

Item # 50

**City of Carson City
Agenda Report**

Date Submitted: September 12, 2006

Agenda Date Requested: September 21, 2006

Time Requested: 5 minutes

To: Mayor and Board of Supervisors

From: Planning Division

Subject Title: Action to adopt Resolution No. 2006-R-_____, amending Resolution No. 2006-R-34 to include a Growth Management fee of \$100.00, identified as "a growth management fee" in Section 18.12.055(2), Obtaining a Building Permit, and other matters related thereto. File No. GM-06-038

Staff Summary: The purpose of this item by Planning Division is to add the Growth Management fee of \$100.00 to the Annual Growth Management Resolution. This information in the past was included within the Carson City Municipal Code (CCMC) 18.82 Growth Management adopted by the Board of Supervisors September 22, 1988. In 2002 the CCMC was updated and the fee was still referenced in CCMC 18.12 Growth Management, but at that time all actual fee amounts were deleted from Title 18 and incorporated into resolutions. Unfortunately, the Growth Management fee was not incorporated into the Growth Management Resolution.

Type of Action Requested:

- Resolution
- Ordinance
- Formal Action/Motion
- Other (Specify)

Does This Action Require A Business Impact Statement: Yes No

Planning Commission Action: Recommended approval at the August 30, 2006 meeting by a vote of 7 Ayes and 0 Nays.

Recommended Board Action: I move to adopt Resolution No. 2006-R-_____, amending Resolution No. 2006-R-34 to include a Growth Management fee of \$100.00, identified as "a growth management fee" in Section 18.12.055(2), Obtaining a Building Permit, and other matters related thereto.

Explanation for Recommended Board Action:

It is important to note, this is not a new fee nor is staff proposing any increases. The intent of this amendment is to clearly document the \$100.00 Growth Management fee within the Growth Management Resolution. This fee is and will continue to be collected at the Building Permit phase of a residential project for administrative purposes.

Applicable Statute, Code, Policy, Rule or Regulation: Carson City Municipal Code (CCMC) 18.12 Growth Management

Fiscal Impact: N/A
Explanation of Impact: N/A
Funding Source: N/A

Alternatives: (1) disapprove or; (2) Refer back to staff and Growth Management Commission for further review.

Supporting Material: PC Staff Memo, Case Record and Resolution

Prepared By: Donna Fuller, Administrative Services Manager

Reviewed By: Walter Sullivan Date: 9-11-06
(Walter Sullivan, Planning Director)
Jennifer Pruse Date: 9-12-06
(Jennifer Pruse, Senior Planner)
Andrew Burnham Date: 9/12/06
(Andrew Burnham, Public Works Director)
Linda Ritter, acting Date: 9/12/06
(Linda Ritter, City Manager)
Mike Suglia Date: 9-12-06
(Mike Suglia, Senior Deputy District Attorney)

Board Action Taken:

Motion: _____ 1) _____ Aye/Nay
2) _____

(Vote Recorded By)

1 (57% of total residential building permit allocation). Development projects qualified for
2 inclusion on the project list shall be entitled to apply for a maximum of 35 residential
3 building permits during Period 1 based on the availability of building permits.

4 3. Any residential building permits remaining from Period 1 shall be made
5 available in Periods 2 and 3 in accordance with Carson City Municipal Code Section 18.12.

6 B. Beginning on the first city working day in January 2008, the Building
7 Department shall upon Board of Supervisors' approval make available pursuant to Carson
8 City Municipal Code Section 18.12 a total of 721 residential building permits. The building
9 permits shall be disbursed as follows:

10 1. For general property owners, a subtotal of 310 residential building
11 permits shall be made available. General property owners shall be entitled to apply for a
12 maximum of 10 residential building permits in Period 1 based on the availability of building
13 permits.

14 2. For development projects, a subtotal of 411 residential building permits
15 shall be made available. Development projects qualified for inclusion on the project list
16 shall be entitled to apply for a maximum of 35 residential building permits during Period 1
17 based on the availability of building permits.

18 3. Distribution within categories for the balance of residential building
19 permits remaining from 2008 shall be fixed by resolution not later than the second Board
20 of Supervisors' meeting in July 2008.

21 4. Any building permits remaining from Period 1 shall be made available
22 for Periods 2 and 3 in accordance with Carson City Municipal Code Section 18.12.

23 C. For calendar year 2009, it is estimated that the Board of Supervisors may
24 make available 729 residential building permits.

25 D. For calendar year 2010, it is estimated that the Board of Supervisors may
26 make available 736 residential building permits.

27 E. Pursuant to Carson City Municipal Code Section 18.12, prior to issuance of
28 building permits, any commercial or industrial projects proposed in 2007 which exceed the

1 threshold of 7,500 gallons per day water usage must have the Planning Commission's
2 review and approval to assure water availability.

3 F. Any building permits made available by this resolution shall be subject to all
4 of the requirements of Carson City Municipal Code Chapter 18.12 (Carson City Growth
5 Management Ordinance), and Section 18.12.050(2)(b)(1), a growth management fee of
6 \$100.00.

7 G. This resolution shall have the full force and effect of law and shall be
8 incorporated by this reference into Carson City Municipal Code Chapter 18.12.

9 ADOPTED this _____ day of _____, 2006.

10 VOTE: AYES:

11 _____
12 _____
13 _____
14 _____

15 NAYS:

16 _____
17 _____

18 ABSENT:

19 _____
20 _____

MARV TEIXEIRA, Mayor

21 ATTEST:

22 ALAN GLOVER, Clerk-Recorder

**DEVELOPMENT
SERVICES
DEPARTMENT**

ADMINISTRATION

3505 Butti Way
Carson City, NV 89701-3498
Ph: 775-887-2355
F: 775-887-2112

**BUILDING and
SAFETY DIVISION
PERMIT CENTER**

2621 Northgate Lane, Suite 6
Carson City, NV 89706-1319
Ph: 775-887-2310
F: 775-887-2202

CAPITAL PROJECTS

3505 Butti Way
Carson City, NV 89701-3498
Ph: 775-887-2355
F: 775-887-2112

CONTRACTS

3505 Butti Way
Carson City, NV 89701-3498
Ph: 775-887-2355
F: 775-887-2112

ENGINEERING DIVISION

2621 Northgate Lane, Suite 54
Carson City, NV 89706-1319
Ph: 775-887-2300
F: 775-887-2283

FLEET SERVICES

3303 Butti Way, Building 2
Carson City, NV 89701-3498
Ph: 775-887-2356
F: 775-887-2258

PLANNING DIVISION

2621 Northgate Lane, Suite 62
Carson City, NV 89706-1319
Ph: 775-887-2180
F: 775-887-2278

PUBLIC WORKS OPERATION

(Water, Sewer, Wastewater,
Streets, Landfill, Environmental)
3505 Butti Way
Carson City, NV 89701-3498
Ph: 775-887-2355
F: 775-887-2112

TRANSPORTATION

3505 Butti Way
Carson City, NV 89701-3498
Ph: 775-887-2355
F: 775-887-2112

CARSON CITY NEVADA
Consolidated Municipality and State Capital



TO: Planning Commission
FROM: Planning Division
DATE: August 30, 2006
SUBJECT: Amending Resolution 2006-R-34 by amending Section 18.12.055(2), Obtaining a Building Permit, to include a Growth Management fee of \$100.00. GM-06-038

The purpose of this item by Planning Division is to add the Growth Management fee of \$100.00 to the Annual Growth Management Resolution. This information in the past was included within the Carson City Municipal Code (CCMC) 18.82 Growth Management adopted by the Board of Supervisors September 22, 1988. In 2002 the CCMC was updated and the fee was still referenced in CCMC 18.12 Growth Management, but at that time all actual fee amounts were deleted from Title 18 and incorporated into resolutions. The Growth Management fee was not incorporated into the Growth Management Resolution.

It is important to note, this is **not** a new fee nor is staff proposing any increases. The intent of this amendment is to clearly document the \$100.00 Growth Management fee within the Growth Management Resolution. This fee is collected at the Building Permit phase of a residential project for administrative purposes.

If you have any questions regarding the proposed amendment, please contact Jennifer Pruitt or Walter Sullivan in the Planning Division at 887-2180.

Recommended Action: "I move to recommend to the Board of Supervisors that they adopt the attached Resolution 2006-R-34, amending Section 18.12.055(2) Obtaining a Building Permit, to include a Growth Management fee of \$100.00 and other matters properly related thereto."

**CARSON CITY PLANNING COMMISSION
CASE RECORD**

MEETING DATE: August 30, 2006

AGENDA ITEM NO.: G-6

APPLICANT(s) NAME: CCPD
PROPERTY OWNER(s): n/a

FILE NO.: GM-06-038

ASSESSOR PARCEL NO(s): n/a
ADDRESS: n/a

APPLICANT'S REQUEST: Action to adopt Resolution 2006-R , a resolution amending Resolution 2006-R-34 by amending Section 18.12.050(2), Obtaining a Building Permit, to include a Growth Management fee of \$100.00.

COMMISSIONERS PRESENT: PEERY VANCE SEMMENS

 BISBEE MULLET REYNOLDS KIMBROUGH

STAFF REPORT PRESENTED BY: Jennifer Pruitt REPORT ATTACHED
STAFF RECOMMENDATION: APPROVAL DENIAL
APPLICANT REPRESENTED BY: Staff

APPLICANT/AGENT PRESENT APPLICANT/AGENT SPOKE APPLICANT/AGENT NOT PRESENT APPLICANT/AGENT DID NOT SPEAK

APPLICANT/AGENT INDICATED THAT HE/SHE HAS READ THE STAFF REPORT, AGREES AND UNDERSTANDS THE FINDINGS, RECOMMENDATIONS, AND CONDITIONS, AND AGREES TO CONFORM TO THE REQUIREMENTS THEREOF.

__0__ PERSONS SPOKE IN FAVOR OF THE PROPOSAL __0__ PERSONS SPOKE IN OPPOSITION OF THE PROPOSAL

DISCUSSION, NOTES, COMMENTS FOR THE RECORD:

MOTION WAS MADE TO RECOMMEND APPROVAL:

WITH THE FINDINGS AND CONDITIONS AS ENUMERATED ON THE STAFF REPORT

MOVED: Mullet SECOND: Bisbee PASSED: 7 /AYE 0 /NO /ABSENT /ABSTAINED

SCHEDULED FOR THE BOARD OF SUPERVISORS

DATE: 9-21-06

Consolidated Municipality and State Capital of
Carson City, Nevada

GROWTH MANAGEMENT

Chapter 18.82 of the Carson City Municipal Code

- ◆ Approved by the Growth Management Commission, August 23, 1988 ◆
- ◆ Proposed by the Board of Supervisors, September 8, 1988 ◆
- ◆ Enacted by the Board of Supervisors, September 22, 1988 ◆

Prepared by the Department of Community Development
Planning and Growth Management Division

CHAPTER 18.82

GROWTH MANAGEMENT

Sections:

18.82.010	Short title.	1
18.82.020	Application of chapter	1
18.82.030	Purpose.	2
18.82.040	Definitions.	2
18.82.050	Effect upon previously issued allotments.	3
18.82.060	Growth Management Commission.	4
18.82.070	Duties.	4
18.82.080	Establishing residential building permits.	4
18.82.090	Building permit categories.	5
18.82.100	Project list: qualifications, procedures, additions, removals	5
18.82.110	Applicability of this chapter to property in the Highway 395 right-of-way.	6
18.82.120	Obtaining a building permit	6
18.82.130	Effect of purchase of an entitlement certificate	8
18.82.140	Administration.	8
18.82.150	Commercial and industrial permits.	8
18.82.160	Exceptions.	9
18.82.170	Effect of building permits resolution.	9
18.82.180	Unsold building permits.	9
18.82.190	Transfer of entitlement certificates	9
18.82.200	Prohibitions and penalties.	10
18.18.210	Severability clause	10
INDEX	11

18.82.010 Short title. This chapter shall be known and cited as the "Carson City 1988 Growth Management Ordinance."

18.82.020 Application of chapter. This chapter shall apply to all residential real property that is required to be served by City water and/or sewer service within the consolidated municipality of Carson City. No provision of this chapter shall require the City to extend sewer or water service to a parcel of land.

18.82.030 Purpose. 1. The Board of Supervisors finds and declares:

- a. A measure of sustained, balanced growth in Carson City is both desirable and necessary for the continued viability of the community; and
- b. The health, safety, and general welfare of the City's citizens dictate the continued availability of essential public facilities and services and adequacy of community resources; and
- c. The ability to provide essential resource or service at the quality and quantity desired by the community is an integral part of the City's quality of life; and
- d. Growth experienced in the past, and pressures for continued growth indicate that Carson City may reach capacity in the delivery of one or more of essential resources or services; and
- e. If capacity to provide an essential service or resource is reached, the Board may cause total cessation of residential growth for an interim period of time; and
- f. When the City sets the quantity of building permits available for a specific year, the Board declares that there are certain limits to the capacity or capability of the city to deliver water or sewer services.

2. The Board declares that the following essential resources shall be considered for the managed growth of Carson City:

- a. City water: quantity, quality, supply, capacity, infrastructure;
- b. City sewer: treatment and disposal capacity; system or infrastructure ability to transport sewage from a residential dwelling unit of the treatment system;
- c. Sheriff protection services;
- d. Fire protection services;
- e. Traffic and circulation;
- f. Drainage and flooding;
- g. School enrollment and capacity;
- h. Parks and recreation; and
- i. Other resources or services as determined by the Board.

3. Upon declaration of these findings, the Board of Supervisors of the consolidated municipality of Carson City has determined that a workable and reasonably equitable system for the management of population growth shall be a part of the land development process. The provisions in this chapter achieve this purpose.

18.82.040 Definitions. As used in this chapter:

- 1. "Allotment" means the document allowing an eligible party to obtain a building permit under the provisions of Chapter 15.01 of the Carson City Municipal Code prior to the effective date of this chapter. In this chapter, allotments may also be called "old allotments."
- 2. "Board" means the Carson City Board of Supervisors.
- 3. "Building permit" means a written approval issued by the building official pursuant to the Uniform Building Code that authorizes construction of any residential dwelling, building, or structure utilizing the City's sewer and/or water system.
- 4. "Commission" means the Carson City Growth Management Commission.
- 5. "Development project" means a residential project with thirty-one or more dwelling units located on contiguous parcels and held in the ownership of one property owner or combination of property owners. A development project on contiguous parcels shall be considered the same project, even if approvals by the city were at different chronological times,

and even if the separate phases of the project have different names, numbers or other means of identification.

6. "Director" means the Director of Community Development.
7. "Entitlement certificate" means a document issued by the City which entitles a property owner to apply for a building permit for a residential structure that is subject to the provisions of this chapter.
8. "Essential resource" or "essential service" means a public facility, physical resource, natural resource, or public service provided to the community by the City through its police powers, and administration of the public health, safety, and welfare.
9. "Project list" means the list of development projects which are eligible to make application for building permits from the development project category.
10. "Property owner" means a person or entity who has fee title to a parcel(s) of real property in the consolidated municipality of Carson City.
11. "Transfer" means either:
 - a. The change of ownership of a parcel to which an entitlement certificate has been issued; or
 - b. The change of an entitlement certificate from the original parcel to which it was issued to a second parcel.
12. "Utility connection fee," also called "sewer (and/or) water connection fee" means that fee collected by the City pursuant to Carson City Municipal Code chapters 12.01 and 12.03.

18.82.050 Effect upon previously issued allotments. 1. This section provides regulations for the conversion of allotments issued under the provisions of the old Growth Management ordinance (former Chapter 15.01 of the Carson City Municipal Code) to entitlement certificates issued under the provisions of this chapter.

a. Any person holding a valid allotment issued under the provisions of former Chapter 15.01 of the Carson City Municipal Code may convert the allotment into an entitlement certificate issued under the provisions of this chapter. This ability to convert an allotment to an entitlement certificate is applicable only if building plans have not been submitted to the Building Division of the Community Development Department as of the effective date of this chapter.

b. To convert an allotment to an entitlement certificate, the person holding the allotment shall present the request in writing to the Director of Community Development in conformance with the requirements in §18.82.120(2). The written request shall be accompanied by the full amount of the current utility connection fees and a complete building permit application, including all required plans. In addition, the person holding the allotment shall submit proof of ownership of the parcel for which the entitlement certificate is sought in the form of an affidavit provided by the Director of Community Development.

c. In order to be valid, the written request must be submitted prior to the date upon which building plans would have been required to be submitted if the allotment were to remain valid under provisions of former Chapter 15.01 of the Carson City Municipal Code or by 5:00 p.m., Friday, December 30, 1988, whichever date occurs first.

d. This section shall expire at 5:00 p.m. on December 30, 1988, unless extended by amendment to this Chapter.

2. In the event that a holder of an allotment issued under the provisions of Chapter 15.01 does not desire to convert the valid allotment to an entitlement certificate, the following provisions shall be applicable:

a. Administration of this subsection shall be in the manner as has been established under the provisions of Chapter 15.01 of the Carson City Municipal Code prior to the effective date of this ordinance.

b. For the sole purpose of administering Growth Management procedures for allotments that are not converted to new entitlement certificates, the text and content of Chapter 15.01 of the Carson City Municipal Code as amended shall be adopted by this reference concurrently with the enactment of this chapter.

3. Forfeiture of allotments under provisions of Chapter 15.01 shall not prevent any property owner from applying for any building permits/entitlement certificates pursuant to this chapter.

18.82.060 Growth Management Commission. There is established in Carson City a Growth Management Commission which shall consist of the regional planning Commission.

1. The Growth Management Commission shall meet at least once each year. Other meetings may be held as needed. Meetings may be continued as necessary to accomplish the Growth Management Commission's business.

2. A majority of the members of the Growth Management Commission shall constitute a quorum, and each member shall have one vote on any matter considered. The chairman of the planning Commission shall also chair the Growth Management Commission. A majority vote of the Commissioners present shall be required to approve a motion or resolution, other than a direction to the staff.

3. At any meeting the Growth Management Commission may, by motion, establish rules, procedures, time limitations, or other restrictions which appear best suited to accomplish its purpose of gathering and evaluating information and determining issues made pertinent by the provisions of this chapter.

18.82.070 Duties. In addition to the duties established by the Commission in its policies and procedures, the following duties are set forth for the Growth Management Commission effective January 1, 1989:

1. At least fifteen days prior to the annual Growth Management meeting, the Community Development Department shall receive information from any affected city department and may obtain information from any interested agency or party in order to prepare its report to the Growth Management Commission.

2. The Growth Management Commission shall receive information of adequate depth and scope providing it with specific data to use in making a recommendation to the Board.

3. The Growth Management Commission shall compile and consider such information so that it is able to submit a written report to the Board at least two weeks prior to the first regular meeting of the Board in July detailing its recommendations concerning the number of residential building permits to be fixed for the second year following, and the number to be estimated for the third and fourth years following.

4. In calendar year 1988 only, the time provisions of CCMC §18.82.080(1) shall apply.

18.82.080 Establishing residential building permits. A fixed number of residential building permits shall be established on a two year rolling calendar basis to aid the community in knowing the projected growth of residential dwelling units.

1. In calendar year 1988 only: Any permit allotments authorized by CCMC §15.01.080 and made available pursuant to Board resolution shall remain available under the provisions of CCMC Chapter 15.01 until 5:00 p.m., December 30, 1988.

2. In calendar year 1988 only: Prior to October 31, 1988, the Growth Management Commission shall recommend and the Board shall fix by resolution the number of residential building permits to be made available to eligible property owners in calendar years 1989 and 1990. In the same resolution, the Growth Management Commission shall recommend, and the Board shall estimate the number of residential building permits that may be made available in calendar years 1991 and 1992. This subsection shall expire on December 31, 1988.

3. Beginning in calendar year 1989, and each subsequent calendar year, no later than the first Board meeting in July, the Growth Management Commission shall recommend and the Board shall fix by resolution the number of residential building permits to be made available to eligible property owners for the second calendar year following the calendar year in which the resolution is adopted. In the same resolution, the Growth Management Commission shall recommend, and the Board shall estimate the number of residential building permits that may be made available in the third and fourth calendar years following.

18.82.090 Building permit categories. Building permits in fixed numbers shall be established in such categories and subcategories as the Board or Growth Management Commission deems necessary. Such categories shall include:

1. A maximum limit for real property owners within a calendar year. This category shall be called the "general property owner" category.

2. A maximum limit for development projects that are included on the project list. This category shall be called the "development project" category.

18.82.100 Project list: qualifications, procedures, additions, removals. 1. Any development project for which one of the following city approval has been granted shall qualify for inclusion on the project list:

- a. a series of approved and recorded parcel maps representing thirty-one or more dwelling units; or
- b. an approved final map representing thirty-one or more dwelling units; or
- c. an approved final planned unit development approval representing thirty-one or more dwelling units; or
- d. an approved special use permit for a residential project representing thirty-one or more dwelling units; or
- e. an approved mobile home park representing thirty-one or more dwelling units; or
- f. an approved apartment project that is subject to major project review representing thirty-one or more dwelling units.

2. Approvals for development projects shall be considered the same project, even if approvals by the city were at different chronological times, and even if the separate phases of the project have different names, numbers or other means of identification.

3. A development project meeting these requirements shall be placed on the project list upon receipt of a written petition from the project developer or property owner submitted to the Director of Community Development. The petition shall be on the form provided by the Director of Community Development. When approved, the petition shall be dated and signed by the Director.

4. To remain on the project list, the property owner shall reserve building permit application(s) pursuant to §18.82.120(2) each year equal to at least ten percent of the maximum number permitted to be purchased for development projects, or one permit, whichever is greater. This number shall be called the "minimum annual requirement."

a. Failure to reserve the minimum annual requirement of building permits in the current calendar year shall result in automatic removal from the project list.

b. If a development project is removed from the project list, the development project shall not be eligible for reinstatement to the list until building permits/entitlement certificates equal to the annual minimum requirement have been reserved in a calendar year. The development project shall then be reinstated in the following calendar year following. The development project shall be required to submit a new petition pursuant to this section.

18.82.110 Applicability of this chapter to property in the Highway 395 right-of-way. The Nevada Department of Transportation (NDOT) shall be permitted to transfer entitlement certificates to property owners displaced by the acquisition of private property in the City-approved route for the Highway 395 bypass. In order to execute the transfer, the Department of Transportation shall present an affidavit stating that it has acquired real property resulting in the displacement of a property owner. The affidavit shall state that the displaced property owner has acquired real property in the consolidated municipality of Carson City, and desires to construct a new residence. The affidavit shall be accompanied by the full amount of utility connection fee(s) and the Growth Management fee. Upon receipt of the affidavit and required fee(s), the Director of Community Development shall issue an entitlement certificate in the name of the displaced property owner and for the specific parcel. The entitlement certificates issued under the provisions of this section shall be exempt from the limits on building permits established in this chapter. This exemption shall apply to a maximum of twenty building permits/entitlement certificates.

18.82.120 Obtaining a building permit. 1. To construct a residential building subject to the provisions of this chapter, the following time frames shall apply:

a. Beginning on the first city working day in January and concluding on the last city working day in April, the Director of Community Development shall make available the maximum number of residential building permits for development projects and private property owners in the city. This calendar time frame shall be called "Period 1."

i. For development projects, each project shall be entitled to apply for the maximum number of building permits allocated to the development project category at any time during this period.

ii. For general property owners, any property owner may apply for the maximum number of building permits allocated to the general property owner category on a first come first served basis until the supply of building permits is exhausted.

b. Beginning on the first city working day in May and concluding on the last city working day in August, if there are any building permits remaining from period 1 to be issued by the city shall be combined into a single category for development projects and general property owners. Any development project or any property owner shall be entitled, on a first come-first served basis, to purchase an additional number of building permits not exceeding fifty percent above the original maximum number allocated to the specific category, whether or not the property owner or development project purchased the maximum number of permits allowed in Period 1. This calendar time frame shall be called "Period 2."

c. Beginning on the first city working day in September and concluding on the last city working day in December, any remaining building permits from periods 1 or 2 shall be available on a first come-first served basis whether or not a development project or general property owner has acquired the maximum number of building permits/entitlement certificates permitted in periods 1 and/or 2. This calendar time frame shall be called "Period 3."

2. Requirements for reserving a building permit application:

a. A complete set of building plans as required by the building official, shall be submitted; along with the required building permit application forms; an affidavit of property ownership; and any additional materials normally required for application for a building permit.

b. At the time that an application for a building permit is submitted, the applicant shall pay the following fees:

- i. A Growth Management fee of one hundred dollars (\$100.00), and
- ii. The applicable plan review fee(s) as adopted by the Uniform

Building Code; and

- iii. The utility connection fee(s).

c. When the building plans have been approved, the applicant shall pay the building permit fee(s), and any additional applicable development fees, including the tap and meter fees.

3. Upon application for a building permit, the Community Development Department shall issue an entitlement certificate for the specific development project or parcel for which the building permit is sought.

a. For development projects, the entitlement certificate may be transferred to any parcel within the development project upon written request and approval by the Director.

b. For general property owners, the entitlement certificate shall be assigned to the specific assessor parcel.

c. An entitlement certificate shall run with the land.

i. In the event that a property owner does not construct the dwelling for which a building permit was sought, the entitlement certificate shall remain valid even if the building permit expires. Once the building permit application or building permit expires, a future application for a building permit shall not require a new entitlement certificate. Future building plans shall comply with the building code in effect at the time of the future submittal.

ii. An entitlement certificate shall not be transferred except as provided in this chapter.

4. A property owner may reserve a single building permit/entitlement certificate from the general property owner category, provided building permits remain available to be reserved, prior to submitting plans pursuant to the provisions of this subsection.

a. If a property owner wishes to reserve a building permit/entitlement certificate prior to the time that the property owner prepares and submits building plans, one building permit/entitlement certificate may be reserved subject to the following conditions.

b. Based on availability, one building permit/entitlement certificate may be purchased to reserve a building permit by paying the Growth Management application fee, and the utility connection fee(s). Upon proof of ownership and payment of all applicable fee(s) and charges, the Community Development Director shall cause an entitlement certificate to be recorded in favor of the specific property. In order to obtain the building permit, the property owner shall present the entitlement certificate at the time plans are submitted and all applicable fees are paid.

Chapter 18.12 Growth Management

- (2) For general property owners, any property owner may apply for the maximum number of building permits allocated to the general property owner category on a first-come first-served basis until the supply of building permits is exhausted.
 - b. Beginning on the first city working day in April and concluding on the last city working day in June, any building permits remaining from Period 1 to be issued by the city shall be combined into a single category for development projects and general property owners. Any development project shall be entitled, on a first come first served basis, to purchase an additional number of building permits not exceeding 50% above the original maximum number allocated to the specific category and any general category property owner shall be entitled, on a first-come, first-served basis, to purchase an additional number of building permits not exceeding 100% above the original maximum number allocated to the general category property owner in Period 1, whether or not the property owner or development project purchased the maximum number of permits allowed in Period 1. This calendar time frame shall be called "Period 2."
 - c. Beginning on the first city working day in July and concluding on the last city working day in December, any remaining building permits from Periods 1 or 2 shall be available on a first come first served basis whether or not a development project or general property owner has acquired the maximum number of building permits/entitlement certificates permitted in Periods 1 and/or 2. This calendar time frame shall be called "Period 3."
2. Requirements for reserving a building permit application:
 - a. A complete set of building plans as required by the building official, shall be submitted along with the required building permit application forms, proof of property ownership if ownership is different than that shown on the assessor's rolls, and any additional materials normally required for application for a building permit.
 - b. At the time that an application for a building permit is submitted, the applicant shall pay the following fees:
 - (1) A growth management fee; and
 - (2) The applicable plan review fee(s) as adopted by the Building Code currently adopted by Carson City; and
 - (3) The utility connection fee(s).
 - c. When the building plans have been approved, the applicant shall pay the building permit fee(s), and any additional applicable development fees, including the tap and meter fees.
3. Upon application for a building permit, the department shall issue an entitlement certificate for the specific development project or parcel for which the building permit is sought.
 - a. For development projects, the entitlements certificate may be transferred to any parcel within the development project upon written request and approval by the Director.

BOS 12/02/04

Chapter 18.12 Growth Management

- b. A development project may sell lots to a general property owner with the permit entitlements to be deducted against the maximum number of permits allowed to that general property owner.
 - c. For general property owners, the entitlement certificate shall be assigned to the specific assessor parcel.
 - d. An entitlement certificate shall run with the land.
 - (1) In the event that a property owner does not construct the dwelling for which a building permit was sought, the entitlement certificate shall remain valid even if the building permit expires. Once the building permit application or building permit expires, a future application for a building permit shall not require a new entitlement certificate. Future building plans shall comply with the building code in effect at the time of the future submittal.
 - (2) An entitlement certificate shall not be transferred except as provided in this Chapter.
4. Except as provided in this Chapter, there shall be no refunds of growth management fees, utility connection fee(s) or transfer of entitlement certificates, even if a building permit application or building permit expires. Refunds of building permit application or building permit fee(s) shall be based on the provisions of the Building Code currently adopted by Carson City.

18.12.060 Effect of Purchase of an Entitlement Certificate.

- 1. Purchase of an entitlement certificate requires the future issuance of a building permit, if all required plans are approved and all required fee(s) is(are) paid, even if a moratorium is in effect at the time application is made for a building permit, if the moratorium is based solely on the unavailability of city sewer or city water service.
- 2. In the event that the moratorium is declared as the result of a local, regional, state or national emergency that concerns the capacity of an essential resource in effect at the time the entitlement certificate was issued, the property owner who holds an entitlement certificate, at the option of the Board, may be declared to be subject to the provisions of the moratorium.
- 3. An entitlement certificate does not vest property rights related to the density of a parcel of land at a quantity greater than the density permitted by the Master Plan or zoning code in effect at the time application is submitted for a building permit:
 - a. The number of multiple entitlement certificates for a single parcel of land that a property owner may purchase shall be based on maximum density permitted by the Master Plan and zoning code in effect at the time an entitlement certificate is purchased.
 - b. Use of an entitlement certificate to apply for future building permits shall be based on the zoning regulations in effect at the time the building plans are submitted.

18.12.065 Administration. A log shall be maintained by the Building Department recording the number of building permits issued, the corresponding assessor's parcel number and address, the date the building permits

BOS 12/02/04

Chapter 18.12 Growth Management

were issued, and the applicable file numbers of the building permit at the time one is issued. The log may also contain any other information deemed relevant by the Director for the keeping of records.

18.12.070 Commercial and Industrial Permits.

1. In its annual resolution, the Board shall determine a maximum average daily water usage for commercial and industrial building permits which shall establish a threshold for Commission review. A project which equals or exceeds the maximum average daily water usage threshold established by the Board for water shall result in a consideration of the project before the Commission prior to issuance of a building permit. The Commission may approve the building permit, approve the permit with conditions, or deny the permit on the basis of the effect of the project on the City's essential resources. The Commission shall base its decision on the quantity of water consumed by the use for which the building is constructed compared to the availability of water; the ability of the City to deliver water service to the structure; and other effects of water usage; and/or the ability of the City's sewage disposal system to handle the quantity of wastewater generated, including the composition of the wastewater; the ability of the City's sewer system to carry the wastewater for treatment; and other effects of wastewater disposal.
2. This Section also applies to any phased developments, additions or expansions which would result in exceeding the maximum average daily water usage threshold per single parcel of land per year established by Board resolution.

18.12.075 Exceptions.

1. Any person who has first demonstrated to the Board's satisfaction that a proposed project shall have no effect on any essential resource or service designated by the Board may apply for permits without complying with the terms of this Chapter. To obtain an exemption from this Chapter, a property owner shall apply to the Growth Management Commission and Board and receive the findings of the Growth Management Commission and Board by resolution approved by a majority vote.
2. Any exemptions to the previous growth management ordinance (former Chapter 15 of this code) granted by resolution of the Board remain in effect under the terms of the resolution of the Board.

18.12.080 Effect of Building Permits Resolution. Any building permit resolution adopted by the Board shall have full force and effect of law and shall be incorporated in full in this Chapter by reference in the resolution.

18.12.085 Unsold Building Permits/Entitlements. Any building permits/entitlement certificates authorized pursuant to this Chapter remaining since the end of 1988 and at the end of a calendar year shall be voided and returned to the utility manager unless a year end balance is added to the total number of the following year's allocation of building permits by resolution recommended by the Growth Management Commission and approved by the Board.

18.12.090 Transfer of Entitlement Certificates.

1. Entitlement certificates run with the land and may be transferred from one (1) property owner to another on the specific parcel without any review, hearing or approval of the city.
2. Under specific hardships in Subsection 7 of this Section, an entitlement may be transferred from the parcel to which it is allocated to another parcel of land pursuant to the provisions of this Section.

Chapter 18.12 Growth Management

3. In order to transfer an entitlement, the property owner shall petition the Director by submitting a letter to the administering department containing such information deemed necessary by the Director. The petition shall be accompanied by an applicable service charge of one hundred dollars (\$100.00) to cover the costs of review and investigation.
4. The letter at a minimum shall contain the property owner's name, mailing address, and daytime phone number, the address of the subject property, the assessor parcel number, and the circumstances under which the transfer is being sought. In addition, the property owner shall submit proof that an entitlement certificate has been issued for the subject property.
5. The Director shall consider the petition and shall either approve, approve subject to conditions, or deny the petition. The Director shall base his decision on the criteria in Subsection 7 of this Section.
6. If a written appeal of the Director's decision is filed within fifteen (15) calendar days of the date of the Director's decision, the matter shall be referred to the Board for review within thirty (30) calendar days of the date the appeal is filed. The Board shall consider the petition and shall either uphold the Director's action, modify the Director's action, or overturn the Director's action. The Board shall base its decision on the criteria in Subsection 7 of this Section.
7. No transfer of an entitlement certificate shall be approved or conditionally approved unless it meets one of the following criteria:
 - a. The parcel of land to which the entitlement certificate is assigned is found to be unbuildable based on physical characteristics of the land, slope, seismic characteristics, potential for flooding, natural resources or other physical aspects of development applicable to the specific parcel which were not known at the time the entitlement was issued; or
 - b. An action of the city has resulted in a reduction of density applicable to the subject property and the entitlement certificates were purchased prior to the public announcement of a pending change in density; or
 - c. The property owner had complied in good faith with the procedures and policies of the city, and due to personal circumstances beyond the control of the property owner, is unable to proceed with construction of the approved dwelling. This provision is intended to apply to circumstances such as, and not limited to, death of a family member, serious or debilitating illness, loss of employment, or extraordinary change in personal financial circumstances which would preclude proceeding with construction. A relocation to accept new employment is generally not considered acceptable under the provisions of this Section, as the entitlement certificate can be transferred with the sale of the property.

18.12.095 Prohibitions and Penalties.

1. It shall be unlawful for any person to:
 - a. Construct, cause or initiate construction of any structure for which an entitlement certificate or building permit is required or to connect or cause the connection of any structure, mobilehome or vehicle with the Carson City water or sewer system without a valid entitlement certificate to do so;

Chapter 18.12 Growth Management

- b. Obtain, issue or transfer an entitlement certificate or any interest in any entitlement certificate except as provided in this Chapter;
 - c. Falsely certify or misrepresent any interest in realty or enter upon any fraudulent contract or contrived contract or transaction for selling or buying realty for purposes of evading any allocation limitation provided in response to this Chapter.
2. Any violation of this Section shall be punished as a misdemeanor. In addition, upon proof of conviction, the property owner convicted shall not be eligible to purchase an entitlement certificate or residential building permit in the current or following calendar year.
 3. Enforcement of this Chapter shall be as provided herein or in the provisions of this Title.
 4. Entitlement certificates shall be void and canceled by the Director if fees imposed by Title 18 (Obtaining a Building Permit) of the Carson City Municipal Code are paid by non-sufficient funds check.

c. Any property owner shall be entitled to one building permit reservation per year, provided the supply of permits has not been exhausted. A property owner shall not be entitled to reserve an additional building permit in a subsequent year until a certificate of occupancy has been issued for the subject property of the previous reserved building permit.

5. Except as provided in this chapter, there shall be no refunds of Growth Management fees, utility connection fee(s) or transfer of entitlement certificates, even if an building permit application or building permit expires. Refunds of building permit application or building permit fee(s) shall be based on the provisions of the Uniform Building Code.

18.82.130 Effect of purchase of an entitlement certificate. 1. Purchase of an entitlement certificate requires the future issuance of a building permit, if all required plans are approved and all required fee(s) is(are) paid, even if a moratorium is in effect at the time application is made for a building permit, if the moratorium is based solely on the unavailability of City sewer or City water service.

2. In the event that the moratorium is declared as the result of a local, regional, state, or national emergency that concerns the capacity of an essential resource in effect at the time the entitlement certificate was issued, the property owner who holds an entitlement certificate, at the option of the Board, may be declared to be subject to the provisions of the moratorium.

3. An entitlement certificate does not vest property rights related to the density of a parcel of land at a quantity greater than the density permitted by the master plan or zoning code in effect at the time application is submitted for a building permit:

a. The number of multiple entitlement certificates for a single parcel of land that a property owner may purchase shall be based on maximum density permitted by the master plan and zoning code in effect at time an entitlement certificate is purchased.

b. Use of an entitlement certificate to apply for a future building permits shall be based on the zoning regulations in effect at the time the building plans are submitted.

18.82.140 Administration. A written log shall be maintained by the Community Development Department recording the number of building permits issued, the corresponding assessor's parcel number and deed reference, the date the building permits were issued, and the applicable file numbers of the building permit at the time one is issued. The log may also contain any other information deemed relevant by the Director for the keeping of records.

18.82.150 Commercial and industrial permits. 1. In its annual resolution, the Board shall determine a maximum number of water and/or sewer fixture unit weights for commercial and industrial building permits which shall establish a threshold for Board review. Using the Uniform Plumbing Code, a project which equals or exceeds the threshold established by the Board for water and/or sewer fixture unit weight shall result in a consideration of the project before the Board prior to issuance of a building permit. The Board may approve the building permit, approve the permit with conditions, or deny the permit on the basis of the effect of the project on the City's essential resources. The Board shall base its decision on the quantity of water consumed by the use for which the building is constructed compared to the availability of water; the ability of the City to deliver water service to the structure; and other effects of water usage; and/or the ability of the City's sewage disposal system to handle the quantity of wastewater generated, including the composition of the wastewater; the ability of the City's sewer system to carry the wastewater for treatment; and other effects of wastewater disposal.

2. This section also applies to any phased developments, additions, or expansions which would result in a cumulative total of fixture unit weights per single parcel of land per year that exceeds the threshold established by Board resolution.

18.82.160 Exceptions. 1. Any person who has first demonstrated to the Board's satisfaction that a proposed project shall have no effect on any essential resource or service designated by the Board may apply for permits without complying with the terms of this chapter. To obtain an exemption from this chapter, a property owner shall apply to the Growth Management Commission and Board and receive the findings of the Growth Management Commission and Board by resolution approved by a majority vote.

2. Any exemptions to the previous Growth Management ordinance (former Chapter 15.01 of this code) granted by resolution of the Board remain in effect under the terms of the resolution of the Board.

18.82.170 Effect of building permits resolution. Any building permit resolution adopted by the Board shall have full force and effect of law and shall be incorporated in full in this chapter by reference in the resolution.

18.82.180 Unsold building permits. Any building permits/entitlement certificates authorized pursuant to this chapter remaining at the end of a calendar year shall be added to the total number of the following year's allocation of building permits.

18.82.190 Transfer of entitlement certificates. 1. Entitlement certificates run with the land and may be transferred from one property owner to another on the specific parcel without any review, hearing, or approval of the city.

2. Under specific hardships in subsection 7 of this section, an entitlement may be transferred from the parcel to which it is allocated to another parcel of land pursuant to the provisions of this section:

3. In order to transfer an entitlement, the property owner shall petition the Director by submitting a letter to the Community Development Department containing such information deemed necessary by the Director. The petition shall be accompanied by an applicable service charge of one hundred dollars (\$100.00) to cover the costs of review and investigation.

4. The letter, at a minimum shall contain the property owner's name, mailing address, and daytime phone number, the address of the subject property, the assessor parcel number, and the circumstances under which the transfer is being sought. In addition, the property owner shall submit proof that an entitlement certificate has been issued for the subject property.

5. The Director shall consider the petition and shall either approve, approve subject to conditions, or deny the petition. The Director shall base his decision on the criteria in subsection 7 of this section.

6. If a written appeal of the Director's decision is filed within fifteen calendar days of the date of the Director's decision, the matter shall be referred to the Board of Supervisors for review within thirty calendar days of the date the appeal is filed. The Board shall consider the petition and shall either uphold the Director's action, modify the Director's action, or overturn the Director's action. The Board shall base its decision on the criteria in subsection 7 of this section.

7. No transfer of an entitlement certificate shall be approved or conditionally approved unless it meets one of the following criteria:

a. The parcel of land to which the entitlement certificate is assigned is found to be unbuildable based on physical characteristics of the land, slope, seismic characteristics, potential for flooding, natural resources, or other physical aspects of development applicable to the specific parcel which were not known at the time the entitlement was issued; or

b. An action of the city has resulted in a reduction of density applicable to the subject property and the entitlement certificates were purchased prior to the public announcement of a pending change in density; or

c. The property owner had complied in good faith with the procedures and policies of the City, and due to personal circumstances beyond the control of the property owner, is unable to proceed with construction of the approved dwelling. This provision is intended to apply to circumstances such as, and not limited to, death of a family member, serious or debilitating illness, loss of employment, or extraordinary change in personal financial circumstances which would preclude proceeding with construction. A relocation to accept new employment is generally not considered acceptable under the provisions of this section, as the entitlement certificate can be transferred with the sale of the property.

18.82.200 Prohibitions and penalties. 1. It shall be unlawful for any person to:

a. Construct, cause, or initiate construction of any structure for which an entitlement certificate or building permit is required or to connect or cause the connection of any structure, mobile home, or vehicle with the Carson City water or sewer system without a valid entitlement certificate to do so.

b. Obtain, issue, or transfer an entitlement certificate or any interest in any entitlement certificate except as provided in this chapter.

c. Falsely certify or misrepresent any interest in realty or enter upon any fraudulent contract or contrived contract or transaction for selling or buying realty for purposes of evading any allocation limitation provided in response to this chapter.

2. Any violation of this section shall be punished as a misdemeanor. In addition, upon proof of conviction, the property owner convicted shall not be eligible to purchase an entitlement certificate or residential building permit in the current or following calendar year.

3. Enforcement of this chapter shall be as provided herein or in the provisions of this title.

4. Entitlement certificates shall be void and cancelled by the director if fees imposed by CCMC §18.82.120 are paid by non-sufficient fund check.

18.18.210 Severability clause. If any section of this chapter is found to be illegal by a court of competent jurisdiction, all other sections of the ordinance shall remain in full force and effect.

INDEX

Ability to construct		Essential resources	2, 3, 8, 9
allotment	2, 3	Essential service	
building plans	3, 7, 8	circulation	2
certificate	1, 3, 6-10	fire	2
entitlement	1, 3, 4, 6-10	other	2-5, 8, 10
exceptions	1, 9	parks	2
exemptions	9	school	2
general property owner	5-7	sewer	1-3, 8, 10
permits	1-9	sheriff	2
refunds	8	traffic	2
transfer	1, 3, 6, 8-10	water	1-3, 8, 10
utility connection fee	3, 6-8	Essential services	2, 3, 8, 9
Administration	1, 3, 4, 8	Exceptions	1, 9
Board	2, 4, 5, 8, 9	Exemptions	9
commission	1, 2, 4, 5, 9	Fees	3, 7, 8, 10
director	3, 5-10	General property owner	5-7
Affidavit	3, 6, 7	Growth Management Commission	1-5, 9
Allotment	2, 3	Duties	1, 4
Approvals	2, 5, 7, 9	Industrial land uses	1, 8
Board of Supervisors	2, 4, 5, 8, 9	Land use	
Building permit	1-3, 5-10	commercial	1, 8
Building plans	3, 7, 8	industrial	1, 8
Commercial land uses	1, 8	residential	1-6, 10
Department of Transportation	6	Old growth management ordinance	2-5, 9
Development projects		allotment	2, 3
project list	1, 3, 5, 6	Penalties	1, 10
Director of Community Development	3, 5-10	Period	2, 6, 7
Enforcement	10	Project list	1, 3, 5, 6
penalties	1, 10	Property owner	2-10
Entitlement	1, 3, 4, 6-10	Ownership	2, 3, 7
affidavit	3, 6, 7	Refunds	8
building permits	1-9	Residential land uses	1-6, 10
certificate	1, 3, 6-10	Time frames	2-9
Entitlement certificate	1, 3, 6-10	Transfer	1, 3, 6, 8-10
Essential resource		Utility connection fee	3, 6-8
circulation	2	refunds	8
fire	2		
other	2-5, 8, 10		
parks	2		
school	2		
sewer	1-3, 8, 10		
sheriff	2		
traffic	2		
water	1-3, 8, 10		

18.12
Growth Management

Sections:

18.12.005	Short Title.	1
18.12.010	Application of Chapter.	1
18.12.015	Purpose.	1
18.12.020	Effect Upon Previously Issued Allotments.	2
18.12.025	Growth Management Commission.	2
18.12.030	Duties	2
18.12.035	Establishing Residential Building Permits.	3
18.12.040	Building Permit Categories.	3
18.12.045	Project List—Qualifications, Procedures, Additions, Removals.	3
18.12.050	Applicability of this Chapter to Property in the Highway 395 Right-of-Way.	4
18.12.055	Obtaining a Building Permit.	4
18.12.060	Effect of Purchase of an Entitlement Certificate.	6
18.12.065	Administration.	6
18.12.070	Commercial and Industrial Permits.	7
18.12.075	Exceptions.	7
18.12.080	Effect of Building Permits Resolution.	7
18.12.085	Unsold Building Permits/Entitlements.	7
18.12.090	Transfer of Entitlement Certificates.	7
18.12.095	Prohibitions and Penalties.	8

Chapter 18.12 Growth Management

18.12.005 Short Title. This Chapter shall be known and cited as the "Carson City 1988 Growth Management Ordinance."

18.12.010 Application of Chapter. This Chapter shall apply to all residential real property that is required to be served by city water and/or sewer service within the consolidated municipality of Carson City. No provision of this Chapter shall require the city to extend sewer or water service to a parcel of land.

Process-oriented standards are contained in this Section. Design-oriented standards are contained in the Development Standards which is parallel in authority to this Section.

18.12.015 Purpose.

1. The Board finds and declares:
 - a. A measure of sustained, balanced growth in Carson City is both desirable and necessary for the continued viability of the community; and
 - b. The health, safety and general welfare of the city's citizens dictate the continued availability of essential public facilities and services and adequacy of community resources; and
 - c. The ability to provide essential resource or service at the quality and quantity desired by the community is an integral part of the city's quality of life; and
 - d. Growth experienced in the past, and pressures for continued growth indicate that Carson City may reach capacity in the delivery of one or more of essential resources or services; and
 - e. If capacity to provide an essential service or resource is reached, the Board may cause total cessation of residential growth for an interim period of time; and
 - f. When the city sets the quantity of building permits available for a specific year, the Board declares that there are certain limits to the capacity or capability of the city to deliver water or sewer services.
2. The Board declares that the following essential resources shall be considered for the managed growth of Carson City:
 - a. City water: quantity, quality, supply, capacity, infrastructure;
 - b. City sewer: treatment and disposal capacity; system or infrastructure ability to transport sewage from a residential dwelling unit of the treatment system;
 - c. Sheriff protection services;
 - d. Fire protection services;
 - e. Traffic and circulation;
 - f. Drainage and flooding;
 - g. School enrollment and capacity;

Chapter 18.12 Growth Management

- h. Parks and recreation; and
 - i. Other resources or services as determined by the Board.
3. Upon declaration of these findings, the Board of the consolidated municipality of Carson City has determined that a workable and reasonably equitable system for the management of population growth shall be a part of the land development process. The provisions in this Chapter achieve this purpose.

18.12.020 Effect Upon Previously Issued Allotments.

1. In the event that a holder of an allotment issued under the provisions of Chapter 15 does not desire to convert the valid allotment to an entitlement certificate, the following provisions shall be applicable:
 - a. Administration of this Subsection shall be in the manner as has been established under the provisions of Chapter 15 of the Carson City Municipal Code prior to the effective date of this Chapter.
 - b. For the sole purpose of administering growth management procedures for allotments that are not converted to new entitlement certificates, the text and content of Chapter 15 of the Carson City Municipal Code as amended shall be adopted by this reference concurrently with the enactment of this Chapter.
2. Forfeiture of allotments under provisions of Chapter 15 shall not prevent any property owner from applying for any building permits/entitlement certificates pursuant to this Chapter.

18.12.025 Growth Management Commission. There is established in Carson City a Growth Management Commission which shall consist of the Planning Commission.

1. The Growth Management Commission shall meet at least once each year. Other meetings may be held as needed. Meetings may be continued as necessary to accomplish the Growth Management Commission's business.
2. A majority of the members of the Growth Management Commission shall constitute a quorum, and each member shall have one (1) vote on any matter considered. The Chairman of the Planning Commission shall also chair the Growth Management Commission. A majority vote of the Commissioners present shall be required to approve a motion or resolution, other than a direction to the staff.
3. At any meeting the Growth Management Commission may, by motion, establish rules, procedures, time limitations, or other restrictions which appear best suited to accomplish its purpose of gathering and evaluating information and determining issues made pertinent by the provisions of this Chapter.

18.12.030 Duties. In addition to the duties established by the Growth Management Commission in its policies and procedures, the following duties are set forth for the Growth Management Commission:

1. At least fifteen days prior to the annual Growth Management Meeting, the Director shall receive information from any affected city department and may obtain information from any interested agency or party in order to prepare its report to the Growth Management Commission.

Chapter 18.12 Growth Management

2. The Growth Management Commission shall receive information of adequate depth and scope providing it with specific data to use in making a recommendation to the Board.
3. The Growth Management Commission shall compile and consider such information so that it is able to submit a written report to the Board at least two weeks prior to the last regular meeting of the Board in July detailing its recommendations concerning the number of residential building permits to be fixed for the second year following, and the number to be estimated for the third and fourth years following.

18.12.035 Establishing Residential Building Permits. A fixed number of residential building permits shall be established on a two year rolling calendar basis to aid the community in knowing the projected growth of residential dwelling units.

1. Not later than the last Board meeting in July, the Growth Management Commission shall recommend and the Board shall fix by resolution the number of residential building permits to be made available to eligible property owners for the second calendar year following the calendar year in which the resolution is adopted. In the same resolution, the Growth Management Commission shall recommend, and the Board shall estimate the number of residential building permits that may be made available in the third and fourth calendar years following.

18.12.040 Building Permit Categories. Building permits in fixed numbers shall be established in such categories and subcategories as the Board or Growth Management Commission deems necessary. Such categories shall include:

1. A maximum limit for real property owners within a calendar year. This category shall be called the "general property owner" category.
2. A maximum limit for development projects that are included on the project list. This category shall be called the "development project" category.

18.12.045 Project List Qualifications, Procedures, Additions, Removals.

1. Any development project for which one of the following city approvals has been granted shall qualify for inclusion on the project list:
 - a. A series of approved and recorded parcel maps representing thirty-one (31) or more dwelling units; or
 - b. An approved Final Map representing thirty-one (31) or more dwelling units; or
 - c. An approved final planned unit development approval representing thirty-one (31) or more dwelling units; or
 - d. An approved Special Use Permit for a residential project representing thirty-one (31) or more dwelling units; or
 - e. An approved mobile home park representing thirty-one (31) or more dwelling units; or
 - f. An approved apartment project containing thirty-one (31) or more units. Approval of a project shall be either an approval of a Special Use Permit as required by this Title or by the Director after completing the major project review process.

Chapter 18.12 Growth Management

2. Approvals for development projects shall be considered the same project, even if approvals by the city were at different chronological times, and even if the separate phases of the project have different names, numbers or other means of identification.
3. A development project meeting these requirements shall be placed on the project list upon receipt of a written petition from the project developer or property owner submitted to the Director. The petition shall be on the form provided by the Director. When approved, the petition shall be dated and signed by the Director.
4. To remain on the project list, the property owner shall reserve building permit application(s) pursuant to Subsection 2 of Title 18 (Obtaining a Building Permit) each year equal to at least ten percent (10%) of the maximum number permitted to be purchased for development projects, or one permit, whichever is greater. This number shall be called the "minimum annual requirement."
 - a. Failure to reserve the minimum annual requirement of building permits in the current calendar year shall result in automatic removal from the project list.
 - b. If a development project is removed from the project list, the development project shall not be eligible for reinstatement to the list until building permits/entitlement certificates equal to the annual minimum requirement have been reserved in a calendar year. The development project shall then be reinstated in the following calendar year. The development project shall be required to submit a new petition prior to reinstatement pursuant to this Section.

18.12.050 Applicability of this Chapter to Property in the Highway 395 Right-of-Way. The Nevada Department of Transportation (NDOT) shall be permitted to transfer entitlement certificates to property owners displaced by the acquisition of private property in the city approved route for the Highway 395 bypass. In order to execute the transfer, NDOT shall present an affidavit stating that it has acquired real property resulting in the displacement of a property owner. The affidavit shall state that the displaced property owner has acquired real property in the consolidated municipality of Carson City, and desires to construct a new residence. The affidavit shall be accompanied by the full amount of utility connection fee(s) and the growth management fee. Upon receipt of the affidavit and required fee(s), the Director shall issue an entitlement certificate in the name of the displaced property owner and for the specific parcel. The entitlement certificates issued under the provisions of this Section shall be exempt from the limits on building permits established in this Chapter. This exemption shall apply to a maximum of twenty (20) building permits/entitlement certificates.

18.12.055 Obtaining a Building Permit.

1. To construct a residential building subject to the provisions of this Chapter, the following time frames shall apply:
 - a. Beginning on the first city working day in January and concluding on the last city working day in March, the Director shall make available the maximum number of residential building permits for development projects and private property owners in the city. This calendar time frame shall be called "Period 1."
 - (1) For development projects, each project shall be entitled to apply for the maximum number of building permits allocated to the development project category at any time during this period.