

City of Reno
Planning Division

VARIANCE PROCEDURES

Submittal Dates:

- Applications for variances are accepted until 3:00 p.m. on the second Monday of each month. See submittal date list for exact intake date.
- The contact person identified on the application will be sent a letter acknowledging receipt of the application as complete and any committee meetings requiring their attendance.

Notice:

- The application and accompanying information will be circulated to various agencies for review. The applicant and all property owners within 750 feet of the subject site boundaries will be notified by mail regarding the project and the time, date and location of the variance public hearing.
- The applicant must place a sign(s) provided by the administrator adjacent to each street abutting the property 10 calendar days prior to the scheduled public hearing. Posting notices will be provided by the administrator.

Reviewing Bodies:

- City staff will prepare a report recommending approval or denial that will be made available to the applicant and the public (online) before the Planning Commission hearing.
- At the advertised public hearing, the applicant and all other interested parties will be allowed to speak. Following the public hearing, the Planning Commission will make its decision: approval, approval with conditions or denial. After a decision is made, the Planning staff will provide the City Clerk's office and the applicant with a copy of the Planning Commission decision letter.

Decisions:

- The Planning Commission's decision on a variance is final unless it is appealed to the City Council.
- Appeals of the Planning Commission decision must be filed within 10 calendar days of the Commission decision. Any person aggrieved by the decision may file an appeal to the City Clerk's office (334-2030) by submitting the appropriate form and fee.
- If an appeal has been filed, the City Clerk will schedule a hearing before the City Council at 6:00 p.m. commencing at least 14 days after the last day of the appeal period. The public hearing will be noticed and advertised in accordance with RMC Section 18.06.208. The decision made by the City Council is final.
- An applicant whose variance is finally denied cannot institute a new application on substantially the same project within twelve (12) months from the date of final action on the original application, **unless** the City Council has first determined that its original decision was based on an error, lack of information, a misrepresentation of the facts, or that there has been a substantial change in the subject property, or the administrator has determined that there has been a substantial change in the project or an amendment to applicable provisions of Title 18.

Postponements and Invalid Applications:

Procedures are specified in Reno Municipal Code Section 18.06.205. Reimbursements for incomplete, withdrawn or invalid applications are as follows:

Discretionary Review Cases:

| <u>Case Progress</u> | <u>Amount of Refund</u> |
|------------------------------|-------------------------|
| • Case Setup | 80% |
| • Staff/Applicant meeting | 50% |
| • Research | 25% |
| • Postcards sent out | 10% |
| • Draft staff report written | 0% |

FINDINGS: Please provide one copy of a written response to the variance findings in Word format with the original application packet.

Variance:

- (1) In order to approve a variance, the recommending or deciding body shall make the following findings:
 - a. The property is characterized by an extraordinary or exceptional situation or condition, such as exceptional narrowness, shallowness or shape, or it has exceptional topographic conditions at the time of enactment of the regulations;
 - b. The strict application of the regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property;
 - c. Granting of the variance will not be materially detrimental to the public health, safety, or welfare, or injurious to property or improvements in the vicinity; and
 - d. The proposed variance is consistent with the intent and purpose of this title.
- (2) In granting variances, the decision-making body shall have no power to take action which has the effect of allowing a use of land in contravention of the applicable zoning district or which in any other way changes the applicable zoning district. Any action that has in effect changed the zoning district shall be deemed a violation of powers of this section and be of no force and effect.
- (3) The fact that a building exists or was constructed or expanded in a manner which does not conform with this title prior to the consideration of a variance application may not be used as a basis for the granting of a variance.

VARIANCE APPLICATION CHECKLIST

APPLICATIONS: Originals shall be unbound with two-hole punch at top of application. Copies shall be collated and bound into separate packets of the following:

| Applicant | Item No. | ITEMS REQUIRED FOR GENERAL APPLICATION CHECKLIST | Staff |
|----------------------|----------|---|------------|
| Complete and Correct | | | Incomplete |
| | 1 | Application Form(s) | |
| | 2 | Owner's Affidavit, Applicant Affidavit | |
| | 3 | Advisory Board information (optional) | |
| | 4 | 8-1/2" x 11" a Site Plan | |
| | 5 | 8-1/2" x 11" Color Zoning/Vicinity Map | |
| | 6 | 24" x 36" Colored Display Map | |
| | 7 | 8-1/2" x 11" Color Building Elevations (if applicable) | |
| | 8 | 24" x 36" Building Elevations (original to be in color) (if applicable.) | |
| | 9 | 24" x 36" Preliminary Grading & Drainage Plan and Checklist (if applicable) | |
| | 10 | 24" x 36" Preliminary Landscape Plan and Checklist (if applicable) - may be part of the site plan | |
| | 11 | Handicap parking spaces and regular parking space calculations | |
| | 12 | Information on Signage (if applicable) | |
| | 13 | Supporting Information including a written analysis of applicable findings listed under VARIANCE PROCEDURES | |
| | 14 | Check or Money Order | |

*Map scale for grading and utility plans shall not exceed 1 inch = 60 feet.
FOLD ALL 24" X 36" MAPS TO APPROXIMATELY 9" X 12"

****Original application, 1 paper copy and 15 digital copies on CD are required for this application.****

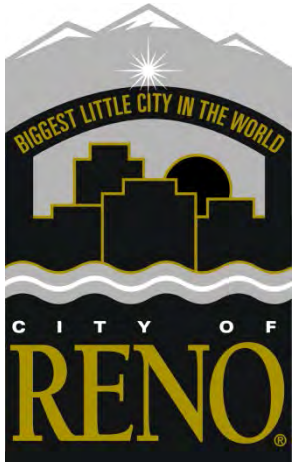
Additional copies may be requested on a case-by-case basis.

_____(Applicants Initials) ***Applications with missing plans and checklists or missing components of plans and checklists, will be deemed incomplete and returned within three (3) days of application submittal. Incomplete applications will not be scheduled for public hearings. The applicant must consult with Community Development Staff prior to submitting an application without the above information to determine if the information may be eliminated for a particular application. Additional information may be requested through the staff/applicant meeting and the review process.**

Notice:

- Depending on the project, not all of the checklists may be needed. Please submit only the completed required documents. Please call (775) 334-2042 with any questions.
- Please **do not submit** to the City of Reno any of the **application procedures**. These procedures are informational only and are not be included with the submitted application.

CITY OF RENO APPLICATION FOR VARIANCE



| | |
|---|--|
| For Community Development Department Use Only: | |
| CASE NUMBER: | |
| Date Received | |
| Time Received | |

PROJECT NAME: _____

PROJECT DESCRIPTION: _____

PROJECT ADDRESS: _____

PROPERTY SIZE: _____ ASSESSOR'S PARCEL NO(S): _____

ZONING - EXISTING: _____ PROPOSED: _____

MASTER PLAN - EXISTING: _____ PROPOSED: _____

EXISTING LAND USE: _____

PROPERTY OWNER(S)

NAME: _____

ADDRESS: _____

PHONE: _____

APPLICANT/DEVELOPER(S)

NAME: _____

ADDRESS: _____

PHONE: _____

FAX NO: _____

PERSON TO CONTACT REGARDING APPLICATION:

NAME: _____

(IF SAME AS OWNER OR APPLICANT, PLEASE INDICATE)

ADDRESS: _____

PHONE: _____

FAX NO: _____

E-MAIL ADDRESS: _____

The City of Reno will direct all mail on this project to the contact person designated above.
The above information is required.

**CITY OF RENO
VARIANCE APPLICATION**

The owner of the property herein described or his duly authorized agent hereby requests the Planning Commission of the City of Reno to approve a variance from the requirements of Title 18 of the Reno Municipal Code.

SECTION(S) OF ORDINANCE TO BE VARIED: _____

PROPOSED VARIANCE: _____

REASON FOR REQUEST: _____

IDENTIFY THE IMPACTS OR EFFECTS OF THE PROPOSED VARIANCE ON ADJACENT PROPERTIES:

IDENTIFY THOSE SPECIAL CONDITIONS/CIRCUMSTANCES WHICH WOULD RENDER IT A HARDSHIP TO COMPLY WITH THE ZONING REQUIREMENTS:

DO THESE CONDITIONS/CIRCUMSTANCES APPLY GENERALLY TO OTHER PROPERTIES IN YOUR NEIGHBORHOOD?

OWNER AFFIDAVIT

I am the owner/authorized agent of the property involved in this petition and that I authorize _____ (name) to request development related applications for _____ (*use list below) on my property. This authorization is inclusive of Assessor Parcel Numbers _____, which are further described in the attached legal descriptions. I declare under penalty of perjury that the foregoing is true and correct for development case number LDC_____ (to be filled in by City of Reno staff).

Executed on _____, in _____, _____
(date) (City) (State)

Signature

Printed Name

STATE OF NEVADA)
) ss
COUNTY OF WASHOE)

On this _____ day of _____, 20____, _____(name) personally appeared before me, a Notary Public in and for said County and State, known to me to be the owner/authorized agent of the above property who acknowledged to me that they are authorized to and did execute the above instrument on behalf of said application.

Notary Public

APPLICANT AFFIDAVIT

I am the applicant and/or consultant/firm involved in this petition and the foregoing statements and answers herein contained and the information herewith submitted for _____ (*use list below) are in all respects complete, true, and correct to the best of my knowledge and belief. I declare under penalty of perjury that the foregoing is complete, true and correct for development case number LDC_____ (to be filled in by City of Reno staff).

Executed on _____, in _____, _____
(date) (City) (State)

Company: _____

Name: _____

Title: _____

Signed: _____

STATE OF NEVADA)
) ss
COUNTY OF WASHOE)

On this _____ day of _____, 20____, _____(name) personally appeared before me, a Notary Public in and for said County and State, known to me to be the applicant and/or consultant/firm involved in this petition who acknowledged to me that they are authorized to and did execute the above instrument on behalf of said application.

Notary Public

PRELIMINARY LANDSCAPE PLAN SUBMITTAL REQUIREMENTS CHECKLIST

The plan shall, at a minimum, identify all areas to be landscaped and include required and provided area and tree calculations, water regime, and general types of landscaping proposed for the areas as more specifically described by Section 18.12.1203 of the Reno Municipal Code.

| Applicant | Item No. | ITEMS REQUIRED FOR PRELIMINARY LANDSCAPE PLAN SUBMITTAL CHECKLIST | Staff |
|-------------------------|-------------|--|--------------|
| Complete and Correct | | | Incomplete |
| | 1 | Identification of all areas to be landscaped | |
| | 2 | Area and tree calculations | |
| | 3 | Water regime (type of irrigation) | |
| | 4 | General types of landscaping proposed for the area | |

PRELIMINARY GRADING AND DRAINAGE PLAN CHECKLIST

Project Name: _____ Reviewed By: _____

Case Number: _____ Engineer of Record or Architect: _____

Date: _____ Applicant: _____

| Applicant Complete and Correct | Item No. | PLAN ITEMS REQUIRED FOR PRELIMINARY GRADING AND DRAINAGE PLAN CHECKLIST | Staff Incomplete |
|--------------------------------------|-------------|---|---------------------|
| | 1 | Project name, Firm, Engineer's Signature & Seal. | |
| | 2 | The Preliminary Grading Plan for the entire project, stamped by a Nevada registered civil engineer, showing existing contours at maximum 5 foot intervals, approximate street grades, proposed surface drainage, approximate extent of cut and fill slopes, retaining walls and structures, and approximate building envelopes and all pad elevations sufficient to convey the impact of grading. | |
| | 3 | Plan drawn on 24" x 36" sheets using standard engineering scales. Map scale for grading plans shall not exceed 1 inch = 60 feet. | |
| | 4 | Date, north arrow, scale and sheet numbers in relation to the total number of sheets. | |
| | 5 | All streets indicated as either public or private. | |
| | 6 | Soils Report, prepared by a Nevada registered civil engineer, including soils characteristics sufficient for use in tentative structural design, i.e., street sections, building pads, etc. | |
| | 7 | A Hydrology Report and drainage study of the site prepared by a Nevada registered civil engineer prepared in accordance with the minimum requirements of Section 2 of Chapter II of the City of Reno Public Works Public Works Design Manual, latest edition. Specifically, the locations, sizes, flow directions, and peak discharges for 5-year and 100-year frequency events for each existing and proposed drainage facility within and abutting the project boundaries, together with the tributary watershed areas for each. In addition to other related checklist items, the report shall include preliminary runoff generation, size, and flow conveyance calculations for all watersheds and storm water management facilities. | |
| | 8 | Indicate any portion of the site within the boundary of the project located within a special FEMA Flood Hazard Zone. | |
| | 9 | Ownership, direction of flow, 5-year and 100-year peak flows, and the approximate location and size of existing and proposed storm drains, culverts, swales, and open channels. | |

| Applicant Complete and Correct | Item No. | PLAN ITEMS REQUIRED FOR PRELIMINARY GRADING AND DRAINAGE PLAN CHECKLIST | Staff Incomplete |
|---|-------------|---|----------------------------|
| | 10 | All existing and proposed detention/retention basins with approximate sizes and capacities, outlet works, peak inflow and outflow values, and location, type, and direction of emergency overflow/outfall features. | |
| | 11 | The location, size and direction of flow of the nearest available public storm drain installation. | |
| | 12 | The location and outline to scale of each existing building, permanent structure, or other permanent physical feature, and any alteration or removal of the same. | |
| | 13 | Explanation for handling storm water drainage, and estimated additional runoff generated by the proposed development. | |
| | 14 | The surrounding area within 150 feet of the exterior boundaries of the proposed subdivision showing the following: Topography with maximum 5 foot contours. Street location, names, widths of right-of-way, and pavement widths (including existing curb cuts of both sides of the streets). Existing maintenance and emergency access roads. Direction of drainage for all adjoining roadways. Existing flood control/drainage facilities, structures, etc. | |
| | 15 | The width of right-of-way and approximate grade of each street (public or private), alley, and access road within and necessary to serve the proposed project. | |
| | 16 | All known areas of potential hazard, including but not limited to, earthquake faults, earth slide areas, avalanche areas or otherwise hazardous slopes, clearly designated on the map. | |
| | 17 | Design of public and private streets, rights-of-way, and collective driveways such that emergency access by firefighting and other service vehicles is practical. Maintenance and emergency access roads, temporary or permanent, are to be designated on the map with proposed grading and drainage features. | |
| | 18 | Identify slopes steeper than 3:1 and indicate methods proposed for erosion control and slope stabilization for such slopes, with an explanation of how the methods were derived. | |
| | 19 | Identify the amount of material to be imported or exported from the site, and haul routes from the point of origin to the receiving site. | |

| Applicant | Item No. | PLAN ITEMS REQUIRED FOR PRELIMINARY GRADING AND DRAINAGE PLAN CHECKLIST | Staff | | | | | | | | | | |
|----------------------|----------|--|--------------|-------|------------|--------|------------|--------|------------|-----|------------------|--------|--|
| Complete and Correct | | | Incomplete | | | | | | | | | | |
| | | <u>Hillside Development Projects</u> | | | | | | | | | | | |
| | 20 | <p>Slope Cell Map with: a scale no less than one inch equals 60 feet, existing ground contour intervals of not more than two feet, proposed contours within intervals matching existing contours, and colored pre-grading slope groups categorized in accordance with the Hillside Density Calculations. Slope ranges shall be colored as follows:</p> <table style="margin-left: 40px;"> <tr> <td>0 – 15%</td> <td>Green</td> </tr> <tr> <td>15.1 – 20%</td> <td>Yellow</td> </tr> <tr> <td>20.1 – 25%</td> <td>Orange</td> </tr> <tr> <td>25.1 – 30%</td> <td>Red</td> </tr> <tr> <td>Greater than 30%</td> <td>Maroon</td> </tr> </table> | 0 – 15% | Green | 15.1 – 20% | Yellow | 20.1 – 25% | Orange | 25.1 – 30% | Red | Greater than 30% | Maroon | |
| 0 – 15% | Green | | | | | | | | | | | | |
| 15.1 – 20% | Yellow | | | | | | | | | | | | |
| 20.1 – 25% | Orange | | | | | | | | | | | | |
| 25.1 – 30% | Red | | | | | | | | | | | | |
| Greater than 30% | Maroon | | | | | | | | | | | | |
| | 21 | Additional grading plans and site improvement plans shall be superimposed over the color Slope Cell Map. | | | | | | | | | | | |
| | 22 | All additional plans and exhibits required by Reno Municipal Code, Article XVI for Hillside Development. | | | | | | | | | | | |
| | 23 | All required plans for Hillside Developments shall be wet stamped, signed, and certified accurate by a civil engineer registered in the State of Nevada. | | | | | | | | | | | |

| Supplemental Information | | | |
|---------------------------------|----|--|--|
| | 24 | Explanation of measures proposed to eliminate or mitigate areas of potential hazard identified on plans. | |
| | 25 | Indication of prominent landmarks, areas of unique natural beauty, rock outcroppings, vistas and natural foliage which will be deciding considerations in the design of the subdivision. | |
| | 26 | When a project contains potential wetlands, stream environments, and areas of significant hydrologic resources, the Preliminary Grading and Drainage Plan shall be accompanied by a Technical Survey fulfilling the requirements of Section 18.12.1807 of the Reno Municipal Code for Wetlands and Stream Environment Protection Standards (revised November, 2004). If the wetland or stream is a major drainageway as classified in the Major Drainageway Plan, the Technical Survey shall include the items specified in that plan. Relevant design techniques or mitigation measures defined in the Technical Survey shall be incorporated into the Preliminary Grading and Drainage Plan. | |

| Applicant Complete and Correct | Item No. | PLAN ITEMS REQUIRED FOR PRELIMINARY GRADING AND DRAINAGE PLAN CHECKLIST | Staff Incomplete |
|--------------------------------------|-------------|--|---------------------|
| | 27 | For applications requiring a Special Use Permit for disturbance of a Major Drainageway, the Preliminary Grading and Drainage Plan shall depict the 100-year floodplain boundary and the 15 foot setback area as measured from grade break for all drainageways in accordance with Reno Municipal Code, Title 18 for Drainageway Protection Standards. | |
| | 28 | For Tentative Map and Special Use Permit applications, the applicant shall submit additional plans depicting no less than two cross sections of the site with horizontal scales the same as that of the Preliminary Grading and Drainage Plan and vertical scales shown at a 1:1 representation, or proportional to the horizontal scale (e.g., 10-100, 4-40, etc.). | |
| | 29 | For applications requiring a Special Use Permit for excessive cuts and fills, the applicant must submit an additional plan view which graphically delineates all areas of proposed cuts in excess of 20-feet and proposed fills in excess of 10-feet. Within each area, the maximum cut depth or fill height shall be noted (in feet). This sheet shall utilize the same scale as the Preliminary Grading and Drainage Plan. | |

The application is not considered to be complete by the City until all applicable requirements of this checklist have been fulfilled by the applicant. Incomplete applications will not be scheduled for public hearing.

SUBMITTED BY (Firm): _____

(Engineer's Signature)

(Engineer's Seal)

