

Customer Account # 349008

PO # / ID # 769

- 
- Washoe County Clerk
- PO Box 11130 -P. Reese
- Reno, Nevada 89520
- 

Legal Ad Cost \$ 28.16

Extra Proof \_\_\_\_\_

Notary Fee 2.00

TOTAL \$ 30.16

STATE OF NEVADA  
 COUNTY OF WASHOE

SS. Mary Cook

being first duly sworn, deposes and says:  
 That as the legal clerk of the RENO GAZETTE-JOURNAL, a daily newspaper published in Reno, Washoe County, State of Nevada, that the notice:

Of City Ordinance No. 893

of which a copy is hereto attached, has been published in each regular and entire issue of said newspaper on the following dates to wit:

Feb. 25, March 4

Signed Mary Cook

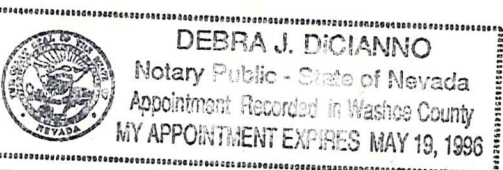
Subscribed and sworn to before me this  
4th day of March, 1994

Debra J. DiCianno  
 Notary Public

**PROOF OF PUBLICATION**

NOTICE OF COUNTY ORDINANCE  
 NO. 893

NOTICE IS HEREBY GIVEN that Ordinance No. 893, Bill No. 1068, entitled,  
 AN ORDINANCE AMENDING THE WASHOE COUNTY CODE TO REVISE THE REGULATIONS REGARDING THE DEVELOPMENT, PRESERVATION, AND PROTECTION OF HILLSIDES AND RIDGELINES AND THE DEFINITIONS RELATED THERETO.  
 was adopted on January 18, 1994, by Commissioners Larry Beck, Steve Bradhurst, Dianne Cornwall, Gene McDowell, and Jim Shaw, and will become effective on March 4, 1994. Typewritten copies of the ordinance are available for inspection by all interested persons at the office of the County Clerk at the County Courthouse, Virginia and Court Streets, Reno, Nevada.  
 Judi Bailey, County Clerk  
 No. 769 Feb 25;  
 Mar 4, 1994



893 ✓

SUMMARY: Amends Washoe County Code to revise the regulations regarding the development, preservation and protection of hillsides and ridgelines and the definitions related thereto.

BILL NO. 1068

ORDINANCE NO. 893

AN ORDINANCE AMENDING THE WASHOE COUNTY CODE TO REVISE THE REGULATIONS REGARDING THE DEVELOPMENT, PRESERVATION AND PROTECTION OF HILLSIDES AND RIDGELINES AND THE DEFINITIONS RELATED THERETO.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE DO ORDAIN:

SECTION 1. Article 424 "Hillside Development" of chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit "A" which is attached hereto and made a part hereof.

SECTION 2. Article 902 "Definitions" of chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit "B" which is attached hereto and made a part hereof.

Proposed on the 14th day of December, 1993.  
Proposed by Commissioners McDowell.  
Passed on the 18th day of January, 1994.

Vote:

Ayes: Commissioners: Larry Beck, Dianne Cornwall, Steve Bradhurst, Gene McDowell, Jim Shaw  
Nays: Commissioners: None  
Absent: Commissioners: None

  
Chairman of the Board

ATTEST:

  
County Clerk

This ordinance shall be in force and effect from and after the 4th day of March, 1994.

# Article 424

## HILLSIDE DEVELOPMENT

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### Sections:

110.424.00	Purpose
110.424.05	Applicability
110.424.10	Exemptions
110.424.15	Application Requirements and Procedures
110.424.20	Determination of Developable Area
110.424.25	Protected Open Space Areas
110.424.30	Site Development Standards
110.424.35	Grading and Drainage Standards
110.424.40	Vegetation Preservation and Restoration Standards
110.424.45	Street Standards
110.424.50	Fire Safety Standards

**Section 110.424.00 Purpose.** The purpose of this article, Article 424, Hillside Development, is to regulate hillsides in a manner different from regulation of flat terrain. This article establishes provisions for developing, preserving and protecting hillsides and ridgelines within Washoe County. The intent of these regulations is to protect the public health, safety and welfare by:

- (a) Minimizing use of slopes subject to instability, erosion, landslide, flood hazards or drainage problems;
- (b) Minimizing the careless alteration of and disruption to the natural topography and landscape;
- (c) Providing safe and adequate vehicular and pedestrian access to and within hillside areas, including emergency access;
- (d) Establishing stormwater runoff and erosion control techniques to minimize adverse water quality impacts resulting from non-point runoff;
- (e) Encouraging innovative grading techniques and building design which respond to the hillside terrain and natural contours of the land;
- (f) Minimizing impacts on existing trees and vegetation which reduce erosion, stabilize steep hillsides, enhance visual quality, protect water quality and preserve critical watershed recharge areas;
- (g) Encouraging the transfer of density to avoid hazardous areas and to protect environmentally sensitive and open space areas; and
- (h) Minimizing impacts on prominent ridgelines, significant viewsheds, canyons and visually prominent rock outcroppings which reflect the visual value and scenic character of hillside areas.

**Section 110.424.05 Applicability.** The provisions set forth in this article shall apply as follows:

- (a) Hillside and Ridgeline Development. This article applies to all new development that requires permitting or review by the County and meets the following criteria:
  - (1) Properties containing slopes in excess of fifteen (15) percent or greater on 20 percent or more of the site.
- (b) Relationship to Other Articles. The requirements established in this article shall supplement requirements found in other articles of the Washoe County Development Code. If the provisions of this article are in conflict with other statutes, ordinances or regulations, the more stringent limitation or requirement shall prevail to the extent of the conflict.
- (c) Application of this Article to the Tahoe Planning Area. The provisions of this article may be waived by the Director of Development Review for development in areas under the jurisdiction of the Tahoe Regional Planning Agency (TRPA).

**Section 110.424.10 Exemptions.** The following use types are exempt from the provisions of this article:

- (a) Residential Use Types. The following residential use types are exempt from the provisions of this article:
  - (1) Minor subdivisions as specified in Article 606, Parcel Maps, are exempt from the provisions of this article with the exception of Section 110.424.40, Ridgeline Preservation Standards, and Section 110.424.50, Street Standards. The exemption of minor subdivisions applies only to the first parcel map on any one parcel. Any subsequent divisions on the original or newly created parcels are not exempt from the provisions of this article.
  - (2) A parcel entitled to one dwelling unit legally recorded as of the adoption date of this article.
  - (3) All existing tentative maps and phased final maps, currently unexpired and having obtained preliminary approval prior to the adoption date of this article, are exempt from the provisions of this article.
  - (4) All projects with an approved design standards handbook and/or development agreement, currently unexpired and having obtained preliminary approval prior to the adoption date of this article, are exempt from the provisions of this article.
- (b) Civic Use Types. Uses classified under the Park and Recreation use type are exempt.
- (c) Agricultural Use Types. Uses classified under the Animal Production, Crop Production, Game Farms, Forest Products, Nursery Sales, and Produce Sales use types are exempt.
- (d) Open Space Use Types. Uses classified under the Open Space use type are exempt.

- (e) Mining Use Types. Uses classified under the Mining use type, excluding aggregate mining operations, and addressed under the provisions of Article 334, Mining, are exempt.

**Section 110.424.15 Application Requirements and Procedures.** Supplemental to all other application requirements found in the Washoe County Development Code, the following submittals shall be required for all hillside development:

- (a) Site Analysis. A site analysis, prepared by a qualified engineer, planner, landscape architect or architect shall be submitted. This analysis shall provide the basis for assessing the opportunities and constraints of the site for development and shall be in the form of a design standards handbook incorporating both textual and graphical representations of the requested action. At a minimum, a site analysis shall indicate:
- (1) Major topographic conditions including ridgelines, ravines, canyons and knolls;
  - (2) Preliminary geological conditions including major rock outcroppings, slide areas and areas underlain with faults that have been active during the Holocene epoch of geological time;
  - (3) Preliminary soil conditions including soil type, expansiveness, slumping, erodibility and permeability;
  - (4) Significant surface hydrological conditions including natural drainage courses, perennial streams, floodplains, wetlands and ponding areas;
  - (5) The location and types of significant vegetation including known rare and endangered plant species and general plant communities;
  - (6) Habitat areas for rare or endangered animal species;
  - (7) Preliminary viewshed analysis including cross sections of views to and from the development site from all major roadways within one (1) mile of the project site, and from major focal points on the project site;
  - (8) How the development responds to the unique conditions of the hillside; and
  - (9) A slope analysis, submitted on a topographic map with contour intervals of at least five (5) feet for planning purposes. This analysis shall indicate the location and amount of land included within the following slope categories, tabulated in acres:
    - (i) 0 - 15 percent;
    - (ii) 15 - 20 percent;
    - (iii) 20 - 25 percent;

- (iv) 25 - 30 percent; and
  - (v) Greater than 30 percent.
- (b) Developable Area Map. A developable area map, prepared pursuant to Section 110.424.20(b).
- (c) Constraint and Mitigation Analysis. A detailed analysis of how the identified constraints will be mitigated and incorporated into the project's design.
- (d) Washoe County Comprehensive Plan Amendment. All applicants proposing a hillside development requiring a Washoe County Comprehensive Plan amendment shall enter into a development agreement with Washoe County pursuant to Article 814, Development Agreements. Supplemental to all other requirements, development agreements for hillside development shall contain the following:
- (1) Agreement by the applicant to seek a Washoe County Comprehensive Plan amendment;
  - (2) Agreement by Washoe County to process a Washoe County Comprehensive Plan amendment request pursuant to the requirements listed in Article 820, Amendment of Comprehensive Plan;
  - (3) Site analysis as required under Section 110.424.15(a);
  - (4) Developable area analysis as required under Section 110.424.20; and
  - (5) Calculation and location of density being proposed.
- (e) Detailed Contour Analysis. As determined through a pre-application meeting between the applicant and the Department of Development Review, a topographic map with more or less detailed contour intervals may be required by the Director of Development Review for design purposes.

**Section 110.424.20 Determination of Developable Area.** To determine the location and amount of land suitable to support development, a developable area analysis is required on a hillside property.

- (a) Purpose. The purpose of identifying the developable area of a hillside is to designate those areas suited for development and construction as evidenced by soils, geotechnical, biological and hydrological investigations and studies. A developable area analysis is required to ensure that the proposed project complies with the intent, standards and requirements of this article.
- (b) Developable Area Map. The developable area analysis shall be in the form of a developable area map; shall be drawn at a scale appropriate to the project; shall identify the location and amount of total land area suitable for development pursuant to Section 110.424.20(c); and shall be prepared by a qualified engineer, planner, landscape architect or architect.



- (c) Determination of Developable Area. Areas considered less suitable for development include:
- (1) Slopes greater than thirty (30) percent, based on a slope analysis pursuant to Section 110.424.15(a);
  - (2) Areas of landslides or landslide potential;
  - (3) Areas underlain with faults that have been active during the Holocene epoch of geological time;
  - (4) Habitat areas of known rare or endangered plant or animal species; and
  - (5) Significant streams, ravines and drainageways.
- (d) Exceptions. Development shall be permitted within areas of a hillside property considered less suitable for development by the Director of Development Review due to extenuating circumstances, provided the applicant can demonstrate that:
- (1) The purposes of this article will not be compromised;
  - (2) Unstable slopes proposed for development will be sufficiently stabilized;
  - (3) Areas of landslide or landslide potential proposed for development will be stabilized;
  - (4) Earthquake resistant structures will be constructed on development sites proposed on potential earthquake areas;
  - (5) Areas of rare and endangered animal or plant habitat proposed for development will be relocated and mitigation measures adhered to; and
  - (6) Significant ridgelines, rock outcroppings, canyons and landforms will be protected to the greatest extent possible.

**Section 110.424.25 Protected Open Space Areas.** Any portion of a hillside development which has been deemed unsuitable for development pursuant to Section 110.424.20(c) shall be designated as permanent open space and shall be subject to the following provisions:

- (a) Permitted Uses. Uses permitted within the permanent open space areas shall be those that are directly related to the open space function of the land, are necessary to provide community services, or are necessary for the health, safety or welfare of the public. The following uses and facilities shall be permitted in the permanent open space areas:
- (1) Paved and unpaved pedestrian, equestrian and bicycle paths and trails;
  - (2) Outdoor recreational uses and facilities such as golfing, skiing, fishing, hunting, boating, swimming, horseback riding, nature observation, community parks and picnic areas;

- (3) Roads, bridges and culverts for vehicles, pedestrians, bicyclists or equestrians used to provide access to permitted open space uses or to developable areas, pursuant to Section 110.424.20(b);
  - (4) Installation, maintenance and operation of typical utilities; and
  - (5) Dams, swales, detention ponds and impoundment areas, wetlands and wetlands mitigation sites, and other structures necessary to prevent flooding and erosion, and to protect water quality.
- (b) Land Restriction. A deed restriction, easement, offer of dedication, or other conveyance describing limitations placed on the permanent open space areas of the property shall be recorded concurrent with the issuance of a development permit. The restriction shall include provisions for the management and maintenance of the property.

**Section 110.424.30 Site Development Standards.** This section sets forth development standards to address the physical and technical conditions unique to hillside and ridgeline property. In case of conflict between the provisions of this section and those of any other section of the Washoe County Development Code, the provisions of this section shall prevail unless otherwise determined by the Director of Development Review, County Engineer, or designated staff from the appropriate fire protection agency.

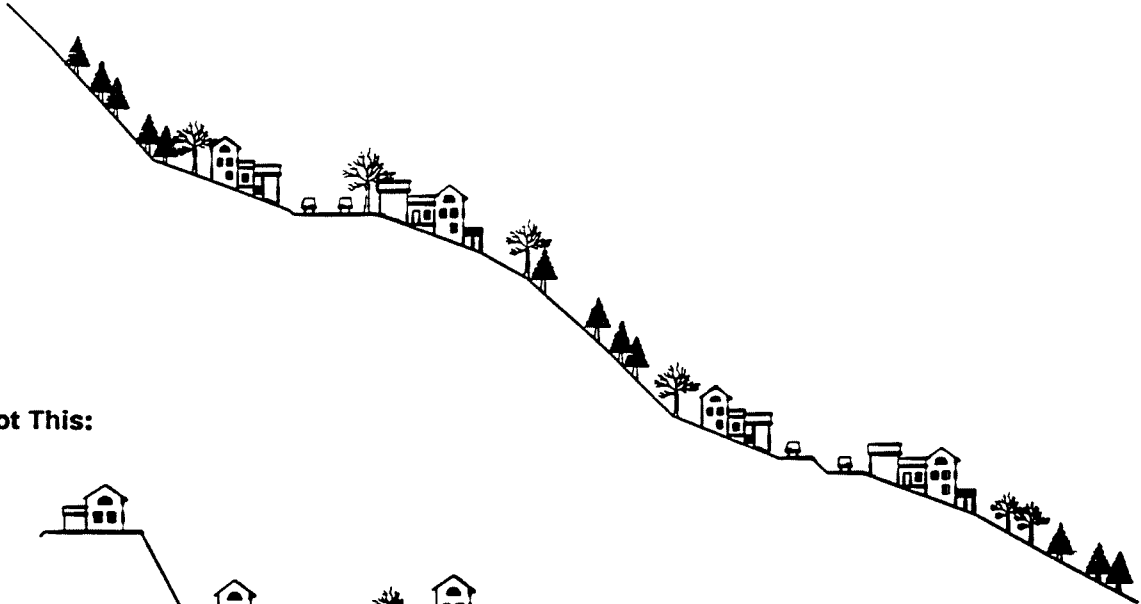
- (a) Building Location. The following standards are intended to encourage compatibility between development and the existing hillside and vegetation character:
- (1) Structures should be located on the natural slope of the land rather than on man-made pads and terraces as shown in Figure 110.424.30.1;
  - (2) Structures should be located in such a manner so as to retain or enhance views, particularly views from public places as identified in the required viewshed analysis per Section 110.424.15(a) and individual residential dwelling units;
  - (3) Development clusters shall be permitted, where appropriate, to preserve natural features, reduce grading and impervious surface area, increase usable open space areas, and preserve views of the hillsides;
  - (4) The character and profile of the hillside should be preserved by using existing, disturbed areas for building envelopes rather than undisturbed areas; and
  - (5) For projects with multiple buildings, structures should be sited in staggered arrangements and height variation to minimize a "walled" effect.



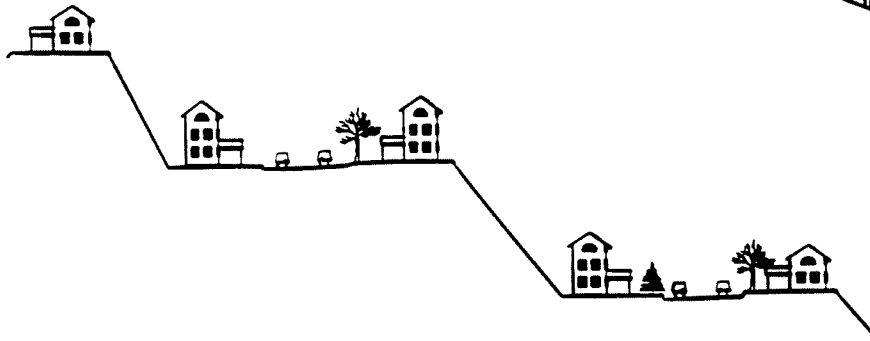
Figure 110.424.30.1

## BUILDING LOCATION STANDARDS

This:



Not This:



Note: Encourage use of natural slope; discourage cut and fill development.

Source: Washoe County Department of Comprehensive Planning.

- (b) Building Design. The following standards are intended to encourage building design that is compatible to the character of hillsides and ridgelines and minimize alteration of the natural landforms:
- (1) Split-pad and stepped foundation shall be encouraged so that buildings step-down or step-up with the natural slope to avoid padding and terracing as shown in Figure 110.424.30.2;
  - (2) The use of decks and small patios shall be encouraged to reduce the amount of grading;

Figure 110.424.30.2

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**EXAMPLE OF SPLIT PAD AND STEPPED FOUNDATION DESIGN**


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Source: Washoe County Department of Comprehensive Planning.

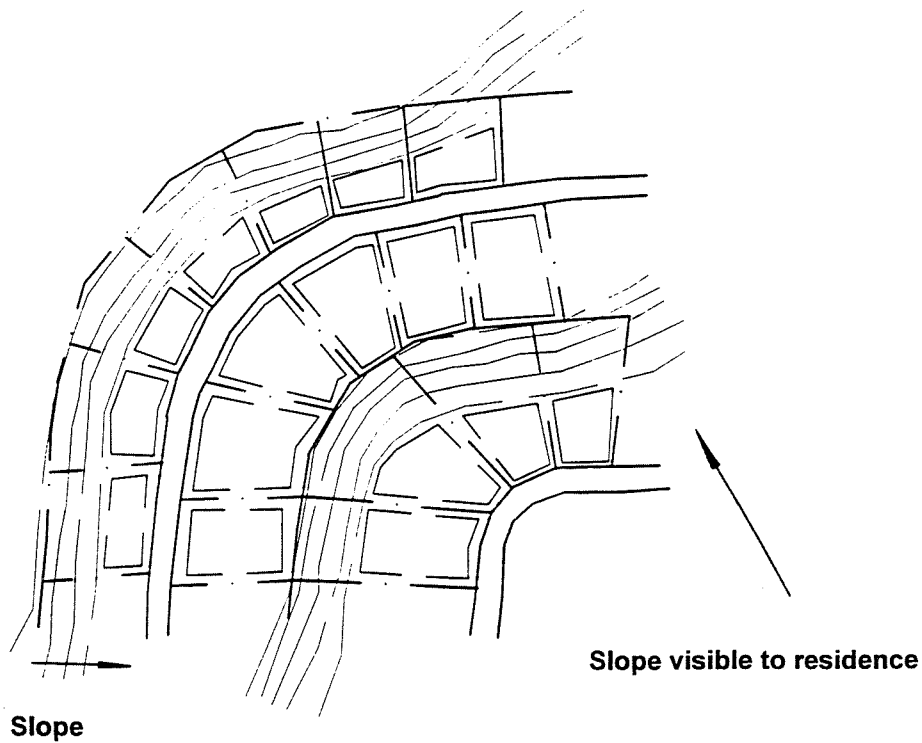
- (3) Structures shall be designed to blend into the natural character of the hillside by reducing the visual bulk through landscaping, terraced building forms and height variations; and
- (4) A series of smaller, visually distinct roofs, specifically pitched, gabled and hipped roofs, shall be encouraged to reflect the visual diversity of the natural hillsides.

- (c) Building Height. Buildings shall not exceed the maximum allowable height standards established in Article 402, Density/Intensity Standards.
- (d) Yards. The following standards are intended to ensure sloped yards are adequately maintained by the dwelling unit physically and visually accessing them:
  - (1) Cut or fill slopes should be designed such that they are visible from the residence on the property in which they are located as shown in Figure 110.424.30.3. This will encourage property owners to stabilize, maintain and treat slopes to prevent erosion.

Figure 110.424.30.3

**SLOPE OWNERSHIP**

**Building envelopes/disturbed areas off of slope**



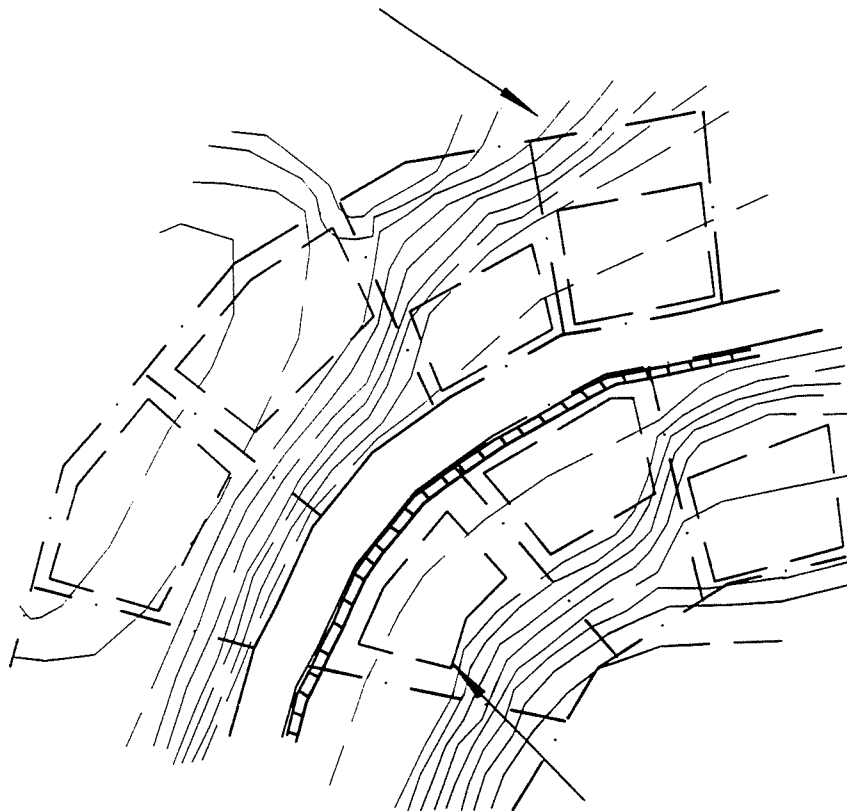
**Note:** Slopes visible from residence on property ensures slope maintenance.

**Source:** Washoe County Department of Comprehensive Planning.

- (2) Slopes adjacent to a roadway should be designed and maintained in a uniform manner.

- (3) To promote creative site planning design, residential yard requirements as established in Article 406, Building Placement Standards, may be reduced by the Director of Development Review provided the applicant can demonstrate that the reduction:
- (i) Does not diminish solar access to the primary living space or yard area of an adjoining residence;
  - (ii) Does not block views from adjoining lots and streets beyond that which would have occurred without the reduced yard allowance; and
  - (iii) Is consistent with the natural hillside character.
- (e) Parking and Sidewalks. The following standards are intended to ensure safe and adequate access to residential hillside development areas and to minimize the width of hillside roadways, where feasible and as appropriate:
- (1) On lots fronting a street with on-street parking prohibited on both sides of the street, one (1) additional off-street parking space shall be provided per unit;
  - (2) The width of a driveway at curb cut shall not exceed twenty four (24) feet, and the distance between two (2) or more curb cuts on the same property shall be at least twenty (20) feet;
  - (3) To reduce the number of curb cuts, amount of grading, impervious surface area, and site disturbance, use of common driveways shall be encouraged by the Director of Development Review, provided that a common easement maintenance agreement is secured; and
  - (4) Tandem parking may be permitted by the Director of Development Review provided that the applicant can demonstrate that such configuration will reduce the amount of grading.
- (f) Lot Configuration. The following standards are intended to ensure platting of new lots which reflect the natural character of hillside properties as shown in Figure 110.424.30.4:
- (1) Stable and sufficiently usable areas of land for development shall be provided for each created lot;
  - (2) Building envelopes, disturbed areas and areas to remain undisturbed for each created lot shall be shown on the tentative and final maps;
  - (3) Reasonably safe and adequate access from public streets without requiring massive grading or substantial vegetation removal shall be required for each created lot; and
  - (4) Lot patterns which offer a variety of configurations shall be encouraged.
- (g) Fences and Walls. The following standards are intended to minimize the visual effect of excessive fencing and retaining walls in hillside and ridgeline development:

Figure 110.424.30.4

**BUILDING LOCATION STANDARDS****Building envelopes/disturbed areas off of slope****Lots and buildable areas follow contours of site**

Source: Washoe County Department of Comprehensive Planning.

- (1) Multiple retaining walls shall be separated horizontally by a distance equal to at least the height of the lower retaining wall; and
- (2) A series of smaller retaining walls shall be encouraged rather than one (1) large, uninterrupted wall.
- (h) Significant Natural Features. Significant natural features shall be protected and preserved where appropriate and feasible including, but not limited to, ridgelines, canyons, ravines, streams and creeks, natural drainages and rock outcroppings.
- (i) Open Space and Recreational Trails. Open space areas and recreational trails provided as part of a hillside development proposal shall be consistent with the adopted Washoe County policies and regulations for open space and recreational trails.

**Section 110.424.35 Grading and Drainage Standards.** This section sets forth development standards for grading and drainage of hillside and ridgeline properties.

- (a) Grading. These grading standards are applicable to hillside and ridgeline development only if a special use permit for grading is required pursuant to Washoe County Ordinance 811. The following standards are intended to preserve natural topographic features, foster resource preservation and minimize degradation of the visual character of hillsides:
- (1) Grading shall relate to the natural topography with the natural topography maintained to the greatest extent possible;
  - (2) Where alteration to the natural topography is necessary, graded slopes shall be contoured to provide a smooth and gradual transition of grading and natural slopes, while maintaining the basic character of the terrain;
  - (3) Standard pad grading or terracing which results in grading outside the building footprint and access area shall be discouraged;
  - (4) Grading of knolls, ridgelines or toes of slopes shall be rounded to conform with the natural grade and to provided a smooth transition to the natural slope;
  - (5) Grading shall create varying gradients in order to avoid a "manufactured" appearance;
  - (6) Grading in environmentally sensitive habitat areas shall occur only when necessary to protect, maintain, enhance or restore the habitat; and
  - (7) A slope stability and scarring mitigation plan, certificated by the project engineer, shall be reviewed and approved by the Director of Development Review and the Public Works Department prior to initiation of grading.
- (b) Drainage and Erosion Control. All hillside development shall satisfy current Washoe County Code for drainage and erosion control.

**Section 110.424.40 Vegetation Preservation and Restoration Standards.** This section sets forth development standards to ensure maximum preservation and restoration of existing trees and vegetation on hillsides and ridgelines, reduce damage from sediment and runoff, improve wildlife habitat, and retain the desirable qualities of hillsides.

- (a) Existing Native Trees and Vegetation. Existing native trees and vegetation shall be retained and integrated into the site development plan to the maximum extent feasible so as to maintain the natural surface drainage system, protect and preserve ecological communities, and enhance the natural scenic and visual quality.
- (b) Disturbed Areas. Where existing trees or plants have been removed from hillside or ridgeline properties, the following standards shall apply:
- (1) Existing vegetation shall not be destroyed, removed or disturbed more than fifteen (15) days before grading is scheduled to begin; and

- (2) All graded or disturbed areas, exposed slopes and areas of soil or landform disturbance not designated for development shall be revegetated and replanted immediately after grading in order to mitigate adverse visual impacts, improve soil conditions, minimize erosion and stabilize necessary cut and fill slopes with plant roots.

**Section 110.424.45 Street Standards.** This section sets forth development standards to ensure streets and roadways are adequate for serving the unique conditions of hillside areas.

- (a) Applicability. Street standards for hillside and ridgeline properties shall be subject to the provisions of Article 438, Street Design, and be in accordance with a detailed geotechnical engineering investigation that provides recommendations for the following:
  - (1) Design of cut and fill slopes;
  - (2) Design of roadway drainage systems;
  - (3) Protection of slopes from erosion;
  - (4) Pavement and structural design; and
  - (5) Construction procedures and methods to be used during site grading and roadway construction process.
- (b) Standards Waiver. The street standards in Article 438, Street Design, may be modified for hillside development if the geotechnical investigation indicates that other roadway cross sections are more suitable for the proposed development. Any modifications to the standards must be designed in accordance with Washoe County Codes and to the satisfaction of the Director of Development Review, County Engineer and staff from the appropriate fire protection agency.

**Section 110.424.50 Fire Safety Standards.** This section sets forth development standards to minimize the potential of fire spread and ensure fire safety to hillside areas through the provision of adequate water supply and sources, fuel breaks and fire-resistant landscaping.

- (a) Water Provisions. The applicant shall demonstrate that adequate fire line water supply, flow and pressure are available and consistent with standards established by the appropriate fire protection agency, and that all applicable fire hydrant requirements have been fulfilled.
- (b) Building Materials. Fire retardant roofing and decking shall be required.
- (c) Fuel Breaks. Fuel breaks shall be provided to reduce the risk of spread of wildfire and the opportunity of ignition, and to assure emergency access to the hillside development. The fuel breaks shall be established around all buildings and community facilities, and at appropriate intervals and locations within a hillside development in order to provide safer access for fire fighting and to reduce the rate of fire spread, as follows:
  - (1) The perimeter of all buildings shall be cleared of underbrush and excess vegetation;



- (2) Lot size and building placement shall allow adequate clearance of hazardous flammable vegetation; and
  - (3) Fuel breaks shall allow safe access for fire-fighting personnel and equipment.
- (d) Fire-Resistant Planting. In high-risk fire areas, the following standards shall apply:
- (1) Existing fire-resistant and fire-retardant plants shall be retained where feasible;
  - (2) The use of fire-resistant and fire-retardant plants shall be encouraged, and the use of highly flammable plants shall be prohibited;
  - (3) New trees shall be planted at least fifteen (15) feet from existing and proposed structures. Where this setback is infeasible due to yard requirements or other physical constraints, the use of fire-resistant trees shall be required;
  - (4) Trees shall be pruned such that no dead branches or foliage extend lower than six (6) feet above finished grade or within ten (10) feet of a chimney; and
  - (5) Yard areas shall be regularly maintained to remove excessive dry wood, debris, weeds and other highly flammable materials.

# ARTICLE 902

## DEFINITIONS

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### Sections:

110.902.00	Purpose
110.902.05	Applicability
110.902.10	Rules of Interpretation
110.902.15	General Definitions

**Section 110.902.00 Purpose.** The purpose of this article, Article 902, Definitions, is to promote consistency and precision in the interpretation of the Development Code.

**Section 110.902.05 Applicability.** The meaning and construction of words and phrases as set forth therein shall apply throughout the Development Code, except where the context of such words and phrases clearly indicates a different meaning or construction. Definitions contained in the adopted version of the Uniform Building Code shall be applicable except when in conflict with definitions contained in the Development Code, in which case the Development Code definitions shall control. Additional definitions which apply only within one article or section may be contained within that article or section.

**Section 110.902.10 Rules of Interpretation.** The following general rules of interpretation shall apply to the textual provisions of the Development Code:

- (a) **Article and Section References.** "Article" means an article of the ordinance codified in this Development Code unless some other ordinance is specifically mentioned. "Section" means a section of the ordinance codified in this Development Code unless some other ordinance is specifically mentioned. "Subsection" means a subsection of the section in which the term occurs unless some other section is specifically mentioned.
- (b) **Definitions.** The Director of Development Review shall have the authority to determine the applicable definition source (e.g. Webster's Collegiate Dictionary, Uniform Building Code, Uniform Fire Code, etc.) in the event of a conflict.
- (c) **Headings.** Section and subsection headings contained herein shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or intent of any provision of this Development Code.
- (d) **Illustrations.** In case of any differences of meaning or implication between the text of any section or article and any illustration, the text shall control.
- (e) **Gender.** The masculine gender includes the feminine and neuter.
- (f) **Number.** The singular number includes the plural, and the plural the singular.
- (g) **Tense.** The present tense includes the past and future tenses, and the future tense includes the present tense.

- (h) Oath and Affirmation. "Oath" includes "affirmation".
- (i) Shall and May. "Shall" is mandatory and "may" is permissive.
- (j) Signature or Subscription and Mark. "Signature" or "subscription" includes "mark" when the signer or subscriber cannot write, such signer's or subscriber's name being written near the mark by a witness who writes his own name near the signer's or subscriber's name; but a signature or subscription by mark can be acknowledged or can serve as a signature or subscription to a sworn statement only when two (2) witnesses so sign their own names thereto.
- (k) Statutory References. Whenever reference is made to any portion of the ordinance codified in this Development Code, or of any other ordinance of this County or of any law of this state, the reference applies to all amendments and additions now or hereafter made.

**Section 110.902.15 General Definitions.** Unless otherwise specified, the following definitions shall be applicable throughout the Development Code:

A-Weighted Sound Level. "A-weighted sound level" means the sound pressure level in decibels as measured on a sound level meter using the A-weighting filter network. Sounds measured with an A-weighted filter are abbreviated dba or db(a).

Accessory Building. "Accessory building" means a subordinate building, the use of which is incidental to that of the main building or potential main building.

Accessway. "Accessway" means vehicular ingress and egress to a property or use.

Adequate Public Facilities Management. "Adequate public facilities management" means a method for ensuring that the infrastructure necessary to support a development project will be available concurrently with the impacts of that development, without causing the level of service provided by said infrastructure to fall below adopted standards.

Affordable Housing. "Affordable housing" means housing which is affordable to low-income households (not exceeding eighty (80) percent of the County median income) or moderate-income households (not exceeding one-hundred twenty (120) percent of County median income).

Approved Access. "Approved access" means a way or means of approach to a parcel from either an abutting public road or from a private road, street or right-of-way approved by the County.

Area of Shallow Flooding. "Area of shallow flooding" means a designated AO or AH Zone on the Flood Insurance Rate Maps. The base flood depths range from 1 to 3 feet, a clearly defined channel does not exist, the path of flooding is unpredictable and indeterminate, and velocity flow may be evident.

Area Plan. "Area plan" means plans adopted by Washoe County which cover specific subareas of the unincorporated County. These plans provide basic information on the natural features, resources and physical constraints that affect the development of the planning area. They also specify detailed land use designations which are then used to review specific development proposals and to plan services and facilities.

Arterial. "Arterial" means a main highway that is a through street.

Attached Accessory Dwelling. "Attached accessory dwelling" means a portion of a single family dwelling that may provide complete, independent living facilities for living, sleeping, eating, cooking and sanitation within the main dwelling unit, but which is separate from the main dwelling unit's cooking area, bathroom(s) and living areas. An attached accessory dwelling does not exceed twenty-five (25) percent of the total square footage of the main dwelling unit. Attached accessory dwellings are often referred to as guest rooms, guest apartments and "granny flats".

Base Flood Calculation. "Base flood calculation" means a flood having a one (1) percent chance of being equaled or exceeded in any given year. See "Flood, One Hundred (100) Year".

Basement. "Basement" means the portion of a building between floor and ceiling, which is partly below and partly above grade, but so located that the vertical distance from grade to the floor below is less than the vertical distance from grade to ceiling.

Bed and Breakfast Establishment. "Bed and breakfast establishment" means a single-family dwelling containing not more than five (5) guest rooms (no cooking facilities in guest rooms) where, for compensation, meals and lodging are provided.

Berm. "Berm" means a mound or embankment of earth.

Billboard. "Billboard" means an outdoor advertisement making a material or services known, such advertisement being remote from the point of sale of such material or service.

Board. "Board" refers to the Board of County Commissioners of Washoe County.

Boardinghouse. "Boardinghouse" means a building or portion thereof (not a motel) where, for compensation, meals and lodging are provided for more than three (3) guests.

Building. "Building" means any structure having a permanent foundation, a roof supported by columns or walls and used for the enclosure of persons, animals or chattels, but not including a trailer (mobile home) or tent.

Building Envelope. "Building envelope" means the area to be occupied by any structure and associated development.

Building Height. "Building height" is the vertical distance above a reference datum measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped roof. The reference datum shall be selected by either of the following, whichever yields a greater height of building:

1. The elevation of the highest adjoining sidewalk or ground surface within a five (5) foot horizontal distance of the exterior wall of the building when such sidewalk or ground surface is not more than ten (10) feet above lowest grade.
2. An elevation ten (10) feet higher than the lowest grade when the sidewalk or ground surface described in Item 1 above is more than ten (10) feet above lowest grade.

The height of a stepped or terraced building is the maximum height of any segment of the building.

Building Intensity. "Building intensity" refers to the bulk and concentration of physical development of uses permitted in a district. Lot coverage and height are examples of measures of building intensity.

Cellar. "Cellar" means the portion of a building between floor and ceiling which is wholly or partially below grade and so located that vertical distance from grade to the floor below is equal to or greater than the vertical distance from grade to ceiling.

Certificated Water Rights. "Certificated water rights" means the right to put surface water or groundwater to beneficial use that is identified by a record document issued by the Nevada State Engineer after satisfactory proof of "perfection of application" for a permitted water right has been filed in accordance with NRS Chapter 533.

Climatic Adaptive Planting Material. "Climatic adaptive planting material" means vegetation which is adapted to the climate or microclimate of the planting site and can flourish given the soil and water environment surrounding its roots. Microclimates, large bodies of water, soil drainage, soil pH, adequate moisture, the presence of soil salts, and both summer and winter wind affect a plant's ability to grow and survive.

Cluster or Clustered Development. See "Common Open Space Development".

Collector. "Collector" means the highest order of residential streets.

Commercial Coach. "Commercial coach" means structure without motive power which is designed and equipped for human occupancy for industrial, professional or commercial purposes.

Commission. "Commission" means the Washoe County Planning Commission.

Common Interest Community. "Common interest community" means real estate in which a person, by virtue of ownership of a unit, is obligated to pay for real estate other than that unit. "Ownership of a unit" does not include holding a leasehold interest of less than twenty (20) years in a unit, including options to renew.

Common Open Space Development. "Common open space development" means a technique whereby minimum lot sizes may be reduced below the regulatory zone requirements for residential and commercial use types, if compensating amounts of open space are provided within the same development (also called "cluster development"). This type of development allows for structures to be grouped on smaller lots, provided the total density for the development is not exceeded.

Comprehensive Plan. "Comprehensive Plan" means the Washoe County Comprehensive Plan, including the area plans.

Consistency. "Consistency" means free from variation or contradiction.

Constraints. "Constraints" mean limitations or actions which cannot be taken or which must be taken.

Construct. "Construct" includes "erect", "reconstruct", "alter", "move in" and "move upon".

Corner Lot. See "Lot, Corner".

Cost. "Cost" means the price paid or what is given up in order to acquire, produce, accomplish or maintain anything.

County. "County" refers to the unincorporated area of Washoe County, Nevada.

County Standards. "County standards" means improvement standards set forth in this Development Code or adopted by the Board of County Commissioners.

Cross-Section. "Cross-section" is a drawing or photograph showing a cutting through something, especially at right angles to its axis. A cross section of a roadway usually indicates the width of the street, the number of lanes, and the width of any median, parkways, sidewalks and bicycle lanes.

Cumulative Impact. "Cumulative impact" means an effect which is a result of several related projects. Each increment from each project may not be noticeable but cumulative impacts may be noticeable when all increments are considered.

Cut. "Cut" means shaping of the land surface by removing soil, rock or other materials.

Decibel. "Decibel" means a unit for describing the amplitude of sound, equal to twenty (20) times the logarithm to the base ten (10) of the ratio of the pressure of the sound measured to the reference pressure, which is twenty (20) micropascals (20 micronewtons per square meter).

Density or Residential Density. "Density" or "residential density" means the number of dwelling units per gross acre for residential uses.

Density Bonus. "Density bonus" means an increase in residential density over and above the density specified in the Development Code. A "density bonus unit" is one of the additional housing units built as a result of granting a density bonus.

Destination Resort. "Destination resort" is a self-contained development that provides for visitor-oriented accommodations and developed recreational facilities in a setting with high natural amenities. Visitor-oriented accommodations are overnight lodging and facilities designed for visitors, not permanent residents, and overnight lodging excludes RV and mobile home parks. Visitor accommodations must include meeting rooms and restaurants.

Detached Accessory Dwelling. "Detached accessory dwelling" means a dwelling unit on the same lot as the primary dwelling unit, but physically separated from the primary dwelling unit. An accessory dwelling unit may provide complete, independent living facilities for one or more persons, including permanent facilities for living, sleeping, eating, cooking and sanitation. A detached accessory dwelling unit is at least six hundred forty (640) square feet, but does not exceed twelve hundred (1,200) square feet or fifty (50) percent of the floor area of the main unit, whichever is smaller. Detached accessory dwellings may also be referred to as guest houses, second units, detached "granny flats" and caretaker's quarters.

Development. "Development" means any man-made change to improved or unimproved real estate including the construction of buildings or other structures, mining, dredging, filling, grading, paving, excavation, drilling operations or storage of equipment or materials.

Development Agreement. "Development agreement" means an agreement entered into by Washoe County and any person having a legal or equitable interest in land concerning the development of that land, pursuant to NRS Chapter 278.

Development Code. "Development Code" refers to Chapter 110 of the Washoe County Code which incorporates all County development-related ordinances and standards to ensure conformity with the Comprehensive Plan.

Division into Large Parcels. "Division into large parcels" means division of land if each proposed lot is at least forty (40) acres in area including roads and easements or at least one-sixteenth (1/16) of a section as described by a government land office.

Domestic Water. "Domestic water" means water supplied to individual dwellings and other land uses which is suitable for drinking.

Drainage, Natural. "Natural drainage" means any channel, swale or depression which conducts water as part of the natural drainage pattern of a site.

Dwelling. "Dwelling" means any building or portion thereof used exclusively for residential purposes but does not include hotels, clubs, boardinghouses or rooming houses, fraternity or sorority houses, or institutions.

Dwelling Unit. "Dwelling unit" means any building or portion thereof, including a fabricated home or portion thereof, which contains living facilities including provisions for sleeping, eating, cooking and sanitation as required by the Development Code, the Uniform Building Code, and/or the National Manufactured Home and Safety Standards Act.

Endangered Species. "Endangered species" means any species listed as such in the Federal Register which is in danger of extinction throughout all or a significant portion of its range.

Engineer. "Engineer" means a Nevada registered engineer pursuant to NRS Chapter 625.

Erosion. "Erosion" means the detachment and movement of soil from the land surface by wind, water or gravity.

Fabricated Home. "Fabricated home" means a dwelling unit fabricated in an off-site manufacturing facility for installation or assembly at the building site. Fabricated homes include modular homes, manufactured homes and mobile homes.

Family. "Family" means one (1) or more persons related by blood, marriage or legal adoption, or a group of six (6) or fewer unrelated persons and two additional persons who act as house parents or guardians, living together in a dwelling unit.

Fence. "Fence" means a wall or barrier constructed of boards, masonry, wire or any other material for the purpose of enclosing space or separating parcels of land. The term "fence" does not include retaining walls, but does include fence gates and gateposts.

Fill. "Fill" means shaping of the land surface by depositing soil, rock or other materials.

Final Map. "Final map" means the map or recording instrument for subdivisions of land as described in Article 610. A final map may also be used to record an approved parcel map at the option of either the subdivider or the County.

Fire Management. "Fire management" means activities required for the protection of resources and values from fire, or the use of fire to meet land management goals and objectives.

Flood or Flooding. "Flood" or "flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland waters; or the unusual and rapid accumulation of runoff of surface waters from any source.



Flood, One Hundred (100) Year. "One hundred (100) year flood" means a flood estimated to occur on an average once in one hundred (100) years. The boundaries of the one hundred (100) year flood include both the floodway and the flood fringe areas.

Flood Boundary and Floodway Maps (Floodway). "Flood Boundary and Floodway Maps" means the official maps on which the Federal Insurance Administration has delineated both the areas of flood hazard and the floodway.

Flood Elevation. "Flood elevation" means the elevation of the water surface of the base flood based on the National Geodetic Vertical Datum (NGVD) of 1929.

Flood Elevation, Increase In. "Increase in flood elevation" means an increase in flood elevation of more than one (1) foot at any point.

Flood Fringe. "Flood fringe" means the area of the one hundred (100) year flood, exclusive of the floodway, as shown on the Flood Insurance Rate Maps, and any area determined by the Floodplain Administrator to have a one (1) percent or greater probability of flood in a given year.

Flood Hazard Areas. "Flood hazard areas" means the area designated by the Federal Emergency Management Agency as being flooded by the base flood, and is designated as "Zone A, AO, AH, A1-30 and A99" on the Flood Insurance Rate Maps.

Flood Height. "Flood height" means the depth of the floodwater during the one hundred (100) year flood, computed as the difference between the elevation of the one hundred (100) year floodwater surface and the elevation ground surface at a given point in the flooded area.

Flood Insurance Rate Maps (FIRM). "Flood Insurance Rate Maps" means the official maps on which the Federal Insurance Administration has delineated the flood hazard area, the limited flooding area and the risk premium zones applicable to the community.

Flood Insurance Study (FIS). "Flood Insurance Study" means the official report provided by the Federal Emergency Management Agency that includes flood profiles, the Flood Insurance Rate Maps, the Flood Boundary and Floodway Maps, and the water surface elevation of the base flood.

Floodplain. "Floodplain" means any land area susceptible to being inundated by water from any source.

Floodplain Administrator. "Floodplain Administrator" means the person appointed to administer and implement the provisions of Article 416 of this Development Code.

Floodplain Management. "Floodplain management" means the operation of an overall program of corrective and preventive measures for reducing flood damage.

Floodproofing. "Floodproofing" means any combination of structural and nonstructural additions, changes or adjustments to nonresidential structures which reduce or eliminate flood damage to real estate or improved property.

Floodway. "Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot. The floodway is delineated on the Flood Boundary and Floodway Maps.

Floor Area Ratio (FAR). "Floor area ratio" means the ratio of floor area permitted on a lot to the size of the lot. For example, a permitted FAR of 6.0 on a 10,000 square foot lot would allow a building with a total floor area of 60,000 square feet.

Front Line. "Front line" means the narrowest lot dimension fronting on a street.

Front Yards. See "Yard, Front".

Fuel Management. "Fuel management" means treating or controlling any vegetative material which adversely affects meeting fire management direction based upon resource management goals and objectives.

Fuelbreak. "Fuelbreak" means a strip of land, strategically placed for fighting anticipated fires, where hazardous fuels have been replaced with less burnable fuels (like grass). They divide fire-prone areas into smaller parcels for easier fire control and provide access for fire fighting.

Fuels. "Fuels" mean any material capable of sustaining or carrying a wildfire, usually natural material both live and dead.

Gaming. "Gaming" means any legally constituted gambling enterprise authorized under the laws of the State of Nevada other than slot machines when such machines are operated incidentally to the conduct of a licensed retail business.

Geothermal Resource. "Geothermal resource" means the natural heat of the earth and the energy associated with the natural heat, pressure and all dissolved or entrained minerals, but excluding hydrocarbons and helium, that may be obtained from the medium used to transfer that heat.

Governing Body. "Governing body" refers to the Washoe County Board of County Commissioners, unless otherwise clearly indicated.

Grade. "Grade" is the lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between the building and the property line or, when the property line is more than 5 feet from the building, between the building and a line 5 feet from the building.

Gradient. "Gradient" is the slope of a lot measured as the difference in elevation of finished grade between the midpoint of the front property line and the farthest opposite point of the lot depth.

Grading. "Grading" means removal of trees and shrubs with surface soil grading for smoothness.

Greenbelt. "Greenbelt" means an area where measures such as fuel management, land use planning and development standards are applied to mitigate fire, flood and erosion hazard. More traditionally, an irrigated landscaped buffer zone between development and wildlands, usually put to additional uses (e.g. golf course, park, etc.).

Gross Density. "Gross density" is the ratio of the total number of units to the total site area.

Ground Cover. "Ground cover" means low, dense-growing plants such as shrubs or vines, or inert materials such as rock or bark used to cover bare ground.

Hedge. "Hedge" means a dense row of plant material, such as shrubs, which are arranged to form a boundary or screen.

Highest Existing Grade. "Highest existing grade" means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Hillside Development. "Hillside development" means any development including individual lots which has slopes greater than fifteen (15) percent on twenty- (20) percent or more of the site.

Hotel. "Hotel" means a building occupied or intended to be occupied, for compensation, as the temporary residence for transient guests, primarily persons who have residence elsewhere, with an interior hall and lobby.

House Construction Factory. "House construction factory" means a building used for the construction of a single or multiple family dwelling, or the assembly of prefabricated single or multiple family dwelling components, or a combination of the above-described procedures, which results in a completed single or multiple family dwelling that can be transported to a lot for which service has been provided and which has been improved to accommodate the installation of the dwelling.

Household. "Household" means the person or persons occupying a housing unit.

Impervious Surface. "Impervious surface" means the surface through which water cannot penetrate, such as a roof, road, sidewalk or paved parking area.

Incorporated City. "Incorporated city" means a city incorporated under the laws of the State of Nevada.

Infrastructure. "Infrastructure" means the basic facilities such as roads, schools, power plants, transmission lines, transportation and communication systems on which the continuance and growth of a community depends.

Interior Lot. See " Lot, Interior".

Junkyard. "Junkyard" means any space for storage, abandonment or sale of junk, scrap material or similar waste, including the dismantling, demolition or abandonment of automobiles, other vehicles, machinery or parts.

Kitchen. "Kitchen" is an area within a dwelling containing facilities for the storage, preparation, cooking and disposal of food.

Landscaped Buffer. "Landscaped buffer" means an area of landscaping which separates two (2) distinct land uses, or a land use and a public right-of-way, and which acts to soften or mitigate the effects of one (1) land use on the other.

Landscaping. "Landscaping" means an area devoted to and maintained with a mixture of existing or new native or exotic plants such as turf, groundcover, shrubs, flowers, vines and trees, as well as additional complementary decorative features such as rocks, decorative pavement, fountains, pools, sculpture and decorative wall.

Ldn. "Ldn" means the average equivalent A-weighted sound level during a 24-hour day obtained by adding ten decibels to the hourly noise levels measured during the night (10:00 p.m. to 7:00 a.m.). In this way, Ldn takes into account the lower tolerance of people for noise during nighttime periods. Ldn noise level measurements are typically plotted onto a map to identify noise contours around a significant noise generator (e.g. freeways, airports, etc.).

Limited Flooding Area. "Limited flooding area" means the area between the limits of the base flood and the five hundred (500) year flood; or certain areas subject to the base flood with average depths less than one (1) foot or where the contributing drainage area is less than one (1) square mile; or areas protected by levees from the base flood. This area is designated as "Zone B" on the Flood Insurance Rate Maps.

Limited Gaming. "Limited gaming" means gaming enterprises authorized by the State Gaming Control Board whereby any person or gaming establishment may be issued a limited gaming license or have such conditions placed on a gaming license as necessary to protect the public interest.

Livestock. "Livestock" means:

- (a) All cattle or animals of the bovine species;
- (b) All horses, mules, burros and asses or animals of the equine species;
- (c) All goats or animals of the caprine species;
- (d) All swine or animals of the porcine species; and
- (e) All sheep or animals of the ovine species.

Loading Space. "Loading space" means an off-street space or berth on the same lot with a building or contiguous to a group of buildings for the temporary parking of vehicles while handling merchandise or materials.

Lot. "Lot" means a distinct part or parcel of land divided with the intent to transfer ownership or for building purposes and which abuts upon a permanent means of access.

Lot, Corner. "Corner lot" means a lot situated at the intersection of two (2) or more streets having an interior angle of less than 135 degrees.

Lot, Interior. "Interior lot" means a lot bounded by a street on only one (1) side or situated at the intersection of (2) streets having an interior angle of 135 degrees or more.

Lot, Through. "Through lot" means a lot bounded by two (2) streets that do not intersect at the boundaries of the lot.

Lot Coverage. "Lot coverage" is a measure of intensity of land use which represents the portion of a site that is impervious (i.e. does not absorb water). This portion includes, but is not limited to, all areas covered by buildings, parking structures, driveways, roads, sidewalks, and any areas of concrete asphalt. In the case of lumberyards, areas where lumber is stored also constitutes impervious surfaces.

Lot Depth. "Lot depth" is the distance between the front and rear lot lines measured in the mean direction of the side lines.

Lot Size. "Lot size" is the total square footage of a lot.

Lot Width. "Lot width" is the distance between the side lot lines measured at right angles to the lot depth at a point midway between the front and rear line.

Lowest Floor. "Lowest floor" means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements.

Main Building. "Main building" means a building devoted to the principal use of the lot on which it is situated.

Major Subdivision. "Major subdivision" means a subdivision which contains five (5) or more lots, parcels, sites, units, plots or interests.

Manufactured Home. "Manufactured home" is a dwelling unit fabricated in an off-site manufacturing facility for installation or assembly at the building site, bearing the label certifying that it is built in compliance with the Federal Manufactured Housing Construction and Safety Standards in effect on the date of manufacture. A manufactured home is further defined by Nevada Revised Statute (NRS 489.113). A manufactured home is not a mobile home, nor a modular home.

Manufactured Home Park Site. "Manufactured home park site" is the entire tract of land used for a manufactured home park.

Manufactured Home Space. "Manufactured home space" is the area in a manufactured home park that is rented or leased to the occupant or occupants of a manufactured home.

Manufactured Home Subdivision. "Manufactured home subdivision" is a subdivision designed and/or intended for the sale of lots for siting manufactured homes.

Median Income or County Median Income. "Median income" or "County median income" means the level of income in Washoe County whereby one-half (1/2) of the population earns greater than that level of income and one-half (1/2) of the population earns less than that level of income. Median income is determined on a yearly basis by the Department of Housing and Urban Development.

Minor Subdivision. "Minor subdivision" means a subdivision which contains four (4) or less lots, parcels, sites, units, plots or interests.

Minute Action. "Minute action" means an official final decision made by the Board of County Commissioners, as recorded in the County Clerk's minutes.

Mobile Home. "Mobile home" is a transportable, fabricated home, designed to be used as a year-round residential dwelling and built prior to enactment of the Federal Manufactured Housing Construction and Safety Standards Act of 1974, which became effective June 15, 1976. A mobile home, further defined by Nevada Revised Statute (NRS 489.120), does not bear an insignia of approval that the dwelling unit was built in compliance with NRS Chapter 461. A mobile home is not a manufactured home, nor a modular home.

Mobile Home Park. "Mobile home park" means a tract of land under single ownership within which two (2) or more manufactured homes are occupied as residences on a permanent or semi-permanent basis. The homes are located on spaces that are rented or leased. Special facilities for the common use of the occupants may be included.

Mobile Home Park Site. "Mobile home park site" is the entire tract of land used for a mobile home park.

Modular Home. "Modular home" is a dwelling unit fabricated in an off-site manufacturing facility for installation or assembly at the building site, bearing a label certifying that it is built in compliance with local Uniform Building Code standards and further meets all requirements of County Code Chapter 100. Modular homes shall be subject to the same permit process as site-built homes. A modular home is not a manufactured home, but includes what is commonly referred to as a panelized home.

Motel. "Motel" means a building occupied or intended to be occupied, for compensation, as the temporary residence for transient guests, primarily persons who have residence elsewhere, with access to each room or unit from an outside porch or landing (whether or not such outside porch or landing is enclosed with screen, glass, plastic or similar material).

Mulch. "Mulch" means an organic or inorganic material applied to landscaped areas to help minimize evaporation from the soil, reduce weeds, moderate soil temperatures and slow erosion.

National Register of Historic Places. "National Register of Historic Places" means the listing maintained by the U.S. National Park Service of areas which have been designated as historically significant. The Register includes places of local and state significance, as well as those of value to the nation in general.

Natural Area. "Natural area" means a land area which is unimproved and not occupied by any structures or man-made elements, and set aside for the conservation of permanent, undisturbed open space.

Net Density. "Net Density" is the ratio of the total number of units to the site area minus the area of the streets, parking areas and undevelopable land.

Nevada Natural Heritage Site. "Nevada Natural Heritage Site" means areas of land or water which either:

- (a) Have unusual flora, fauna, geological, scenic or similar features of scientific, educational or recreational interest; or
- (b) Retain some degree, or have re-established, a natural character (although it need not be completely undisturbed).

New Construction. "New construction" means (for floodplain management purposes) structures for which the start of construction commenced on or after August 1, 1984.

NRS. "NRS" means Nevada Revised Statutes.

Open Space, Common. "Common open space" means the total land area, not individually owned or dedicated for public use, which is designed and intended for the common use or enjoyment of the residents or occupants of the development. Common open space includes swimming pools, putting greens and other recreational-leisure facilities; areas of scenic or natural beauty and habitat areas; hiking, riding or off-street bicycle trails; and landscaped areas adjacent to roads which are in excess of minimum required rights-of-way.

Open Space, Private. "Private open space" means the outdoor living area directly adjoining a dwelling unit or building which is intended for the private enjoyment of the residents or occupants of the dwelling unit or building and which is defined in such a manner that its boundaries are evident.

Open Space Use. "Open space use" means the current employment of land, the preservation of which use would conserve and enhance natural or scenic resources, protect streams and water supplies or preserve sites designated as historic pursuant to law, provided such land has a greater value for another use than for open space use.

Parcel Map. "Parcel map" means a map for a minor subdivision.

Parcel of Land. "Parcel of land" means any unit or contiguous units of land in the possession of or recorded as the property of one person.

Parking Area. "Parking area" means an open area, excluding a street or other public right-of-way, used for the parking of vehicles and available to the public, whether for free or for compensation.

Permitted Water Rights. "Permitted water rights" means the right, in accordance with NRS Chapter 533 and as approved by the Nevada State Engineer, to appropriate public waters, or to change the place of diversion, manner of use or place of use of water already appropriated.

Person. "Person" means a firm, association, corporation, partnership or an individual.

Planting Area. "Planting area" means an area devoted to or maintained predominantly with native or exotic plants including turf, groundcover, shrubs, flowers, vines and trees with a limited portion of complementary decorative features.

Police Powers. "Police powers" means powers reserved to the states by the U.S. Constitution and delegated to cities and counties through the Nevada Constitution and the Nevada Revised Statutes; it is the authority to create and enforce ordinances and regulations that are not in conflict with general laws in order to promote the health, safety and general welfare of the public.

Print. "Print" means and includes a blueprint, photostat, direct process print or other copy which reproduces exactly the original drawing from which it was made.

Private Communication Antenna. "Private communication antenna" means any system of wires or poles or similar devices, excluding satellite dish antennas, used for the transmission or reception of electromagnetic waves by federally licensed amateur radio or citizen band radio operators, which system is external to or attached to the exterior of any building.

Private Garage. "Private garage" means a space intended for or used by the private automobiles of families resident upon the lot.

Public Garage. "Public garage" means a building for the repair, storage or hire of motor vehicles.

Rear Yard. See "Yard, Rear".

Recreational Vehicle. "Recreational vehicle" means a vehicular structure that is primarily designed as temporary living quarters for travel, recreation and camping uses. A recreational vehicle can be self-propelled, mounted on, or towed by a separate vehicle.

Recreational Vehicle Park. "Recreational vehicle park" means a tract of land for the transient use by two or more recreational vehicles.

Regional Plan. "Regional Plan" means the Truckee Meadows Regional Plan.

Required Area. "Required area" means the minimum area of a lot or parcel necessary to permit its use under the provisions of the Development Code. Required area refers to:



- (a) Any lot shown as part of a subdivision recorded as a final plat in the manner provided by law;
- (b) Any parcel of land separated as a lot prior to the adoption and effective date of the original Washoe County Land Use Ordinance or the adoption of additional regulatory zones; or
- (c) Any lot or parcel of land which has an area not less than that required in the respective regulatory zone.

Revegetation. "Revegetation" means stabilizing disturbed or graded soils after construction by replanting with indigenous or natural appearing plants.

Ridgeline. "Ridgeline" means the topmost line connecting the series of highest elevation points of a ridge, running center and parallel to the long axis of the ridge and from which all water drains down.

Ridgeline, Significant. "Significant ridgeline" means the topmost line connecting the series of highest elevation points of a ridge, as identified on the Development Suitability map for each planning area included in Volume Two: Area Plans of the Washoe County Comprehensive Plan.

Right-of-way. "Right-of-way" is a strip of land occupied or intended to be occupied by a publicly dedicated street, including the pavement, sidewalks and parkways, crosswalk, railroad, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, shade streets or other special use.

Riparian. "Riparian" means related to or located on the bank of a natural water course.

Riparian Habitat. "Riparian habitat" means the land and plants bordering a watercourse or lake.

Room. "Room" is space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility space, and similar areas, are not considered habitable space and therefore, not a room.

Roominghouse. "Roominghouse" means a building or portion thereof (not a motel) where, for compensation, lodging is provided for more than three (3) guests.

Runoff. "Runoff" means that part of precipitation which flows over the land without filtering into the soil.

Rural Regulatory Zones. "Rural regulatory zones" means the Low Density Rural Regulatory Zone, Medium Density Rural Regulatory Zone, and High Density Rural Regulatory Zone.

Satellite Dish Antenna. "Satellite dish antenna" means a device incorporating a reflective surface that is solid, open mesh or bar configured and is in the shape of a shallow dish, cone, horn or cornucopia. Such device shall be used to transmit and/or receive radio or electromagnetic waves between terrestrially and/or orbitally based uses. This definition is meant to include, but not be limited to, what are commonly referred to as satellite earth stations, TVROs (television reception only satellite dish antennas), and satellite microwave antennas.

Scenic Corridor. "Scenic corridor" means a roadway with recognized high quality visual amenities that include background vistas of mountains, open country or city.

School. "School" means an institution of learning which offers instructions in the several branches of learning required to be taught in the public schools of the State of Nevada.

Screen. "Screen" means the combination or individual use of a fence, decorative wall, earth berm or dense landscaping to physically and visually separate one area from another area.

Sedimentation. "Sedimentation" means the process of depositing soil particles detached and transported by erosion.

Service Standards. "Service standards" means a measurement of municipal services used to monitor or compare services provided by the County and other service providers.

Setback. "Setback" means the required distance between every structure and the lot line of the lot on which the structure(s) is located.

Shrubs. "Shrubs" means a self-supporting woody species of plants characterized by persistent stems and branches springing from the base.

Side Yard. See "Yard, Side".

Site-Built Home. "Site-built home" means a dwelling unit where the major components are fabricated and assembled at the building site or a dwelling unit constructed at a house construction factory located within Washoe County. Site-built homes shall comply with Washoe County building codes and other adopted local codes.

Slope. "Slope" means an inclined ground surface expressed as a ratio of horizontal distance to vertical distance.

Solar Energy. "Solar energy" means energy derived from the sun's rays.

Specific Plan. "Specific plan" means a plan prepared for a portion of an area plan which prescribes uses and development standards for that portion.

Story. "Story" is that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a usable or unused under-floor space is more than six (6) feet above grade as defined herein for more than fifty (50) percent of the total perimeter or is more than twelve (12) feet above grade as defined herein at any point, such usable or unused under-floor space shall be considered as a story.

Story, First. "First story" is the lowest story in a building which qualifies as a story, as defined herein, except that a floor level in a building having only one (1) floor level shall be classified as a first story, provided such floor level is not more than four (4) feet below grade, as defined herein, for more than fifty (50) percent of the total perimeter, or more than eight (8) feet below grade, as defined herein, at any point.

Street. "Street" means a public right-of-way or easement which affords a primary means of access to abutting property.

Structure. "Structure" means a walled and roofed building or manufactured home, including a gas or liquid storage tank that is primarily above ground. "Structure" does not include a tent, trailer or vehicle.

Subdivider. "Subdivider" means any person or persons, firm, corporation, partnership or association that causes land to be divided into a subdivision for himself or itself or for others. A consultant, engineer or surveyor who does not hold title to the land is not considered a subdivider.

Subdivision. "Subdivision" means any land, vacant or improved, which is divided or proposed to be divided vacant or improved, into two (2) or more lots, parcels, sites, units or plots for the purposes of any transfer, development or any proposed transfer or development unless exempted by one of the following provisions:

- (a) "Subdivision" does not apply to any division of land which creates lots, parcels, sites, units or plots of land each of which comprise forty (40) or more acres of land, or 1/16 of a section, including roads and roadway easements, which is subject to the provisions of Article 612.
- (b) Any joint tenancy or tenancy in common shall be deemed a single interest in land.
- (c) Unless a method of disposition is adopted for the purpose of evading this Development Code or would have the effect of evading this Development Code, the term "subdivision" does not apply to:
  - (1) Any division of land which is ordered by any court in this state or created by operation of law;
  - (2) A lien, mortgage, deed of trust or any other security instrument;
  - (3) A security or unit of interest in any investment trust regulated under the laws of this state or any other interest in an investment entity;
  - (4) Cemetery lots; or
  - (5) An interest in oil, gas, minerals or building materials which are not or hereafter severed from the surface ownership or real property.
- (d) "Subdivision" does not apply to creation of parcels of more than (10) acres for agricultural purposes if a street, road or highway opening, widening or easement of any kind is not involved.
- (e) For the purposes of the definition "subdivision", any interest in land created or established as joint tenancy or a tenancy in common shall be a single interest and not an interest in common, if, and only if, the use or development or the proposed use or development of such land would not be a subdivision as defined in this section if undertaken or proposed by a single entity, whether corporate or an individual. See "Major Subdivision" and "Minor Subdivision".

Substantial Improvement. "Substantial improvement" means any repair, reconstruction, additions or other improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure either before the improvement or addition is started or, if the structure has been damaged, before the damage occurred, regardless of the actual repair work performed. For the purpose of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. "Substantial improvement" does not include:

- (a) Any project for improvement of a structure to comply with existing state or local health, sanitary or safety code specifications; or
- (b) Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.
  - (1) "Substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure; and
  - (2) "Substantial improvement" does not include improvement of a structure solely to comply with existing state or local health, sanitary or safety code specifications, or any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

Suburban Regulatory Zones. "Suburban regulatory zones" means the Low Density Suburban Regulatory Zone, Medium Density Suburban Regulatory Zone, and High Density Suburban Regulatory Zone.

Surface Runoff. "Surface runoff" means water that results from precipitation which is not absorbed by the soil, evaporated into the atmosphere or entrapped by ground surface depressions and vegetation, and which flows over the ground surface to adjoining properties, storm drains or waterways.

Surveyor. "Surveyor" means a land surveyor registered pursuant to NRS Chapter 625.

Tentative Parcel Map. "Tentative parcel map" means a map which is filed pursuant to Article 606, conforming to the standards and requirements set forth therein.

Tentative Subdivision Map. "Tentative subdivision map" means a preliminary map made to show lot lines, roads, buildings, rights-of-ways and other design factors of a proposed subdivision.

Terrace. "Terrace" means a relatively level step constructed in the face of a graded slope surface for drainage, maintenance and/or development purposes.

Threatened Species. "Threatened species" means any species which is likely to become an endangered species within the foreseeable future and which has been designated in the Federal Register as a threatened species.

Through Lot. See "Lot, Through".

Topography. "Topography" means configuration of a surface, including its relief and the position of natural and man-made features.

Topsoil. "Topsoil" means the upper part of the soil profile that is relatively rich in humus, known in agronomy as the "A-horizon".

Total Developed Land Area. "Total developed land area" means that portion of a property which is disturbed for development purposes including, but not limited to, areas covered by buildings, landscaping, impervious surfaces and other areas graded or excavated to support the development.

Trailer Coach. See "Mobile Home".

Travel Trailer. See "Recreational Vehicle".

Tree. "Tree" means a large, woody perennial plant with one main trunk or multiple trunks, and many branches.

Uplighting. "Uplighting" means a source of light where the center of the light beam is at an angle greater than the horizontal.

Urban Regulatory Zones. "Urban regulatory zones" means the Low Density Urban Regulatory Zone, Medium Density Urban Regulatory Zone, and High Density Urban Regulatory Zone.

Use or Land Use. "Use" or "land use" means the primary or primary and secondary use(s) of land such as single family residential, multi-family residential, commercial, industrial, agriculture, etc. The description of a particular land use should convey the dominant character of a geographic area and, thereby, establish types of activities which are appropriate and compatible with primary use(s).

Used. "Used" includes "arranged", "designed" or "intended to be used".

Vegetation, Native. "Native vegetation" means plants that grow naturally in Washoe County, Nevada and have adapted to the climate, soil, location and rainfall patterns of their area.

Vegetation, Natural. "Natural vegetation" means plants which exist on a site before clearing or grading.

Viewshed. "Viewshed" means the surface area that can be seen from a specific viewpoint.

Vista. "Vista" means an area of high ground or projecting earth from which there is a dominant and unobstructed view of surrounding areas.

Watercourse. "Watercourse" means any natural or artificial watercourse, stream, river, creek, ditch, channel, canal, conduit, culvert, drain, gully, ravine, arroyo or wash in which water flows in a definite channel, bed or bank.

Will Serve Letter. "Will serve letter" means a letter from a utility purveyor assuring the provision of services for proposed development.

Yard. "Yard" means an open space on the same lot or parcel used with the building, extending from the setback line to the nearest lot line, to be unoccupied and unobstructed except as provided in the Development Code.

Yard, Front. "Front yard" means a yard lying between the setback line and the front lot line and extending across the full width of the lot or parcel.

Yard, Rear. "Rear yard" means a yard between the setback line and the rear lot line and extending across the full width of the lot or parcel.

Yard, Side. "Side yard" means a yard lying between the setback line and the side lot line and extending from the front yard line to the rear yard line.

Zone or Regulatory Zone. "Zone" or "regulatory zone" means a portion of the unincorporated area of Washoe County which is specifically designated in Article 106 of this Development Code.

Zoning Administrator. "Zoning Administrator" means an official, designated by the Director of Development Review, charged with the responsibility of administering the Development Code and issuing other permits.

