

Policy 3.3

Plan Submittal Procedure for Architectural Review Committee Projects

Subject

All plans submitted for a building permit which have a construction valuation over \$500 and are located within an area controlled by an “active, sanctioned” architectural committee shall include the signatures and approval of the committee. [Permit Services staff must advise the applicant that it is our policy not to accept plans for review without such approval.] However, if the applicant does not have the necessary signatures and insists we take the plans, do so and notify the Permit Services Coordinator.

If the architectural committee approval is not on the plans, NRS 278.564 requires the following:

1. The applicant or the County must send a letter to the committee advising them of the intentions of the applicant to submit an application for a permit to construct. This must be sent to the committee by certified mail (return receipt requested).
2. The architectural committee has 20 calendar days to respond to the letter once it has been received. If the plans meet the County Building Code requirements and are approved, the County is required to issue the permit after the 20-calendar day period. (See background for 30-day exception. The 30-day time period commences from the date of the letter).
3. If the committee’s written response or report is in the form of a denial for the project, the Department will continue to process the plan. Only a court order filed with the Department can stop the process of a permit. The County is responsible to notify the architectural committee of projects, which are applied for in their areas. The County will not mediate on behalf of the owner or the committee on CC&R provisions for a development.
4. As a courtesy, a letter of intent to issue a permit may be sent to the applicant if a letter of denial has been received from the committee.
5. Legal action is the only condition that will stop permit issuance.

Background

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

The District Attorney has instructed the Department to extend this 20-day period to 30 days based on the time it will take to obtain a court order in Washoe County. The additional 10 days will also give the Department time to process the notification and notify the applicant.

Attachment 1

Date:

To:

Subject:

The Washoe County Building & Safety Department has received a request for a residential permit at the above-mentioned address without any accompanying written report from the construction committee regarding approval. Therefore, we are requesting that such a report be submitted to this Department within 30 days from the date of this letter.

Please be advised that the Building & Safety Department does not review or enforce CC&R's, and will issue the requested permit with or without your report after these 30 days have elapsed if the request complies with all County ordinances and other pertinent laws. This 30-day delay in the issuance of the permit is simply designed to provide you with a reasonable opportunity to take private legal action if you feel it is warranted to prevent possible CC&R violations.

If you have any questions, do not hesitate to call.

JESS TRAVER
Chief Building Official

By: Dianne Kelly
Permit Services Coordinator

Cc: