

ATTACHMENT A

Draft ordinance with
40 acre minimum parcel size

**WORKING COPY
INFORMATION ONLY**

REGULAR TEXT: NO CHANGE IN LANGUAGE

~~STRIKEOUT TEXT: DELETE LANGUAGE~~

BOLD TEXT: NEW LANGUAGE

Notice: Per NRS 239B.030, this document does not contain personal information as defined in NRS 603A.040

Summary:

BILL NO. _____

ORDINANCE NO. _____

Title:

An ordinance amending the Washoe County Code at Chapter 110 (Development Code), Article 302, *Allowed Uses* by amending Table 110.302.05.4 (Industrial Use-Types), to include the General Rural Regulatory Zone among the regulatory zones where the Wholesaling, Storage and Distribution (Heavy) industrial use-type is allowed with a special use permit granted by the Washoe County Board of Adjustment

WHEREAS:

- A. This Commission desires to amend Article 302, *Allowed Uses*, of Washoe County Chapter 110 (Development Code) in order to include the General Rural Regulatory Zone among the regulatory zones where the Wholesaling, Storage and Distribution (Heavy) industrial use-type is allowed with a minimum parcel size of 40 acres and special use permit granted by the Washoe County Board of Adjustment and,
- B. The proposed amendment was initiated by Mr. Gail Willey by submittal of an application for a Development Code Amendment on December 15, 2016, and is assigned case number WDCA16-0001; and,
- C. The amendments and this ordinance were drafted in concert with the District Attorney, and the Planning Commission held a duly noticed public hearing for WDCA16-0001 on APRIL 4, 2017 and recommended denial of this ordinance; and,
- D. Following a first reading and publication as required by NRS 244.100 (1), and after a duly noticed public hearing, this Commission desires to adopt this Ordinance; and,

E. This Commission has determined that this ordinance is being adopted pursuant to requirements set forth in Chapter 278 of NRS, therefore it is not a "rule" as defined in NRS 237.060 requiring a business impact statement.

THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY DOES HEREBY ORDAIN:

SECTION 1. Table 110.302.05.4 (Industrial Use-Types) of the Washoe County Code is hereby amended to read as follows:

Table 110.302.05.4
TABLE OF USES (Industrial Use Types)
(See Sections 110.302.10 and 110.302.15 for explanation)

Industrial Use Types (Section 110.304.30)	LDR	MDR	HDR	LDS/ LDS 2	MDS/ MDS 4	HDS	LDU	MDU	HDU	GC	NC	TC	I	PSP	PR	OS	GR	GRA	SP
Aggregate Facilities																			
Permanent	S ₂	--	--	--	--	--	--	--	--	--	--	--	S ₂	--	--	--	S ₂	--	--
Temporary	See Article 332																		
Caretaker's Residence																			
Attached	--	--	--	--	--	--	--	--	--	--	--	--	A	--	--	--	--	--	SP
Detached	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--	--	--	--	SP
Custom Manufacturing	S ₂	S ₂	S ₂	--	--	--	--	--	--	S ₂	--	S ₂	A	--	--	--	S ₂	--	SP
Energy Production																			
Non-Renewable*	S ₂	S ₂	--	--	--	--	--	--	--	--	--	--	S ₂	S ₂	--	S ₂	S ₂	--	--
Renewable*	S ₂	S ₂	--	--	--	--	--	--	--	S ₂	--	S ₂	S ₂	S ₂	--	S ₂	S ₂	S ₂	SP
General Industrial																			
Limited	--	--	--	--	--	--	--	--	--	--	--	--	A	--	--	--	--	--	SP
Intermediate	--	--	--	--	--	--	--	--	--	--	--	--	A	--	--	--	--	--	SP
Heavy	--	--	--	--	--	--	--	--	--	--	--	--	S ₂	--	--	--	--	--	--
High Technology Industry	--	--	--	--	--	--	--	--	--	S ₂	S ₂	--	A	--	--	--	S ₂	--	SP
Inoperable Vehicle Storage	--	--	--	--	--	--	--	--	--	--	--	--	S ₂	--	--	--	--	--	SP
Laundry Services	--	--	--	--	--	--	--	--	--	P	--	--	A	--	--	--	--	--	SP
Mining Operations	S ₂	--	--	--	--	--	--	--	--	--	--	--	S ₂	--	--	--	S ₂	--	--
Petroleum Gas Extraction	--	--	--	--	--	--	--	--	--	--	--	--	S ₂	--	--	S ₂	S ₂	--	--
Salvage Yards	--	--	--	--	--	--	--	--	--	--	--	--	S ₂	--	--	--	--	--	--
Wholesaling, Storage and Distribution																			
Light	--	--	--	--	--	--	--	--	--	--	--	--	A	--	--	--	--	--	SP
Heavy	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--	--	S ₂ †	--	--

Key: -- = Not allowed; A = Allowed; P = Administrative Permit; PR = Park Commission Approval pursuant to Section 110.104.40(c); S₁ = Planning Commission Special Use Permit; S₂ = Board of Adjustment Special Use Permit

Note: * If a special use permit for an energy production project meets the criteria for a project of regional significance, that special use permit will be reviewed by the Washoe County Planning Commission.

† A minimum lot size of 40 acres is required for Wholesaling Storage and Distribution Special Use Permit in the General Rural Regulatory Zone.

Sources: Sedway Cooke Associates and Washoe County Department of Community Development

SECTION 4. General Terms.

1. All actions, proceedings, matters, and things heretofore taken, had and done by the County and its officers not inconsistent with the provisions of this Ordinance are ratified and approved.
2. The Chairman of the Board and officers of the County are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance. The District Attorney is authorized to make non-substantive edits and corrections to this Ordinance.
3. All ordinances, resolutions, bylaws and orders, or parts thereof, in conflict with the provisions of this Ordinance are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance, resolution, bylaw or order, or part thereof, heretofore repealed.
4. Each term and provision of this Ordinance shall be valid and shall be enforced to the extent permitted by law. If any term or provision of this Ordinance or the application thereof shall be deemed by a court of competent jurisdiction to be in violation of law or public policy, then it shall be deemed modified, ipso facto, to bring it within the limits of validity or enforceability, but if it cannot be so modified, then the offending provision or term shall be excised from this Ordinance. In any event, the remainder of this Ordinance, or the application of such term or provision to circumstances other than those to which it is invalid or unenforceable, shall not be affected.

Passage and Effective Date

Proposed on _____ (month) _____ (day), 2017.

Proposed by Commissioner _____.

Passed on _____ (month) _____ (day), 2017.

Vote:

Ayes:

Nays:

Absent:

Bob Lucey, Chair
County Commission

ATTEST:

Nancy Parent, County Clerk

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

DRAFT