a political subdivision of the State of Nevada (the "State"), and SUPERNAP RENO, LLC, a Nevada limited liability company, SILVER SLATE LLC, a Delaware limited liability company, TESLA, INC. (fka Tesla Motors, Inc.), a Delaware corporation, 1200 USA PKWY LLC, a Nevada limited liability company, EMERALD CITY EMPIRE, LLC, a Nevada limited liability company, and COMSTOCK TRIC ASSOCIATES, LLC, a Nevada limited liability company (each an "Owner" and collectively, the "Owners"). The County and the Owners are hereinafter collectively referred to as the "Parties."

RECITALS

- A. WHEREAS, under Nevada Revised Statutes ("NRS") Chapter 278C, Tax Increment Areas (the "Act") and as requested by the Owners, the County has the power to create a tax increment area and to order an undertaking for a water project as defined in NRS 278C.140 (the "Undertaking") and to pay with tax increment revenues, in whole or in part, the costs of such an Undertaking, as more fully provided in the Act, specifically NRS 278C.150, 278C.157 and NRS 278C.250, including (i) payments under Section 4 of this Agreement, and (ii) advances by the County for administrative costs associated with administering the Tahoe-Reno Industrial Center Tax Increment Area (the "Area"), and all appurtenances and incidentals necessary, useful or desirable, including real and other property therefor, which is more particularly described (with all segment lengths to be current approximations subject to minor adjustment); and
- B. WHEREAS, the Undertaking constitutes a natural resources project and has heretofore been approved by the Interim Finance Committee of the State in accordance with NRS 278C.157; and
- C. WHEREAS, the County has heretofore created the Area, ordered the Undertaking and created the tax increment account (the "<u>Tax Increment Account</u>") in accordance with the Act; and
- D. WHEREAS, pursuant to the Act, specifically NRS 278C.150, 278C.157 and NRS 278C.250, the County has the power to enter into this Agreement with the Owners pursuant to which the County agrees to pay certain tax increment revenues from the Tax Increment Account to the Owners for costs incurred by such Owners in connection with the Undertaking; and
- E. **WHEREAS**, on November 19, 2018, the County's Board of County Commissioners (the "Board") approved this Agreement in substantially final form and authorized the officers of the County to enter into, execute and deliver this Agreement.

NOW THEREFORE, for and in consideration of the mutual covenants herein contained and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the County and the Owners do covenant and agree as follows:

1. <u>Recitals</u>. The County and the Owners acknowledge and agree that the Recitals set forth above are, to the actual knowledge of the County and the Owners, true, accurate and correct, and are incorporated herein by this reference.

2. Acknowledgements; Conditions Precedent; No Obligation.

- A. <u>The Owners' Acknowledgements</u>. Each of the Owners severally and not jointly, acknowledge and agree as follows:
 - (1) The representations, indemnifications and covenants of the Owners set forth in this Agreement and for the benefit of the County are a material element of the consideration to the Board for the performance of its obligations under this Agreement, and that the County would not have entered into this Agreement unless the Owners' representations, indemnifications and covenants were as provided for herein.
 - (2) This Agreement is not secured by or payable from the general fund of the County, the power of the County to levy ad valorem property taxes, or any source other than any money allocated, divided and disposed of pursuant to NRS 278C.250 and allocated to the Tax Increment Account with respect to the Area (the "Tax Increment Revenues"). This Agreement shall never become a general obligation of the County or a charge against its general credit or taxing powers.
 - (3) Nothing contained in this Agreement shall in any manner limit or govern the legislative discretion of the Board with regard to: (i) the formation or amendment of the Area under the Act; or, (ii) the terms and conditions of any future agreement(s) pursuant to the Act between the County, the Owners, one or more governmental entities, or any other person; provided, however, that the lien on the Tax Increment Revenues pursuant to this Agreement shall be subordinate to the lien on Tax Increment Revenues for the reimbursement of advances by the County for administrative costs associated with administering the Area, and as a result, payments made to reimburse the Owners under this Agreement, if any, shall occur subsequent to the reimbursement of advances by the County for administrative costs associated with administering the Area; provided further, however, that any such legislative action shall not impair or limit the contractual rights or remedies of any of the parties hereto.
- 3. <u>Term.</u> The covenants contained in this Agreement shall remain in effect (the "<u>Term</u>") from the Effective Date set forth above until the earlier of June 30, 2039 or such time as all amounts due under Section 4 have been reimbursed.

4. Computation of Reimbursement Amount; Reimbursement Flow of Funds.

A. To the extent Tax Increment Revenues are available in the Tax Increment Account, the County shall transfer (i) the Tax Increment Revenues consisting of the allocation of the proceeds of any tax on the sale or use of tangible personal property pursuant to NRS 278C.250(1)(b) (the "Sales Tax Increment") into a separate account hereby created and designated as the "Tahoe-Reno Industrial Center Sales Tax — Tax Increment Account" (the "Sales Tax — Tax Increment Account"), (ii) the Tax Increment Revenues consisting of the allocation of the proceeds of any tax imposed pursuant to NRS 363A.130 and 363B.110 pursuant to NRS 278C.250(1)(c) (the "Modified Business Tax Increment") into a separate account hereby

created and designated as the "Tahoe-Reno Industrial Center Modified Business Tax – Tax Increment Account" (the "Modified Business Tax – Tax Increment Account"), and (iii) the Tax Increment Revenues consisting of the allocation of the proceeds of any taxes levied upon taxable property in the Area each year pursuant to NRS 278C.250(1)(a) (the "Property Tax Increment") into a separate account hereby created and designated as the "Tahoe-Reno Industrial Center Property Tax – Tax Increment Account").

In the order of priority as contemplated by paragraphs (1) through (3) below, the Tax Increment Revenues distributed to the Owners in aggregate shall not exceed \$28,369,679.00 consisting of amounts paid by the Owners for the costs of the Undertaking (the "Reimbursement Amount"). To the extent Tax Increment Revenues are available, the Reimbursement Amount shall be allocated to the Owners from the Sales Tax – Tax Increment Account, the Modified Business Tax – Tax Increment Account and the Property Tax – Tax Increment Account on a pro rata basis for the following payments in the following priority without duplication:

- (1) First, reimbursement for Scheduled Payments (as defined below), including any carryforward balances;
- (2) Second, following the transfer of (a) 50 percent of the remaining amount on deposit in the Sales Tax Tax Increment Account; (b) 50 percent of the remaining amount on deposit in the Modified Business Tax Tax Increment Account; and (c) 50 percent of the remaining amount in the Property Tax Tax Increment Account to the Distribution Account (as defined below) for Government Distribution (as defined below), reimbursement for Further Reimbursements (as defined below); and
- (3) Third, any remaining Tax Increment Revenues shall be utilized for Government Distribution (as defined below).

Each Owner shall be paid in accordance with Section 5 hereof, and each Owner's claim to its pro rata share of the reimbursement contemplated by Sections 4(A)(1) and 4(A)(2) shall be of equal rank without preference, priority or distinction over any other thereof.

- B. The reimbursement payments to Owners under this Agreement shall have a lien on the Tax Increment Revenues subordinate only to the lien thereon for the reimbursement of advances by the County for administrative costs associated with administering the Area.
- C. In addition to the terms parenthetically defined throughout this Agreement, the following terms, except where the context indicates otherwise, shall have the respective meanings set forth below:

"Owner Representative" means an Owner's representative or any person or persons at the time designated to act on behalf of each Owner for purposes of performing any act under this Agreement by a written certificate furnished by such Owner to the County containing the specimen signature of such person or persons and signed on behalf of each Owner by a representative of such Owner. Such designation of each Owner Representative may be changed by each Owner from time to time by furnishing a new certificate to the County.

"Further Reimbursements" means, as of any date, the outstanding balance of the Owners' respective allocated costs, less any Scheduled Payments made in full to such date, which are

eligible for reimbursement in accordance with Section 4(A)(2) hereof if funds remain after reimbursement for Scheduled Payments in accordance with Section 4(A)(1). Reimbursement of Further Reimbursements shall not alter the Scheduled Payments unless the outstanding balance for such Owner is less than that Owner's Scheduled Payment for that year.

"Government Distribution" means that in accordance with Section 4(A)(2) hereof, 50% of the Tax Increment Revenues remaining after the reimbursement of Scheduled Payments shall be deposited into an account hereby created and designated as the "Distribution Account." In accordance with Section 4(A)(3) hereof, any amounts remaining after Further Reimbursements shall also be deposited into the Distribution Account. The funds in the Distribution Account shall be allocated between Sales Tax Increment, Modified Business Tax Increment and Property Tax Increment in the same ratios as such Tax Increment Revenues were deposited into the Sales Tax – Tax Increment Account, Modified Business Tax – Tax Increment Account and Property Tax – Tax Increment Account, respectively, during such fiscal year. On June 30 of each year, or if such day is not a business day, the next succeeding business day, in accordance with the ratios described above, the County shall pay such amounts into the funds of the taxing agencies within the Area as provided in NRS 278C.250. The County's determination regarding such ratios and allocations shall be made as of each May 31.

"Scheduled Payments" means each Owner's allocated share of the cost of the Reimbursement Amount divided into 20 equal payments, provided that if, at any time, a Scheduled Payment is not made in full, then the unpaid portion of such Scheduled Payment shall be added to the next Scheduled Payment.

- D. Nothing in this Agreement shall restrict any Owner or any entity owning any parcel in the Area, employing individuals or operating a business in the Area from pursuing and obtaining any incentives, abatements, credits or other incentives with respect to the Property Tax Increment, the Modified Business Tax Increment, the Sales Tax Increment, or any other tax.
- E. Nothing in this Agreement shall restrict, impair, prohibit or otherwise operate as a restraint on the sale, exchange, merger, joint venture, disposition, improvement or development of the land of any Owner or water rights, interests or ownership in connection with the Area or the real property of any Owner generally.

Method of Payment; Payment Requests. From amounts in the Tax Increment 5. Account, the County shall pay to the order of the Owners (determined as of the Record Date as defined below) reimbursements by check mailed on June 1 of each year, or if such day is not a business day, the next succeeding business day, commencing June 1, 2019 or the next succeeding business day, during the Term pursuant to this Agreement to reimburse each Owner in accordance with Section 4 hereof. For all purposes of this Agreement, including, but not limited to, reimbursement under Section 4 hereof, the County shall treat as an "Owner" under this Agreement such entity which is the legal owner of such parcel on the date of this Agreement and also the legal owner of the same parcel on the date of any payment of the cost of the Undertaking (the "Record Date"), and the County shall verify the legal ownership status of each parcel in the property records of the County's Assessor as of the Record Date. In the event that an Owner (including predecessors or affiliates in accordance with Section 14 hereof) is not the same on the date of execution of this Agreement and on any date a payment is made for the cost of the Undertaking, then such payment is not eligible for reimbursement under Section 6 of this Agreement.

An Owner Representative for each Owner shall complete a payment request form, in substantially the form attached hereto as Exhibit A, specifying the name of a single person or entity to whom any reimbursement checks shall be made payable for each original parcel in the Area. Such single payee designation for each original parcel in the Area may be changed by an Owner Representative from time to time upon delivery of a new payment request form to the County at least 30 days prior to June 1 of any year, in substantially the form attached hereto as Exhibit A.

6. <u>Limitations on Reimbursement; Indemnification</u>.

- A. <u>Limitations on Reimbursement</u>. Each Owner is entitled to be reimbursed for the actual amounts paid by such Owner (or its predecessor or affiliate in accordance with Section 14 hereof) for the costs of the Undertaking regardless of the payee, consisting of those costs within the Engineer's Report prepared by Farr West Engineering (the "County's Engineer") and dated October 11, 2018. For this purpose, amounts paid include all amounts paid by an Owner for costs of the Undertaking but do not include payments made by any person or entity on behalf of the Owner. The actual amounts paid by each Owner (or its predecessor or affiliate in accordance with Section 14 hereof) for the costs of Undertaking (in an amount at least equal to the amount of reimbursement) shall be certified by each Owner and submitted to the County, upon request for the County's review.
- B. <u>Indemnification</u>. Subject to the limitations of applicable laws, each of the Owners shall severally and not jointly indemnify the County, its officers, its employees and its agents and each of them (the "<u>Indemnitees</u>") against any and all claims, liabilities, damages, losses, expenses, suits, actions, decrees, judgments, awards, attorneys' fees, and court costs (collectively, the "<u>Losses</u>", and each a "<u>Loss</u>") which any of the Indemnitees may suffer or which may be sought against or recovered or obtained from any of the Indemnitees as a result of or by reason of or arising out of or in consequence of any act or omission negligent or otherwise relating to such Owner's use of the Reimbursement Amount provided by the County pursuant to this Agreement; <u>provided</u>, <u>however</u>, no indemnification is required to be paid by the Owners for any claim, loss or expense arising in whole or in part from the willful misconduct or gross negligence of the County, its officers, its employees or its agents or acts or omissions of another

Owner. The provisions of this Section shall terminate in accordance with Section 7 of this Agreement.

7. <u>Termination</u>. This Agreement shall be in effect from the Effective Date until the earlier of June 30, 2039 or such time as all amounts due under Section 4 have been reimbursed.

8. Maintenance of and Access to Records.

- A. The County shall maintain a complete set of all books and records prepared or employed by the County in its management, scheduling, cost accounting and otherwise with respect to amounts reimbursed to Owners for amounts paid for the Undertaking. The County shall allow the Owners such access to and the right to copy such books and records as such persons may request from time to time in connection with complying or verifying compliance with this Agreement.
- B. The County represents and warrants the completeness and accuracy of all information it provides in connection with this Section.
- 9. <u>Retention of Records</u>. The County shall maintain all records and documents relating to amounts reimbursed to the Owners for amounts paid for the Undertaking (including copies of all original documents delivered to the Owners) until June 30, 2044. Records to be retained include all books and other evidence bearing on the County's costs under this Agreement.
- 10. Action or Approval by the County. Whenever action and/or approval of the County is required under this Agreement, the County Manager or such officer's designee may act on and/or approve such matter unless specifically provided otherwise, or unless the County Manager determines in such officer's sole discretion that such action or approval requires referral to the Board for consideration.
- 11. <u>Time</u>. Time is of the essence in this Agreement and for the performance of all covenants and conditions of this Agreement.
- 12. <u>Cooperation</u>. Each Party agrees to execute all documents and do all things necessary and appropriate to carry out the provisions of this Agreement.
- 13. <u>No Third-party Rights</u>. The parties expressly disclaim the creation of any right in any third party whatsoever under this Agreement. There are no third-party beneficiaries. The only parties who may enforce this Agreement, and with any rights under this Agreement, are the County and the Owners.
- 14. Assignment. This Agreement does not restrict each Owner's right to sell any or all portions of the Owner's land in the Area. Each Owner may freely assign its rights pursuant to this Agreement with notice to the County to any entity into which any Owner may be converted or merged, or with which it may be consolidated, or to any entity resulting from any such conversion, merger or consolidation to which such Owner is a party, including conversion, merger, consolidation, sale or transfer as a result of bankruptcy proceedings of such Owner, which shall be and become the successor Owner under this Agreement; provided, however, (i) all reimbursements under this Agreement pursuant to Section 5 hereof shall be made to the Owners

determined as of the Record Date and made in accordance with a completed payment request form, in substantially the form attached hereto as Exhibit A, signed by an Owner Representative and designating the payee and (ii) with respect to any entity resulting from conversion, merger, consolidation or as a result of bankruptcy proceedings of an Owner, the Owner shall provide an affidavit evidencing proof of the legal relationship of the initial entity and the resulting entity to the satisfaction of the County. Except as provided above in this Section 14, no assignment of this Agreement or any right or obligation hereunder by any Owner shall be valid unless the County consents to such assignment in writing. Consent of the County may be given by the County Manager and such consent shall not be unreasonably withheld.

- 15. <u>No Successors.</u> Except as provided in Section 14 hereof, this Agreement shall not be binding upon or inure to the benefit of any Owner's successor unless the County consents to such succession in writing. Consent of the County may be given by the County Manager and such consent shall not be unreasonably withheld.
- Rights and Powers of the Owners Hereunder; Exculpatory Clause. Any 16. Owner hereunder shall have the right and power (i) by mandamus or other suit, action or proceeding at law or in equity to enforce such Owner's rights against the County, the Board, and any other of the officers, agents and employees of the County, to receive payment under this Agreement only to the extent of available amounts in the Tax Increment Account (which amounts are correctly and fully deposited) and to require and compel the County, the Board, or any such officers, agents or employees to perform and carry out their respective duties, obligations or other commitments under this Agreement to receive payment under this Agreement only to the extent of available amounts in the Tax Increment Account (which amounts are correctly and fully deposited), and (ii) by action or suit in equity to apply available amounts in the Tax Increment Account from the Sales Tax Increment, Modified Business Tax Increment, and Property Tax Increment in accordance with this Agreement. Subject to the foregoing, each Owner unconditionally and forever releases, discharges, and waives any and all rights or causes of action of any nature whatsoever insofar as a cause of action arises out of or is based upon the creation of the Area, the formation of the Area, the proceedings under Nevada law for the creation and formation of the Area, required approvals in connection with the creation and formation of the Area, the existence or sufficiency of amounts in the Tax Increment Account to make Scheduled Payments and Further Reimbursements under this Agreement, the implementation of the Area except as described in the first sentence of this Section and the administration of the Area except as described in the first sentence of this Section whether legal, equitable or otherwise against the County, its officers and any of the County's consultants (including, but not limited to, the County's municipal advisor, the County's bond counsel and the County's Engineer).
- 17. <u>Notices</u>. All notices and other communications to be given by either party may be given in writing, depositing the same in the United States mail, postage prepaid and addressed to the appropriate party as follows:

If to the COUNTY:

The County of Storey
County Manager
PO Box 176
Virginia City, Nevada 89440
Email: PWhitten@StoreyCounty.org

If to the OWNERS:

SUPERNAP Reno, LLC

c/o Switch, Ltd.

Attn: Office of the General Counsel

7135 S. Decatur Blvd. Las Vegas, NV 89118

Email: switchlegal@supernap.com

Comstock TRIC Associates, LLC 6001 Talbot Lane Reno, NV 89509

Email: tmerschel@renoland.com

Silver Slate LLC Attn: Legal Department 1600 Amphitheatre Pkwy. Mountain View, CA 94043

Tesla, Inc.

Attn: Legal Department 6800 Dumbarton Circle Fremont, CA 94555

Email: legalUS@tesla.com

Emerald City Empire, LLC Attn: Randel W. Aleman 7272 El Capitan Way, Suite #2 Las Vegas, NV 89148

Email: randywaleman@gmail.com

1200 USA Pkwy., LLC 2711 W. Sahara Ave. Las Vegas, Nevada 89104 Email: Gusnewport@hotmail.com

If any notice hereunder is given to the County, a copy shall be forwarded by first class mail, postage prepaid, facsimile transmission or email to the County's Engineer, Chief Financial Officer and District Attorney at the following addresses and to any other party designated in writing by the County and sent to the other notice parties:

Farr West Engineering c/o Brent Farr 5510 Longley Lane Reno, Nevada 89511 Email: Brent@farrwestengineering.com

Hugh Gallagher
Chief Financial Officer
26 B St.
P.O. Box 432
Virginia City, NV 89440
Email: hgallagher@storeycounty.org

District Attorney
Attn: Keith Loomis
201 S. C St.
P.O. Box 496
Virginia City, NV 89440
Email: scda@storeycounty.org

Any party may change its address for notice by written notice to the other parties at any time.

- 18. <u>Counterparts</u>. This Agreement may be executed on one or more counterparts, each of which shall be regarded as an original and all of which shall constitute the same Agreement.
- 19. <u>Severability</u>. If any section, subsection, clause, phrase, or word of this Agreement is for any reason held invalid, unenforceable or unconstitutional by any court of competent jurisdiction, such section, subsection, clause, phrase, or word shall be deemed a separate, distinct and independent provision and such holding shall not negatively affect the validity of the remaining portions of this Agreement.
- 20. <u>Applicable law</u>. This Agreement shall be interpreted and enforced under the laws of the State of Nevada. Jurisdiction for all matters triable before a state court shall be in the First Judicial District Court of the State of Nevada.
- 21. <u>Amendment</u>. This Agreement shall not be amended without the prior written of consent of the Board and each Owner.
- 22. <u>Miscellaneous</u>. Paragraph headings are for convenience only and do not effect, limit or modify the content of the provisions of this Agreement. Use of the masculine, feminine, or neuter shall not limit the application of any provision of this Agreement, but each such gender shall be deemed to include all other gender cases, just as the singular shall include the plural, and the plural the singular.
- 23. **Entire agreement**. This Agreement is the entire Agreement of the parties and supersedes all prior negotiations and agreements whether written or oral. This Agreement may be amended only by written agreement. No purported oral amendment to this Agreement shall be valid.

[The remainder of this page intentionally left blank.]

IN WITNESS WHEREOF, the parties have executed this Agreement the day and year first above written.

	THE COUNTY OF STOREY, a political subdivision of State of Nevada
(SEAL) ATTEST:	Chairman of the Board Board of County Commissioners
County Clerk Storey County, Nevada	
SUPERNAP RENO, LLC, a Nevada limited liability company	COMSTOCK TRIC ASSOCIATES, LLC, a Nevada limited liability company
By: Switch, Ltd., a Nevada limited liability company, its Manager By: Thomas Morton, President	By:
SILVER SLATE LLC, a Delaware limited liability company By: Name:	TESLA, INC., a Delaware corporation By: Name: Title:

[Signature page to Reimbursement Agreement, page 1 of 2]

liability company	limited liability company
By:	By:
Name:	Name:
Title:	Title:

[Signature page to Reimbursement Agreement, page 2 of 2]

EXHIBIT A

FORM OF PAYMENT REQUEST FORM

, 20
Storey County, Nevada County Manager PO Box 176 Virginia City, Nevada 89440
Re: Reimbursement Agreement - Tahoe-Reno Industrial Center Tax Increment Area
In accordance with Section 5 of the Reimbursement Agreement for the Tahoe-Reno Industrial Center Tax Increment Area, dated, 2018, by and between STOREY COUNTY, NEVADA (the "County"), a political subdivision of the State of Nevada, and SUPERNAP RENO, LLC, a Nevada limited liability company, SILVER SLATE LLC, a Delaware limited liability company, TESLA, INC. (fka Tesla Motors, Inc.), a Delaware corporation, 1200 USA PKWY LLC, a Nevada limited liability company, EMERALD CITY EMPIRE, LLC, a Nevada limited liability company, and COMSTOCK TRIC ASSOCIATES, LLC, a Nevada limited liability company (the "Reimbursement Agreement"), you are hereby directed to mail any reimbursement payments due to the Owner set forth below under the Reimbursement Agreement by check paid to the order of the following person or entity:
Name and Address of single payee for each original parcel in the Area
In accordance with the Reimbursement Agreement, the County shall continue mailing any reimbursement payments due to the Owner set forth below under the Reimbursement Agreement on June 1 of each year, or if such day is not a business day, the next succeeding business day, in accordance with the payee information above until a new payment request form is delivered to the County by the Owner set forth below at least 30 days prior to June 1 of any year. [NAME OF OWNER]
ByOwner Representative

STATE OF	
COUNTY OF) ss.	
This instrument was ack	nowledged before me on, 20by
Witness my hand and officia	ıl seal.
	Notary Public for the State of
(NOTARY SEAL)	



Denied

Storey County Board of County Commissioners Agenda Action Report LIQUOR BOARD

Meeting date: 11/9/18 Estimate of time required: Agenda: Consent [] Regular agenda [x] Public hearing required [] 1. Title: Amending of existing liquor license for the Ponderosa Saloon, Add Off-sale. 2. Recommended motion: I motion to approve the amending of the existing liquor license for the Ponderosa Saloon, Cheryl Bailey, 106 S C St., Virginia City, NV 89440. 3. Prepared by: Brandy Gavenda, Admin. Asst. **Department:** Storey County Sheriff's Office **Telephone:** 775-847-0959 4. Staff summary: Amending of the existing liquor license for Cheryl Bailey for the Ponderosa Saloon, 106 S C St., Virginia City, NV 89440. Add off-sale. 5. Supporting materials: None 6. Fiscal impact: None Funds Available: Fund: Comptroller 7. Legal review required: District Attorney 8. Reviewed by: Department Name: Sheriff, Gerald Antinoro X Department Head County Manager Other agency review: 9. Board action: Approved Approved with Modifications

Continued



Storey County Board of County Commissioners Agenda Action Report

Mee	ting date: November 19, 2018	:	Estimate of tim	e required: 10 min.	
Ager	nda: Consent [] Regular agend	da [x] Public heari	ng required [x]		
1.	Title: Discussion/Possible of Ordinance 18-284, an ord signs and billboards and ame Code relating to signs and b Additional information include Department at 775.847.1144 http://storeycounty.org/517/complete and return to the Ethe county code and/or zoning	linance revising Cha ending other provisi illboards, and proviouding, but not limite or planning@store Updates. In addition Board a statement su	pter 17.84 of the Storey Cons of Title 17 Zoning Coling for other matters produced to, draft text may be obtycounty.org, or viewed or to the provisions of the N	County Code addressing ode of the Storey County perly relating thereto. ained from the Planning aline at IRS, any person may	
2.	Recommended motion: In commission, I [county commordinance No. 18-284, an or signs and billboards and ame Code relating to signs and billboards.	nissioner] motion to rdinance revising Ch ending other provisi	approve the Second Read apter 17.84 of the Storey ons of Title 17 Zoning Co	ling of Bill 107, County Code addressing de of the Storey County	
3.	Prepared by: Kathy Canfi	eld			
4.	Department: Planning		<u>Telepho</u>	<u>ne</u> : 775.847.1144	
5.	<u>Staff summary</u> : An ordinance amending Storey County Code Title 17, Chapter 17.84 to adopt revised regulations for signs.				
6.	Supporting materials: Posted at https://www.storeycounty.org/517/Updates.			ates.	
7.	Fiscal impact: None on local government.				
	Funds Available:	Fund:	Co	mptroller	
8.	Legal review required:		District Attorney		
9. -	Reviewed by: Department Head	Department Na	me:		
10.	County Manager Board action: Approved	[] Approv	gency review:ed with Modifications	Agenda Item No. /	
	[] Denied	[] Continu	ieo	Agenda Item INO. /	

Bill No. 107

Ordinance No. 18-284

Summary

An ordinance revising the Storey County Code regarding signs and billboards

Title

An ordinance revising Chapter 17.84 of the Storey County Code addressing signs and billboards and amending other provisions of Title 17 of the Storey County Code relating to signs and billboards, and providing for other matters properly relating thereto

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

SECTION I:

Section 17.10.030 dealing with definitions in the zoning title is hereby amended to read 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 Bookstore. The term "Adult Bookstore" means an establishment which merchandises printed material, movies, or videos depicting, describing, or otherwise featuring specific sexual activities and anatomical areas.

Adult Motion Picture Theatre. The term "Adult Motion Picture Theatre" means a motion picture theatre whose program, during the time of its operation, contains one or more motion pictures which are rated "X" by the Code Rating Administration of the Motion Picture Association of America, or are not rated, and whose program depicts, describes, or otherwise features specific sexual activities and anatomical areas.

Adult Retail. The term "Adult Retail" means an establishment which merchandises items and paraphernalia depicting, describing, or otherwise featuring specific sexual activities and 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.

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

Attached. The term "Attached" means joined in close association.

active.

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 onsite 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 a freestanding sign with a single pedestal support, 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 onsite 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.

Cupola. The term "Cupola" refers to an ornamental structure placed on the top of a larger roof or dome.

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 dying, 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 dying, and cleaning of clothing and other textile article.

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 onsite 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, clairaudience, 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 pace. 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 cervices. 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" means all parts of any plant of the genus Cannabis, whether growing or not, the seeds thereof, the resin extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. "Marijuana" does not include:
- (a) The mature stems of the plant, fiber produced from the stems, oil, or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stems (except the resin extracted therefrom), fiber, oil, or cake, the sterilized seed of the plant which is incapable of germination; or
- (b) The weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink, or other products.
- "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.
- "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.

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.

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.

Nit. The term "nit" refers to a unit of luminance equal to one candela per square meter, measured perpendicular to the rays of the source.

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.

Supplementary Restraint System. The term "Supplementary Restraint System" refers to an automobile safety device, also known as an "air bag," consisting of a bag designed to inflate automatically during a vehicular collision.

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.

Tavern. The term "Tavern" refers to an establishment serving alcoholic beverages for consumption on the premises.

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.

Theater. The term "Theater" refers to a building or part of a building devoted to showing motion pictures or dramatic, dance, musical, or other live performances.

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.

Trailer. The term "Trailer" refers to an individual mobile but not self-motive structure or facility so constructed and designed as to permit occupancy for dwelling or sleeping purposes for short or long periods of time. They are usually intended for more mobile use than a mobile home.

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, except for Extended Stay Hotels as defined in this chapter.

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 unites 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.

Visitor. The term "Visitor" refers to a guest or tourist who pays a visit or otherwise stays locally for a short period of time.

Wall. The term "Wall" refers to an architectural partition with a height and length greater than its thickness which is used to divide or enclose an area or to support another structure.

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.

Water Towers. The term "Water Towers" refers to an elevated storage container and support structure intended to hold a water supply at a height sufficient to pressurize a water distribution system.

Watershed. The term "Watershed" refers to an area of land separated from other land by a ridge or high land and serving as a drainage area by a stream or river.

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 aboveground 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.

Whiteboard. The term "Whiteboard" refers to a smooth, hard, light-colored panel or surface for writing on with an erasable marker or pen.

Window. The term "Window" refers to any opening within the exterior of a building or structure that is intended to provide natural light into the building, or any framework that contains a glass or glasslike windowpane and is built into a wall or roof to admit light or air.

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.

SECTION 2

Section 17.12.023 dealing with general zoning provisions is hereby amended to provide 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 uses 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 Any 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.

SECTION 3

Section 17.24.020 addressing allowed uses in the Agricultural zone is hereby amended to read as follows:

17.24.020 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.
- 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. Signs shall be conform to chapter 17.84 Signs and Billboards.
- 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.

SECTION 4

Section 17. Addressing special use permits in the heavy industrial zone is amended to provide as follows:

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 12 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 84 Signs and Bbillboards.

SECTION 5

Chapter 17.84 addressing signs and billboards is amended to provide as follows:

17.84.010 Purpose and Findings.

The purpose of these regulations is to promote the wellbeing of the community by establishing standards that assure the provision of signs adequate to meet essential communication needs while safeguarding First Amendment rights and providing for a safe, healthy, and visually attractive and appropriate environment. Within this overall framework, it is the intent of these regulations to:

- A. Protect the right to the use and display of signs for the identification of activities and any related products, services, and events;
- B. Protect the right of individuals to privacy and freedom from nuisances;
- C. Protect the value of property and improvements thereon;

- D. Permit signs that are appropriate for their surroundings;
- E. Assure that signs are constructed and maintained in a safe condition;
- F. Assure that signs conform to applicable county, state, and federal codes and regulations;
- G. Prevent signs from interfering with traffic regulatory devices or otherwise obstructing motorists or pedestrian vision;
- H. Reduce traffic hazards and eliminate obsolete signs; and
- I. Provide an efficient and effective means of administration and enforcement.

17.84.020 Applicability.

All signs shall comply with the applicable standards outlined in this chapter. This chapter does not apply to the owner or occupant of any land who may place or erect on the land or on the outbuildings thereon any sign or notice or advertisement, where otherwise permitted by this title, intended to benefit the land or improvements thereon and advertise the business conducted in the building on the land, or advertise or identify the project in which the land is located. This chapter applies to outdoor temporary and permanent signs including, but not limited to: writing or text (including letter, word, or numeral); pictorial representations (including illustration or decoration); emblem (including device, symbol, or trademark); flag (including banner, streamer, or pennant), and lights and other things or combination thereof that are designed, intended, or used to advertise, attract special attention to, or otherwise inform when any part of the advertising or information content is visible from any public place within an outdoor area.

It is recognized that these standards are neither exclusive, nor exhaustive. In instances where a health or safety concern is identified with regard to any proposed sign, billboard, or advertising device, additional or more restrictive conditions may be imposed. If any part of this chapter is in conflict with regulations of any federal, state, or county agency, other political subdivision (e.g., homeowner's association) the more stringent limitation or requirement will prevail to the extent of the conflict.

17.84.040 Comstock Historic District Applicability.

In addition to the requirements set forth by this chapter, all signs located within the Comstock Historic District must comply with the regulations set forth by section 17.12.049 of this title and NRS Chapter 384; the regulations set forth supersede this chapter in the event of a conflict. All signs shall be reviewed and approved by the Comstock Historic District Commission and/or their designee.

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.

A. All new signs shall conform to the requirements of this chapter.

- B. All signs located within the Comstock Historic District, and are not consistent with Comstock Historic District regulations, shall be brought into conformance with this chapter prior to March 31, 2019.
- C. Existing signs conforming to this sign ordinance may remain whether or not the business associated with the sign maintains operations at the site.
- D. Existing signs which are not conforming to this sign ordinance shall be brought into conformance with the sign ordinance prior to December 31, 2021. This may require removal and/or retrofitting of non-conforming signs and/or obtaining a Special Use Permit for certain signs as identified by this chapter.
- E. Existing signs which were installed prior to December 31, 1999, which are not consistent with this sign ordinance, may remain, with the exception of signs not consistent with the Comstock Historic District, if applicable. Any changes to the sign shape, size, location, or other similar modification which is not considered ordinary maintenance and repair, shall require the signs to come into conformance with the sign ordinance.
- F. If a sign has been identified by the Comstock Historic District Commission as having historical significance, the provision for removing and/or retrofitting the sign may be administratively waived by the Director of Planning.

17.84.080 General Requirements.

All signs, whether temporary or permanent, located in any regulatory zone are regulated as follows:

A. Non-conforming sign. Non-conforming signs and their supporting structures are regulated by the applicable provisions set forth by chapter 17.12 General provisions. When a business license is transferred to new ownership, the new business owner must bring all existing on site and off-site advertising devices into compliance with the provisions of this chapter and NRS 384, when applicable, at the time of application for the business license. Before the new business license may be granted, the applicant must furnish proof that all signs have been removed or brought into compliance with the provisions of this chapter.

B. Number and addition of signs.

1. No more than 4 signs permitted per business license, excluding secondary signs as defined and regulated by subsection 17.84.090(G)(3) and window signs that are painted directly to their interior surface. No more than 8 signs permitted per building, regardless of the number of associated business licenses.

When the building in which a business is located abuts a public street to both its front and rear (i.e., a building that runs the full distance from "C" Street to "D" Street, excluding required setbacks), an additional sign (in addition to the allowed 4 or 8 per business license and building, respectively) may be placed directly upon the building facing the rear abutting street. The rear facing sign must conform to the design and placement regulations for other building signs.

The addition of signs to buildings and businesses that already have signs not conforming to the county code in any zone will not be permitted unless all existing on-site and off site signs are brought into compliance with the standards set forth by this chapter and NRS 384, when applicable.

<u>CA.</u> Maintenance. All signs must be maintained so that they remain free of graffiti and cracking, separation, splitting, ripping, chipping, and fading of exposed surfaces including, but not limited to, faces, lettering, and all structural supports (See examples in Figure 8.1). Signs must be maintained so that they remain safe, fully upright and level, and firmly secured to their place of attachment. Guy wires, tie-downs, and lean-to support apparatuses are prohibited unless it can be demonstrated to the satisfaction of the director that the supports are crucial to the structural integrity of the advertising device and that design alternatives are impracticable.

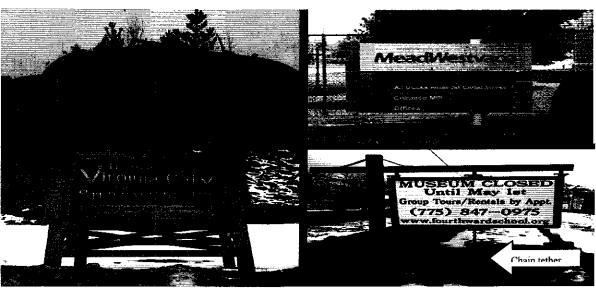


Figure 8.1: The free standing signs retain their upright position with neat and professional designs. The tether at the bottom right sign prevents sign face swinging due to wind forces; this device exhibits an appropriate and attractive method of mitigating this effect. The signs are maintained appropriately in order to preserve their structural integrity and visual appearance.

- <u>DB</u>. Historic design. Signs located within the Comstock Historic District must comply with applicable provisions under this chapter, section 17.12.049 and NRS 384.
- EC. Lighted and illuminated signs. Signs and billboards which are lighted, illuminated, or otherwise employ the use of direct or indirect lighting, lights, or other forms of illumination, must comply with applicable regulations set forth by this chapter, chapter 8.02 Dark skies, and NRS 384, when applicable. Lighted or illuminated signs located in or within 2,000 feet of the Comstock Historic District or a CR, E, or R zone must be Compact Florescent Lighting (CFL), or Light Emitting Diode (LED) type lighting. CFL and LED light emitting devices which are made to look like incandescent light "bulbs" are permitted to be plainly visible. No neon (see Section 17.84.090(H)-(C) or blinking, flashing, chasing, or motion lighting is permitted.
- FD. Changeable copy or variable image signs. These types of signs (as defined in Chapter 17.10) are prohibited within 2,000 feet of CR, E, and R zones and the Comstock Historic District. A special use permit is required in other zones. A special use permit is not required for changeable copy or variable image signs displaying only the time and temperature when located beyond 2,000 feet of CR, E, and R zones and the Comstock Historic District.
- G. Off-Site Location. Signs and billboards located off site are only allowed where permitted by section 17.84.140 Billboards, or by the allowable provisions for a variance under chapter 17.03 Administrative provisions.

HE. Murals. A special use permit is required for the application or placement of a mural. Murals proposed within the Comstock Historic District must also comply with NRS 384, this chapter, and section 17.12.049 and approval from the Comstock Historic District is required. The definition and intent of murals is provided for in Figure 8.2 below.

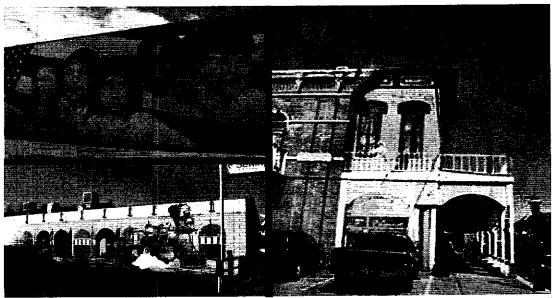
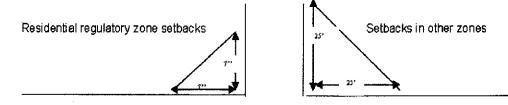


Figure 8.2: Murals are non-commercial images such as paintings or enlarged photographs applied directly to walls, ceilings, or other exterior surfaces. They are typically large in size. Murals typically exhibit few or no words and are not intended to advertise or otherwise bring attention to any attraction. Non-commercial images, such as those illustrated above, are intended to enhance the beauty, highlight the social or historical character, or otherwise depict a message or theme that is common to the immediate community in which the mural is displayed. The themes depicted above, for example, are as follows: (top left) Ely, Nevada - diversity and unity of the ever-changing mining community; (bottom left) Carson City, Nevada - celebration of the history of the Virginia and Truckee Railroad; (right) Virginia City, Nevada - painted wall intended to continue the historic storefront façade to the side of a normally unattractive stucco and brick wall.

- <u>L.F.</u> Outdoor advertising adjacent to interstate/primary highways. As regulated pursuant to NRS 410.320, outdoor advertising may not be erected or maintained within 660 feet from the nearest edge of the right-of-way of the interstate and primary highway systems which is visible and placed with the purpose of having its message read from the maintraveled way of the interstate and primary highway systems, except the following: unless the exemptions outlined in the Nevada Revised Statutes can be made.
 - 1. Directional, warning, landmark, informational and other official signs and notices including, but not limited to, signs and notices pertaining to natural wonders, scenic, and historic attractions. Only signs which are required or authorized by law or by federal, state or Storey County authority, and which conform to national standards promulgated by the U.S. Secretary of Transportation pursuant to 23 U.S.C. § 131, are permitted;
 - 2. Signs, displays, and devices which advertise the sale or lease of the property upon which they are located;
 - 3. Signs, displays, and devices which advertise the activities conducted or services rendered or the goods produced or sold upon the property upon which the advertising sign, display, or device is erected;
 - 4. Signs, displays, and devices located in zoned commercial or industrial areas, when located within 660 feet of the nearest edge of the right-of-way and visible from the

- main-traveled way of the interstate and primary highway systems. This exemption shall not apply in the CR zone;
- 5. Nonconforming signs in defined hardship areas which provide directional information about goods and services in the interest of the traveling public and are approved by the Secretary of Transportation pursuant to 23 U.S.C. § 131(o) and the board.
- JG. Right-of-way visibility. Signs located near property lines and intersecting driveways and public right-of-ways are allowed outside of the vision clearance triangle as demonstrated in Figure 8.3. Any sign, with exception of traffic regulatory signs installed by a government agency, located within the vision clearance triangle must have a base that is higher than 8 feet above street/grade level or a total height not exceeding 2 feet above street/grade level. In instances where a safety or traffic hazard is identified with regard to these requirements, additional or more restrictive conditions may be imposed. Otherwise, setback requirements apply as follows:
 - 1. C, CR, E, and R zones 7 foot clearance setback;
 - 2. All other zones 25 foot clearance setback.



ROADWAY/DRIVEWAY INTERSECTION

Figure 8.3: Setback requirements for devices installed within the Vision Clearance Triangle maintain clear visibility for vehicular and pedestrian traffic. In some instances more restrictive requirements may be necessary to maintain a safe travel environment. Regulations pertaining to the Vision Clearance Triangle are also found in section 17.12.050.

- KH. Directional signs general. Directional signs may only be placed at the location where the traveler must change direction from one public right-of-way to another in order to reach the destination. The sign must display a directional element, such as an arrow, pointing to the associated attraction. Directional signs located on private property shall be included in the calculation of the allowable sign area for the parcel on which the sign is located. Signs located in the right-of-way must be consistent with the requirements for signs in rights-of-way adopted by the entity which owns the right-of-way. Directional signs shall meet all other requirements outlined in this Chapter. Directional signs display a type of service or attraction which is located away from local arterial or collector roadways as defined in the Functional Classifications of the U.S. Department of Transportation Federal Highway Administration.
- 1. With exception of traffic regulatory devices installed by a government agency, directional signs may only be placed at the location where the traveler must change direction from one public right of way to another in order to reach the destination. The sign must display a directional element, such as an arrow, pointing to the associated attraction.

- 2. Directional signs located within 100 feet of CR, E, or R zones must not exceed 2 square feet in area and those located in other zones must not exceed 32 square-feet in area.
- 3. Directional signs are determined for approval by the director, subject to review by the board with action by the planning commission.
- 4. A special use permit is required for sandwich board directional signs.
- 5. The director may issue a sign permit if it is determined that there is a need to guide the traveling public, to avoid confusion, or to reduce or eliminate a safety risk. The permit is subject to approval by the board with action by the planning commission.
- 6. If the director determines that there is no need or that a safety or traffic hazard may be created, the sign permit application may be denied. The denial may be appealed to the board pursuant to chapter 17.03 Administrative provisions.
- L. Directional signs in Virginia City by resolution. It is recognized that Virginia City tourism based businesses and attractions located away from the "C" Street corridor may benefit from centrally placed and consolidated directional signage installed in and around primary pedestrian corridors. Implementing a consolidated community wide design for directional signage in this area may better communicate key attractions in the area and contribute to the enhancement of a pedestrian oriented downtown environment.
 - 1. The designated boundaries of this area and the design and placement of directional signs therein will be regulated as defined and established by resolution approved by the board with action by the planning commission.
 - 2. The boundaries applicable to this section include Gold Hill and Virginia City.
 - 3. The regulations established by section 17.84.080(K) apply in the absence of an approved resolution and completed consolidated directional sign devices associated therewith.
 - 4. Approval of the resolution and completion of all consolidated directional sign devices may as provided for in the resolution to nullify the regulations under section 17.84.080(K) within the established geographic boundaries thereof.
 - 5. Directional signs existing within the established boundaries under resolution are considered non-conforming and must be removed within 12 months of completion of all consolidated directional sign devices.
- I. Sign area shall be calculated by enclosing the extreme limits of all framing, emblem, logo, representation, writing or other display within a single continuous perimeter composed of squares, ovals or rectangles.











IN COMPUTING AREA FOR UPPER-AND LOWER-CASE LETTERING, INCLUDE ASCENDERS OR DESCENDERS, BUT NOT BOTH. CALCULATE SUPER ASCENDERS SEPARATELY AS INDICATED.





COMPUTE SUM OF AREAS OF INDIVIDUAL ELEMENTS ON WALL OR STRUCTURE.



Figure 8.4. Source: 2015 International Zoning Code.

- M. In addition to the regulations of this chapter, signs located in C (not including CR), E, or R zones are limited to the following:
 - 1. All home occupations are subject to a special use permit, and no sign larger than 2 square feet in connection is allowed therewith.
 - 2. Signs are limited to the place of business.
 - 3. Only 1 sign is allowed except for an opposing face of exactly the same color, shape, size, and configuration applied thereto in order to convey its message to opposing pedestrian or vehicular traffic.
 - 4. No billboards, bulletin boards, blackboards, whiteboards, or banners are permitted, except for on-site exempt signs and banners pursuant to section 17.84.100.
 - 5. A variance is required for any lighting or illumination of signs. No neon, blinking, flashing, chasing, or lighting which is otherwise in motion, reader boards and variable image displays, including those which display time and date, or translucent lighted signs are permitted.
- N. Signs located in A, F, I, P, and SPR zones, and where allowable by the applicable provisions of this chapter, are limited to the following sizes and measurements:
 - 1. Signs located in the F zone may not exceed 32 square-feet in size and 6 feet above grade level.
 - 2. Sign faces which are 32 square-feet or less in total area may not exceed 6 feet above grade level.
 - 3. Sign faces between 32 square feet and 128 square feet in total area may not exceed 10 feet in total height with a base no higher than 2 feet above grade level.

- 4. Sign faces from 128 square feet but less than 288 square feet in total area are limited to 18 feet in total height with a base no higher than 2 feet above grade level. A special use permit is required.
- 5. A special use permit is required for sign faces at or exceeding 288 square-feet in total area.

17.84.090 Comstock Historic District Sign Requirements.

Visible materials for signs and supporting structures within the Comstock Historic District must be or appear to be of substance that can be shown to have existed for advertising purposes up to and including the year 1942, and must be appropriate in design for that time period. A Certificate of Historical Appropriateness from the Comstock Historic District Commission is required. must be submitted to the director prior to approval of any sign within the Comstock Historic District. The following standards apply exclusively to all signs located within the Comstock Historic District on buildings as established pursuant to the terms of NRS 384. Location, size, and number of signs in C and CR zones are as follows:

- A. Signs are not permitted on sides or rear of buildings unless there is direct public access from an abutting legal public right-of-way. If such public access exists, signs must conform to regulations for building fronts.
- <u>BA</u>. Signs are not permitted to extend from buildings or from porches over streets with any overhang over streets, curbs, or shoulders without a Special Use Permit.
- C. Signs are not permitted on porch posts or other porch-supporting apparatus unless the signs are traffic or informational signs installed by a government agency.
- D. Signs are not permitted when installed on a building where any window, door, or opening has been altered, blocked, or removed for the purpose of installing or displaying the sign, with exception of an advertisement or other display which is painted or otherwise applied directly to the interior surface of a window pane.
- E. Signs placed upon buildings and porches are regulated as follows:
 - 1. Signs above ground floor windows must comply with the following limitations:
 - a. One sign permitted between floors;
 - b. Signs may have a maximum dimension of 15 inches in height times the length of the building when installed on the face of a porch. Signs may be 36 inches in height times the length of the building when installed on the face of the building.
 - e. Signs must be of rectangular shape. Signs may be placed either on the building face or the face of the porch;
 - d. Any number of business activities may be advertised on a sign;
 - e. The base of a sign must be at least 8 feet above sidewalk/boardwalk.
 - 2. Signs between ground floor windows and doors are regulated as follows:
 - a. Signs may be of any shape;
 - b. The cumulative area of all signs must not exceed 5 square feet per business license.
- 3B. Building titles, names, dates, and other messages, including advertisements that were painted directly to the exterior walls, parapet walls, and between the windows of the upper floors of the building at or prior to the year 1942 may be reapplied thereto exactly as they existed at that time. Photographic proof of messages existing at that time must be submitted to the director with a Certificate of Historical Appropriateness from the Comstock Historic District Commission before the sign may be reapplied. These applications do not count toward the maximum allowed signs per business area identified in section 17.84.100 of this chapter.

- F. Signs on ends of porches are prohibited.
- G. Signs perpendicular to building face on building with or without porches are regulated as follows:
 - 1. Maximum size of 12 inches times the width of sidewalk, or equivalent in square feet;
 - 2. Minimum height of lower edge of sign must be no lower than 8 feet above sidewalk or boardwalk:
 - 3. A secondary sign which is securely attached to or suspended from the base of a primary hanging sign (together known as a double hanging sign) is allowed when the secondary sign is equal in length to the primary sign and is no more than 6 inches in total in width as illustrated in Figure 9.2 below. The space between the primary and secondary sign may not exceed 2 inches. Secondary signs as defined in this chapter are considered part of the primary sign and do not count toward maximum allowed signs per business license. Only 1 secondary sign for each primary sign applicable to this subsection is permitted.
 - 4. One sign is allowed for every 25 feet of sidewalk or boardwalk.
- HC. Neon signs. Neon signs are prohibited outside of buildings or within windows or openings visible from a public place. This limitation includes lighted signs that appear similar to neon signs, such as those which employ light emitting diodes (LED) that are configured so that they appear as continuous streams of light. (See examples in Figure 9.1 8.5.). Neon signs are permitted within enclosed buildings when the neon sign is located no closer than 6 feet to the building windows, or if the placement of the sign is not visible from the public right-of-way, boardwalk, or other public access location.
- I. No more than 3 signs per business license are allowed, excluding secondary signs as defined by this chapter and described above and window signs in accordance with subsection D.

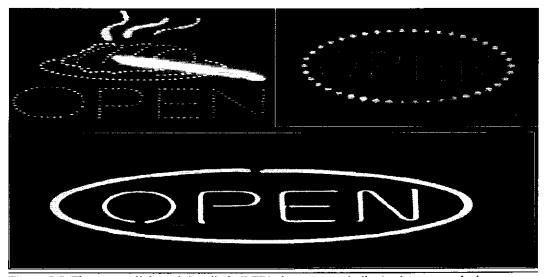
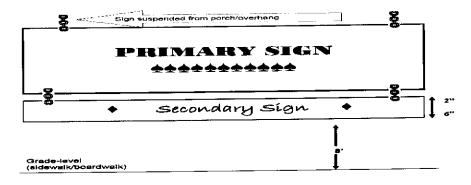


Figure 8.5: The top two light emitting diode (LED) signs appear similar in character to the bottom neon sign.

17.84.100 Sign allowances per zoning district. The following identifies the calculations for the amount of sign area allowed per building/parcel. All signs must conform to all other requirements of this chapter. Any proposed individual sign 128 square feet in area or greater shall require a Special Use Permit. Any individual freestanding sign 128 square feet in area or

greater and is supported by a single monopole structure is also defined as a billboard and must meet the requirements identified in this chapter for billboards.

- A. CR and C zoning districts. The following standards apply to commercial land uses:
 - 1. Building signs. Three square feet multiplied by the linear building frontage shall be allowed. The total area of all signs (not including boardwalk hanging signs, some window signs or other signs identified as exempt in this chapter) for the building frontage shall not exceed this square footage. Signs included in the building sign area calculations are:
 - a. Signs attached or applied to the building or porch (roof and/or fascia),
 - <u>b.</u> Signs painted directly on the building or projecting from the building.
 <u>Projecting signs shall have each side equal in size.</u> Only one side of the sign shall count towards the building sign calculation.
 - c. Freestanding signs. Each side of the freestanding sign shall be equal in size and only on side shall count towards the overall square footage calculation.
 - d. Signs attached to accessory structures or features.
 - e. Signs painted on or attached to porch posts. Signs attached to porch posts that exceed the width of the post shall be mounted higher than 7-feet to allow for pedestrian clearance.
 - f. Exterior-applied window signs. Signs applied to the interior of the window are not a part of the building sign calculation, see A.2, below.
 - 2. Window signs. Window signs shall be painted or permanently applied to the interior surface of a window. Signs which are attached or applied over the exterior of the window are not considered window signs and count toward the total allowable sign area for the building.
 - 3. Boardwalk Porch Hanging Signs. One porch hanging sign is allowable for each doorway along C Street which provides public access to the business. The sign may extend from the building face to the porch support posts and must be a minimum of 7 feet in height to allow for pedestrian clearance underneath the sign. Signs may have advertising copy on both sides of the sign. Secondary signs may be attached to the primary porch sign, but must meet the 7 foot pedestrian clearance requirement. This area of signage does not contribute to the building sign calculations.



- Figure 9.2 8.6: The above diagram illustrates the manner in which two signs may be suspended over the sidewalk or boardwalk within the Comstock Historic District. All signs must be secured taut.
- 4. Sandwich Board signs. One sandwich board sign is allowed per principle building. The sign shall only be displayed during business hours and shall not exceed 6 square feet on each side. The signs shall be located so as not to impede pedestrian traffic and shall not be located within the street right-of-way. Signs in the Comstock Historic District shall be constructed of approved materials for the District. This area of signage does not contribute toward the building sign allowance calculations.
- 5. Outdoor Operations. For commercial businesses which do not operate within building, or have a small office building (500 square feet or less) associated with an outdoor operation, the maximum amount of all signage for the site shall be three square feet multiplied by the linear parcel frontage, but shall be less than 128 square feet. Additional sign area may be permitted with a Special Use Permit associated with the use on the parcel.
- 6. Freestanding signs shall not exceed 10-feet in height above grade level and must be designed so as not to impede traffic and pedestrian visibility. Additional height may be permitted with a Special Use Permit. Signs must also conform to the right-of-way visibility requirements identified in Section 17.84.080.G.
- 7. Onsite directional signs (e.g. truck entrance, one way driveway, employee entrance) shall be considered in the calculations for the overall allowable building signs and shall meet the design requirements outlined for building signs.
- 8. If a permitted principal use has not been established on the parcel, a Special Use Permit is required for any sign or signs proposed, with the exception of Real-Estate For-Sale signs and political election signs associated with the election process.
- B. CR, R, E zoning districts. The following standards apply for signs associated with residential uses within CR, R and E. All signs must conform to all other requirements of this chapter.
 - 1. One sign, no larger than 6 square feet, is permitted. An opposing face of exactly the same color, shape, size, and configuration to convey its message to opposing pedestrian or vehicular traffic is permissible. Only one side of the sign shall count towards the overall calculation of sign area. The sign may be attached to the residence, be a freestanding sign or a sandwich board sign. The sign may only be located so as not to impede pedestrian traffic and shall not be located within the street right-of-way.
 - 2. A Special Use Permit is required for any lighting or illumination of signs. No neon, blinking, flashing, chasing, or lighting which is otherwise in motion, reader boards and variable image displays, including those which display time and date, or translucent lighted signs are permitted.

- 3. If a permitted principal use has not been established on the parcel, a Special Use Permit is required for any sign or signs proposed, with the exception of Real-Estate For-Sale signs and political election signs associated with the election process.
- C. I, P and A zoning Districts. The following standards apply to industrial, public and agriculture uses:
 - 1. For parcels one acre or less in size, three square feet multiplied by the linear building frontage shall be allowed. The total area of all signs on the frontage shall not exceed this square footage. Signs include those attached to the building or porch, signs painted directly on the building or projecting from the building, onsite directional signs, exterior-applied window signs and freestanding signs. Signs projecting perpendicular to the building frontage and freestanding signs shall only count one side towards the overall square footage calculation, and each side shall be equal in size. Signs attached to accessory structures or features shall count towards the building sign calculation for the closest business frontage.
 - 2. For parcels over one acre in size, one square foot multiplied by the property line frontage shall be allowed. The total area of all signs on the frontage shall not exceed this square footage. Signs include those attached to the building or porch, signs painted directly on the building or projecting from the building, onsite directional signs, some window sides and freestanding signs. Signs projecting perpendicular to the building frontage and freestanding signs shall only count one side towards the overall square footage calculation and each side shall be equal in size. Signs attached to accessory structures or features shall count towards the building sign calculation for the closest business frontage.
 - 3. Sandwich Board signs. One sandwich board sign is allowed per principle building. The sign shall only be displayed during business hours and shall not exceed 6 square feet on each side. Signs shall be located so as not to impede pedestrian traffic and shall not be located within the street right-of-way. Signs in the Comstock Historic District shall be constructed of approved materials for the District. This area of signage does not contribute to the building sign calculations.
 - 4. Outdoor Operations. For industrial and agricultural businesses and public uses which do not operate within building, or have a small office building (500 square feet or less) associated with an outdoor operation, the maximum amount of all signage for the site shall be less than 128 square feet. Additional sign area may be permitted with a Special Use Permit.
 - 5. Freestanding signs shall not exceed 10-feet in height above grade level and be designed so as not to impede traffic and pedestrian visibility. Additional height may be permitted with a Special Use Permit.
 - 6. Onsite directional signs (e.g. truck entrance, one way driveway, employee entrance) shall be considered in the calculations for the overall allowable building signs and shall meet the design requirements outlined for building signs.

- <u>7.</u> Window signs. Window signs shall be painted or permanently applied to the interior surface of a window. Signs which are attached or applied over the exterior of the window are not considered window signs and count toward the total allowable sign area for the building.
- 8. If a permitted principal use has not been established on the parcel, a Special Use Permit is required for any sign or signs proposed, with the exception of Real-Estate For-Sale signs and political election signs associated with the election process.
- D. F, NR and SPR zoning districts. The following standards apply to forestry, natural resources and SPR uses:
 - 1. Total sign area for all signs shall be less than 128 square feet and freestanding signs shall not exceed 10 feet above grade level.
 - 2. Additional sign area and height may be permitted with a Special Use Permit.
 - 3. If a permitted principal use has not been established on the parcel, a Special Use Permit is required for any sign, with the exception of Real-Estate For-Sale signs and political election signs associated with the election process.
- E. Signs located within a Planned Unit Development (PUD). All signs shall conform to the sign regulations outlined in the County PUD approval.

17.84.110 Exempt Signs.

The following signs and devices are exempt from the provision of this chapter and required sign fees. The regulations under chapter 17.12 General provisions apply to exempt signs. Exempt signs do not count toward the maximum allowed signs identified in section 17.84.100 of this chapter. per business license. All signs located within the Comstock Historic District must comply with the regulations under this chapter and NRS 384. The provisions set forth supersede this section in the event of a conflict. Any display or types of signs not listed in this section and not in conflict with the provisions of this chapter are subject to approval of the director.

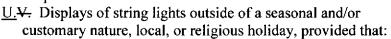
- A. .Two signs with a maximum area of 32 square feet each, located within an A zone, used only to advertise the agricultural products produced or sold on the premises or identifying the premises or its occupants. Signs that are displayed for public safety (e.g. fire extinguishers, exit, call 911, AED and signs necessary for safe and orderly traffic control) are considered exempt.
- B. Customary holiday decorations and signs in the nature of decorations which are seasonal, clearly incidental, and customarily associated with any national, local, or religious holiday and removed within 30 days of the official recognized date of the associated holiday. Such decorations/signs must be located so as not to impede pedestrian or vehicular access.
- C. Religious symbols located on a building or otherwise on-site which are used for organized religious worship and related services.
- D. Scoreboards related to and located within established athletic fields and arenas.
- E. Commercial and non-commercial advertisement and sponsor signs which are attached to the interior portion of fencing which surrounds a designated athletic field or arena. Signs must not be plainly visible from any public place outside of the premises.

- F. "Vacancy," "no vacancy," "open," "closed," "yes," "no," "full," "sorry," and similar type signs associated with commercial uses provided that the area of the sign does not exceed 2.5 square feet in area. Neon is not permitted in the Comstock Historic District. This sign area shall not be included in the overall sign calculations.
- G. Motor vehicle for-sale signs provided that:
 - 1. The message of each sign is directly related to the sale of the motor vehicle on or in which it is located:
 - 2. There are no more than 3 signs per vehicle, including posters, stickers, and other advertising devices allowed by this chapter;
 - 3. The sign is attached to or located within the vehicle. Stickers may be placed directly onto the exterior surfaces of the vehicle or its windows;
 - 4. The sign or combination thereof does not exceed 3 square-feet in total area;
 - 5. The vehicle is located in either an approved sales lot or on private property with the owner's consent; and
 - 6. The sale of the vehicle or vehicles and location and placement thereof is not in violation of any federal, state, or county regulations.
- H. Advertising on vending machines, such as that shown in the illustration to the right, which depicts the product contained therein.
- I. Exempt flags shall be 18 square feet or less, be rectangular in shape and have a width to length ratio between approximately 1:1.5 to 1:2. The official flag of a government, governmental agency, nation, public institution, religious corporation or similar entity, or flags flown on a temporary basis for the purpose of honoring declared national or civic holidays.
- J. House and property addresses, familial name signs, and devices that are similar in nature and clearly do not facilitate the purpose of advertising a commercial or non-commercial business, service, or attraction.
- K. Traffic and pedestrian control and information signs which are installed by a government agency.
- L. Traffic and pedestrian control and information signs which are installed by a private property owner in A, C, and I zones when the sign is located on the property at which the associated business, service, or attraction is located. The signs are limited to 15 square-feet in total area and shall not conflict with a vision clearance triangle as regulated by subsection 17.84.080(J).
- <u>L</u>. M. Temporary or permanent signs erected to warn of danger or hazardous conditions so long as the hazards may exist, including signs indicating the presence of underground cables, gas lines, and other potentially dangerous conditions.
- N. Political signs and posters not exceeding 2 square feet in the CR, E, or R zones and 32 square feet in all other zones. Signs may not be displayed before 60 days of the primary election or caucus or for more than 30 days following the election. Unsuccessful primary candidates must remove, or cause to be removed, their signs or posters no later than 10 days after the primary election. Political signs may not be affixed or placed on the public domain. The public domain placement restriction does not apply to political signs placed on the county owned property located at the north and south intersections of "B" and "C" Streets in Virginia City as shown in Appendices A and B. The sign owner is responsible for knowing or contacting the community development department about the location of the abutting state right of way and for complying with state regulations therein. The county is not responsible for state right of way non-

compliance or penalties imposed against the sign owner for violation of those regulations.

- M. Signs associated with the national, state or local election processes shall be consistent with the following:
 - <u>1.</u> Signs, posters and banners shall not be displayed prior to the first day allowed for the filing of candidacies for election.
 - 2. Signs, posters and banners may not be placed on private property without the private property owner's permission.
 - 3. Unsuccessful primary candidates must remove, or cause to be removed, their signs or posters no later than 30 days after the primary election.
 - 4. All signs, posters and banners associated with national, state or local elections shall be removed no later than 30 days after the general election.
 - 5. Political Signs, posters and banners may not be affixed or placed on the public domain. The public domain placement restriction does not apply to political signs placed on the county-owned property located as shown in Appendix A. Signs located in these public areas shown in Appendix A shall be permissible up to 32 square feet regardless of the zoning district.
 - 6. Sign, posters, and banners shall not exceed 6 square feet in area for the R and E zoning districts with the exception of the E-40 zone and 32 square feet in all other zones including the E-40 zone. Signs, posters and/or banners may have copy on both sides. Only one side is counted toward the overall allowable sign area.
 - 7. The sign owner is responsible for knowing the location of the abutting state and county right-of-way and for complying with state and federal regulations.
 - 8. The county is not responsible for state right-of-way non-compliance or penalties imposed against the sign owner for violation of those regulations.
 - 9. There is no limit on the number of election signs or posters that may be placed on a parcel.
 - 10. Lighting installed specifically for election signs, posters and banners is not allowed.
 - 11. Signs, posters and banners located near property lines and intersecting driveways and public right-of-ways are allowed outside of the vision clearance triangle as demonstrated in section 17.84.080.G. Any sign located within the vision clearance triangle must have a base that is higher than 8 feet above street/grade level or a total height not exceeding 2 feet above street/grade level. In instances where a safety or traffic hazard is identified with regard to these requirements, additional or more restrictive conditions may be imposed. Otherwise, setback requirements apply as follows:
 - a. C, CR, E, and R zones 7 foot clearance setback;
 - b. All other zones 25 foot clearance setback.
 - N.O. Real estate for-sale Real-Estate For-Sale and open-house signs not exceeding 5 6 square-feet in CR, E, R, and SPR zones and 32 square-feet in all other zones. Signs must be removed within 14 days following the sale of the property for which the sign represents. Commercial advertisement signs indicating the presence or existence of a real estate office, business, or service are not considered real estate for-sale signs and are not exempt signs pursuant to this section.

- O.P. Yard, rummage, and garage sale signs not exceeding 6 square-feet in area that are removed within 12 hours after the sale and not displayed in public view before 12 hours of the sale and are in public view for no more than 2 consecutive or non-consecutive days within a 12 month period.
- <u>P.Q.</u> On-site temporary signs and banners displaying a non-commercial message related to household or familial celebrations (e.g., "birthday," "newborn baby," "anniversary," "welcome back," etc.).
- Q.R. "No trespassing," "no hunting," "no fishing," "no loitering," and like signs not exceeding 2 6 square-feet in C, CR, E, and R zones and 16 32 square-feet in all other zones.
- R.S. Signs such as building contractor signs not exceeding 4 6 square-feet in total area within C, CR, E, and R zones and 32 square-feet in total area in all other zones and which are placed upon the property at which the associated project is located. These signs must be removed within 14 days after the associated project has been completed.
- <u>S.</u>T. Commemorative or historical non-advertisement plaques and tablets installed by a government or non-profit entity.
- <u>T.U.</u> One on-site barber pole of traditional design (i.e., red, white, and/or blue rotating swirl absent of text), such as that illustrated to the right, not exceeding 12 inches in width and 48 inches in length and directly attached to the associated building in which the barber service is provided. The device may rotate during the hours that the associated barber is open for business. Lighting placed on or within the device is permitted when in accordance with the applicable provisions of this chapter and chapter 8.02 Dark skies.



- 1. They are not placed on the public domain;
- 2. They are decorative displays which only outline or highlight landscaping or architectural features of a building;
- 3. They are steady burning, clear/white, and do not blink, flash, or exhibit intermittent changes in intensity, animation, or rotating characteristics;
- 4. They comply with the regulations of chapter 8.02 Dark skies;
- 5. They are no greater in intensity than 5 watts for each bulb, or equivalent to the lumen intensity produced by a 5 watt incandescent bulb (approximately 73 lumens);
- 6. They are not placed on or used to outline any type of sign, billboard, or advertising device or their support structures unless otherwise allowed by the provisions of this chapter and chapter 8.02 Dark skies;
- 7. They are not assembled or arranged to convey messages, words, commercial advertisements, slogans, and/or logos;
- 8. They are commercial grade UL Listed for long-term outdoor use and do not otherwise create a safety hazard with respect to placement and connection to power supply as determined by applicable codes and regulations. The power supply must be a dedicated weather-protected and GFCI protected receptacle. The use of extension cords shall not be permitted;
- 9. They are maintained and repaired so that no individual light bulb is inoperative for more than a period of 30 consecutive days. In the event that the bulbs are not



- maintained or repaired for a period exceeding 30 days, the string lights must be removed.
- 10. Lighting located with the Comstock Historic District shall be consistent with the Historic District requirements.
- V.W. Points of entry and public interest signs. In addition to the regulations of this chapter, non-commercial point of entry and public interest signs (See examples in Figure 8.7.) that are owned, leased, or otherwise managed by any federal, state, or county agency, or a political subdivision thereof (e.g., homeowner's association or general improvement district), are permitted provided that they comply with the regulations below and the provisions under sections 17.84.040, 17.84.050, 17.84.060, and 17.84.080. Changeable copy and variable image signs are prohibited. Point of entry signs installed at the entrance(s) of a planned unit development or subdivision; multi-family dwelling complex; industrial, shopping, or other commercial center; education facility or campus; or other building complex are permitted when they are managed and maintained by a federal, state, or county agency, or a political subdivision thereof, or the management of the property. All signs under this subsection are subject to approval of the director and comply with the following regulations:
 - 1. The sign must conform to the purpose and intent of this chapter and NRS 384, where applicable;
 - 2. The owner or political subdivision is responsible for sign placement, maintenance, and compliance with all applicable regulations;
 - 3. Encroachment permits must be obtained, where applicable;
 - 4. The sign must have proper access and maintenance easements;
 - 5. No more than 1 sign may be erected at any given location, with exception of 1 similar sign that may be placed at both sides of a point of entry. The maximum sign face area, excluding supporting structures, may not exceed 32 square-feet;
 - 6. The sign and all parts thereof must be non-commercial and relate directly to the point of entry or public interest.

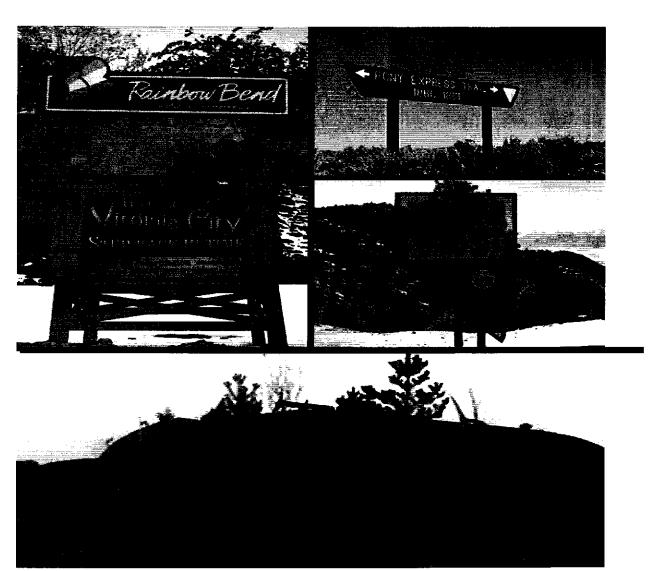


Figure 10.1 8.7: The point of entry signs (left and bottom) and place of interest sign (top right) are owned and managed by public entities and their message is non-commercial. The message in each devise relates directly to the point of entry or public interest for the viewer.

17.84.110120 Temporary Signs and Banners.

Any sign or banner, except those listed in sections 17.84.100, <u>17.84.110</u> and 17.84.120 displayed for a period of time not exceeding 30 consecutive or non-consecutive days in a 12 month period of time is considered a temporary sign or banner.

A. The following are considered temporary signs:

- 1. Banners, posters, pennants, sandwich board signs; fliers; blackboards and whiteboards; signs attached to temporary structures directly associated with operating special events, fairs, carnivals, and concessions; and devices which are supported, worn, or otherwise displayed on and by human or animal subjects (otherwise known as "human signs") and flags beyond that listed in 17.84.110.I are considered temporary signs.
 - B. The following are not considered a temporary signs or banners:
 - 1. Tethered balloons, streamers, inflatable devices, and similar devices.
 - 2. Any sign which is in any way attached, painted to, or otherwise attached to a vehicle, trailer, or other mobile device, as defined in section 17.84.120(C).

- <u>CA.</u> In addition to all other applicable provisions of this chapter, all temporary signs and banners must comply with the following regulations:
 - 1. They must be professionally painted or printed. Those which become tattered, torn, or otherwise fall into disrepair must be immediately removed or replaced with a similar size and type sign.
 - 2. They may not exceed 12 square-feet in total area. with exception of banners which may not exceed the allowable limitations set forth by subsection (D);
- <u>DB</u>. Banners that are mounted to a wall or canopy must be secured taut and not placed over any permanent sign. A temporary banner mounted in such a manner that it becomes suspended between two points (e.g., between buildings, poles, trees, etc.) must comply with the following regulations: not impede pedestrian or vehicular traffic.
 - 1. They may not exceed 2 feet in height;
 - 2. They may not be closer than 5 feet to the objects from which it is suspended, and;
 - 3. They must be mounted no less than 18 feet over a public right-of-way.
- **<u>EC</u>**. No more than 1 banner may be attached to any two points.
- FD. Any banner which is suspended over a right-of-way is subject to approval of the director.
- <u>GE</u>. A second sign or banner of exactly the same color, shape, size, and configuration may be applied to the opposite side of the sign in order to convey its message to opposing pedestrian or vehicular traffic.
- HF. Temporary signs and banners may not be publically displayed more than 30 consecutive or non-consecutive days in a 12 month period.
- I. Sandwich board directional signs may be displayed for extended periods with a special use permit. These directional signs must comply with the regulations under subsections 17.84.080(K) and 17.84.080(L). The time in each twenty-four hour period that the directional sandwich board sign must be removed and not displayed must be stipulated in the approved special use permit. No sign may be placed on the public domain.
- <u>JG</u>. No more than 4 temporary signs or banners may be displayed for any 1 household, business, firm, or non-governmental entity within a 12 month period.
- <u>KH</u>. Only 1 temporary sign or banner may be displayed at any given time <u>per business</u>. In a multi-tenant shopping center, two temporary signs or banners may be displayed.
- I. A Special Use Permit may be granted to allow for exceptions to the regulations in Section 17.84.120.

17.84.120130 Prohibited Signs.

The following signs and advertising devices are prohibited in any zone:

- A. Within, attached to, or hanging over a public right-of-way or on the public domain, with exception of permitted signs regulated pursuant to sections 17.84.090, 17.84.100, and temporary banners.
- B. Located on private property without the expressed permission of the property owner.
- C. Mobile signs 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 classify it as a free-standing sign. Ordinary identification of a business or service on an associated utility vehicle (e.g., construction contractor's vehicle or equipment such as those illustrated in Figure 8.8 below) is not considered a mobile sign and is thus exempt from the

restrictions of this subsection. When uncertainty exists regarding the provisions of this subsection, the advertising device will be subject to the review and approval of the board with action by the planning commission.

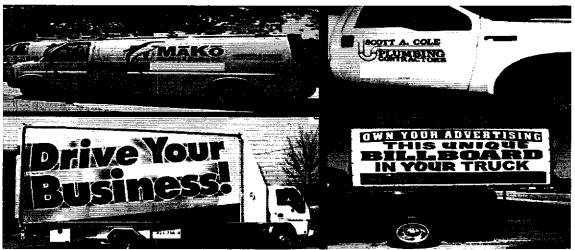


Figure 29.1 8.8: The images shown on the top two vehicles (allowable) contrast with those below (prohibited) in that they clearly relate to the service provided in association with the vehicle. The bottom vehicles depicted are examples of mobile signs which facilitate off-site advertising.

- D. Inflatable signs, including those which are made of Mylar, vinyl, plastic, rubber, or any other material which is supported by gasses contained therewith, or its parts, at pressure which is equal to or greater than the surrounding natural atmospheric pressure.
- E. Paper signs and fliers displayed on the exterior of buildings, trees, and other structures lasting more than 12 hours in a one year period.
- F. Bulletin boards, including blackboards and whiteboards, where other signs of similar size or structure are prohibited.
- GF. Portraying sexual, sexually-related, or other "adult" material in a provocative or otherwise obscene manner within or in view of a public place.
- HG. Located in such a place that they negatively impact visual corridors and view sheds from public places, or obscure a view of the road, or other vehicular and pedestrian right-of-ways ahead, or curves, grades, or interstate highways or railways. The integrity of location, setting, feeling, and association of properties to their surrounding environment and view sheds (The Comstock Historic District and natural and largely undisturbed environment surrounding many rural properties county-wide are considered sensitive for the purposes herein and should be protected against visual impacts caused by signs and billboards).
- IH. Emit noise, flames, smoke, steam, or other matter.
- JI. Employ movement including, but not limited to, pennants, flags of non-national origin, banners (except those that may be allowed as stated in Section 17.84,110 of this chapter), streamers, balloons, disks, searchlights, and lasers.
- KJ. Employ direct, indirect, internal flashing, or other illumination with light source or reflectivity of such brightness that it constitutes a hazard to ground or air traffic or a nuisance as determined by the Designee or any federal or Nevada State agency.
- <u>LK</u>. Obstruct or impair the display of any permanent regulatory or advisory traffic sign or parking sign or traffic signal.
- ML. Obstruct, obscure, or impair the safe passage of pedestrians, cyclists, or persons with disabilities.

- NM. Placed on the roof of buildings unless a special use permit is granted. In determining the Special Use Permit application, Section 17.84.120.G shall be a consideration. Signs may be placed on the roof of porches if a building story is the backdrop for the sign.
- ON. Painted or attached to trees, fences, utility poles, rocks when located in their current natural place or state, or similar natural and man-made structures and objects.
- P. Installed on a building such that any window, door, or opening will be altered, blocked, or removed for the purpose of installing or displaying the sign. An advertisement or other display which is painted directly onto the interior surface of a window is permitted.
- Q. Placed on a wall of a building exceeding an area equal to 25 percent of the wall area. (See figure 20.2 below.)
- R. Placed on a wall so as to extend beyond the outer edge of any wall of the building on which it is located. (The sign must remain entirely within the visual profile of the building. See figure 20.2 below).
- S. Placed more than 6 inches and less than 10 feet parallel to the face of any building or structure to which it is attached. (See figure 20.2 below.)
- <u>ŦO</u>. Attached or placed adjacent to any utility pole, traffic sign post, traffic signal, historical marker or any other official traffic control device.

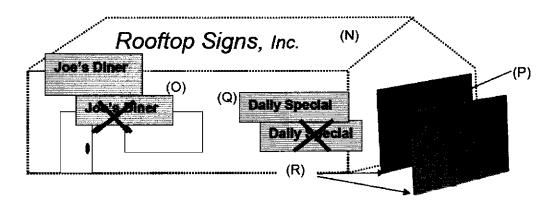


Figure 20.2: The mark "X" in the above diagram demonstrates a sign that is out of compliance with one or more provisions of this section. Signs absent of said mark indicate compliance with the applicable regulations as follows: (O) sign covers or otherwise alters a door, window, or opening; (Q) sign extends beyond the outer edge of the wall of the building; (R) sign is more than 6 inches and less than 6 feet from the building wall; (P) sign exceeds 25 percent of the wall; (N) sign is painted directly onto the roof unless a special use permit is granted.

17.84.140 Billboards

Any sign face measuring 128 square feet or more in total area <u>and is a freestanding sign</u> supported by a single monopole structure is classified as a billboard and must comply with federal, state, and county regulations, <u>including this chapter</u>. section and section 17.84.080.

A. Special use permit required. The regulations of this section and title are considered the minimum requirements for billboards. A special use permit is required before erecting or displaying a billboard. The special use permit may impose conditions as deemed appropriate by the board with action by the planning commission. <u>Billboards must be</u> listed as an allowed use or allowed with a special use permit land use in the

- corresponding zoning district for the property where the billboard will be located. The size of the billboard shall be determined on the allowable sign area associated with the parcel the billboard will be located on and the associated zoning district.
- B. Other permits & requirements. No billboard or its supporting devices may be erected until plans developed by a licensed engineer for the proposed project have been reviewed by the fire and community development departments and a building permit has been issued. A building permit may not be issued until the special use permit has been granted and all requirements of the county have been satisfied. The issuance of a building permit or any other authorizations prior to approval of the special use permit must not be construed as an approval to commence construction of a billboard.
- C. Transfer of entitlement. The owner(s) of a billboard may not sell, transfer, ground lease, or assign a billboard or property on which a billboard is located in whole or in part to any person, partnership, joint venture, firm, company, or corporation without a minimum of 90 days notification to the director prior to closing. The new owner of the billboard shall accept the conditions of approval for the billboard, or the billboard and associated features shall be removed.
- D. Best management practices. Preparation and construction within a billboard site including, but not limited to, the development, operation, and reclamation of all roads, access corridors, foundation pads, equipment storage and staging areas, and all related facilities must conform to grading and slope stability requirements, fire codes, and all Nevada Division of Environmental Protection (NDEP) best management practices.
- E. Distances limitations. No billboard may be permitted or otherwise erected or displayed:
 - 1. Less than 660 feet from federal aid right-of-ways and primary highway systems (e.g., Interstate 80).
 - 2. Within 2,000 feet of:
 - Roadway intersections and interchanges, interstate highway rest areas, or on any
 public right of way where there will be a line of sight obstruction to a roadway
 corner, bend, interchange, or intersection, including vehicular, pedestrian, or
 railroad crossing;
 - b. Another billboard:
 - c. Any public or private school, church, hospital, health care facility, residential care facility, public park, or government office building;
 - d. a. Any CR, E, P, or R zone, the Comstock Historic District, and within 1,000 feet of the following public right-of-ways: Six Mile Canyon Road, Seven Mile Canyon Road, State Route 341, and State Route 342. for billboards exceeding 128 square feet. Billboards measuring 128 square feet or less which are owned and managed by the county or an entity thereof may be allowed with a special use permit adjacent to State Route 341 and 342 in the Comstock Historic District when they are located in a C, CR, I, or P zone and no closer than 200 feet of any occupied structure, unless the owner of that structure provides written consent to the county.
 - 3. Within 200 feet of any occupied structure.
 - 4.3. With more than 1 display face, with exception of a second billboard face of the exact same shape, size, and configuration which is applied to the billboard's opposite side as to convey the device's message to opposing pedestrian and/or vehicular traffic, and not more than 20 inches apart.
 - 5. When 1 or more signs or billboards already exist on the wall of a building.

- F. Support structures. Structures supporting billboards must conform to the local building code and be unobtrusive and recessive in their appearance. Billboards must be supported by a single monopole structure unless they are painted directly onto a permitted building, wall, or other permitted structure not specifically intended to support the billboard.
- G. Billboard support structures must be coated with a non-reflective beige or gray-colored finish. Other colors and finishes may be permitted or required as part of the special use permit.
- H. Lighting. All direct and indirect lighting of a billboard must conform to the regulations under section 17.84.080(EC) and chapter 8.02 Dark skies. If any proposed billboard will employ use or display of variable images or changeable copies, will be placed within 2,000 feet of any traffic signals or traffic signs, or will be located within a road boundary, the billboard owner must provide the county a traffic engineering report created by a licensed traffic engineer. The report must confirm that the advertising devise and its placement will be safe for vehicular and pedestrian traffic. The report must consider all factors relevant to traffic safety including applicable criteria contained in this title. The report will be completed at the cost of the applicant. The county may require an independent review of the report by a qualified person at the expense of the applicant. For changeable copy or variable images, no sign shall exceed 1,500 nits between sunset and sunrise and shall exceed 5,000 nits between sunrise and sunset.

 Signs shall automatically adjust/dim due to changes in ambient light, such as inclement weather. No animation is permissible.
- I. Facility closure. Any billboard not meeting the standards of this this chapter and the applicable federal, state, and county regulations will be considered closed. The process of removing the billboard and its supporting structures and reclaiming the site to the condition existing prior to its development must commence immediately and must be completed within 180 days of closure. Further specifications pertaining to site reclamation will be determined by the conditions of the special use permit.
- J. Reclamation extension. If necessary, such as during times of Force Majeure, a request for a reasonable extension of the completion of removal and reclamation may be submitted to the director for approval. The application for extension must include all applicable documentation necessary to demonstrate that final removal and reclamation will take longer than the time allowed under the provisions of this chapter and that reasonable steps have been taken by the owner to conform to the requirements set forth by this chapter.
- K. Reclamation surety bond. A surety bond must be posted by the applicant of any billboard of or exceeding 288 square feet in area. The surety bond assures that a closed billboard and the land in which it is located is restored to a condition existing prior to installation of the billboard. The surety bond must be posted prior to disturbance of the land. The amount of the surety bond necessary to remove the structure and reclaim the land will be determined by a qualified licensed engineer or environmental manager at the expanse of the applicant and will be subject to third-party review as determined appropriate by the county. Additionally, the following requirements will apply:
 - The applicant must submit to the director proof that a cash deposit, certified check, irrevocable bank letter of credit, or surety bond has been deposited to ensure completion of reclamation work that is consistent with the requirements for reclamation under the special use permit, including estimated costs associated with

- removal of each billboard and all associated equipment and accessory structures and restoration of the site to a natural state.
- 2. The surety bond will be released after the county has determined that the land has been returned to a state existing prior the facility's existence.
- 3. The required certification must include all applicable documentation necessary for certification of closure.
- 4. Before the bond is released, the county will reserve the right to retain the service of an independent, qualified person, at the expense of the permit holder to verify that final reclamation has been completed in a manner which is determined by the director to be satisfactory.
- L. Liability insurance and indemnification. The permit holder and his or her assigns, heirs, or successors:
 - 1. Must provide proof of liability insurance to the county and maintain satisfactory insurance for all aspects of the facility in the amount of at least one million dollars (\$1,000,000). The county may require additional liability insurance coverage as needed. "Storey County" must be named as the "additional insured".
 - 2. Must agree to the extent not prohibited by law, to indemnify, defend, and hold harmless Storey County from any costs, damages, claims, causes for action, penalties, fines, liabilities, and judgments of any kind or nature to the extent such liability arises from or in connection with the permit holder's and operator's negligent use, operation, management, or maintenance of the premises.

17.84.150 Variances.

- A. Applications for a variance may be made pursuant to this chapter and chapter 17.03

 Administrative provisions, and may be allowed where, in the opinion of the board with action by the planning commission, the same is necessary and is not in violation of the letter and spirit of the standards set forth in this title.
- B. A variance may not be granted where a violation of the provisions set forth by NRS 384 or any provision of this chapter applicable to the Comstock Historic District would take place.
- C. Variances may include application for signs installed off-site where it can be shown that failure to allow such signs will work a hardship on the respective business or attraction, and is necessary to the conduct thereof.

17.84.160 Violation Report.

All sheriff, public works, fire, community development, and community services department employees must report any violation of this chapter to the director.

17.84.170 Complaint by State Personnel.

Should the State Highway Engineer file a complaint with Storey County showing that any sign erected is a hazard to traffic, the director must immediately order the removal of the sign.

17.84.180 Nuisance Declared.

All signs not in compliance with the provisions of this chapter are declared to be nuisances and detrimental to the health, safety, economics, and general welfare of the people of this county and may be abated under the provisions of section 17.03.045.

17.84.260 Violation Liability.

Any person who violates any provision of this chapter is liable to Storey County for any expense, loss or damage incurred by Storey County by reason of the violation.

17.84.270 Violation Remedies Not Exclusive.

Nothing in this chapter may be construed to limit or prohibit the prosecution of the owner(s), or others, for a violation of this chapter by criminal complaint or by a civil action provided for by law.

Vote: Ayes	Commissioners				
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Nays	Commissioners			<u> </u>	
Absent	Commissioners		-		
		shall McBri ey County E	de, Chair Board of County (Commissione	rs
Attest:					
		-			
Vanessa Step Clerk & Trea	hens surer, Storey County				
This ordinanc	e will become effective	e on	, 2	018.	

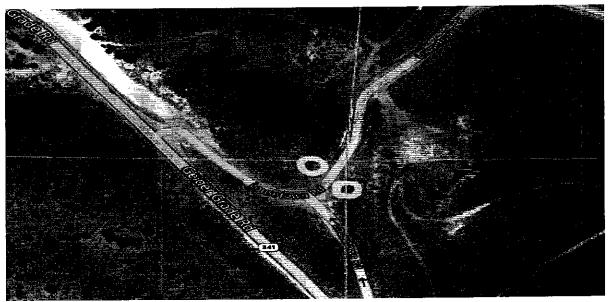
Appendix A

Locations for signs associated with national, state or local election processes within Countyowned rights of way or property.

The identified locations are approximate only (indicated in yellow or blue on the following maps). Signs associated with the election processes may be located on Storey County public right-of-way/property only in the general locations shown. No signs may be located that impede pedestrian or vehicle visibility and may not be located within a vision clearance triangle. Signs located in these public areas shall be permissible up to 32 square feet regardless of the zoning district. It is the sign owner's responsibility to make sure signs are not on private property without permission from the property owner and not located in any other public right-of-way. Signs must be located a minimum of 100-feet from a polling location.



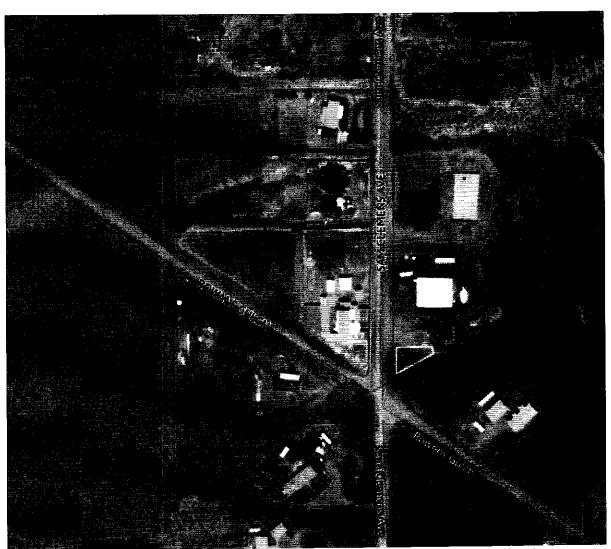
Lockwood Area



Lousetown Road



South C Street, Virginia City



Mark Twain area - signs must be located a minimum of 100-feet from the entrance to the polling location.