

RENO GAZETTE-JOURNAL

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STATE OF NEVADA
COUNTY OF WASHOE

ss. Tana Ciccotti

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

OF COUNTY ORDINANCE

No. ~~904~~ ~~899~~ 899

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:

May 24, 31

Signed

Tana Ciccotti

Subscribed and sworn to before me on 05/31/94

Notary Public

Debra J. Dicianno



DEBRA J. DICIANNO
Notary Public - State of Nevada
Appointment Recorded in Washoe County
MY APPOINTMENT EXPIRES MAY 19, 1996

P.O. BOX 22000, RENO, NEVADA 89520
(702) 788-6200



PROOF OF PUBLICATION

NOTICE OF COUNTY ORDINANCE
NO. 899

NOTICE IS HEREBY GIVEN that Ordinance No. 899 Bill No. 1074 entitled,

AN ORDINANCE AMENDING THE WASHOE COUNTY CODE TO CLARIFY THAT USES NOT CLASSIFIED OR INTERPRETED AS PERMITTED IN THE DEVELOPMENT CODE ARE PROHIBITED; TO CHANGE DETACHED ACCESSORY DWELLINGS FROM A SPECIAL USE PERMIT ISSUED BY THE PLANNING COMMISSION TO A SPECIAL USE PERMIT ISSUED BY THE BOARD OF ADJUSTMENT; TO CHANGE RESIDENTIAL GROUP HOMES AS A USE APPROVED AS AN ADMINISTRATIVE PERMIT TO A USE APPROVED AS A SPECIAL USE PERMIT REVIEWED AND APPROVED BY THE BOARD OF ADJUSTMENT; TO ENUMERATE THE USES OF COMMERCIAL SLAUGHTERING AND AGRICULTURAL SLAUGHTERING; TO REQUIRE AN ADMINISTRATIVE PERMIT FOR GARAGES THAT MAY BE BUILT TO THE FRONT PROPERTY LINE WHEN THE PROPERTY HAS A 20% OR GREATER SLOPE; TO DEFINE THE STANDARDS BY WHICH AGRICULTURAL SLAUGHTERING MAY OPERATE; TO CORRECT THE DELETION OF CONTAINERIZED TRASH AS PROHIBITED AS STORAGE IN THE FRONT YARD, EXCEPT IN LIMITED CIRCUMSTANCES; TO PERMIT THE SALE OF FIREWOOD AS A TEMPORARY USE; TO CLARIFY THAT LOTS SMALLER THAN THE MINIMUM REGULATORY ZONING STANDARDS CAN BE CREATED IN COMMON OPEN SPACE DEVELOPMENT; TO DEFINE THE AREA IN WHICH A FENCE OR OTHER VISUAL OBSTRUCTION ON A CORNER LOT CAN BE ERRECTED UP TO SIX FEET; TO CHANGE THE PARKING STANDARDS FOR RESIDENTIAL GROUP HOMES AND PASSIVE AND ACTIVE RECREATION USES; TO REQUIRE A ONE-YEAR PERIOD FOR THE RECORDING OF A PARCEL MAP; TO REQUIRE THAT NOTICES BE MAILED TO ADJACENT PROPERTY OWNERS, CITIZEN ADVISORY BOARDS, AND AFFECTED UTILITIES FOR TENTATIVE SUBDIVISION MAP HEARINGS; TO BRING THE APPEAL NOTICE PERIOD INTO CONFORMANCE WITH THE STATE LAW; TO ADD AN APPEAL PERIOD FOR FINAL MAPS; TO SUBSTITUTE THE COUNTY SURVEYOR FOR THE PLANNING COMMISSION AS THE APPROPRIATE APPROVING AUTHORITY FOR REVERSION TO ACREAGE MAPS; TO PERMIT ADMIN-

ISTRATIVE WAIVERS TO BE APPLIED FOR AND APPROVED TO WAIVE SCREENING REQUIREMENTS FOR ANTENNAS; TO CLARIFY THAT JUNKYARDS ALSO REFERS TO SALVAGE YARDS; TO DEFINE THE TERM SLAUGHTERHOUSE; TO REQUIRE NONCONFORMING USES TO CONFORM TO THE PROVISIONS OF THIS CHAPTER PRIOR TO THE ISSUANCE OF A MINISTERIAL PERMIT OR THE EFFECTUATION OF A DISCRETIONARY PERMIT; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO. was adopted on May 17, 1994, by Commissioners Larry Beck, Steve Bradhurst, Dianne Cornwall, Gene McDowell, and Jim Shaw, and will become effective on May 31, 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. 2088 May 24, 31, 1994

94-363

899 ✓

SUMMARY: Amends various provisions of Chapter 110 of the Washoe County Code (Development Code) contained in Division 1, Introduction and Organization; Division 3, Regulation of Uses; Division 4, Development Standards; Division 6, Subdivision Regulations; Division 8, Procedures; and Division 9, General Provisions.

BILL NO. 1074

ORDINANCE NO. 899

AN ORDINANCE AMENDING THE WASHOE COUNTY CODE TO CLARIFY THAT USES NOT CLASSIFIED OR INTERPRETED AS PERMITTED IN THE DEVELOPMENT CODE ARE PROHIBITED; TO CHANGE DETACHED ACCESSORY DWELLINGS FROM A SPECIAL USE PERMIT ISSUED BY THE PLANNING COMMISSION TO A SPECIAL USE PERMIT ISSUED BY THE BOARD OF ADJUSTMENT; TO CHANGE RESIDENTIAL GROUP HOMES AS A USE APPROVED AS AN ADMINISTRATIVE PERMIT TO A USE APPROVED AS A SPECIAL USE PERMIT REVIEWED AND APPROVED BY THE BOARD OF ADJUSTMENT; TO ENUMERATE THE USES OF COMMERCIAL SLAUGHTERING AND AGRICULTURAL SLAUGHTERING; TO REQUIRE AN ADMINISTRATIVE PERMIT FOR GARAGES THAT MAY BE BUILT TO THE FRONT PROPERTY LINE WHEN THE PROPERTY HAS A 20% OR GREATER SLOPE; TO DEFINE THE STANDARDS BY WHICH AGRICULTURAL SLAUGHTERING MAY OPERATE; TO CORRECT THE DELETION OF CONTAINERIZED TRASH AS PROHIBITED AS STORAGE IN THE FRONT YARD, EXCEPT IN LIMITED CIRCUMSTANCES; TO PERMIT THE SALE OF FIREWOOD AS A TEMPORARY USE; TO CLARIFY THAT LOTS SMALLER THAN THE MINIMUM REGULATORY ZONING STANDARDS CAN BE CREATED IN COMMON OPEN SPACE DEVELOPMENT; TO DEFINE THE AREA IN WHICH A FENCE OR OTHER VISUAL OBSTRUCTION ON A CORNER LOT CAN BE ERECTED UP TO SIX FEET; TO CHANGE THE PARKING STANDARDS FOR RESIDENTIAL GROUP HOMES AND PASSIVE AND ACTIVE RECREATION USES; TO REQUIRE A ONE-YEAR PERIOD FOR THE RECORDING OF A PARCEL MAP; TO REQUIRE THAT NOTICES BE MAILED TO ADJACENT PROPERTY OWNERS, CITIZEN ADVISORY BOARDS AND AFFECTED UTILITIES FOR TENTATIVE SUBDIVISION MAP HEARINGS; TO BRING THE APPEAL NOTICE PERIOD INTO CONFORMANCE WITH THE STATE LAW; TO ADD AN APPEAL PERIOD FOR FINAL MAPS; TO SUBSTITUTE THE COUNTY SURVEYOR FOR THE PLANNING COMMISSION AS THE APPROPRIATE APPROVING AUTHORITY FOR REVERSION TO ACREAGE MAPS; TO PERMIT ADMINISTRATIVE WAIVERS TO BE APPLIED FOR AND APPROVED TO WAIVE SCREENING REQUIREMENTS FOR ANTENNAS; TO CLARIFY THAT JUNKYARDS ALSO REFERS TO SALVAGE YARDS; TO DEFINE THE TERM SLAUGHTERHOUSE; TO REQUIRE NONCONFORMING USES TO CONFORM TO THE PROVISIONS OF THIS CHAPTER PRIOR TO THE ISSUANCE OF A MINISTERIAL PERMIT OR THE EFFECTUATION OF A DISCRETIONARY PERMIT; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

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

SECTION 1. Article 100 "Introduction And Organization: Title And Contents" 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 302 "Allowed Uses" 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.

SECTION 3. Article 306 "Accessory Uses And Structures" of chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit "C" which is attached hereto and made a part hereof.

SECTION 4. Article 310 "Temporary Uses And Structures" of chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit "D" which is attached hereto and made a part hereof.

SECTION 5. Article 404 "Lot Standards" of chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit "E" which is attached hereto and made a part hereof.

SECTION 6. Article 406 "Building Placement Standards" of chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit "F" which is attached hereto and made a part hereof.

SECTION 7. Article 410 "Parking And Loading" of chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit "G" which is attached hereto and made a part hereof.

SECTION 8. Article 606 "Parcel Maps" of chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit "H" which is attached hereto and made a part hereof.

SECTION 9. Article 608 "Tentative Subdivision Maps" of chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit "I" which is attached hereto and made a part hereof.

SECTION 10. Article 610 "Final Subdivision Map" of chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit "J" which is attached hereto and made a part hereof.

SECTION 11. Article 612 "Division Of Land Into Large Parcels" of chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit "K" which is attached hereto and made a part hereof.

SECTION 12. Article 614 "Reversion To Acreage" of chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit "L" which is attached hereto and made a part hereof.

SECTION 13. Article 616 "Amendments Of Map" of chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit "M" which is attached hereto and made a part hereof.

SECTION 14. Article 802 "Administrative Waivers" of chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit "N" which is attached hereto and made a part hereof.

SECTION 15. Article 902 "Definitions" of chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit "O" which is attached hereto and made a part hereof.

SECTION 16. Article 904 "Nonconformance" of chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit "P" which is attached hereto and made a part hereof.

Proposed on the 12th day of April, 1994.

Proposed by Commissioners McDowell.

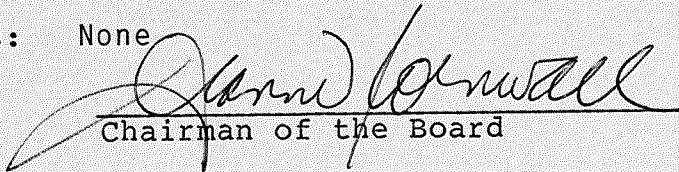
Passed on the 17th day of May, 1994.

Vote:

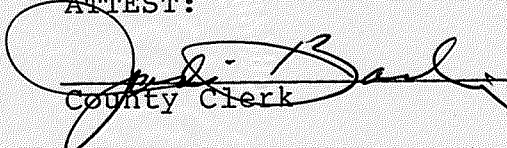
Ayes: Commissioners: Larry Beck, Steve Bradhurst, Dianne Cornwall, Gene McDowell, Jim Shaw

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 31st day of May, 1994.

Article 100

INTRODUCTION AND ORGANIZATION: TITLE AND CONTENTS

Sections:

110.100.00	Title
110.100.05	Applicability
110.100.10	Infrastructure
110.100.15	Conformance with Plan
110.100.20	References
110.100.25	Common Definitions
110.100.30	Contents

Section 110.100.00 Title. Chapter 110 of the Washoe County Code is entitled Development Code. Division One of Chapter 110 is entitled Introduction and Organization.

Section 110.100.05 Applicability. All development and subdivision of land within the unincorporated area of Washoe County shall be subject to the provisions of the Development Code. Any use not specifically enumerated as permitted in a regulatory zone pursuant to the Development Code, or interpreted by the Director of Development Review as permitted in a regulatory zone pursuant to 110.304.10 shall be considered to be prohibited in any regulatory zone for which the use is not enumerated.

Section 110.100.10 Infrastructure. The provision of infrastructure to support and service development is subject to the provisions of the Development Code and the Capital Improvements Program.

Section 110.100.15 Conformance with Plan. Pursuant to NRS 278, any action of the County relating to development, zoning, the subdivision of land, or capital improvements must conform to the Washoe County Comprehensive Plan.

Section 110.100.20 References. Unless otherwise indicated, all references to articles or sections are to articles or sections in Chapter 110.

Section 110.100.25 Common Definitions. Unless otherwise provided, common definitions shall be used throughout the Development Code. Definitions are contained in Article 902.

Section 110.100.30 Contents. Division One consists of the following articles:

- (a) ARTICLE 100 INTRODUCTION AND ORGANIZATION: TITLE AND CONTENTS
- (b) ARTICLE 102 STATE AND REGIONAL REGULATORY SYSTEM
- (c) ARTICLE 104 COUNTY GROWTH MANAGEMENT SYSTEM
- (d) ARTICLE 106 REGULATORY ZONES

Article 302

ALLOWED USES

Sections:

110.302.00	Purpose
110.302.05	Table of Uses
110.302.10	Use Classification System
110.302.15	Types of Review
110.302.20	Projects of Regional Significance
110.302.25	Accessory Uses
110.302.30	Temporary Uses
110.302.35	Uses in Airport Critical Areas
110.302.40	Uses in River Corridor

Section 110.302.00 Purpose. The purpose of this article, Article 302, Allowed Uses, is to prescribe the uses that are allowed in each regulatory zone.

Section 110.302.05 Table of Uses. The uses that are allowed in each regulatory zone are set forth in Table 110.302.05.1. The regulatory zones are indicated in Table 110.302.05.1 as follows:

- (a) Low Density Rural is indicated as "LDR";
- (b) Medium Density Rural is indicated as "MDR";
- (c) High Density Rural is indicated as "HDR";
- (d) Low Density Suburban is indicated as "LDS";
- (e) Medium Density Suburban is indicated as "MDS";
- (f) High Density Suburban is indicated as "HDS";
- (g) Low Density Urban is indicated as "LDU";
- (h) Medium Density Urban is indicated as "MDU";
- (i) High Density Urban is indicated as "HDU";
- (j) General Commercial is indicated as "GC";
- (k) Office Commercial is indicated as "OC";
- (l) Tourist Commercial is indicated as "TC";
- (m) Industrial is indicated as "I";
- (n) Public/Semi-Public Facilities is indicated as "PSP";

- (o) Parks and Recreation is indicated as "PR";
- (p) Open Space is indicated as "OS";
- (q) General Rural is indicated as "GR"; and
- (r) General Rural Residential is indicated as "GRR".

Section 110.302.10 Use Classification System. Table 110.302.05.1 uses a system of land use regulatory zones that are described in Article 304, Use Classification System.

Section 110.302.15 Types of Review. Table 110.302.05.1 indicates the type of review required as follows:

- (a) Allowed Use. A letter "A" indicates that a use is allowed but the use shall comply with the provisions of the Development Code. This type of use may require a design review or be subject to a review if it is a project of regional significance, as set forth in this Development Code.
- (b) Administrative Permit. A letter "P" indicates that a use is allowed only upon approval of an administrative permit pursuant to Article 808, Administrative Permits.
- (c) Planning Commission Special Use Permit. A letter "S₁" indicates that a use is allowed only upon approval of a special use permit approved by the Planning Commission pursuant to Article 810, Special Use Permits.
- (d) Board of Adjustment Special Use Permit. A letter "S₂" indicates that a use is allowed only upon approval of a special use permit approved by the Board of Adjustment pursuant to Article 810, Special Use Permits.
- (e) Uses Not Allowed. A designation "--" indicates that a use is not allowed within the regulatory zone.

Table 110.302.05.1

TABLE OF USES
 (See Sections 110.302.10 and 110.302.15 for explanation)

Residential Use Types (Section 110.304.15)	LDR	MDR	HDR	LDS	MDS	HDS	LDU	MDU	HDU	GC	OC	TC	I	PSP	PR	OS	GR	GRR**
Family Residential																		
Single Family, Detached	A	A	A	A	A	A	A	S ₂	S ₂	-	-	-	-	-	P	-	A	A
Single Family, Attached	-	-	-	A	A	A	A	A	A	-	-	-	-	-	P	-	-	-
Duplex	-	-	-	P	P	P	P	P	A	-	-	-	-	-	-	-	-	-
Multi Family	-	-	-	-	-	-	P	P	A	-	-	-	-	-	-	-	-	-
Attached Accessory Dwelling	A	A	A	A	A	A	A	A	A	-	-	-	-	-	-	-	-	A
Detached Accessory Dwelling	S ₁ S ₂	S ₁ S ₂	S ₁ S ₂	S ₁ S ₂	S ₁ S ₂	S ₁ S ₂	S ₁ S ₂	P	P	A	-	-	-	-	-	-	S ₁ S ₂	A
Detached Accessory Structure	A	A	A	A	A	A	A	A	A	-	-	-	-	-	-	-	A	A
Residential Group Home	PS ₂	PS ₂	P S ₂	PS ₂	PS ₂	PS ₂	PS ₂	PS ₂	PS ₂	-	-	-	-	-	-	-	-	-
Manufactured Home Parks	*	*	*	*	*	S ₁	S ₁	*	*	-	-	-	-	-	-	-	*	-

Key: -- = Not allowed; A = Allowed; P = Administrative Permit; PR = Park Commission Approval pursuant to 110.104.40(c); S₁ = Planning Commission Special Use Permit; S₂ = Board of Adjustment Special Use Permit; * = Allowed in areas designated Trailer (TR) overlay zone prior to adoption of this Development Code; ** = GRR only in Warm Springs planning area.

Table 110.302.05.1

TABLE OF USES (Continued)
 (See Sections 110.302.10 and 110.302.15 for explanation)

Civic Use Types (Section 110.304.20)	LDR	MDR	HDR	LDS	MDS	HDS	LDU	MDU	HDU	GC	OC	TC	I	PSP	PR	OS	GR	GRR**
Administrative Services	-	-	-	-	-	-	P	P	P	A	A	A	A	A	P	-	-	-
Community Center	-	-	-	-	-	-	P	P	P	A	-	A	-	A	A	-	-	-
Convalescent Services	-	-	-	S ₂	S ₂	S ₂	P	P	P	P	-	-	-	P	-	-	-	-
Cultural and Library Services	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	A	A	A	A	A	-	A	A	-	A	-
Child Care																		
Family Daycare	A	A	A	A	A	A	A	A	A	-	-	-	-	-	-	-	-	A
Large-Family Daycare	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	-	-	-	-	-	-	-	-	P
Child Daycare	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	P	P	P	P	P	S ₂	-	S ₂	-
Education	S ₁	S ₁	S ₁	S ₁	S ₁	S ₁	S ₁	S ₁	S ₁	S ₁	S ₁	S ₁	-	S ₁	S ₁	-	S ₁	-
Group Care	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	P	P	-	-	-	-	-	-	S ₂
Hospital Services	-	-	-	-	-	-	-	-	-	A	A	-	-	A	-	-	-	-
Major Services and Utilities																		
Major Public Facilities	-	-	-	-	-	-	-	-	-	S ₁	-	S ₁	S ₁	S ₁	S ₁	-	S ₁	-
Utility Services	S ₁	S ₁	S ₁	S ₁	S ₁	S ₁	S ₁	S ₁	S ₁	S ₁	S ₁	S ₁	S ₁	S ₁	S ₁	S ₁	S ₁	-
Parks and Recreation																		
Passive Recreation	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	-
Active Recreation	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	A	A	-	PR	-
Public Parking Services	-	-	-	-	-	-	-	A	A	A	A	A	A	A	-	-	-	-
Postal Services	-	-	-	-	-	-	P	P	P	A	A	A	A	A	-	-	-	-
Religious Assembly	S ₁	S ₁	S ₁	S ₁	S ₁	S ₁	S ₁	S ₁	S ₁	P	P	P	P	P	P	-	S ₁	-
Safety Services	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	-	S ₂	-

Key: - = Not allowed; A = Allowed; P = Administrative Permit; PR = Park Commission Approval pursuant to 110.104.40(c); S₁ = Planning Commission Special Use Permit; S₂ = Board of Adjustment Special Use Permit; * = Allowed in areas designated Trailer (TR) overlay zone prior to adoption of this Development Code; ** = GRR only in Warm Springs planning area.

Table 110.302.05.1

TABLE OF USES (Continued)
 (See Sections 110.302.10 and 110.302.15 for explanation)

Commercial Use Types (Section 110.304.25)	LDR	MDR	HDR	LDS	MDS	HDS	LDU	MDU	HDU	GC	OC	TC	I	PSP	PR	OS	GR	GRR**
Administrative Offices	--	--	--	--	--	--	P	P	P	A	A	A	A	A	P	--	--	--
Adult Entertainment	--	--	--	--	--	--	--	--	--	S ₁	--	S ₁	--	--	--	--	--	--
Animal Sales and Services																		
Grooming and Pet Stores	--	--	--	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	A	--	--	--	--	--	--	--	--
Commercial Kennels	S ₂	S ₂	S ₂	S ₂	--	--	--	--	--	S ₂	--	--	S ₂	--	--	--	S ₂	S ₂
Commercial Stables	P	P	P	P	--	--	--	--	--	--	--	S ₂	--	--	P	--	P	S ₂
Veterinary Services, Pets	--	--	--	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	A	--	--	P	--	--	--	--	--
Veterinary Services, Agricultural	P	P	P	P	--	--	--	--	--	S ₂	--	--	--	--	--	--	P	S ₂
Pet Cemeteries	P	P	P	--	--	--	--	--	--	--	--	--	--	A	--	--	P	--
Automotive and Equipment																		
Automotive Repair	--	--	--	--	--	--	--	--	--	P	--	--	A	--	--	--	--	--
Automotive Sales and Rentals	--	--	--	--	--	--	--	--	S ₂	A	A	A	A	--	--	--	--	--
Cleaning	--	--	--	--	--	--	S ₂	S ₂	S ₂	A	A	A	A	--	--	--	--	--
Commercial Parking	--	--	--	--	--	--	P	P	P	A	A	A	A	P	--	--	--	--
Equipment Repair and Sales	--	--	--	--	--	--	--	--	--	--	--	--	A	--	--	--	--	--
Storage of Operable Vehicles	--	--	--	--	--	--	--	--	--	S ₂	--	--	A	--	--	--	--	--
Truck Stops	--	--	--	--	--	--	--	--	--	S ₁	--	S ₁	S ₁	--	--	--	--	--
Building Maintenance Services	--	--	--	--	--	--	--	--	--	A	A	--	A	--	--	--	--	--
Commercial Antennas	P	P	P	--	--	--	--	--	--	P	P	--	P	P	--	--	P	--
Commercial Centers																		
Neighborhood Centers	--	--	--	S ₁	S ₁	S ₁	P	P	P	A	A	A	A	--	--	--	--	--
Community Centers	--	--	--	--	--	--	--	--	--	S ₁	--	S ₁	--	--	--	--	--	--
Regional Centers	--	--	--	--	--	--	--	--	--	S ₁	--	S ₁	--	--	--	--	--	--
Commercial Educational Services	--	--	--	--	--	--	P	P	P	A	A	--	A	A	--	--	--	--
Commercial Recreation																		
Indoor Entertainment	--	--	--	--	--	--	--	--	--	A	P	A	--	P	--	--	--	--
Indoor Sports and Recreation	--	--	--	--	--	--	--	--	--	S ₂	S ₂	P	S ₂	P	P	--	--	--
Outdoor Entertainment	--	--	--	--	--	--	--	--	--	--	--	S ₁	S ₁	--	S ₁	--	--	--
Outdoor Sports and Recreation	S ₁	S ₁	S ₁	S ₁	S ₁	S ₁	S ₁	S ₁	S ₁	P	P	P	P	S ₁	P	--	P	--
Outdoor Sports Club	S ₂	--	--	--	--	--	--	--	--	--	--	--	--	S ₂	P	--	S ₂	S ₂
Limited Gaming Facilities	--	--	--	--	--	--	--	--	--	P	--	P	S ₂	--	--	--	--	--
Unlimited Gaming Facilities	--	--	--	--	--	--	--	--	--	--	--	S ₁	--	--	--	--	--	--
Destination Resorts	--	--	--	--	--	--	--	--	--	--	--	S ₁	--	--	S ₁	--	S ₁	--

Key: -- = Not allowed; A = Allowed; P = Administrative Permit; PR = Park Commission Approval pursuant to 110.104.40(c); S₁ = Planning Commission Special Use Permit; S₂ = Board of Adjustment Special Use Permit; * = Allowed in areas designated Trailer (TR) overlay zone prior to adoption of this Development Code; ** = GRR only in Warm Springs planning area.

Table 110.302.05.1
TABLE OF USES (Continued)
 (See Sections 110.302.10 and 110.302.15 for explanation)

Commercial Use Types (Section 110.304.25)	LDR	MDR	HDR	LDS	MDS	HDS	LDU	MDU	HDU	GC	OC	TC	I	PSP	PR	OS	GR	GRR**
Marinas	--	--	--	--	--	--	--	--	--	P	--	P	--	P	P	--	P	--
Commercial Campground Facilities	--	--	--	--	--	--	--	--	--	--	--	S ₂	--	--	S ₂	--	S ₂	--
Construction Sales and Services	--	--	--	--	--	--	--	--	--	--	--	--	A	--	--	--	--	--
Convention and Meeting Facilities	--	--	--	--	--	--	--	--	--	P	P	P	--	P	S ₂	--	--	--
Eating and Drinking Establishments																		
Convenience	--	--	--	--	--	--	S ₁	S ₁	S ₁	A	A	A	P	--	--	--	--	--
Full Service	--	--	--	--	--	--	S ₁	S ₁	S ₁	A	A	A	P	--	--	--	--	--
Financial Services	--	--	--	--	--	--	S ₁	S ₁	S ₁	A	A	A	P	--	--	--	--	--
Funeral and Internment Services																		
Cemeteries	P	P	P	--	--	--	--	--	--	--	--	--	--	A	--	--	P	--
Undertaking	--	--	--	--	--	--	--	--	--	A	A	--	--	--	--	--	--	--
Gasoline Sales and Service Stations	--	--	--	--	--	--	S ₁	S ₁	S ₁	A	A	A	A	--	--	--	S ₁	--
Helicopter Services																		
Helistop	S ₂	--	--	--	--	--	--	--	--	S ₂	S ₂	S ₂	S ₂	S ₂	--	--	S ₂	--
Heliport	--	--	--	--	--	--	--	--	--	S ₂	--	--	S ₂	S ₂	--	--	S ₂	--
Liquor Sales																		
On-Premises	--	--	--	--	--	--	P	P	P	A	P	A	P	--	--	--	--	--
Off-Premises	--	--	--	--	--	--	P	P	P	A	--	A	P	--	--	--	--	--
Lodging Services																		
Hotels and Motels	--	--	--	--	--	--	--	--	--	A	P	A	--	--	--	--	--	--
Bed and Breakfast Inns	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	--	P	--	--	--	--	S ₂	S ₂
Vacation Time Shares	--	--	--	--	--	--	--	--	--	--	--	P	--	--	--	--	--	--
Hostels	--	--	--	--	--	--	--	--	--	--	--	P	--	--	P	--	--	--
Medical Services	--	--	--	--	--	--	S ₂	S ₂	S ₂	A	A	--	--	A	--	--	--	--
Nursery Sales																		
Wholesale	S ₂	S ₂	S ₂	--	--	--	--	--	--	A	--	--	A	--	--	--	S ₂	S ₂
Retail	--	--	--	--	--	--	--	--	--	A	--	--	A	--	--	--	--	--
Personal Services	--	--	--	--	--	--	P	P	P	A	A	A	--	--	--	--	--	--
Personal Storage	--	--	--	--	--	--	S ₂	S ₂	S ₂	A	--	--	A	--	--	--	--	--
Professional Services	--	--	--	--	--	--	--	--	--	A	A	--	P	--	--	--	--	--
Repair Services, Consumer	--	--	--	--	--	--	--	--	--	A	A	--	A	--	--	--	--	--
Retail Sales																		
Convenience	--	--	--	S ₁	S ₁	S ₁	S ₁	S ₁	S ₁	A	A	A	A	--	--	--	--	--
Specialty Stores	--	--	--	--	--	--	--	--	--	A	P	A	--	--	--	--	--	--
Comparison Shopping Centers	--	--	--	--	--	--	--	--	--	A	--	A	--	--	--	--	--	--
Secondhand Sales	--	--	--	--	--	--	--	--	--	A	--	--	--	--	--	--	--	--
Transportation Services	--	--	--	--	--	--	--	--	--	A	A	A	A	--	--	--	--	--

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Table 110.302.05.1

TABLE OF USES (Continued)
 (See Sections 110.302.10 and 110.302.15 for explanation)

Commercial Use Types (Section 110.304.25)	LDR	MDR	HDR	LDS	MDS	HDS	LDU	MDU	HDU	GC	OC	TC	I	PSP	PR	OS	GR	GRR**
Recycle Center																		
Remote Collection Facility	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	P	P	P	P	P	P	A	P	P	--	--	--
Full Service Recycle Center	--	--	--	--	--	--	--	--	--	--	--	--	A	--	--	--	--	--
Residential Hazardous Substance Recycle Center	--	--	--	--	--	--	--	--	--	S ₂	--	--	S ₂	--	--	--	--	--

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Table 110.302.05.1
TABLE OF USES (Continued)
 (See Sections 110.302.10 and 110.302.15 for explanation)

Industrial Use Types (Section 110.304.30)	LDR	MDR	HDR	LDS	MDS	HDS	LDU	MDU	HDU	GC	OC	TC	I	PSP	PR	OS	GR	GRR**
Custom Manufacturing	S ₂	S ₂	S ₂	-	-	-	-	-	-	S ₂	-	S ₂	A	-	-	-	S ₂	-
Energy Production	S ₁	S ₁	-	-	-	-	-	-	-	-	-	-	S ₁	S ₁	-	S ₁	S ₁	-
General Industrial																		
Limited	-	-	-	-	-	-	-	-	-	-	-	-	A	-	-	-	-	-
Intermediate	-	-	-	-	-	-	-	-	-	-	-	-	A	-	-	-	-	-
Heavy	-	-	-	-	-	-	-	-	-	-	-	-	S ₁	-	-	-	-	-
High Technology Industry	-	-	-	-	-	-	-	-	-	S ₁	S ₁	-	A	-	-	-	S ₁	-
Inoperable Vehicle Storage	-	-	-	-	-	-	-	-	-	-	-	-	S ₂	-	-	-	-	-
Laundry Services	-	-	-	-	-	-	-	-	-	P	-	-	A	-	-	-	-	-
Mining Operations	S ₁	-	-	-	-	-	-	-	-	-	-	-	S ₁	-	-	-	S ₁	-
Petroleum Gas Extraction	-	-	-	-	-	-	-	-	-	-	-	-	S ₁	-	-	S ₁	S ₁	-
Wholesaling, Storage and Distribution																		
Light	-	-	-	-	-	-	-	-	-	-	-	-	A	-	-	-	-	-
Heavy	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-
Salvage Yards	-	-	-	-	-	-	-	-	-	-	-	-	S ₂	-	-	-	-	-

Key: -- = Not allowed; A = Allowed; P = Administrative Permit; PR = Park Commission Approval pursuant to 110.104.40(c); S₁ = Planning Commission Special Use Permit; S₂ = Board of Adjustment Special Use Permit; * = Allowed in areas designated Trailer (TR) overlay zone prior to adoption of this Development Code; ** = GRR only in Warm Springs planning area.

Table 110.302.05.1
TABLE OF USES (Continued)
 (See Sections 110.302.10 and 110.302.15 for explanation)

Agricultural Use Types (Section 110.304.35)	LDR	MDR	HDR	LDS	MDS	HDS	LDU	MDU	HDU	GC	OC	TC	I	PSP	PR	OS	GR	GRR**
Agricultural Processing	-	-	-	-	-	-	-	-	-	-	-	-	A	-	-	-	S ₂	A
Agricultural Sales	S ₂	-	-	-	-	-	-	-	-	A	-	-	A	-	-	-	S ₂	A
Animal Production	A	A	A	A	-	-	-	-	-	-	-	-	-	-	S ₂	S ₂	A	A
Animal Slaughtering,																		
Agricultural	-A	-A	-A	-A	-	-	-	-	-	-	-	-	S ₄	-	-A	-A	-A	-A
Animal Slaughtering,																		
Commercial	-	-	-	-	-	-	-	-	-	-	-	-	S ₁	-	-	-	-	-
Crop Production	A	A	A	A	-	-	-	-	-	-	-	-	-	-	S ₂	S ₂	A	A
Game Farms	S ₂	S ₂	S ₂	-	-	-	-	-	-	-	-	-	-	-	-	S ₂	S ₂	S ₂
Forest Products	S ₂	S ₂	S ₂	-	-	-	-	-	-	-	-	-	-	-	-	S ₂	P	-
Produce Sales	S ₂	S ₂	S ₂	S ₂	-	-	-	-	-	-	-	-	-	-	-	-	S ₂	A

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Sources: Sedway Cooke Associates and Washoe County Department of Comprehensive Planning.

Section 110.302.20 Projects of Regional Significance. Projects of regional significance are subject to the provisions of Article 812, Projects of Regional Significance, which requires additional review.

Section 110.302.25 Accessory Uses. Accessory uses are governed by Article 306, Accessory Uses and Structures.

Section 110.302.30 Temporary Uses. Temporary uses are governed by Article 310, Temporary Uses and Structures.

Section 110.302.35 Uses in Airport Critical Areas. In addition to the provisions of this article, uses with the following characteristics shall be prohibited in an airport critical area, as adopted in the Washoe County Comprehensive Plan:

- (a) **High Density.** Uses with high residential, labor or other high population concentration characteristics of a permanent or extended duration.
- (b) **Special Populations.** Uses that concentrate people unable to respond to emergency situations such as children, elderly and handicapped persons.
- (c) **Areawide Utilities.** Uses that involve the provision of utilities and services provided for areawide population where disruption would have an adverse impact (such as telephone, gas, etc.).
- (d) **Hazardous Characteristics.** Uses that involve explosives, fire, toxic materials, corrosive materials or other hazardous characteristics.
- (e) **Hazards to Aircraft.** Uses that pose particular hazards to aircraft, as identified and adopted by the Executive Board of the Airport Authority of Washoe County and adopted herein.

Section 110.302.40 Uses in River Corridor. In addition to the provisions of this article, all uses in a river corridor, as designated in the Washoe County Comprehensive Plan, shall comply with the provisions of Article 430, River Corridor Development.

Article 306

ACCESSORY USES AND STRUCTURES

Sections:

110.306.00	Purpose
110.306.05	Applicability
110.306.10	Accessory Structures
110.306.15	Main Structures Required
110.306.20	Attached Accessory Dwellings
110.306.25	Detached Accessory Dwellings
110.306.30	Agricultural Buildings
110.306.35	Outdoor Storage
110.306.40	Temporary Office Trailers
110.306.45	Commercial Coaches
110.306.50	Animals
110.306.55	Utilities
110.306.60	Nonconformance

Section 110.306.00 Purpose. The purpose of this article, Article 306, Accessory Uses and Structures, is to allow accessory uses and structures and provide standards and conditions for regulating them.

Section 110.306.05 Applicability. Accessory uses and structures normally incidental to principal uses and main structures are allowed in all regulatory zones except as otherwise provided herein. This is not to be construed as permitting any commercial uses, including the storage of commercial vehicles, in residential regulatory zones unless specifically allowed by this Development Code.

Section 110.306.10 Accessory Structures. The following development requirements shall apply to accessory structures:

- (a) **Buildable Area.** A detached accessory structure may occupy no more than fifty (50) percent of the total area of a rear yard or twenty-five (25) percent of a side yard.
- (b) **Property Line Setback.** Accessory structures shall maintain a five (5) foot minimum separation from the rear and side property lines.
- (c) **Height Limits.** The highest point of a detached accessory structure shall not exceed fifteen (15) feet above the lowest point of the established grade and shall be limited to no more than one (1) story. In the rural regulatory zones (HDR, MDR, LDR, GRR, GR) and when the detached accessory structure complies with the yard requirements for the primary structure in that zone, the height of the detached accessory structure may be the same as that allowed for the primary structure.
- (d) **Siting.** Any accessory structure shall comply with the following siting requirements:

- (1) In no event shall any detached accessory structure occupy the front yard of any lot, except as provided in this section;
- (2) In the case of a corner lot abutting two (2) streets, no detached accessory structure shall be erected so as to encroach upon the front yards of such lot;
- (3) A detached accessory structure, used as a private garage, may be built to the street line on any interior lot where the slope of the front half of the lot is greater than a two (2) foot rise (or fall) for every ten (10) feet above (or below) the established street grade, provided such structure shall not exceed fifteen (15) feet in interior height when measured from parking surface; and providing the Engineering Division has been able to determine that
 - (i) County snow removal operations will not be impeded or sufficient measures have been incorporated in the structure's design to mitigate an impediment to County snow removal operations and/or the County has been held harmless from liability resulting from the County's snow removal operations;
 - (ii) The speed of traffic and the volume of traffic on the street is such that the placing of the garage at the property line will not cause a safety problem for vehicles using the street; and
 - (iii) The placement of the garage at the property line will not impede the ability of the County to widen the street in accordance with the adopted Capital Improvements Program, or in accordance with a possible widening of the street as shown in the adopted Comprehensive Plan.
- (e) Building Setback. A detached accessory building shall be located not closer than ten (10) feet to any main building on an adjoining parcel.

Section 110.306.15 Main Structures Required. Except as otherwise provided in Section 110.306.30, it is unlawful to construct, erect or locate private garages or other accessory structures in any "Rural", "Suburban" or "Urban" Residential Regulatory Zone without a permissive main structure.

Section 110.306.20 Attached Accessory Dwellings. Attached accessory dwellings are permitted in the General Rural, all Rural, and the Low Density and Medium Density Suburban Regulatory Zones, pursuant to all of the following regulations:

- (a) A main residential unit exists;
- (b) A minimum lot area of 5,000 square feet exists;
- (c) Setback, height and lot coverage standards of the regulatory zone shall be maintained;
- (d) The attached accessory unit shall not exceed twenty-five (25) percent of the floor area of the main unit;

- (e) Any exterior entrance to the attached accessory dwelling shall not be located along the same wall as the main entrance to the main unit;
- (f) A minimum of one (1) off-street parking space shall be added, in addition to the applicable parking requirements of the main unit. Additional parking beyond the one (1) off-street parking space added may be required pursuant to the provisions of Article 410, Parking and Loading;
- (g) There shall be not more than one (1) attached accessory dwelling unit per parcel.

Section 110.306.25 Detached Accessory Dwellings. Detached accessory dwellings are allowed in the High Density Urban regulatory zones, and permitted in the General Rural, Rural, and Suburban Regulatory Zones, subject to a special use permit reviewed by the Board of Adjustment, and pursuant to the applicable provisions of Section 110.306.05 and the following requirements:

- (a) A main residential unit exists;
- (b) A minimum lot area of one (1) acre exists;
- (c) Setback, height and lot coverage standards of the regulatory zone shall be maintained;
- (d) The detached accessory unit shall be at least six hundred forty (640) square feet, but shall not exceed twelve hundred (1,200) square feet, or fifty (50) percent of the floor area of the main unit, whichever is less;
- (e) Fabricated Homes are permitted as a detached accessory unit in Trailer (TR) Overlay zones established on May 25, 1993 and manufactured home subdivisions;
- (f) A minimum of one (1) off-street parking space shall be added, in addition to the applicable parking requirements of the main unit. Additional parking beyond the one (1) off-street parking space added may be required pursuant to the provisions of Article 410, Parking and Loading;
- (g) There shall be not more than one (1) detached accessory dwelling unit per parcel;
- (h) A parcel containing a detached accessory dwelling unit shall not be subdivided to place the detached accessory dwelling unit on a lot subdivided from the original parcel, if in creating such a subdivision, any of the existing or new parcels have a lot area less than the required minimum lot area of the regulatory zone in which the parcel exists.

Section 110.306.30 Agricultural Buildings and Uses. Buildings, corrals, coops, pens, stables or structures used in conjunction with farming may be constructed, erected or located, and used without a permissive main structure in any regulatory zone allowing agricultural use types provided that the following conditions are met:

- (a) General Requirements: All agricultural buildings shall conform to the following general requirements:

- (a1) The accessory structures do not involve on-site sale of agricultural products;
- (b2) The accessory structures do not involve the commercial use of horses;
- (e3) The accessory structures are used for the storage of agricultural equipment and products related to the on-site agricultural use; and
- (d4) The accessory structures are located not closer than one hundred (100) feet to any street of highway, or to any public park or school, or to any land classified in a residential district.

(b) Requirements for the Agricultural Slaughtering of Animals: All agricultural buildings used for the agricultural slaughtering of animals shall conform to the following requirements:

- (1) Any agricultural building used for the agricultural slaughtering of animals must be located on a parcel of land that is a minimum of two and one-half (2.5) acres in size;
- (2) Any agricultural building used for the agricultural slaughtering of animals must be located a minimum of one hundred (100) feet from a property line;
- (3) Only one (1) agricultural building may be used for the agricultural slaughtering of animals;
- (4) The agricultural building used for the agricultural slaughtering of animals must be of a size to accommodate the entire slaughtering process which shall include an area large enough to hold the animal or animals to be slaughtered; an area for preparing the animal product; an area for storing the animal product, animal waste and carcasses; and an area for clean-up;
- (5) All animal waste and carcasses created through the agricultural slaughtering process shall be removed from the premises to an approved District Health Department disposal area within twenty-four (24) hours of the slaughtering of the animal
- (6) All slaughtering of animals that is considered agricultural slaughtering shall be conducted within a building; and
- (7) Only animals raised on-site may be slaughtered as part of an agricultural slaughtering process.

Section 110.306.35 Outdoor Storage/Outdoor Display.

- (a) General Requirements. No area visible from a street shall be used for outdoor storage of inoperable vehicles. No area visible from a street shall be used for outdoor storage of building materials, appliances, containerized trash or similar materials, except as provided in this section; or:
 - (1) When being temporarily stored for the purposes of construction pursuant to and during the time permitted by a valid building permit;

- (2) When in conjunction with a yard/garage sale with a duration of no more than five (5) consecutive days or three (3) consecutive weekends; or
 - (3) When the covered trash containers are approved by the disposal company for weekly or other regularly scheduled domestic disposal.
- (b) Trash Storage Method and Location. The provisions of this subsection shall apply to all developments except single-family dwellings and duplexes.
- (1) Trash enclosure locations shall be located in the side or rear yard unless the Director of Development Review can make a finding that the location of the enclosure in one of these yards would prevent accessibility by a refuse-collection vehicle.
 - (2) Trash enclosures shall be constructed in accordance with the following standards:
 - (i) They shall be fully constructed prior to occupancy of the development;
 - (ii) They shall be screened on three (3) sides by a solid masonry or wood wall of six (6) feet in height and on one (1) side by a slatted fenced gate (with wheels) of equal height;
 - (iii) They shall be screened from view from public rights-of-way; and
 - (iv) Their enclosure locations shall be accessible to refuse-collecting vehicles.
- (c) Electrical Cage Enclosures and Storage Tanks. All exterior electrical cage enclosures and storage tanks are to be screened from view from access ways, adjacent streets and residential neighborhoods by a solid fence, wall or mature landscape materials. Any solid fence or wall shall be screened by landscaping.
- (d) Inoperable Vehicle Defined. An inoperable vehicle is defined as a vehicle that cannot be licensed by the State of Nevada Department of Motor Vehicles, or a vehicle that is not registered by the State of Nevada Department of Motor Vehicles, or a vehicle that is in a state of being dismantled, or a vehicle that is missing one or more parts that permit it to be operable or safely operated.
- (e) General Requirements, Outdoor Display. A use in a commercial or industrial regulatory zone may display products sold or manufactured on-site in the area between the property line and the face of the main building, except that the display shall not be closer than 15 feet to the front property line.
- (f) Outdoor Display For Merchandise. Except for the uses enumerated in (g) of this section, the outdoor display of merchandise in the area between the front and side property line and the front and side faces of the main building shall not cover more than fifty percent (50%) of this area.
- (f) Outdoor Display For Automobiles, Boats, Recreational Vehicles, and Heavy Equipment. The outdoor display of automobiles, boats, recreational vehicles, and heavy equipment shall not cover more than eighty-five percent (85%) of the

area between the front and side property lines and the front and side faces of the main building..

Section 110.306.40 Animals. Animals kept for commercial or agricultural uses are regulated by the Use Classification System at Article 304. Animals kept for private, non-commercial use in new development existing at the time of the effective date of this section, but not kept in compliance with this section, including all provisions of Washoe County Code, Chapter 55; all Washoe County District Health regulations; and NRS 574, shall be allowed as a nonconforming use subject to the provisions of Section 110.306.60 of this article and the provisions of Article 904, Nonconformance.

- (a) **Poultry and Rabbits.** Poultry and rabbits may be raised for domestic, non-commercial use in the General Rural, all Rural and the Low and Medium Density Suburban Regulatory Zones only. A minimum lot area of fourteen thousand five hundred (14,500) square feet shall be required for keeping poultry and rabbits in these regulatory zones.
- (b) **Livestock.** Livestock, including cows, pigs, sheep, goats, horses and llamas as defined in Section 55.174 of the Washoe County Code, shall be permitted as an accessory use in the General Rural, all Rural, and the Low and Medium Density Suburban Regulatory Zones only, subject to the following provisions:
 - (1) Such animals shall not be maintained on any parcel of less than one-half (1/2) acre;
 - (2) On any parcel of one-half (1/2) acre to less than one (1) acre in size, the number thereof shall not exceed two (2) such animals which are twelve (12) months or more of age; and
 - (3) On any parcel of one (1) acre or more in size, there shall be no restriction on the number of such animals kept, provided such animals are kept in compliance with all applicable provisions of Washoe County Code, Washoe County District Health Regulations, and Nevada Revised Statutes.
- (c) **Dogs and Cats.** Dogs, cats and other small household pets are permitted in all regulatory zones.
- (d) **Birds.** Birds kept as household pets are permitted in all regulatory zones.
- (e) **Exotic Animals.** Exotic animals including, but not limited to, any bear, canine, feline, hoofed animal, marsupials, primate, raptor and reptile shall be allowed only as set forth in Chapter 55 of the Washoe County Code.
- (f) **Group-Sponsored Projects Allowed in Medium Density Suburban Regulatory Zone.** In the Medium Density Suburban Regulatory Zone, poultry, rabbits, sheep and goats may be raised as 4-H or other organized group-sponsored projects or similar activities for a limited time, not to exceed the duration of the project year, subject to the provisions of this subsection and all provisions of Washoe County Code, Chapter 55; all Washoe County District Health regulations; NRS 574; and the following:
 - (1) A minimum lot area of six thousand (6,000) square feet shall be required for the keeping of poultry or rabbits for this type of project; and

- (2) A minimum lot area of fourteen thousand five hundred (14,500) square feet shall be required for the keeping of sheep or goats for this type of project. No more than two (2) such animals shall be kept on any lot between fourteen thousand five hundred (14,500) square feet and less than one (1) acre in size.

Section 110.306.45 Nonconformance. Any accessory use in full compliance with Washoe County Code prior to the adoption of this article, but not in full compliance with this article, shall be considered a non-conforming use subject to the provisions of Article 904, Nonconformance. For the purpose of this article, the nonconformance status shall remain with the parcel (not the property owner), so long as the principal use does not change. When the nonconforming status is due to an accessory use related to keeping animals, the nonconforming status shall remain with the parcel, not the individual animals.

Article 310

TEMPORARY USES AND STRUCTURES

Sections:

110.310.00	Purpose
110.310.05	Site Plan Required
110.310.10	Parking Requirements
110.310.15	Allowed Temporary Uses and Structures
110.310.20	Circuses, Carnivals or Other Outdoor Entertainment Events
110.310.25	Construction Yards
110.310.30	House Construction Factories
110.310.35	Mobile Homes, Manufactured Homes, Travel Trailers, Commercial Coaches and Recreational Vehicles
110.310.40	Uses in New Subdivisions
110.310.45	Contractor's Yards
110.310.50	Firewood Sales

Section 110.310.00 Purpose. The purpose of this article, Article 310, Temporary Uses and Structures, is to establish allowed temporary uses and structures, and standards and conditions for regulating same.

Section 110.310.05 Site Plan Required. For any temporary use subject to the provisions of this article, a site plan shall be prepared and presented to the satisfaction of the Director of Development Review. Such site plan shall indicate the location of any permanent uses and structures on the parcel, the temporary use and any temporary structures, all vehicular access points proposed for the temporary use, the location of all required parking, and the location of adequate restroom facilities for the temporary use.

Section 110.310.10 Parking Requirements. Additional parking to serve the temporary use shall be required pursuant to the provisions of Article 410, Parking and Loading. If any temporary use or structure replaces any parking required by the provisions of Article 410 for a permanent use or structure, additional parking to accommodate the replaced required parking shall be provided.

Section 110.310.15 Allowed Temporary Uses and Structures. Temporary uses and structures shall be subject to all the regulations as would be applied to a permanent principal or accessory use located in the same regulatory zone, except as otherwise provided by the regulations of this article. The following temporary uses and structures shall be allowed as specified by the provisions of this section and Chapter 25 of the Washoe County Code. The duration and frequency of temporary uses is established in this section and Chapter 25 of Washoe County Code. The Director of Development Review may impose additional restrictions on the frequency and duration of a temporary use.

- (a) **Animal Shows.** Exhibitions of domestic or large animals for a maximum of seven (7) days.

- (b) Pumpkin Patches. Retail sales of pumpkins during the month of October.
- (c) Christmas Tree Sales. Retail sales of Christmas trees between Thanksgiving and December 31.
- (d) Circuses, Carnivals and Other Outdoor Entertainment Events. Excluding activities and events occurring in a permanent entertainment facility, the temporary provision of games, eating and drinking facilities, live entertainment, animal exhibitions, or other similar activities in a tent or other temporary structure. Section 110.310.20, Circuses, Carnivals or Other Outdoor Entertainment Events, provides additional regulations.
- (e) Construction Yards. Temporary buildings, structures and storage areas supporting residential development and major construction. Section 110.310.25, Construction Yards, provides additional regulations.
- (f) House Construction Factories. Temporary buildings used for the construction of a multiple or single family dwelling, or the assembly of prefabricated single or multiple family dwelling components, or a combination of both. Section 110.310.30, House Construction Factories, provides additional regulations.
- (g) Outdoor Markets. Retail sale or exchange of agricultural goods or new, hand-crafted or secondhand merchandise in a flea-market, bazaar or other outdoor market. In no case shall such activities exceed a total of thirty-one (31) days in any one (1) calendar year.
- (h) Indoor Markets. Retail sale or exchange of agricultural goods or new, hand-crafted or secondhand merchandise in a flea-market, bazaar or other indoor market.
- (i) Street Fairs. Temporary provision of games, eating and drinking facilities, live entertainment, or similar activities not requiring use of roofed structures.
- (j) Uses of Mobile Homes, Manufactured Homes, Travel Trailers, Commercial Coaches and Recreational Vehicles. Temporary use of mobile homes, travel trailers, commercial coaches and recreational vehicles which support the construction of a permanent residence or permanent use. Section 110.310.35, Mobile Homes, Manufactured Homes, Travel Trailers, Commercial Coaches and Recreational Vehicles, provides additional regulations.
- (k) Activities in Subdivisions. Temporary activities in new subdivisions and other residential developments which support the sale of dwellings and lots within the same subdivision or residential development. Section 110.310.40, Uses in New Subdivisions, provides additional regulations.
- (l) Activities in Shopping Malls or Retail Uses. Temporary tents and other facilities inside shopping malls and retail uses, or an adjoining parking lot to one of these uses, for the retail sale of new merchandise, or entertainment or informational event. Temporary facilities and related activities of this kind held in an adjoining parking lot shall not exceed a total of thirty-one (31) days in any one (1) calendar year.

- (m) Contractor's Yard. Temporary buildings, structures, storage areas and processing facilities supporting federal, state or local agency public construction projects. Section 110.310.45, Contractor's Yards, provides additional regulations.
- (n) Firewood Sales. Seasonal sales of firewood between September and March, inclusive, that is not part of permanent permitted use. Section 110.310.50, Firewood Sales, provides additional regulations.

Section 110.310.20 Circuses, Carnivals or Other Outdoor Entertainment Events. A circus, carnival or other outdoor entertainment event may be permitted in General Commercial (GC), Tourist Commercial (TC), Public/Semi-Public Facilities (PSP), Parks and Recreation (PR), and General Rural (GR) Regulatory Zones for a period not to exceed ten (10) days. Adequate parking and restroom facilities shall be provided for the expected attendance. An event that will have a combination of between three hundred (300) and nine hundred ninety-nine (999) participants and spectators on any one day of the event shall obtain an administrative permit prior to the event. An event that will have a combination of more than one thousand (1,000) participants and spectators on any one day of the event shall obtain a special use permit issued by the Board of Adjustment prior to the event. An administrative permit or special use permit shall not be required for events held at or in facilities designed for such events. These facilities include auditoriums, convention facilities, stadiums and parks, but does not extend to ancillary support areas, such as parking lots, if the event is to be held on or in those ancillary support facilities.

Section 110.310.25 Construction Yards. A construction yard may be located in any regulatory zone allowing agricultural or residential uses, for the purpose of storing material and/or prefabricating components of a dwelling within or outside of a building. Construction yards shall be in accordance with the provisions of this section.

- (a) Fencing. A construction yard shall have perimeter fencing not to exceed ten (10) feet in height.
- (b) Property Conditions. A construction yard shall only be permitted where the following conditions are true:
 - (1) On property that has an approved tentative subdivision map and in which five (5) or more building permits are active for single-family lots; or
 - (2) On property in which a building permit has been issued to construct five (5) or more multiple family dwellings.
- (c) Single Family Dwellings. A building placed in a construction yard for the purposes of prefabricating components of single family dwellings shall be located a minimum of one hundred (100) feet from the lot line of an established use not part of the subdivision in which the construction yard has been established.
- (d) Multiple Family Dwellings. A building placed in a construction yard for the purposes of prefabricating components of multiple family dwellings shall be located a minimum of one hundred (100) feet from the lot line of an established use.

- (e) Outside Activities. Prefabrication of components of dwellings done outside of a building shall be located a minimum two hundred (200) feet from the lot line of an established use not part of the subdivision or structure housing multiple family dwellings. Prefabrication of components of dwellings done outside of a building shall not commence any earlier than 7:00 a.m. and shall cease no later than 7:00 p.m.
- (f) Containment of Activities. No prefabrication of components of a single family or multiple family dwelling shall occur outside of a construction yard in any agricultural or residential regulatory zone.
- (g) Relationship to Fences. Storage of material shall be a minimum of ten (10) feet from the fence surrounding the construction yard and no higher than two (2) feet above the fence.
- (h) Location. Storage of material and prefabrication of components for single family dwellings in a construction yard shall only be permitted for the subdivision that the construction yard is located within or for the multiple dwellings for which the construction yard was established.
- (i) Abandonment of Construction Yards. A construction yard shall be abandoned, the fence and any building removed and the site revegetated within three (3) months from the date that four (4) or fewer building permits are active for the subdivision in which the construction yard is located, or within two (2) months after a Certificate of Occupancy has been issued for the structure housing multiple family dwellings for which the construction yard was established. The County Engineer shall be provided financial assurances that these provisions will be met prior to establishment of the construction yard.

Section 110.310.30 House Construction Factories. House construction factories may be located in any regulatory zone allowing agricultural or residential uses, subject to the issuance of a special use permit. House construction factories shall comply with the provisions of this section.

- (a) Area. A house construction factory shall be located on a minimum two (2) acre parcel of land, located in an area that has an approved tentative subdivision map for which the house construction factory is intended to provide dwellings, and located a minimum of one thousand (1,000) feet from the lot line of an established use not part of the subdivision in which the house construction factory is located.
- (b) Commencement. A house construction factory shall commence operation within one (1) year from the date that the special use permit is issued.
- (c) Location of Houses. Dwellings constructed or assembled in a house construction factory shall only be for the subdivision within which the house construction factory is located. For purposes of this section, a subdivision is defined as a tentative subdivision map that has been approved by the Board of County Commissioners and has all or portions of the map properly recorded.

- (d) Confinement of Activities. All construction and assembly activity shall take place within the confines of a fenced factory site. Interior finishing is the only activity that may be performed outside the house construction factory.
- (e) Storage. Outside storage of material shall be located adjacent to the house construction factory and a minimum of one thousand (1,000) feet from the lot line of an established use not part of the subdivision in which the house construction factory is located and shall be fenced with a view-screening fence or berm no higher than ten (10) feet in height. Material stored outside of the building shall not extend more than two (2) feet above the fence.
- (f) Transport. The transport of dwellings from the factory to an improved site shall only occur between the hours of 7:00 a.m. and 6:00 p.m.
- (g) Safety. The house construction factory shall have adequate fire fighting and warning devices installed prior to the issuance of a Certificate of Occupancy. The devices shall be reviewed and approved by the appropriate fire protection jurisdiction.
- (h) Security. The house construction factory shall have security provisions reviewed by the appropriate public law enforcement agency prior to the issuance of a Certificate of Occupancy.
- (i) Restoration. Financial assurance shall be provided to the County in an amount satisfactory to the County to insure that the house construction factory is removed, fencing is removed and the site revegetated with six (6) months from the date that four (4) or fewer building permits are active for the subdivision for which the house construction factory was established.

Section 110.310.35 Mobile Homes, Manufactured Homes, Travel Trailers, Commercial Coaches and Recreational Vehicles.

- (a) Temporary Occupancy. A mobile home, manufactured home, travel trailer, commercial coach or recreational vehicle may be occupied as a legal use pending construction of a permanent single-family dwelling in any regulatory zone allowing agricultural or residential uses, provided that a building permit is issued at the same time for the permanent residence. The permanent residence shall be completed and the mobile home, manufactured home, travel trailer, commercial coach or recreational vehicle removed within eighteen (18) months from the original date of issuance of the building permit, or within thirty (30) days of Certificate of Occupancy, whichever is sooner. A mobile home, manufactured home, travel trailer, commercial coach or recreational vehicle located within a flood hazard area or limited flooding area may be subject to the requirements of Article 416, Flood Hazards.
- (b) Temporary Contractor's Offices. A mobile home, manufactured home, travel trailer, commercial coach or recreational vehicle may be used as a contractor's office pending construction of a permanent use, provided that a building permit is issued at the same time for the permanent use. Parking shall be provided as required by the permanent use.

- (c) Temporary Real Estate Offices. Temporary real estate offices are limited to commercial coaches, provided that a building permit is issued at the same time for the permanent use. Parking shall be provided as required by the permanent use. These offices shall also comply with the provisions of Section 110.310.40, Uses in New Subdivisions.
- (d) Temporary Bank Facilities. Temporary bank facilities are limited to commercial coaches for a period of eighteen (18) months, provided that a building permit is issued at the same time for the permanent use. Parking shall be provided as required by the permanent use. No time extensions will be granted.
- (e) Restrictions on Use. No permit shall be issued for the temporary use of a mobile home, recreational vehicle, commercial coach or travel trailer pending construction of a permanent residence or permanent use if such temporary use of a mobile home, recreation vehicle, commercial coach or travel trailer is prohibited by any Washoe County ordinance or state statute.
- (f) Temporary Watchmen's Quarters. A mobile home, manufactured home, travel trailer, commercial coach or recreational vehicle may be used for security purposes, including watchman's quarters, for a permitted mining operation or permitted earth products excavations/processing activity, public park, recreational area, or other commercial or industrial use which by its nature is temporary or is located in a remote area where security is necessary outside of normal business hours. Prior to the establishment of this use, the requirements of Article 808, Administrative Permits, must be satisfied.
- (g) Temporary Mining Office. A mobile home, manufactured home, travel trailer, commercial coach or recreational vehicle may be used for an office or scale house for a permitted mining operation or a permitted earth products excavation/processing activity. Parking shall be required as provided by the permit authorizing the mining operation or earth products excavation/processing activity. Prior to the establishment of this use, the requirements of Article 808, Administrative Permits, must be satisfied.

Section 110.310.40 Uses in New Subdivisions.

- (a) On-site Sales Offices. In any regulatory zone permitting agricultural or residential uses, a temporary real estate office may be permitted within a subdivision, provided that general real estate business shall not be conducted at such office, and provided that the operators of the real estate office shall submit and have approved an agreement that the office shall be removed as provided in Subsection (c) of this section.
- (b) Off-site Offices. Temporary off-site real estate offices for subdivision sales may be permitted, subject to the issuance of a special use permit. General real estate business shall not be conducted at such offices.
- (c) Removal. All temporary offices and signs shall be removed within thirty (30) days of the following:
 - (1) When the original sales program has resulted in the first time sale of one hundred (100) percent of the lots of the subdivision;

- (2) Prior to the one hundred (100) percent sale, when the sales program has been moved to a location outside the subdivision;
- (3) Prior to the one hundred (100) percent sale, when the temporary office has not been used for ninety (90) days; or
- (4) When a final subdivision map has not been recorded within the required time.

Section 110.310.45 Contractor's Yards. A contractor's yard may be located in any regulatory zone for the purposes of storing equipment and material, and processing material for a federal, state or local agency public construction project. Contractor's yards shall be in accordance with the provisions of this section.

- (a) **Fencing.** A contractor's yard shall have fencing along the boundaries of the contractor's yard not to exceed ten (10) feet in height.
- (b) **Property Conditions.** A contractor's yard shall only be permitted where the following conditions are true:
 - (1) On property that is within one thousand (1,000) feet of property on which a federal, state or local agency public construction project is being constructed; and
 - (2) On property that is no closer than two thousand (2,000) feet to property with an established residential, civic or commercial use.
- (c) **Relationship to Fences.** Storage of material shall be a minimum of ten (10) feet from the fence required under (a) of this section and no higher than two (2) feet above the fence.
- (d) **Material Storage.** Any material that is subject to being transported by winds shall be tarped, tied down or treated to prevent it from being transported by wind.
- (e) **Processing of Material.** Any processing of material for the construction of the federal, state or local agency public construction project shall require an administrative permit prior to establishment of the processing operation.
- (f) **Period of Time for Use of Contractor's Yard.** The contractor's yard may only be established for a period of time commencing fifteen (15) days prior to the commencement of construction of the federal, state or local agency public construction project and ending fifteen (15) days after the completion of the public construction project.
- (g) **Abandonment of Contractor's Yard.** A contractor's yard shall be abandoned, the fence and any buildings and/or preprocessing facilities shall be removed within the period stipulated in (f) of this section. The site shall be revegetated within three (3) months of the vacation of the contractor's yard, or if weather conditions do not permit revegetation, as soon as weather conditions do permit revegetation of the site. The County Engineer shall be provided financial assurances that these provisions will be met prior to establishment of the contractor's yard.

Section 110.310.50 Firewood Sales. The temporary, seasonal sales of firewood that is not part of a permanent permitted use may be located in a General Commercial (GC) and Industrial (I) regulatory zone between the months of September and March, inclusive. Firewood sales shall be in accordance with the provisions of this section.

- (a) Period of Use. Between the months of September and March, inclusive, the temporary sales of firewood on a parcel of land shall not exceed three consecutive months.
- (b) Site Requirements. The temporary sales of firewood shall only be permitted on a parcel of land providing all of the following are met.
 - (1) The sales area is located a minimum of twenty (20) feet from any street adjacent to the parcel of land, driveway adjacent to or located on the parcel of land, or entrance to the parcel of land.
 - (2) The sales area does not occupy any area that is required parking for a permanent permitted use on the property.
 - (3) One (1) parking space is provided for each employee during a peak hour shift, one (1) parking space is provided for the loading and unloading of firewood, the space being large enough to accommodate a tractor and trailer, and three (3) parking spaces provided for customers; none of the required parking spaces shall be ones that are required as parking for a permanent permitted use on the property.
 - (4) On-site bathroom facilities, including temporary facilities approved by the District Health Department, are available to serve employees and customers.
 - (5) On-site security is provided to protect the firewood from theft or vandalism.
 - (7) A source of water is available on-site to provide fire protection.
 - (8) At the cessation of the temporary use, the site shall be cleared of all firewood; any wood by-products, e.g. chips; equipment and storage/security facilities; and the site shall be restored to its original condition.
- (c) Limitation on Use of Property. The following limitations shall apply to the temporary sale of firewood.
 - (1) No cutting or splitting of wood shall be permitted on-site.
 - (2) Only one firewood sales operation shall be permitted on a parcel of land, whether it is a temporary or an existing permanent firewood sales operation.
 - (3) No temporary overnight security shall be permitted for temporary firewood sales.
- (d) Requirement of Business License. Prior to the establishment of a temporary firewood sales operation, a general business license shall be obtained.

Article 404

LOT STANDARDS

Sections:

110.404.00	Purpose
110.404.05	Lot Standards
110.404.10	Reductions in Size
110.404.15	Double Counting Areas
110.404.20	Combining Lots
110.404.25	Common Open Space Development

Section 110.404.00 Purpose. The purpose of this article, Article 404, Lot Standards, is to set forth the regulations governing the size and configuration of new lots to be created under the provisions of Division Six, Subdivision Regulations.

Section 110.404.05 Lot Standards. The minimum lot area and lot width are set forth in Part Two of Table 110.406.05.1. The minimum lot area is limited by the ability to maintain the dwelling unit per acre standard set forth in Part One of Table 110.406.05.1.

Section 110.404.10 Reductions in Size. No lot or parcel shall be reduced in area so as to be less in any dimension than is required by the requirements of the regulatory zone in which the lot or parcel is located.

Section 110.404.15 Double Counting Areas. No portion of any lot or parcel which is part of the required area for an existing building shall be used as a part of the required area of any other lot, parcel or existing building.

Section 110.404.20 Combining Lots. If two (2) or more lots must be combined to meet the minimum lot area or lot width requirements of this article, the lots shall be legally merged into one (1) lot before a building permit will be issued.

Section 110.404.25 Common Open Space Development. The provisions of Section 110.404.05, Lot Standards, may be modified pursuant to Article 408, Common Open Space Development. This modification may include the reduction in minimum lot sizes as long as the overall density is not increased beyond that permitted in a specific regulatory zone.

Article 406

BUILDING PLACEMENT STANDARDS

Sections:

110.406.00	Purpose
110.406.05	General
110.406.10	TRPA Standards
110.406.15	Double Counting Yards
110.406.20	Combining Lots
110.406.25	Unobstructed Yards
110.406.30	Front Yards
110.406.35	Side Yards
110.406.40	Rear Yards
110.406.45	Visual Obstructions

Section 110.406.00 Purpose. The purpose of this article, Article 406, Building Placement Standards, is to set forth the regulations governing the placement of buildings on a lot.

Section 110.406.05 General. The yard requirements and setback dimensions are set forth in Part Three of Table 110.406.05.1. These requirements may be modified pursuant to Article 408, Common Open Space Development.

Section 110.406.10 TRPA Standards. Requirements for development occurring in the Tahoe area including, but not limited to, building placement standards shall be the most restrictive of Tahoe Regional Planning Agency standards and Washoe County standards.

Section 110.406.15 Double Counting Yards. No required yard or open space around any building shall be considered a yard or open space for any other building on an adjoining lot or parcel.

Section 110.406.20 Combining Lots. If two (2) or more lots must be combined to meet the minimum yard requirements of this article, the lots shall be legally merged into one (1) lot before a building permit will be issued.

Section 110.406.25 Unobstructed Yards. Any yard required by the Development Code shall be open and unobstructed from the ground to the sky except as provided in this article.

Section 110.406.30 Front Yards. Front yards shall comply with the provisions of this section.

- (a) **Through Lots.** On through lots, either end lot line may be considered the front line, except when the access would be from a street classified as an arterial. The minimum rear yard shall not be less than the required front yard in the regulatory zone in which such lot is located. After development of the lot has occurred, the yard chosen as the front yard shall remain the front yard for all further development on the lot.

Table 110.406.05.1

STANDARDS

Part One: Density/ Intensity Standards																	
	LDR	MDR	HDR	LDS	MDS	HDS	LDU	MDU	HDU	GC	OC	TC	I	PSP	PR	OS	GR
Dwelling Unit Per Acre (du/ac)	0.1	0.2	0.4	1	3	7a	10b	21c	42c	n/a	n/a	n/a	n/a	n/a	n/a	n/a	0.025
Height (feet)	35	35	35	35	35	35	40	70	70	80	60	45	65	65	65	n/a	35

Notes:

- a - 7 dwelling units per acre single-family detached; 9 dwelling units per acre for attached single-family and mobile home parks.
- b - 10 dwelling units per acre for single-family detached; 14 dwelling units per acre for multi-family and 12 units per acre for mobile home parks.
- c - Multi-family.

Part Two: Lot Size																	
	LDR	MDR	HDR	LDS	MDS	HDS	LDU	MDU	HDU	GC	OC	TC	I	PSP	PR	OS	GR
Minimum Lot Area (1,000's of square feet unless otherwise indicated)	8ac	4ac	2ac	35	12	5	3.7d	8e	8f	n/a	n/a	n/a	n/a	n/a	n/a	n/a	40ac
Minimum Lot Width (feet)	150	120	120	120	80	60	60	60	60	75	75	100	100	100	n/a	n/a	1000

Notes:

- d - 3,700 square feet for single-family detached and 8,000 square feet with two (2) attached single-family dwelling units.
- e - 3,700 square feet for single-family detached and 8,000 square feet with four (4) multi-family units.
- f - 3,700 square feet for single-family detached and 8,000 square feet with eight (8) multi-family units.

Part Three: Yard and Setback Dimensions																	
	LDR	MDR	HDR	LDS	MDS	HDS	LDU	MDU	HDU	GC	OC	TC	I	PSP	PR	OS	GR
Front Yard (feet)	30	30	30	30	20	20	15	15	20	10	30	20	15	20	20	n/a	30
Side Yards (feet)	50	15	15	12	8	5	5	5	5	10	15	10	10	15	15	n/a	50
Back Yard (feet)	30	30	30	30	20	20	10	20	20	10	20	10	15	20	20	n/a	30

Source: Sedway Cooke Associates.

- (b) Interior Lots. On any interior lot in any residential or agricultural zone, the front yard requirement shall be fifteen (15) feet where the slope of the front half of the lot is greater than a two (2) foot rise (or fall) above (or below) the established street grade for every ten (10) feet of horizontal distance. Plans submitted must be specific enough to establish conformance with these provisions.
- (c) Corner Lots. On a corner lot, all yards abutting streets shall be considered as front yards.
- (d) Obstructions to Vision. There shall be no fences or other obstruction to vision more than ~~three (3) feet~~ eighteen (18) inches higher than curb level within ~~thirty (30) feet of the intersection of any two (2) streets on any corner lot~~ the visibility triangle defined in 110.412.30.
- (e) Architectural Features. Cornices, canopies, chimneys, eaves or other similar architectural features may extend into a required front yard not to exceed two (2) feet.
- (f) Detached Garages. Detached garages may be located behind the required front setback.

Section 110.406.35 Side Yards. Side yards shall comply with the provisions of this section.

- (a) Outside Stairs. Outside stairs or landing places, if unroofed or unenclosed, may extend into a required side yard for a distance not to exceed three (3) feet.
- (b) Architectural Features. Cornices, canopies, chimneys, eaves or other similar architectural features may extend into a required side yard not to exceed two (2) feet.
- (c) Accessory Structures. Accessory structures may be located in a side yard as provided in Article 306, Accessory Uses and Structures, except that a guest building shall not be located in a side yard.

Section 110.406.40 Rear Yards. Rear yards shall comply with the provisions of this section.

- (a) Outside Stairs. Outside stairs or landing places, if unroofed or unenclosed, may extend into a required rear yard for a distance of not to exceed five (5) feet.
- (b) Architectural Features. Cornices, canopies, chimneys, eaves or other similar architectural features may extend into a required rear yard not to exceed two (2) feet.
- (c) Accessory Structures. Accessory structures may be located in a rear yard as provided in Article 306, Accessory Uses and Structures.

Section 110.406.45 Visual Obstructions. Walls, fences, planting and other visual obstructions not over six (6) feet in height may be erected, placed or grown on lot lines, except in required front yard areas. Walls, fences, planting and other visual obstructions not over four-and-one-half (4-1/2) feet in height may be erected, placed or grown anywhere on the lot except as provided in Section 110.406.30, Front Yards. On a corner lot, the height of fences and other visual obstructions shall conform to 110.406.30 and a fence or other visual obstruction outside of the visibility triangle and greater than four and one-half (4-1/2) feet in height may be erected in the front yard that does not contain a driveway that functions as the primary parking area for the main structure and providing that the obstruction is not above six (6) feet in height, is located a minimum of ten (10) feet behind the front lot line and no closer than the setback distance from the other front lot line.

Article 410

PARKING AND LOADING

Sections:

110.410.00	Purpose
110.410.05	Applicability of Article
110.410.10	Required Parking Spaces
110.410.15	Special Parking Provisions
110.410.20	Location of Required Parking Spaces
110.410.25	Design of Parking Areas
110.410.30	Truck Parking and Loading
110.410.35	Modification of Standards

Section 110.410.00 Purpose. The purpose of this article, Article 410, Parking and Loading, is to regulate parking and loading in order to lessen traffic congestion and contribute to public safety by providing sufficient on-site areas for the maneuvering and parking of motor vehicles that are attracted to and generated by land uses within the County.

Section 110.410.05 Applicability of Article. The provisions of this article shall apply whenever:

- (a) A new structure is constructed;
- (b) An existing structure, including a legal nonconforming structure, is enlarged for any purpose, the parking and loading requirements for the entire structure shall apply; or
- (c) The intensity of use, or expansion of use is changed, the parking and loading requirements for the new use shall apply.

Section 110.410.10 Required Parking Spaces. Off-street parking spaces shall be provided in the quantities set forth in Table 110.410.10.1.

- (a) **Description of Use Types.** The use types referred to in Table 110.410.10.1 are defined in Article 304, Use Classification System.
- (b) **Requirements Cumulative.** Where Table 110.410.10.1 sets forth more than one (1) requirement for a given use type, those requirements shall be cumulative.
- (c) **Spaces Based on Square Footage.** The square footage requirements used in Table 110.410.10.1 to calculate parking spaces refer to the total enclosed areas of all buildings on the lot, but excludes the area of spaces having a height of less than seven (7) feet and the area used exclusively for parking and loading.
- (d) **Spaces Based on Employees.** The employee requirements used in Table 110.410.10.1 to calculate parking spaces refer to the maximum number of employees who could be working at one time when the facility is operating at full capacity.

- (e) Rounding Off Numbers. Whenever the computation of the number of off-street parking spaces required by Table 110.410.10.1 results in a fractional parking space, one (1) additional parking space shall be required for a fractional space of one-half (1/2) or more. A fractional space of less than one-half (1/2) shall not be counted.

Table 110.410.10.1

OFF-STREET PARKING SPACE REQUIREMENTS
(See Section 110.410.10 for explanation)

Residential Use Types (Section 110.304.15)	Spaces Required
Family Residential	
Single Family Detached	2 per dwelling unit, 1 of which must be in an enclosed garage
Single Family Attached	2 per dwelling unit, 1 of which must be in an enclosed garage
Duplex	2 per dwelling unit, 1 of which must be in an enclosed garage
Multi Family	1.6 for 1 bedroom units, 2.1 for 2 bedroom and larger units; 1 of which must be in an enclosed garage or carport
Modular Home	2 per modular home, 1 of which must be in an enclosed garage or carport
Manufactured Home	*2 per manufactured home
Mobile Home	*2 per mobile home
Attached Accessory Dwelling	1 per attached accessory dwelling unit, in addition to other required spaces
Detached Accessory Dwelling	2 per detached accessory dwelling unit, in addition to other required spaces
Attached Accessory Building	None
Residential Group Home	5.25 per bed, plus 1 per employee during peak employment shift
Manufactured Home Parks	1.5 per manufactured home, plus 1 per 5 units for guest parking

Note: * = Article 312, Fabricated Housing, may require 1 parking space to be in an enclosed garage or carport.

Table 110.410.10.1

OFF-STREET PARKING SPACE REQUIREMENTS (Continued)
(See Section 110.410.10 for explanation)

Civic Use Types (Section 110.304.20)	Spaces Required		
	Per 1,000 Square Feet Building Space	Per Employee During Peak Employment Shift	Other
Administrative Services	4		
Community Center	5	1	
Convalescent Services		1	.25 per bed
Cultural and Library Services	3	1	
Child Care			
Family Daycare			1 in addition to any other required spaces
Large-Family Daycare		1	1 off-street loading space for every 8 students
Child Daycare	1 if assembly hall included	1	1 off-street loading space for every 8 students
Education			
Elementary/Secondary		1	.25 per student of driving age
College/University		1	.5 per student of driving age
Group Care		1	.25 per bed
Hospital Services		1	.5 per bed
Major Services and Utilities			
Major Public Facilities		As specified by use permit	
Utility Service		As specified by use permit	
Park and Recreation			
Passive Recreation		As specified by use permit 1	
Active Recreation		As specified by use permit 1	
Public Parking Services		1	
Postal Services	2	1	
Religious Assembly			1 per 3 seats or 72 lineal inches of pew space plus 1 per 300 square feet of additional public space
Safety Services		1	

Table 110.410.10.1

OFF-STREET PARKING SPACE REQUIREMENTS (Continued)
(See Section 110.410.10 for explanation)

Commercial Use Types (Section 110.304.25)	Spaces Required		
	Per 1,000 Square Feet Building Space	Per Employee During Peak Employment Shift	Other
Administrative Offices	4	1	
Adult Entertainment	5	1	
Animal Sales and Services			
Grooming and Pet Stores	2.5	1	
Commercial Kennels		1	.25 per animal at design capacity
Commercial Stables		1	.25 per horse at design capacity
Veterinary Services, Pets	4	1	
Veterinary Services, Agricultural	2	1	
Pet Cemeteries		1	
Automotive and Equipment			
Automotive Repair		1	3 per service bay
Automotive Sales and Rental	.5	1	
Cleaning	2	1	
Commercial Parking		1	
Equipment Repair and Sales	2	1	
Storage of Operable Vehicles		1	
Truck Stops	4	1	
Building Maintenance Services	2		
Commercial Antennas			1 per antenna tower
Commercial Centers (All Types)			Less than 15,000 square feet: 5 spaces per 1,000 square feet; 15,000 to 400,000 square feet: 4 spaces per 1,000 square feet; More than 400,000 square feet: 5 spaces per 1,000 square feet
Commercial Educational Services		1	.5 per student
Commercial Recreation			
Indoor Entertainment		1	1 per 3 seats
Indoor Sports and Recreation	5	1	
Outdoor Entertainment		As specified by use permit	
Outdoor Sports and Recreation		As specified by use permit	
Outdoor Sports Club		As specified by use permit	
Limited Gaming Facilities	4	1	
Unlimited Gaming Facilities	8	1	
Destination Resort		1	1 per room

Table 110.410.10.1

OFF-STREET PARKING SPACE REQUIREMENTS (Continued)
(See Section 110.410.10 for explanation)

Commercial Use Types (Section 110.304.25)	Spaces Required		
	Per 1,000 Square Feet Building Space	Per Employee During Peak Employment Shift	Other
Marinas		As specified by use permit	
Commercial Campground Facilities		1	
Construction Sales and Services	2 for retail and 1 for storage area		
Convention and Meeting Facilities		1	1 per seat if not associated with lodging facilities; .5 per seat otherwise
Eating and Drinking Establishments			
Convenience	10	1	
Full Service	10	1	
Financial Services	3	1	
Funeral and Internment Services			
Cemeteries		1	
Undertaking		1	1 per 3 seats
Gasoline Sales and Service Stations		1	3 per service bay (service bay not credited as required space)
Helicopter Services			
Helistop		1	5 per helicopter space
Heliport		1	5 per helicopter space
Liquor Sales			
On-Premises	10	1	
Off-Premises	4	1	
Lodging Services			
Hotels and Motels		1	1 per room
Bed and Breakfast Inns		1	1 per room
Vacation Time Shares			1.6 for 1 bedroom units, 2.1 for 2 bedroom and larger units; 1 of which must be in an enclosed garage or carport
Hostels		1	.25 per bed
Medical Services	5	1	
Professional Services	4		
Personal Storage		1	1 loading space per unit, internal access drives may be used
Professional Services	4	1	
Repair Services, Consumer	2.5	1	

Table 110.410.10.1

OFF-STREET PARKING SPACE REQUIREMENTS (Continued)
 (See Section 110.410.10 for explanation)

Commercial Use Types (Section 110.304.25)	Spaces Required		
	Per 1,000 Square Feet Building Space	Per Employee During Peak Employment Shift	Other
Retail Sales			
Convenience	5	1	
Specialty Stores	3	1	
Comparison Shopping Centers	3	1	
Secondhand Sales	2.5	1	
Transportation Services		1	
Recycle Center			
Remote Collection Facility			3 spaces per collective device
Full Service Recycle Center	3	1	
Residential Hazardous Substance	3	1	
Recycle Center	3	1	
Nursery Sales			
Wholesale	3	1	
Retail	3	1	

Table 110.410.10.1

OFF-STREET PARKING SPACE REQUIREMENTS (Continued)
 (See Section 110.410.10 for explanation)

Industrial Use Types (Section 110.304.30)	Spaces Required		
	Per 1,000 Square Feet Building Space	Per Employee During Peak Employment Shift	Other
Custom Manufacturing		1	2 per 1,000 square feet of showroom space
Energy Production		1	
General Industrial			
Limited		1	
Intermediate		1	
Heavy		1	
High Technology Industrial		1	
Inoperable Vehicle Storage		1	2 per 1 acre of storage area
Laundry Services	2	1	
Mining Operations		1	
Petroleum Gas Extraction		1	
Wholesaling, Storage and Distribution			
Light		1	.5 per 1,000 square feet of area open to the public
Heavy		1	.5 per 1,000 square feet of area open to the public
Salvage Yards		1	2 per 1 acre of storage area

Table 110.410.10.1

OFF-STREET PARKING SPACE REQUIREMENTS (Continued)
(See Section 110.410.10 for explanation)

Agricultural Use Types (Section 110.304.35)	Spaces Required		
	Per 1,000 Square Feet Building Space	Per Employee During Peak Employment Shift	Other
Agricultural Processing		1	
Agricultural Sales	3	1	
Animal Production		1	
Animal Slaughtering		1	
Crop Production		No requirement	
Game Farm		1	
Forest Products		1	
Produce Sales		1	3 spaces per produce stand

Sources: Sedway Cooke Associates and Washoe County Department of Comprehensive Planning.

Section 110.410.15 Special Parking Provisions.

- (a) **Motorcycle and Bicycle Spaces.** For every four (4) motorcycle or six (6) bicycle parking spaces provided, a credit of one (1) parking space shall be given toward the requirements of this article, provided, however, that the credit for each shall not exceed one-fortieth (1/40) of the total number of automobile spaces required. If determined necessary by the County Engineer, bollards shall be installed to separate and protect motorcycle and bicycle spaces from automobile circulation. The minimum dimensions for motorcycle and bicycle spaces shall be as set forth in the following subsections:
- (1) Motorcycle spaces shall be a minimum of seven (7) feet in length and three (3) feet four (4) inches in width as illustrated in Figure 110.410.15.1.
 - (2) Bicycle spaces shall be a minimum of six (6) feet in length and two (2) feet six (6) inches in width as illustrated in Figure 110.410.15.2.
- (b) **Bicycle Storage.** In commercial and industrial projects with twenty (20) or more required parking spaces, a rack or other secure device for the purpose of storing and protecting bicycles from theft shall be installed. Such devices shall be provided with a minimum capacity of one bicycle per twenty (20) required parking spaces and shall be located so as not to interfere with pedestrian or vehicular traffic.

Figure 110.410.15.1
MOTORCYCLE PARKING DIMENSIONS

7
Mini

3 ft. 4 in.
Minimum

3 ft. 4 in.
Minimum

Source: Sedway Cooke Associates.

Figure 110.410.15.2
BICYCLE PARKING DIMENSIONS

2 ft. 6 in.
Minimum

2 ft. 6 in.
Minimum

Source: Sedway Cooke Associates.

Article 608

TENTATIVE SUBDIVISION MAPS

Sections:

110.608.00	Purpose
110.608.05	Requirement for Application
110.608.10	Contents
110.608.15	Review Procedures
110.608.16	Notice
110.608.20	Review Considerations
110.608.25	Findings
110.608.30	Expiration Date

Section 110.608.00 Purpose. The purpose of this article, Article 608, Tentative Subdivision Maps, is to prescribe rules and procedures for the regulation and approval of tentative subdivision maps.

Section 110.608.05 Requirement for Application. A tentative subdivision map shall be required for all requests for a major subdivision or a common-interest community consisting of five (5) or more units, as defined in Article 902, Definitions, except for divisions of land into large parcels as defined in Article 612, Divisions of Land into Large Parcels.

Section 110.608.10 Contents. Tentative maps shall show the proposed subdivision's design and improvements and conditions existing in and around the subdivision, and shall contain information sufficient to allow the Planning Commission to make the findings required by Section 110.608.25. Tentative maps shall meet all requirements of NRS 278. The following information shall be shown on the tentative map and/or accompanying drawings:

- (a) **Names and Addresses.** Name and address of legal owner, subdivider, and person preparing the map and certificate of registration serial number of the person preparing the map;
- (b) **Legal Description.** Sufficient legal description to define the boundary of the proposed subdivision and evidence of ownership of the property to be subdivided;
- (c) **Subdivision Name.** Name of subdivision (not to conflict with existing recorded subdivision maps);
- (d) **Property Lines.** Property lines, approximate distances and bearings;
- (e) **Contours.** Contours at five (5) foot intervals, or where, in the opinion of the County Engineer or the Director of Development Review, topography is a major factor in the subdivision design at two (2) foot contour intervals;
- (f) **Land Uses.** Existing and proposed land uses, existing regulatory zone designations;

- (g) Landmarks. Indication of prominent landmarks, areas of unique natural beauty, rock outcroppings, vistas and natural foliage which will be deciding considerations in the design of the subdivision;
- (h) Rights-of-Way. The width of right-of-way, proposed name and approximate grade of each highway, street, alley or public way within the proposed subdivision and approximate radius of all curves and diameter of each cul-de-sac;
- (i) Numbering Blocks. All blocks shall be numbered and block numbers shall be consecutive and shall begin with the number "one" or the letter "A";
- (j) Yards. The yards that are proposed for each lot in the subdivision shall be designated on the map;
- (k) Easements. The width, type and approximate locations of all existing or proposed road easements, sight triangles easements that preserve safe sighting at street intersections, slope and curve easements, conservation easements, open space easements, recreation or trail easements, drainage easements, sewer easements, irrigation ditch easements, or public utility easements, whether for public or private purposes;
- (l) Public Use Lands. Location and size of any land to be reserved or dedicated for parks, recreation areas, common open space area, schools or other public uses;
- (m) Flooding Potential. If any portion of the land within the boundary of the subdivision is subject to inundation or storm water overflow, as shown on the adopted Federal Emergency Management Agency's Flood Boundary and Floodway Maps or as shown by a Nevada registered engineer's hydrologic analysis for the 100-year storm, that fact and the land so affected shall be clearly shown on the map by a prominent note on each sheet;
- (n) Flood Elevation. Information indicating the 100-year flood elevation as well as width and direction of flow of each water course within the boundaries of the subdivision;
- (o) Septic Tanks. If septic tanks are proposed, consistency with FEMA requirements as set forth in Article 416, Flood Hazards;
- (p) Existing Structures. The location and outline of each existing building or structure which is not to be moved in the development;
- (q) Vicinity Map. Vicinity map showing the proposed subdivision in relation to the surrounding area;
- (r) Dimensions and Acreage of Lots. Dimensions of each lot. Accurate measurements in square feet or acreage of the amount of land utilized in streets, parking, building site, and open space and/or recreation;
- (s) Date, North Point and Scale. Date, north point, scale and number of sheet in relation to the total number of sheets;
- (t) Snow Storage Areas. Location of snow storage area sufficient to handle snow removed from public and private streets, if applicable;

- (u) Potential Hazards. All known potential hazards including, but not limited to, earth slide areas, Holocene era geologic faults, avalanche areas or otherwise hazardous slopes shall be clearly designated on the map;
- (v) Master Plan of Storm Drainage. Preliminary master plan of storm drainage system, including pipe sizes, detention/retention/infiltration areas, and the location and magnitude of the ten (10) and one hundred (100) year storm flows entering and leaving the site;
- (w) Preliminary Grading Plan. Preliminary grading plan showing areas of phased excavation and fill including the depth of excavation or height of fill from the natural grade, the amounts of material estimated to be excavated and/or used for fill, the destination of excavated material not to be used on site and how it is to be used at its end destination, origin of material to be imported and used for fill, and the location of any temporary material storage site(s);
- (x) Soil Erosion and Sediment Control Plan. Preliminary plan for soil erosion and sediment control; and
- (y) Phasing Plan. Preliminary plan for the phased recordation of lots, if said phasing is contemplated by the subdivider.

Section 110.608.15 Review Procedures. The review procedures for tentative maps shall be as set forth in this section.

- (a) Filing. The subdivider shall file with the Director of Development Review a complete application and the required supporting materials as outlined in the application packet.
- (b) Review. If the application is found to be complete, the Director of Development Review shall transmit one print of each tentative map to the County Engineer, any other public agency which may be affected by the proposed subdivision, and such other persons as the Director of Development Review may deem appropriate.
- (c) Action Required by the Planning Commission. The Planning Commission shall, within forty-five (45) days after receipt of the complete tentative map application by the Director of Development Review conduct a public hearing on the application and following the public hearing, approve, conditionally approve or deny the proposed map. Notice of the public hearing conducted by the Planning Commission shall be in accordance with the provisions of this article. Review time may be extended by mutual consent of the Director of Development Review and the applicant.
- (d) Appeal. Within seven days after issuance of the decision, the decision of the Planning Commission may be appealed to the Board of County Commissioners by submitting the appropriate form and fee to the Director of Development Review.
- (e) Board of County Commissioners' Consideration of Appeals. Appeals of any Planning Commission decision shall be heard by the Board of County Commissioners within thirty (30) days of receiving the appeal.

- (c) **Handicapped Parking.** In any parking facility serving the public, parking for the handicapped shall be provided as set forth in this subsection.
- (1) Handicapped parking spaces shall be provided in accordance with Table 110.410.15.1. One (1) of every eight (8) required handicapped spaces shall be a van accessible space (a minimum of one (1) van accessible space per parking area).

Table 110.410.15.1

HANDICAPPED ACCESSIBLE SPACES

Spaces in Lot	Required Number of Accessible Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2 percent of Total
1,001 and over	20 plus 1 per 100 above 1,000

Source: Washoe County Department of Comprehensive Planning.

- (2) Handicapped parking spaces shall be a minimum of eight (8) feet in width and a minimum of eighteen (18) feet in length, as illustrated in Figure 110.410.15.3.
- (3) Handicapped spaces shall be provided with an adjacent access aisle, as illustrated in Figure 110.410.15.3. Access aisles shall be a minimum of five (5) feet in width. Van access aisles shall be a minimum of eight (8) feet in width. Access aisles shall be located on the passenger side of each space unless it is located between and is shared by two (2) designated spaces.
- (4) Handicapped parking spaces and access aisles shall be level.
- (5) Handicapped spaces shall be located as near as possible to accessible building or site entrances and shall be located so as to provide convenient access to curb ramps.

Figure 110.410.15.3

HANDICAPPED PARKING DIMENSIONS

	Car	Car	Van	
	8 ft. Min.	8 ft. Min.	5 ft. Min.	8 ft. Min.

Source: Sedway Cooke Associates.

- (6) Each reserved handicapped parking space shall be designated with a stall sign displaying the International Symbol of Accessibility, as illustrated in Figure 110.410.15.4. Each stall sign shall be at least seventy (70) square inches in size. Spaces that are van accessible shall be designated as "Van Accessible".
- (7) Each reserved handicapped parking space shall meet one (1) of the following stall markings requirements:
- (i) Each handicapped parking space shall be painted solid blue with a white International Symbol of Accessibility; or
 - (ii) Each handicapped parking space shall be outlined in blue with a three (3) foot square International Symbol of Accessibility painted in a contrasting color.
- (8) Each reserved handicapped parking space shall be marked with a sign warning drivers of the possibility of towing due to unauthorized use and providing information of recovering towed vehicles. Warning signs shall have minimum dimensions of seventeen (17) inches by twenty-two (22) inches and shall be labeled with lettering of at least one (1) inch in height.
- (9) A minimum of ninety-eight (98) vertical inches of clearance shall be provided for van accessible spaces and the entire route from parking area ingress/egress points to the parking space.

Figure 110.410.15.4

INTERNATIONAL SYMBOL OF ACCESSIBILITY

Proportions

Display
Conditions

Source: Sedway Cooke Associates.

- (10) As illustrated in Figure 110.410.15.5, a minimum vehicle overhang allowance of twenty-four (24) inches shall be provided between accessible routes and handicapped parking spaces. Said accessible routes shall, at all times, provide users with a minimum width of thirty-six (36) inches of throughway.

Section 110.410.20 Location of Required Parking Spaces. Required parking spaces shall be located as set forth in this section.

- (a) **On Same or Adjacent Lot.** For dwellings, motels, automobile-oriented services, and elementary, junior high, and high schools, required parking spaces shall be provided on the same lot as the main building(s) or on an adjoining lot or lots zoned for the main use of the property.
- (b) **Other Uses.** For uses not listed in Subsection (a) above, required parking spaces shall be located within three hundred (300) feet of the lot on which the main building is located.
- (c) **Adjacent and Off-site Lots.** If an adjacent or off-site lot is used to satisfy the parking requirements, the lot(s) shall be secured in such a manner that will provide parking for the life of the project. This requirement does not preclude the use of reciprocal parking agreements, so long as the agreement is in a form acceptable to Washoe County.

Section 110.410.25 Design of Parking Areas. The design standards for off-street parking facilities shall be as set forth in this section.

Figure 110.410.15.5
ACCESSIBLE ROUTES

36 in. 24 in.
Minimum Minimum

Source: Sedway Cooke Associates.

- (a) Parking Lot Design. Parking lot design and dimensions shall be in accordance with Table 110.410.25.1 and Figure 110.410.25.1.
- (b) Automobile Parking Spaces: Size. Parking space sizes shall be built with an unistall design in accordance with Table 110.410.25.1 and Figure 110.410.25.1.
- (c) Wheel Stops. A wheel stop or curb, if used, shall be placed between two-and-one-half (2-1/2) and three (3) feet from the end of the parking space.
- (d) Striping and Marking. All parking stalls shall be striped and directional arrows shall be delineated in a manner acceptable to the County Engineer. All paint used for striping and directional arrows shall be of a type approved by the County Engineer.

Table 110.410.25.1
PARKING DIMENSIONS

A (Angle in Degrees)	C	D	L	Q	V	W	X	Y
0	12*	8.5	22	0.0	17.0	8.5	22.5	0.0
15	12*	12.6	17	4.4	32.8	8.5	16.4	2.2
30	12*	15.9	17	8.5	17.0	8.5	14.7	4.3
45	12*	18.0	17	12.0	12.0	8.5	12.0	6.0
60	16*	19.0	17	14.7	9.8	8.5	8.5	7.4
75	20	18.6	17	16.4	8.8	8.5	4.4	8.2
90	24	17.0	17	17.0	8.5	8.5	0.0	8.5

Notes: This table provides dimensions (in feet) of parking spaces and lots. The asterisk (*) indicates the minimum aisle width for two-way traffic is twenty (20) feet. The letters in the column headings refer to dimensions illustrated in Figure 110.410.25.1 and to the following: A = Angle of Parking Spaces; C = Width of Aisle; D = Depth of Stall; L = Length of Stall; Q = Interlock Length of Stall; V = Interlock Width of Stall; W = Width of Stall; X = End of Parking Stall Aisle Width; Y = Perpendicular Width of Stall; and $D = W \cos A + \sin A$; $Q = L \sin A$; $V = W/\sin A$; $X = L \cos A$; and $Y = Q/2$.

Source: Sedway Cooke Associates.

Figure 110.410.25.1
PARKING LOT LAYOUT

Source: Sedway Cooke Associates.

- (e) Surfacing. All parking spaces, driveways and maneuvering areas shall be paved and permanently maintained with asphalt or cement. Bumper guards shall be provided when necessary to protect adjacent structures or properties as determined by the Director of Development Review.
- (f) Landscaping and Screening. All open parking areas shall be landscaped and/or screened according to the standards set forth in Article 412, Landscaping.

- (g) **Lighting.** All off-street parking areas within commercially-zoned projects shall be provided with exterior lighting which meets the following minimum standards:
- (1) Proper illumination shall be provided for safety which, at a minimum, shall be the equivalent of one (1) foot candle average of illumination throughout the parking area;
 - (2) All lighting shall be on a time clock or photo-sensor system;
 - (3) Parking lot luminaires shall be high-pressure sodium vapor with 90-degree cut-off and flat lenses; and
 - (4) All lighting shall be designed to confine direct rays to the premises. No spillover beyond the property line shall be permitted, except onto public thoroughfares provided, however, that such light shall not cause a hazard to motorists.
- (h) **Access.** Access to parking areas shall be provided as follows:
- (1) Access driveways shall have a width of no less than twenty (20) feet;
 - (2) The parking area shall be designed so that a vehicle within the parking area will not have to enter a public street to move from one location to any other location within the parking area; and
 - (3) Vehicular access to arterial streets and highways will be permitted only in accordance with driveway locations and access design to be approved by the County Engineer.
- (i) **Parking Aisles.** The minimum dimensions for parking aisles (the space required for maneuvering vehicles within a parking lot) shall be as set forth in Table 110.410.25.1 and Figure 110.410.25.1.

Section 110.410.30 Truck Parking and Loading. Parking and loading space for trucks shall be provided as set forth in this section.

- (a) **Commercial Uses.** For commercial uses, a minimum of one (1) space shall be provided for every use with three thousand (3,000) or more square feet of gross floor area. Additional parking and loading space may be required based on the operating characteristics of the individual use. In such instances, the number of spaces provided shall be determined by the Director of Development Review upon the submittal of site plans and general operation plans.
- (b) **Industrial Uses.** For industrial uses, spaces shall be provided as follows:
- (1) One (1) space shall be required for each use having three thousand (3,000) to twenty thousand (20,000) square feet of gross floor area;
 - (2) Two (2) loading spaces shall be required for each use having twenty thousand (20,000) to forty thousand (40,000) square feet of gross floor area; and

- (3) For each twenty thousand (20,000) square feet of gross floor area, or major fraction thereof, over forty thousand (40,000) square feet of gross floor area, one (1) loading space shall be required.

(c) **Design Standards.** Design of required spaces shall be as follows:

- (1) Spaces shall be a minimum twenty-five (25) feet in length and fifteen (15) feet in width, and shall have minimum height clearance of fourteen (14) feet;
- (2) Spaces shall not interfere with vehicular circulation or parking, or with pedestrian circulation; and
- (3) On-site driveways and maneuvering areas may be used in lieu of one (1) of the off-street loading spaces required by this section, as long as maneuvering areas for delivery vehicles are provided.

Section 110.410.35 Modification of Standards. The requirements of this article may be modified by the Director of Development Review in cases in which, due to the unusual nature of the establishment proposed or the development proposal submitted for it, the standards set forth herein may be considered insufficient or excessive. The Director may consider the existence of special transit incentives and services, car pooling programs, and significant use of pedestrian and bicycle access. Decisions of the Director pursuant to this section may be appealed pursuant to Article 808, Administrative Permits.

Article 606

PARCEL MAPS

Sections:

110.606.00	Purpose
110.606.05	Parcel Map Required
110.606.10	Survey Required
110.606.15	Submittal of Tentative Parcel Map
110.606.20	Data to Accompany Tentative Parcel Map
110.606.25	Form of Tentative Parcel Map
110.606.30	Tentative Parcel Map Review Procedures
110.606.35	Submittal of Final Parcel Map
110.606.40	Form of Final Parcel Map
110.606.45	Contents of Final Parcel Map
110.606.50	Review Procedures for Final Parcel Map
110.606.55	Appeals
110.606.60	Certificates and Statements
110.606.65	Recordation
110.606.70	Expiration Date
110.606.75	Waiver of Parcel Map
110.606.80	Document Required if Parcel Map Waived

Section 110.606.00 Purpose. The purpose of this article, Article 606, Parcel Maps, is to prescribe the requirements for, and waiver of, parcel maps.

Section 110.606.05 Parcel Map Required. A parcel map shall be required as set forth in this section.

- (a) **Parcel Map Required.** A parcel map shall be required for all minor subdivisions and common-interest communities consisting of four or fewer units, except as provided in this section.
- (b) **Exempt Divisions.** A parcel map is not required when the division is for the express purpose of:
- (1) The creation or realignment of a public right-of-way by a public agency;
 - (2) The creation or realignment of an easement;
 - (3) An adjustment of the boundary line between two (2) abutting parcels or the transfer of land between two owners of abutting parcels which does not result in the creation of any additional parcels;
 - (4) The purchase, transfer or development of space within an apartment building or an industrial or commercial building;
 - (5) Carrying out an order of any court of dividing land as a result of an operation of law;

- (6) Creation of sites for utility services, such as well sites, pump stations, transformer boxes, as long as the utility is a regulated utility or operated by a governmental entity; or
- (7) Creation of cemetery plots.
- (c) **Exempt Transactions.** A parcel map is not required for any of the following transactions involving land:
 - (1) The creation of a lien, mortgage, deed of trust, or any other security instrument;
 - (2) The creation of 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;
 - (3) Conveying an interest in oil, gas, minerals or building materials which are severed from the surface ownership of real property;
 - (4) Conveying an interest in land acquired by the Department of Transportation pursuant to Chapter 408 of NRS; or
 - (5) Filing a certificate of amendment.
- (d) **Waiver.** A parcel map may be waived pursuant to Section 110.606.75, Waiver of Parcel Map.
- (e) **Separate Lots.** When two (2) or more separate lots, parcels, sites, units or plots of land are purchased, they remain separate for the purposes of this article.
- (f) **Conveyance.** When lots, parcels, sites, units or plots are resold or conveyed, they are exempt from the provisions of this article until further divided.

Section 110.606.10 Survey Required. A parcel map shall be based on a survey made for that purpose, unless this requirement is waived by the Parcel Map Review Committee. The requirement of a survey may be waived if, in the judgement of the Parcel Map Review Committee, a survey is not required to accomplish the purposes of this article.

Section 110.606.15 Submittal of Tentative Parcel Map. A tentative parcel map must be submitted to the Department of Development Review for the purpose of review prior to or concurrent with the final parcel map. Every tentative parcel map shall be prepared by a professional land surveyor and shall contain the following data:

- (a) **Existing Parcels.** Boundary lines and dimensions of the parcel being divided, regulatory zone designation, and date of creation of the parcel being proposed to be subdivided.
- (b) **Proposed Parcels.** Proposed division lines using solid lines with dimensions of each parcel being created and proposed yards of each parcel being created that meet the requirements of this chapter using lines that are not solid.
- (c) **Area.** The area of the original parcel and of each proposed new parcel.

- (d) Rights-of-Way. Names, locations and widths of all streets, alleys or rights-of-way adjoining the property showing relationships to the streets in the proposed minor subdivision.
- (e) Easements. The dimensions and approximate location of all existing or proposed road easements, sight triangles easements that preserve safe sighting at street intersections, slope and curve easements, conservation easements, open space easements, recreation or trail easements, drainage easements, sewer easements, irrigation ditch easements, or public utility easements, whether for public or private purposes.
- (f) Slope. A general indication of the slope of the land.
- (g) North Point and Scale. North arrow and scale of drawing.
- (h) Street Names. All street names, denoting if they are existing or proposed.
- (i) Parcel Data. Parcel designation and a graphic border around the proposed division. The area of each parcel and lot, and the total area of land to be divided. If the area is two (2) acres or more, the area shall be calculated to the nearest one-hundredth of an acre. If the area is less than two (2) acres, then the area shall be calculated in square feet.
- (j) Monuments. All monuments found.
- (k) Bearings. Bearing or witness monuments, basis of bearings, bearing and length of lines, and scale of map.
- (l) Legal Designation. The name and legal designation of the tract or grant in which the survey is located and any ties to adjoining tracts.
- (m) Date of Survey. The date of the survey.
- (n) Owners. The owner or owners of the land to be divided.
- (o) Vicinity Map. A vicinity map of the location of the map.
- (p) Other Data. Any other data necessary for the intelligent interpretation of the various items and locations of the points, lines and area shown.

Section 110.606.20 Data to Accompany Tentative Parcel Map. The following data shall accompany a tentative parcel map:

- (a) Owner. Name, legal address and telephone number of the owner of the land. In addition, an affidavit from the legal owner of the land acknowledging that a tentative parcel map is being prepared with his permission. If the subdivider of the land is different from the owner of the land, the name, legal address and telephone number of that person shall also be included.
- (b) Preparer. Name, address and telephone number of the person who prepared the map.

- (c) Legal Description. Legal description of original parcel. It is sufficient to give the County Recorder's book and page of deed and the County Assessor's parcel number.
- (d) Proposed Use. Proposed use of each parcel.
- (e) Water Supply and Sewage. Source of water supply and proposed method of sewage disposal for each parcel.
- (f) Survey Computations. A copy of all survey computations.
- (g) Existing Structures. If applicable, a map showing all structures located on the property and their distances from the proposed property lines and each other, and all septic and well locations.

Section 110.606.25 Form of Tentative Parcel Map. The parcel map shall be legibly drawn. The size of each sheet must be twenty-four (24) by thirty-two (32) inches. A marginal line must be drawn completely around each sheet, leaving an entirely blank margin of one (1) inch at the top, bottom and right edges, and of two (2) inches at the left edge along the twenty-four (24) inch dimension.

Section 110.606.30 Tentative Parcel Map Review Procedures. The review procedures for tentative parcel maps shall be as set forth in this section.

- (a) Filing. The subdivider shall file with the Director of Development Review a complete application and the required supporting materials as outlined in the application packet. The subdivider shall pay the required fees upon the filing of the application.
- (b) Application Review. The Development Review staff will review the submitted packet and accept or reject the application as complete within three (3) working days after submittal. If the application is complete, the Director of Development Review shall distribute the parcel map application to the Parcel Map Review Committee.
- (c) Action Required by the Parcel Map Review Committee. If the application is determined to be complete, the Parcel Map Review Committee shall approve, conditionally approve, or disapprove the tentative parcel map within thirty (30) days of the application date, unless the time limit is extended in writing by the mutual consent of the subdivider and the Director of Development Review.
- (d) Notice of Submittal of Tentative Parcel Map. If the application for a tentative parcel map is for the subdividing of a lot or lots created after July 31, 1993, and the application for a tentative parcel map is within five (5) years of the recording of a map creating the original parcel, notice shall be provided to the following persons within five (5) days of the determination that the application is complete:
 - (1) Advisory boards created by the Board of County Commissioners for the subject area; and
 - (2) All owners of real property within three hundred (300) feet of the property which is the subject of the tentative parcel map.

- (e) Contents of Notice. Such notice as required by this section shall describe the proposed tentative parcel map's location and number of new lots to be created, describe the closing date for providing public comment to the Parcel Map Review Committee, and describe the content of public comment allowed to be considered by the Parcel Map Review Committee in making a decision.
- (f) Review Criteria. Prior to approving a tentative parcel map, the Parcel Map Review Committee shall determine that the following are or will be adequately provided for:
- (1) Road easements and rights-of-way, including such street grading, surfacing, alignment, sight triangles, width and street grade as may be reasonably necessary for lot access, off-site access and neighborhood traffic;
 - (2) Flood and water drainage control;
 - (3) Utilities and utility easements;
 - (4) Sewage disposal facilities;
 - (5) Water quality and water supply availability;
 - (6) Lot design per regulatory zone requirements and design requirements in Article 604, Design Requirements;
 - (7) Fire protection;
 - (8) Community antenna television (CATV) conduit and pull wire;
 - (9) Comments received from the public; and
 - (10) Recreation and trail easements.
- (g) Conditions. An approval of any tentative parcel map may be subject to conditions relating to the items specified in Section 110.606.30(f), Review Criteria, as are reasonably necessary. For all tentative parcel maps subject to the notice required in this article, subdivision improvements shall be required, unless the Parcel Map Review Committee makes a finding that they are not appropriate. In addition, dedications and easement relating to such items may be required as a condition of approval.
- (h) Notice of Action. The applicant shall be notified in writing of the decision of the Parcel Map Review Committee. If the tentative parcel map is conditionally approved, the notice of decision shall contain a statement of all conditions imposed. If the tentative parcel map is disapproved, a statement of the reasons for such disapproval shall be included.
- (i) Appeal. The applicant may appeal any conditions imposed on the tentative parcel map or a disapproval of the parcel map to the Planning Commission as set forth in Section 110.606.55, Appeals.
- (j) No Guarantee of Final Map Approval. Approval or conditional approval of a tentative parcel map imposes no obligation on the part of the Director of

Development Review, or the Planning Commission to approve the final parcel map or to accept any public dedication shown on the tentative or final parcel map.

Section 110.606.35 Submittal of Final Parcel Map. After approval or conditional approval of the tentative parcel map, or upon waiver of the tentative parcel map submittal by the applicant, the applicant may submit a final parcel map for review.

Section 110.606.40 Form of Final Parcel Map. The final parcel map shall be legibly drawn in permanent black ink on tracing cloth or produced by the use of other materials of a permanent nature generally used for such purpose in the engineering profession. The size of each sheet must be twenty-four (24) by thirty-two (32) inches. A marginal line must be drawn completely around each sheet, leaving an entirely blank margin of one (1) inch at the top, bottom and right edges, and of two (2) inches at the left edge along the twenty-four (24) inch dimension.

Section 110.606.45 Contents of Final Parcel Map. In addition to the information required by Sections 110.606.15 and 110.606.20, the following information must be shown on the final parcel map:

- (a) **Monuments.** All monuments found, set, reset, replaced or removed, describing their kind, location and giving other data relating thereto;
- (b) **Oaths.** A memorandum of oaths;
- (c) **Surveyor.** The signature of the surveyor;
- (d) **Owners.** The signature of the owner or owners of the land to be divided;
- (e) **Easements and Dedications.** Any easements granted or dedications made; and
- (f) **Survey.** Name of the person or persons for whom the survey on which the map is based was made.

Section 110.606.50 Review Procedures for Final Parcel Map. The review procedures for final parcel maps shall be as set forth in this section.

- (a) **Filing.** The subdivider shall file with the Director of Development Review a complete application and the required supporting materials as outlined in the application packet within one year from the date of approval of the tentative parcel map. The subdivider shall pay the required fees upon the filing of the application. Failure to file a complete application for review of a final map and/or pay the required fees within the one year time period shall cease any further action on the tentative map and shall render the tentative map as expired.
- (b) **Application Review.** The Development Review staff will review the submitted packet and accept or reject the application as complete within three (3) working days after submittal.
- (c) **Action Required by Director of Development Review.** If the application is determined to be complete, the Director of Development Review shall approve or disapprove the final parcel map within thirty (30) days of the application date, unless the time limit is extended in writing by the mutual consent of the subdivider and the Director of Development Review.

- (d) **Review Criteria.** Prior to approving a final parcel map, the Director of Development Review shall determine that the following have been met:
- (1) Completion of all conditions imposed on the minor subdivision prior to approval of the final parcel map or, in the alternative, acceptance by the Director of Development Review of a satisfactory guarantee of completion and faithful performance of all conditions. The amount of the guarantee shall be in a sum which, in the opinion of the County Engineer, equals the cost of performance of the conditions. If a subdivider fails to perform any condition within the time specified, the Board of County Commissioners, upon recommendation of the County Engineer, may cause the guarantee to be forfeited in an amount necessary to finish the uncompleted portion of the work; and
 - (2) Completion of all certificates and statements required by Section 110.606.60, excepting (a) of that section.
- (e) **Notice of Action.** The applicant shall be notified in writing of the decision of the Director of Development Review. If the final parcel map is disapproved, a statement of the reasons for such disapproval shall be included.
- (f) **Appeal.** The applicant may appeal a disapproval of the final parcel map to the Board of County Commissioners as set forth in Section 110.606.55, Appeals.

Section 110.606.55 Appeals. All appeals regarding tentative and final parcel maps shall be made as provided in this section.

- (a) **Process for Tentative Parcel Map.** For thirty (30) days following the notification of the decision, a decision of the Parcel Map Review Committee may be appealed to the Planning Commission, whose decision shall be final and not subject to appeal.
- (1) The statement of appeal shall set forth the particular actions or conditions appealed and the reasons for the appeal, and shall be accompanied by all supporting documentation.
 - (2) The appeal body shall consider the matter within fifteen (15) days or at its next regular meeting, whichever is the longer period. The appeal body may then decide the matter or may, in its discretion, continue its consideration of such appeal for decision until its next regularly scheduled meeting.
 - (3) If the appeal body fails to render a decision, the appeal shall be deemed to have been decided in favor of the appellant.
- (b) **Process for Final Parcel Map.** For fifteen (15) days following the notification of the decision, a decision of the Director of Development Review to deny a final parcel map may be appealed to the Board of County Commissioners.
- (1) The statement of appeal shall set forth the particular actions or conditions appealed and the reasons for the appeal, and shall be accompanied by all supporting documentation.

- (2) The appeal body shall consider the matter within fifteen (15) days or at its next regular meeting, whichever is the longer period. The appeal body may then decide the matter or may, in its discretion, continue its consideration of such appeal for decision until its next regularly scheduled meeting.
 - (3) If the appeal body fails to render a decision, the appeal shall be deemed to have been decided in favor of the appellant.
- (c) Final Action on Appeal. The appeal body shall take action on the appeal within the time prescribed in Section 110.606.55, Appeals.
- (1) The appeal body may impose additional conditions on the parcel map, provided the conditions are related to the review criteria in Section 110.606.30.
 - (2) Any disapproval or conditional approval must include a statement of the reason for that action.
- (d) Notice of Final Action. Within ten (10) days of the final action, the Director of Development Review shall report to the applicant concerning the decision of the appeal body. Such report shall contain, at a minimum, any additional conditions placed upon the parcel map and the statement of the reason for the final action.

Section 110.606.60 Certificates and Statements. Language satisfying the intent of the following certificates and statements shall appear on a parcel map before it can be filed for record. Final parcel maps that have been approved for recordation prior to July 31, 1993, but which have not been recorded, shall not be required to comply with this section.

- (a) Certificate of Director of Development Review. A certificate for execution by the Director of Development Review stating that the map has been approved for subdivision purposes and accepted or rejected on behalf of the public any parcel of land, or portion of a parcel, offered for dedication for public use in conformity with the terms of the offer of dedication.
- (b) Summary Statement of Conditions Required. A summary statement of the conditions imposed by the Parcel Map Review Committee or Planning Commission.
- (c) Certificate of Surveyor. A certificate by the surveyor responsible for the parcel map giving the date of survey on which the map is based, and stating that the survey was made by him or under his direction and setting forth the name of the owner who authorized him to make the survey, and that the parcel map is true and complete as shown. This certificate shall also state:
 - (1) That the monuments are of the character and occupy the position indicated or that they will be set in such positions and at such time as is agreed upon under the provisions of Chapter 278 of NRS;
 - (2) That the monuments are or will be sufficient to enable the survey to be retraced; and
 - (3) The completion date.

- (d) Certificate of Record Title Owner. A certificate signed and acknowledged by all persons having any record title in the land subdivided, evidencing their grant or permanent easements for utility installations and access, as designated on the map.
- (e) Certificate of Public Utilities Concerning Easements. A statement acknowledging such easements, signed by each public utility company or agency in whose favor the easements are created or whose utility services are to be required for the platted parcels. It is the responsibility of the applicant to obtain acknowledgement of serving utility companies as to location of any utility easements which are to be shown on the parcel map.
- (f) Statement from County Treasurer. A written statement by the County Treasurer indicating that all property taxes on the land have been paid for the period identified in NRS 278.
- (g) Guarantee of Title. A subdivision guarantee of title, in a form acceptable to the County Engineer and District Attorney, issued by a competent title company to and for the benefit and protection of the County. Said guarantee of title shall be continued complete up to the instant of filing the final map with the County Recorder, guaranteeing that the names of all persons whose consent is necessary to pass a clear title to the land being subdivided, and all public easement being offered for dedication, and all acknowledgements thereto, appear on the proper statements and are correctly shown on the map, both as to contents as to the making thereof and affidavits of dedication where necessary.
- (h) Certificate of Department of Public Works, Utility Division, Concerning Water Right Dedications. A certificate for execution by the Chief Sanitary Engineer stating that the provisions of Article 422, Water and Sewer Resource Requirements, related to the dedication of water resources have been satisfied.

Section 110.606.65 Recordation. The approved parcel map with the certificates and statements set forth in Section 110.606.60 and the required filing fee advanced by the owner shall be transmitted to the County Recorder by the County Engineer for recording and filing. The land division is complete when the parcel map with its required certificates and statements have been filed in the Office of the County Recorder.

Section 110.606.70 Expiration Date. Failure of the applicant to record a parcel map within one (1) year of the date that the application for a tentative parcel map was accepted by the Director of Development Review terminates all proceedings, and a new application shall be required.

Section 110.606.75 Waiver of Parcel Map. The requirement for filing a parcel map for minor subdivisions may be waived by the Parcel Map Review Committee if it finds all the following:

- (a) Survey Not Required. The County Surveyor has determined that a survey is not required;
- (b) Conformity with Laws. That the proposed minor subdivision conforms with Chapter 278 of NRS and this Development Code;
- (c) Conformity with Regulations. That the proposed minor subdivision conforms to state and County requirements as to area, improvement and design, and flood water drainage control;

- (d) Environmental Effects. That the proposed minor subdivision will not have an adverse effect on the environment;
- (e) Conformity with Comprehensive Plan. That the proposed minor subdivision conforms to the Washoe County Comprehensive Plan, including the area plans and any specific plans adopted by the County;
- (f) Change in Non-Conformity. That no existing non-conformity with the other divisions in this Development Code will be increased;
- (g) Conformity with Other Ordinances. That the proposed minor subdivision conforms with all other County ordinances;
- (h) Lack of Need. That unusual circumstances exist so that a parcel map is not necessary to insure proper legal description of property, location of property lines and monumenting of property lines; and
- (i) Facilities. That appropriate improved public roads, adequate sanitary disposal facilities, and adequate water supplies are available.

Section 110.606.80 Document Required if Parcel Map Waived. If the requirement for a parcel map is waived by the Parcel Map Review Committee, the applicant shall comply with the provisions of this section.

- (a) Document Recordation. The Parcel Map Review Committee may require the applicant to prepare and record a document which contains:
 - (1) A legal description of all parts based on a system of rectangular surveys;
 - (2) A provision for the dedication or reservation of any road right-of-way or easement; and
 - (3) The approval of the authority which granted the waiver.
- (b) Description of Metes and Bounds. The Parcel Map Review Committee may require a description of metes and bounds if necessary to describe the parcel division. The description shall be prepared by a professional land surveyor with a signature and stamp.
- (c) Waiver. The person preparing the document may include the following statement:

"This document was prepared from existing information (identifying it and stating where filed and recorded) and the undersigned assumes no responsibility for the existence of monuments or correctness of other information shown on or copied from any prior documents."
- (d) Statement Indicating That No Property Taxes Delinquent. A document recorded pursuant to this section shall be accompanied by a written statement by the County Treasurer indicating that all property taxes on the land have been paid pursuant to NRS 278.

- (f) Time Limits. The time limits set forth in this section are suspended for a period, not to exceed one (1) year, during which the State of Nevada or the federal government takes any action to protect the environment or an endangered species which prohibits, stops or delays the processing of a tentative map.
- (g) No Guarantee of Final Map Approval. Approval by the Planning Commission or the Board of County Commissioners of a tentative map imposes no obligation on the part of the Planning Commission or the Board of County Commissioners to approve the final map or to accept any public dedication shown on the final map.

Section 110.608.16 Notice. Notice shall be given in accordance with the provisions of this section.

- (a) Notice of Property Owners by Mail. A notice setting forth the time, place, purpose of hearing, and map or physical description of the land involved shall be sent by mail at least ten (10) days before the meeting to the following persons:
- (1) All owners of real property that are the subject of the tentative subdivision map application;
 - (2) Advisory boards created by the Board of County Commissioners for the area in which the property that is the subject of the tentative subdivision map application is located;
 - (3) All owners of real property within three hundred (300) feet of the property which is the subject of the tentative subdivision map application;
 - (4) All tenants of any mobile home or manufactured home park that is located within three hundred (300) feet of the property which is the subject of the tentative subdivision map application;
 - (5) All General Improvement Districts (GID) for the area in which the property is the subject of the tentative subdivision map application.
- (b) Number of Notices. If the number of notices sent pursuant to this section does not total thirty (30) or more, the County shall send out additional notices to make the total number at least thirty (30). These notices shall be sent to owners of real property that are closest to the property in question, not including those owners provided notice pursuant to Subsection (a) of this section.
- (c) Compliance with Noticing Requirements. Owners of all real property to be noticed pursuant to this section shall be those owners identified on the latest County Assessor's ownership maps and records. Such notice is complied with when notice is mailed to the last known addresses of such real property owners as identified in the latest County Assessor's records. Any person who attends the public hearing shall be considered to be legally noticed unless those persons can provide evidence that they were not notified according to the provisions of this section.

Section 110.608.20 Review Considerations. Prior to approving an application for a tentative map, the Planning Commission or the Board of County Commissioners shall consider:

- (a) Environmental and Health Laws. Environmental and health laws and regulations concerning water and air pollution, the disposal of solid waste, facilities to supply water, community or public sewage disposal and, where applicable, individual systems for sewage disposal;
- (b) Availability of Water. The availability of water which meets applicable health standards as well as requirements for water rights, quality or will-serve commitments;
- (c) Utilities. The availability and accessibility of utilities;
- (d) Public Services. The availability and accessibility of public services such as schools, police and fire protection, transportation, recreation and parks;
- (e) Plan Consistency. General conformance with the Development Code and the Comprehensive Plan;
- (f) Impact on Existing Streets. The effect of the proposed subdivision on existing public streets and the need for new streets or highways to serve the subdivision;
- (g) Physical Characteristics. Physical characteristics of the land such as flood plain, slope and soil;
- (h) Agency Review. The recommendations and comments of the entities reviewing the tentative map; and
- (i) Impact on Existing Drainage System. The effect of the proposed subdivision on the existing natural and man-made drainage system.

Section 110.608.25 Findings. Prior to approving an application for a tentative map, the Planning Commission shall find that all of the following are true:

- (a) Plan Consistency. That the proposed map is consistent with the Comprehensive Plan and any specific plan;
- (b) Design or Improvement. That the design or improvement of the proposed subdivision is consistent with the Comprehensive Plan and any specific plan;
- (c) Type of Development. That the site is physically suited for the type of development proposed;
- (d) Availability of Services. That the subdivision will meet the requirements of Article 702, Adequate Public Facilities Management System;
- (e) Fish or Wildlife. That neither the design of the subdivision nor any proposed improvements is likely to cause substantial environmental damage, or substantial and avoidable injury to any endangered plant, wildlife or their habitat;
- (f) Public Health. That the design of the subdivision or type of improvement is not likely to cause significant public health problems;
- (g) Easements. That the design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through, or use of property within, the proposed subdivision;

- (h) Access. That the design of the subdivision provides any necessary access to surrounding, adjacent lands and provides appropriate secondary access for emergency vehicles;
- (i) Dedications. That any land or improvements to be dedicated to the County is consistent with the Comprehensive Plan; and
- (j) Energy. That the design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.

Section 110.608.30 Expiration Date. If the subdivider fails to record a final map for any portion of the tentative map within the time required by NRS 278, all proceedings are terminated and a new application is required. The Planning Commission may grant extensions as allowed by NRS.

Article 610

FINAL SUBDIVISION MAPS

Sections:

110.610.00	Purpose
110.610.05	Requirement of Final Map
110.610.10	Form
110.610.15	Contents
110.610.20	Required Certificates and Statements
110.610.25	Dedication of Facilities and Water Rights
110.610.30	Improvements at the Expense of the Subdivider
110.610.35	Provision of CATV
110.610.40	Guarantee of Completion
110.610.45	Preliminary Submittal
110.610.50	Approval by the Planning Commission

Section 110.610.00 Purpose. The purpose of this article, Article 610, Final Subdivision Maps, is to control the practices and procedures regarding the preparation and approval of final subdivision maps.

Section 110.610.05 Requirement of Final Map. A subdivider shall prepare a final map, in accordance with the tentative map, for the entire area for which a tentative map has been approved, or a series of final maps, each covering a portion of the approved tentative map.

Section 110.610.10 Form. The final map shall be clearly and legibly drawn in permanent black ink upon good tracing cloth or produced by the use of other materials of a permanent nature generally used for such purpose in the engineering profession, but affidavits, certificates and acknowledgement must be legibly stamped or printed upon the map with opaque ink. The size of each sheet shall be twenty-four (24) by thirty-two (32) inches. A marginal line must be drawn completely around each sheet, leaving an entirely blank margin of one (1) inch at the top, bottom and right edges, and of two (2) inches at the left edge along the twenty-four (24) inch dimension.

Section 110.610.15 Contents. Every final map shall show all data required for the tentative map except contour lines, position of buildings and prominent landmarks, relationship to streets and highways beyond the area shown on the map and the proposed use of lots, and shall contain the following additional data:

- (a) **Street Monuments.** Where the centerline has been established for any street, highway, alley or public way within an adjoining subdivision, all monuments along such street, highway, alley or public way within the proposed subdivision shall be located with reference to that centerline which is shown on the map;
- (b) **Centerlines.** The centerline of each highway, street, alley or public way within the proposed subdivision and the width on each side of the centerline and the width to be dedicated. There shall also appear the bearing, length of tangent, radius and central angle, and length of each curve for all centerlines;

- (c) **Monuments.** The location and description of monuments or other evidence formed upon the ground and used in determining the boundaries of the subdivision. If other subdivisions adjoin, the map shall show sufficient corners of such subdivisions sufficiently identified to locate precisely the limits of the proposed subdivision;
- (d) **Block, Lot and Boundary Lines.** The length and bearing of each block line, lot line and boundary line; the length, radius and central angle of each curve or the length of the curve and that portion of the central angle lying within each lot. Such data shall be shown in a manner satisfactory to the County Engineer;
- (e) **Flooding Potential.** If any portion of the land within the boundaries of a final map is subject to inundation or storm water overflow, as shown on the adopted Federal Emergency Management Agency's Flood Boundary and Floodway Maps or as shown by a Nevada registered engineer's hydrologic analysis for the 100-year storm, that fact and the land so affected shall be clearly shown on the final map by a prominent note on each sheet;
- (f) **Seismic Hazard.** If any portion of land within the boundaries of a final map is bisected by a post-Holocene era fault line, any such fault line shall be clearly shown on the final map and a prominent note shall indicate the fact the fault line exists and that any habitable structure shall be set back a minimum of ten (10) feet from the fault line;
- (g) **Lot and Total Area.** The area of each lot and total area of the land in the subdivision. If the area is two (2) acres or more, the area shall be to the nearest one-hundredth of an acre. If the area is less than two (2) acres, it shall be in square feet;
- (h) **Easements.** All easements approved on the tentative subdivision map; and
- (i) **Phasing Plan.** The phasing plan for the recordation of lots as approved by the Planning Commission or Board of County Commissioners.

Section 110.610.20 Required Certificates and Statements. Language shall be provided on the final map that satisfies the intent of the following certificates. Other certificates and statements may be required in addition to those enumerated in this section. Final subdivision maps which have been approved for recordation prior to July 31, 1993, but which have not been recorded, shall not be required to comply with this section.

- (a) **Certificate of Owner.** A certificate signed and acknowledged by all persons having any record title in the land subdivided, evidencing their grant of permanent easements for utility installations and access, as designated on the map.
- (b) **Certificate of Professional Land Surveyor.** A certificate of the surveyor responsible for the survey. The certificate must be in the following form:

SURVEYOR'S CERTIFICATE

I, (Name of Surveyor), a Professional Land Surveyor registered in the State of Nevada, certify that:

- 1. This plat represents the results of a survey conducted under my direct supervision at the instance of (Owner, Trustee, Etc.).
- 2. The lands surveyed lie within (Section, Township, Range, Meridian and, if required by the governing body, a description by metes and bounds for any subdivision which is divided into lots containing 5 acres in area or less), and the survey was completed on (Date).
- 3. This plat complies with the applicable state statutes and any local ordinances in effect on the date that the governing body gave its final approval.
- 4. The monuments depicted on the plat are of the character shown, occupy the positions indicated and are of sufficient number and durability.

(OR)

- 4. The monuments depicted on the plat will be of the character shown and occupy the positions indicated by (A day certain) and an appropriate financial guarantee will be posted with the governing body before recordation to assure the installation of the monuments.

..... Registration Number and Seal:
(Name of Surveyor)

899

- (c) County Engineer or Surveyor Certificate. A certificate by the County Engineer or the County Surveyor stating that he or she has examined the final map; and that the map is technically correct and that if the monuments have not been set, that a proper performance bond has been deposited guaranteeing their setting on or before a day certain.
- (d) District Board of Health Certificate. A certificate by the local District Board of Health indicating that the final map is approved concerning sewage disposal, water pollution, water quality and water supply facilities.
- (e) Division of Water Resources Certificate. A certificate by the Division of Water Resources of the State Department of Conservation and Natural Resources, showing that the final map is approved concerning water supply.
- (f) Certificate of Clerk of the Planning Commission. A certificate by the Director of Development Review stating that the Planning Commission or Board of County Commissioners approved the map and accepted or rejected on behalf of the public any parcel, or portion of a parcel, of land offered for dedication for public use in conformity with the terms of the offer of dedication.
- (g) Statement from the County Treasurer. A statement from the County Treasurer indicating that all property taxes on the land have been paid for the period identified in NRS 278.
- (h) Guarantee of Title. A subdivision guarantee of title, in a form acceptable to the County Engineer and the District Attorney, issued by a competent title company for the benefit and protection of the County. Said guarantee of title shall be continued complete up to the instant of filing the final map with the County Recorder, guaranteeing that the names of all persons whose consent is necessary to pass a clear title to the land being subdivided; the fact there are no encumbrances, liens, delinquent taxes or assessments; and all public easements being offered for dedication, and all acknowledgements thereto, appear on the proper statements and are correctly shown on the map, both as to contents as to the making thereof and affidavits of dedication where necessary. Said guarantee of title also shall guarantee that there are no encumbrances, liens, delinquent taxes or assessments on the property.
- (i) Utility Companies' Certificate. A certificate by the appropriate public utility and (CATV) television companies that the shown utility easements have been checked and approved.
- (j) Certificate of the Department of Public Works, Utility Division, Concerning Water Right Dedications. A certificate for execution by the Chief Sanitary Engineer stating that the provisions of Article 422, Water and Sewer Resource Requirements, related to the dedication of water resources have been satisfied.
- (k) Certificate of Chair of Planning Commission or Board of County Commissioners. A certificate for execution by the Chair of the Planning Commission, or Board of County Commissioners if the tentative map was approved by that body, stating that the map conforms to all of the requirements of NRS 278.010 to NRS 278.630, inclusive, and any applicable Washoe County Code provisions; and

accepting or rejecting any or all offers of dedications offered to Washoe County by the subdivider.

Section 110.610.25 Dedications of Facilities and Water Rights. In addition to any land which is required to be dedicated pursuant to this Development Code, a subdivider shall be required to offer for dedication those facilities and water rights prescribed in this section prior to final map approval. The form of the offer of dedication shall be to the satisfaction of the Public Works Department.

- (a) **Acceptance of Dedication.** The Department of Public Works may accept a dedication pursuant to this section in a form acceptable to that department when the department has determined that the facilities conform to the requirements of this section and perform as designed.

Section 110.610.30 Improvements at the Expense of the Subdivider. The subdivider shall make the improvements prescribed in this section at his own expense.

- (a) **Required Improvements.** The subdivider shall improve at his own expense, within a stated time, all land dedicated on a final map for streets, highways, public ways and easement(s) with such improvements as the Planning Commission or Board of County Commissioners may determine to be necessary for the general use of lot owners in the subdivision and local neighborhood traffic, water distribution, sanitary sewer and drainage needs.
- (b) **Utility Distribution System.** The subdivider shall provide for utility distribution service and facilities to service each lot of a subdivision including gas, water, electricity and communication. The subdivider shall make the necessary arrangements with the utility company or companies involved for the installation of the facilities in accordance with such applicable tariffs, rules and regulations of the companies as may be on file with the Public Services Commission of the State of Nevada and in accordance with any pertinent franchise arrangements, agreements or contracts.
- (c) **Improvements Not Normally Required.** Storm drain trunk lines, channels for general flood control purposes, improvements not solely for the benefit of the subdivision and full improvement of those routes shown on the Streets and Highways System Plan map for each of the area plans included within the Comprehensive Plan are not required by this section, unless agreed to by the subdivider.
- (d) **Street Lighting.** Street lighting installation is the financial responsibility of the subdivider. The subdivider shall make all necessary arrangements with the utility company involved for the installation of such street lights as are approved and required by the County Engineer.
- (e) **Street Improvement Standards.** All street improvements shall be graded, drained and surfaced in accordance with improvement plans approved by the County Engineer. All streets shall be surfaced with asphaltic concrete paving meeting the requirements of the Standard Specifications for Public Works Construction sponsored by Washoe County and be designed in accordance with the most recently adopted Washoe County Structural Pavement Section Design Manual unless an alternative method of street surfacing is approved by the

Board of County Commissioners at the time of approval of the tentative subdivision map.

- (f) Ditch or Watercourse Hazard. Where any ditch or natural watercourse constitutes or creates a hazard, whether within or contiguous to a development, the subdivider shall provide and install a six (6) foot chain link or equivalent fence, the location and construction of which shall be approved by the County Engineer.

Section 110.610.35 Provision of CATV. The subdivider shall provide for the installation of community antenna television (CATV) as prescribed in this section.

- (a) Installation. The subdivider shall provide, at his own expense, for the installation of community antenna television (CATV) cable conduit and pull wire to serve each dwelling in the subdivision. The installation of the conduit and pull wire must be accomplished as follows:
- (1) If a single CATV franchise exists to serve that area in which the subdivision is located, the subdivider shall install the conduit and pull wire in a manner which is compatible with and meets the standards of the franchise;
 - (2) If more than one CATV franchise exists to serve the area in which the subdivision is located, the subdivider shall select from among the franchisees and shall install the conduit and pull wire in a manner which is compatible with and meets the standards of the franchisee selected; or
 - (3) If no CATV franchise exists to serve the area in which the subdivision is located, the subdivider shall determine which CATV franchisee is closest geographically to the subdivision and shall install the conduit and pull wire in a manner which is compatible with and meets the standards of that franchisee.
- (b) Dedication. Upon completion of installation, ownership of the CATV cable conduit and pull wire shall be determined as follows:
- (1) If the subdivider applies to the Board of County Commissioners for a franchise to operate and actually operates a CATV system within the subdivision, the conduit and pull wire remain the property of the subdivider until such time as he determines not to operate or is unable to operate the system. At that time, the subdivider shall immediately offer for dedication all CATV cable, conduit and other appurtenant equipment he has installed to the franchisee; or
 - (2) If the subdivider does not operate a CATV system within the subdivision, he shall dedicate the conduit and pull wire to the franchisee immediately upon completion of installation.
- (c) Waiver/Modification. The Planning Commission may recommend, and the Board of County Commissioners may grant, a waiver or modification of Subsection (a) if geographic, economic or other conditions make installation of

CATV conduit and pull wire unreasonable or impractical. It is the responsibility of the subdivider to demonstrate, through adequate factual evidence, that the installation requirement is unreasonable or impractical.

Section 110.610.40 Guarantee of Completion. Each agreement made by the subdivider shall be accompanied by a faithful performance bond or other satisfactory guarantee of completion insuring the faithful performance of all work. The penal sum of the bond shall be in a sum which in the opinion of the County Engineer equals the cost, plus a contingency amount, of the improvements to which the subdivider has agreed. If any subdivider fails to complete any improvement as agreed within the time specified, the Board of County Commissioners may cause the bond to be forfeited in the amount necessary to finish the uncompleted portion of the work.

Section 110.610.45 Preliminary Submittal. The Preliminary Submittal procedures for the final map shall be as set forth in this section.

- (a) **Submittal Requirements.** Not less than sixty (60) days prior to the filing of any final map with the Planning Commission, the subdivider shall submit to the County Engineer:
- (1) Three (3) prints of the proposed final map accompanied by the map checking fee;
 - (2) Data concerning closure calculations, constructions plans, estimates of quantities and the like, if the situation warrants;
 - (3) Plans and specifications for subdivision street improvements;
 - (4) Plans, profiles, specifications and necessary details of the proposed construction for streets, curb and gutter, water mains, culverts, bridges, sanitary sewers or storm drains which are to be installed as part of the subdivision; and
 - (5) Faithful performance bond estimate prepared by a Nevada registered engineer.
- (b) **Review by County Engineer or County Surveyor.** The County Engineer or County Surveyor shall check the map as to accuracy of dimensions, placing of monuments, establishment of survey records shown thereon and conformance of the final map with the tentative map approved by the Planning Commission or Board of County Commissioners. The County Engineer shall review the plans, specifications and bond estimates for the subdivision improvements for conformance with the tentative map conditions and Washoe County standards. The subdivider shall make corrections and/or additions until acceptable to the County Engineer or County Surveyor.
- (c) **Inspection Costs.** Prior to commencing any work, the subdivider shall deposit with the County Engineer a sum which the County Engineer estimates to be necessary to cover the inspection costs of all improvements under his jurisdiction.

- (d) Subdivision Improvement Agreement. Prior to approval of the final map by the County Engineer, a subdivision improvement agreement shall be submitted to the County Engineer.
- (e) Faithful Performance Guarantee. Prior to approval of the final map by the County Engineer, a bond or other form of faithful performance guarantee shall be submitted to the County Engineer.
- (f) Review by the Department of Development Review. The County Engineer, following his review and approval, shall transmit the map to the Department of Development Review for their review. The subdivider shall make corrections and/or additions until acceptable to the Department of Development Review.

Section 110.610.50 Approval by the Planning Commission. The approval procedures for final map shall be as set forth in this section.

- (a) Submittal. The subdivider shall submit to the Director of Development Review the original tracing of the map and any duplicates per County requirements, corrected to its final form and signed by all parties required to execute the statement on the map. Original signatures shall appear on the original drawing. The original tracing and any duplicates shall be forwarded to the County Engineer for a final review. Upon notification by the County Engineer that the final map is correct and upon receipt of all required certificates and submittals, the Director of Development Review shall sign the appropriate statements and transmit the original to the Planning Commission.
- (b) Approval. Upon receipt of the final map, the Planning Commission shall, at its next meeting, approve the map if it conforms to all the requirements of NRS 278 and the provisions of this Development Code. This approval shall include acceptance of financial assurances, subdivision agreements and offers of dedication. Upon approval by the Planning Commission, the map shall be returned to the County Engineer for recording as soon as practicable in the Office of the County Recorder.
- (c) Time Limits. The time limits set forth in this section are suspended for a period, not to exceed one (1) year, during which the State of Nevada or the federal government takes any action to protect the environment or an endangered species which prohibits, stops or delays the development, processing or recordation of a final map.
- (d) Water Meters. The Planning Commission shall not approve any final maps for a subdivision served by a public water system, unless the subdivider has submitted plans which provide for the installation of water meters or other device which will measure water delivered to each water user in the subdivision.
- (e) Fees. Fees applicable to final maps shall be as established by the Board of County Commissioners through separate ordinance.
- (f) Appeal. A decision of the Planning Commission to deny a final map may be appealed to the Board of County Commissioners within ~~forty-five (45)~~ seven (7) days after action of the Planning Commission by submitting the appropriate form and fee to the Director of Development Review.

Article 612

DIVISION OF LAND INTO LARGE PARCELS

Sections:

110.612.00	Purpose
110.612.05	Requirement for Application
110.612.10	Contents of Tentative Map
110.612.15	Waiver of Requirement to File Tentative Map
110.612.20	Review Procedures for Tentative Map
110.612.25	Water Rights
110.612.30	Requirement for a Final Map
110.612.35	Survey Requirements
110.612.40	Form
110.612.45	Contents of Final Map
110.612.50	Approval by Planning Commission
110.612.55	Appeals
110.612.60	Recordation

Section 110.612.00 Purpose. The purpose of the article, Article 612, Division of Land into Large Parcels, is to prescribe rules and procedures for the regulation and approval of tentative and final maps for the division of land into large parcels.

Section 110.612.05 Requirement for Application. This article applies to division of land if each proposed lot is forty (40) acres or larger in area, including roads and easements, or at least one-sixteenth (1/16) of a section as described by a government land office.

Section 110.612.10 Contents of Tentative Map. Tentative maps submitted pursuant to this section shall be prepared and certified by a professional land surveyor. The tentative maps shall be entitled "Tentative Map of Division into Large Parcels". The following information shall be shown on the tentative map:

- (a) The approximate, calculated or actual acreage of each lot and the total acreage of the land to be divided;
- (b) All roads or easements of access which exist, are proposed in the applicable master plan or are proposed by the person who intends to divide the land;
- (c) Any easements for public utilities which exist or which are proposed;
- (d) The location of any existing road or easement which the owner does not intend to dedicate;
- (e) The name and address of the owner of the land; and

- (f) The regulatory zone of the land for which the map has been submitted and all surrounding properties.

Section 110.612.15 Waiver of Requirement to File Tentative Map. The Planning Commission may waive the requirement of filing the tentative map.

Section 110.612.20 Review Procedures for Tentative Map. The review procedures for tentative maps shall be as set forth in this section:

- (a) **Filing.** The subdivider shall submit an application to the Director of Development Review for action by the Washoe County Planning Commission.
- (b) **Review.** The Development Review staff shall review the submitted packet and accept or reject the application as complete within five (5) working days from the date of application.
- (c) **Action Required by the Planning Commission.** The Planning Commission shall, within sixty (60) days after the tentative map application has been filed, approve, conditionally approve or deny the tentative map. The Planning Commission may, within sixty (60) days, designate the location and width of any easements for roads and public utilities as shown on the master plan if there is one applicable to the area to be divided, or designate the location and width of any easements for roads and public utilities which may be reasonably necessary to serve the area to be divided if there is no master plan.

Section 110.612.25 Water Rights. Prior to final map approval, the subdivider shall be required to dedicate to Washoe County any water rights necessary to insure an adequate water supply to the lots proposed through the tentative map. The amount of water rights necessary shall be determined through the application of written criteria and approved by the Board of County Commissioners.

Section 110.612.30 Requirement for a Final Map. After the Planning Commission has approved the tentative map or waived the requirement for its filing or sixty (60) days after the date of its filing, whichever is sooner, the subdivider, upon fulfillment of any condition of approval, may file a final map of the division with the Planning Commission. The map shall be filed with the Planning Commission not later than one (1) year after that date the tentative map was first filed with the Planning Commission or that the requirement of its filing was waived.

Section 110.612.35 Survey Requirements. The final map shall be prepared by a professional land surveyor. The final map shall be based upon an actual survey by the preparer and show the date of the survey or based upon the most recent government survey and show the date of approval of the government survey and contain a certificate by the preparer that the parcels contain the number of acres shown for each parcel.

Section 110.612.40 Form. The final map shall be clearly and legibly drawn in black waterproof ink upon good tracing cloth or produced by the use of other materials of a permanent nature generally used for this purpose in the engineering profession, but affidavits, certificates and acknowledgments must be legibly stamped or printed upon the map with permanent black ink. The final map shall be twenty-four (24) by thirty-two (32) inches in size with a marginal line drawn completely around each sheet, leaving an entirely blank margin of one (1) inch at the top, bottom and right edges, and of two (2) inches at the left edge along the twenty-four (24) inch dimension. The final map shall be of a scale large enough to show clearly all details.

Section 110.612.45 Contents of Final Map. The following information shall be shown and defined on the final map:

- (a) The particular number of the sheet and the total number of sheets comprising the map shall be stated on each of the sheets, and its relation to each adjoining sheet must be clearly shown;
- (b) All lots approved through the tentative map shall be identified numerically and state actual acreage of each lot;
- (c) All roads or easements of access which exist and which the owner intends to offer for dedication, all roads or easements of access which are shown on the applicable master plan and all roads or easements of access which are specially required by the Planning Commission;
- (d) The title "Map of Division into Large Parcels";
- (e) Any easements for public utilities which exist or are proposed; and
- (f) Any existing easements for irrigation or drainage, and normally continuously flowing watercourses.

Section 110.612.50 Approval by Planning Commission. The Planning Commission must approve or disapprove the final map within forty-five (45) days of its filing. If the map is disapproved, the Planning Commission shall return the map to the subdivider with the reason for its action and a statement of what changes would be necessary to render the map acceptable. If the Planning Commission neither approves nor disapproves the map within forty-five (45) days, the map shall be deemed approved unconditionally.

Section 110.612.55 Appeals. Decision of the Planning Commission on the tentative or final map may be appealed to the Board of County Commissioners within ~~forty-five (45)~~ seven (7) days after issuance of the decision. An appeal is initiated by submitting the appropriate form and fee to the Director of Development Review. Appeals of any Planning Commission decision shall be heard by the Board of County Commissioners within thirty (30) days of receiving the appeal.

Section 110.612.60 Recordation. Upon approval, the final map shall be filed with the County Recorder. The map filed with the County Recorder shall include:

- (a) A certificate signed and acknowledged by the owner of the land consenting to the preparation and recording of the map and the granting of necessary access, drainage and public utility easements;
- (b) A certificate signed by the Director of Development Review that the map was approved, or the affidavit of the person presenting the map for filing that the time specified by Section 110.612.50 for action by the Planning Commission has expired;
- (c) A written statement signed by the Treasurer of Washoe County that no property taxes on the land are delinquent and all taxes have been paid pursuant to NRS 278; and

- (d) A certificate by the surveyor who prepared the map acknowledging that the map was prepared by him or under his supervision,

Article 614

REVERSION TO ACREAGE

Sections:

110.614.00	Purpose
110.614.05	Initiation
110.614.10	General Contents
110.614.15	Review and Approval Process
110.614.20	Certificates
110.614.25	Materials
110.614.30	Size
110.614.35	Scale
110.614.40	Numbering
110.614.45	Applicability of Other Provisions
110.614.50	Recordation

Section 110.614.00 Purpose. The purpose of this article, Article 614, Reversion to Acreage, is to prescribe the procedures that are required to abandon all or part of a subdivision map.

Section 110.614.05 Initiation. A written application to revert or abandon any subdivision map, parcel map, map of division into large parcels, or part thereof to acreage or to abandon the map or portion thereof may be initiated by the owner of the land, Planning Commission, or Board of County Commissioners.

Section 110.614.10 General Contents. The application shall be accompanied by a map of the proposed abandonment or reversion and shall describe the requested changes.

Section 110.614.15 Review and Approval Process. The application shall be reviewed and approved by the ~~Department of Development Review~~ County Surveyor and a written report prepared prior to being transmitted to the appropriate approval authority. ~~The following approval process shall be followed:~~

- (a) ~~Planning Commission Review.~~ ~~The Planning Commission shall hold a public hearing on the application, after providing notice of the time, date and place of the hearing to the applicant and all property owners within three hundred (300) feet of the boundaries of the subject site, prior to taking action.~~

Section 110.614.20 Certificates. The map shall contain the appropriate certificates and statements required by Article 610, Final Subdivision Maps, for the original division of the land. In addition, the map shall contain a certificate for execution by the ~~Chair of the Planning Commission~~ County Surveyor stating that the ~~Planning Commission~~ County Surveyor approved the map.

Section 110.614.25 Materials. The final map shall be clearly and legibly drawn in permanent black ink upon good tracing cloth or produced by the use of other materials of a permanent nature generally used for such a purpose in the engineering profession, but affidavits, certificates and acknowledgements shall be legibly stamped or printed upon the map with permanent black ink.

Section 110.614.30 Size. The size of each sheet of the map shall be twenty-four (24) by thirty-two (32) inches. A marginal line shall be drawn completely around each sheet, leaving an entirely blank margin of one (1) inch at the top, bottom and right edges, and of two (2) inches at the left edge along the twenty-four (24) inch dimension.

Section 110.614.35 Scale. The scale of the map shall be large enough to show all details clearly and enough sheets shall be used to accomplish this end.

Section 110.614.40 Numbering. The particular number of the sheet and the total number of sheets comprising the map shall be stated on each of the sheets and its relation to each adjoining sheet shall be clearly shown.

Section 110.614.45 Applicability of Other Provisions. Except for the provisions of this article, no other provision of the Development Code applies to a map made solely for the purpose of abandonment of a former map or for reversion of any land division to acreage.

Section 110.614.50 Recordation. Upon approval of the map of reversion or abandonment, it shall be recorded by the County Engineer in the Office of the County Recorder. The County Recorder shall make a written notation of the approval on each sheet of the previously recorded map affected by the later recording, if the County Recorder does not maintain a cumulative index for such maps and amendments. If such an index is maintained, the County Recorder shall direct an appropriate entry for the amendment.

Article 616

AMENDMENTS OF MAP

Sections:

110.616.00	Purpose
110.616.05	Approval Process
110.616.10	Minor Amendment: Applicability
110.616.15	Minor Amendment: Preparation of Certificate
110.616.20	Minor Amendment: Contents of Certificate
110.616.25	Minor Amendment: Recordation of Certificate
110.616.30	Major Amendment: Applicability
110.616.35	Major Amendment: Standards
110.616.40	Major Amendment: Recordation

Section 110.616.00 Purpose. The purpose of this article, Article 616, Amendments of Map, is to prescribe the procedures that are required to amend any final subdivision map.

Section 110.616.05 Approval Process. A minor map amendment, as described in Section 110.616.10, may be approved by the County Engineer. A major map amendment, as described in Section 110.616.30, shall be approved by the Planning Commission.

Section 110.616.10 Minor Amendment: Applicability. If an error or omission is found in any subdivision map, record of survey, parcel map, map of division into large parcels, or reversionary map and the correction does not change or purport to change the physical location of any survey monument or property line, the County Engineer or Planning Commission may cause a certificate of amendment to be filed and recorded.

Section 110.616.15 Minor Amendment: Preparation of Certificate. The surveyor who made the survey shall prepare and record the certificate within ninety (90) days after notification by the County Engineer or Planning Commission. If the surveyor is no longer professionally active in the County, the County Engineer or a professional land surveyor appointed by the Planning Commission shall prepare the certificate.

Section 110.616.20 Minor Amendment: Contents of Certificate. The certificate of amendment shall comply with the following:

- (a) Be in the form of a letter addressed to the County Surveyor or the Planning Commission;
- (b) Specify the title and recording date of the document being amended;
- (c) Concisely state the data being amended and the correction or omission;
- (d) Be dated, signed and sealed by the surveyor preparing the certificate; and

- (e) Contain the following statement, dated and signed by the County Surveyor or a professional land surveyor appointed by the Planning Commission:

I hereby certify that I have examined the certificate of amendment and that the changes to the original document specified therein are provided for in applicable sections of NRS 278, NRS 625, and local ordinances adopted pursuant thereto, and I am satisfied that this certificate of amendment so amends the document as to make it technically correct.

Section 110.616.25 Minor Amendment: Recordation of Certificate. Upon the recording of a certificate of amendment, the County Recorder shall cause a proper notation to be entered upon all recorded sheets of the original document being amended, if the County Recorder does not maintain a cumulative index for such maps and amendments. If such an index is maintained, the County Recorder shall direct an appropriate entry for the amendment.

Section 110.616.30 Major Amendment: Applicability. If an error or omission is found in any recorded subdivision plat, record of survey, parcel map, map of division into large parcels, or reversionary map, and the correction changes or purports to change the physical location of any survey monument, property line or boundary line, the Planning Commission may cause an amended plat, survey or map to be filed and recorded.

- (a) Parcel Map. If the proposed amendment is to a parcel map, map of division into large parcels, or record of survey, the same procedures and requirements apply as in the original filing.
- (b) Final Subdivision Map. If the proposed amendment is to a subdivision plat, those procedures for the approval and filing of a final map and the requirements of Section 110.616.35 shall apply.
- (c) Appeal. An appeal of the Planning Commission's decision must be made within seven (7) days of the action by the Planning Commission.

Section 110.616.35 Major Amendment: Standards. Any amended plat, map or survey shall comply with the following:

- (a) Be identical in size and scale to the document being amended, drawn in the manner and on the material provided by law;
- (b) Have the words "Amended Plat of" prominently displayed on each sheet above the title of the document amended;
- (c) Have a blank margin for the County Recorder's index information;
- (d) Have a three (3) inch square adjacent to and on the left side of the existing square for the County Recorder's information and stamp;
- (e) Contain the certificate required by NRS 278 or an order of the District Court of Washoe County that the amendment may be approved without all the necessary signatures if the order is based upon a finding that a bona fide effort was made to communicate with the necessary persons, that all persons who responded have consented thereto and that the amendment does not adversely affect the persons who did not respond;

- (f) Contain a certificate of the professional land surveyor who prepared the amendment stating that it complies with all pertinent sections of NRS 278, NRS 625, the Development Code, and any other applicable local ordinance; and
- (g) Contain a certificate executed by the County Surveyor, if he or she is a professional land surveyor, or a Nevada registered civil engineer stating that he or she has examined the document and that it is technically correct.

Section 110.616.40 Major Amendment: Recordation. Upon recording the amended document, the County Recorder shall cause a proper notation to be entered upon all recorded sheets of the document being amended, if the County Recorder does not maintain a cumulative index for such maps and amendments. If such an index is maintained, the County Recorder shall direct an appropriate entry for the amendment.

Article 802

ADMINISTRATIVE WAIVERS

Sections:

110.802.00	Purpose
110.802.05	Permitted Modifications
110.802.10	Requirements for Application
110.802.15	Review Procedures
110.802.20	Notice
110.802.25	Projects of Regional Significance
110.802.30	Conformance with Chapter
110.802.35	Findings
110.802.40	Notice of Decision
110.802.45	Appeals
110.802.50	One Year Wait on Denials
110.802.55	Revocation

Section 110.802.00 Purpose. The purpose of this article, Article 802, Administrative Waivers, is to establish exceptions to the regulations of Chapter 110. These exceptions may be used to ensure that property, because of special physical circumstances such as size, shape, topography, location or surroundings, shall be accorded privileges commonly enjoyed by other properties in the same regulatory zone in the vicinity.

Section 110.802.05 Permitted Modifications. Applications for administrative waivers may be considered for the following modifications only:

- (a) **Setback Requirements.** Setback requirements may be altered as follows:
 - (1) Up to twenty (20) percent of the front yard setback requirement, but no closer to the property line than fifteen (15) feet;
 - (2) Up to twenty (20) percent of the side yard setback requirement, but no closer to the property line than three (3) feet; or
 - (3) Up to twenty (20) percent of the rear yard setback requirement, but no closer to the property line than ten (10) feet.
- (b) **Area, Width and Coverage Requirements.** Area, width and coverage requirements may be altered by ten (10) percent of the lot area, lot width and coverage requirements.
- (c) **Height Requirements.** Height requirements may be increased up to fifteen (15) percent in excess of height limits, except that the provisions of Article 402 regarding restrictions in navigable airspace must be maintained.

- (d) Parking Requirements. Parking requirements may be reduced ten (10) percent from the off-street parking requirements.
- (e) Maximum Fence Height. Modification of maximum fence height shall be limited to permit a fence of not more than six (6) feet in height located in the required front yard setback in any residential regulatory zone, or a fence of not more than ten (10) feet in height for security purposes located in the required front, side or rear yard of a lot located in the General Rural Regulatory Zone, or a Commercial or Industrial Regulatory Zone.
- (f) Home Occupation Size Limit. Size limitations for home occupations may be altered to no more than twenty-five (25) percent of the total area of the dwelling unit.
- (g) Temporary Uses and Structures. Modification to any of the provisions contained in Article 310, Temporary Uses and Structures, requires an administrative waiver and is exempt from Article 804, Variances.
- (h) Antenna Screening. Modification or waiver of the screening requirements for antennas contained in Article 324 requires an administrative waiver.

Section 110.802.10 Requirements for Application. Applications for administrative waivers may be initiated by the Board of County Commissioners, the property owner, or the property owner's authorized agent. Applications shall be filed with the Department of Development Review. A request for an administrative waiver shall include a site plan which clearly delineates the location and extent of the regulation to be modified.

No administrative waiver shall be processed until the information necessary to review and decide upon the proposed administrative waiver is deemed complete by the Director of Development Review.

Section 110.802.15 Review Procedures. The Zoning Administrator shall review administrative waivers in conformance with this section.

- (a) General Provisions. The Zoning Administrator shall review all administrative waiver applications to determine their consistency with established policies, standards and required findings. The review shall be of an administrative nature. No hearing is required.
- (b) Concurrent Processing of Applications. An administrative waiver related to additional Development Code action which requires Board of Adjustment or Planning Commission review shall be consolidated into one (1) review before the appropriate approval authority for the major request being considered.
- (c) Time Period for Action. The Zoning Administrator shall take action on the proposed administrative waiver not later than five (5) working days after the application was accepted from an owner of real property or the property owner's authorized agent. An extension of time for action may be granted if mutually agreed upon between the applicant and Director of the Department of Development Review.

- (d) Action. The Zoning Administrator shall approve, conditionally approve, or deny the application. Failure of the Zoning Administrator to take action within the time frame provided in this section shall constitute approval of the application. All decisions of the Zoning Administrator shall be in writing.
- (e) Effective Date of Action. Action on the administrative waiver applications, unless otherwise specified, shall be effective upon expiration of the appeal period.

Section 110.802.20 Notice. No notice shall be required prior to action on an administrative waiver.

Section 110.802.25 Projects of Regional Significance. If an administrative waiver approval is for a project of regional significance or if the approval would cause the project to become a project of regional significance, no permit for development or use of the property pursuant to the administrative waiver shall be issued until the Regional Planning Commission and/or the Regional Planning Governing Board has taken final action on the project of regional significance.

Section 110.802.30 Conformance with Chapter. No administrative waiver request shall be approved which would have the effect of bringing into conformance a use of land or buildings that has been established in contravention to the provisions of this chapter.

Section 110.802.35 Findings. Prior to approving an application for an administrative waiver, the Zoning Administrator shall find that all of the following are true:

- (a) Not Detrimental. The granting of the administrative waiver will not be materially detrimental to other properties, land uses, or the scenic and environmental character of the surrounding area;
- (b) Exceptional Circumstances. There are exceptional or extraordinary circumstances or conditions applicable to the property or to the intended uses that do not apply to other properties in the same regulatory zone in the vicinity;
- (c) Denial of Privileges. The strict application of the regulation deprives the property of privileges enjoyed by other properties in the vicinity;
- (d) Consistency. The granting of the administrative waiver is consistent with the action programs, policies, standards and maps of the Comprehensive Plan and the applicable area plan; and
- (e) Adequate Public Facilities. An adequate public facilities determination, in accordance with Division Seven, has been made.

Section 110.802.40 Notice of Decision.

- (a) Recipients of Notice -- Approval. Within five (5) working days of the Zoning Administrator's final action, the following persons shall be notified by mail of the final decision concerning an approval of an administrative waiver:
 - (1) All owners of real property that are the subject of the administrative waiver;

- (2) Advisory boards created by the Board of County Commissioners for the area in which the property that is the subject of the administrative waiver is located;
 - (3) All owners of real property within three hundred (300) feet of the property which is the subject of the administrative waiver;
 - (4) All tenants of any mobile home park that is located within three hundred (300) feet of the property which is the subject of the administrative waiver; and
 - (5) All General Improvement Districts (GID) for the area in which the property that is the subject of the administrative waiver is located.
- (b) Recipients of Notice -- Denial. Within five (5) working days of the Zoning Administrator's final action, all owners of real property that are the subject of an administrative waiver shall be notified by mail of the final decision concerning a denial of an administrative waiver.
 - (c) Number of Notices. If the number of notices sent pursuant to this section does not total thirty (30) or more, the County shall send out additional notices to make the total number at least thirty (30). These notices shall be sent to owners of real property that are closest to the property in question, not including those owners provided notice pursuant to Subsection (a) of this section.
 - (d) Contents of Notice. Such notice shall describe the proposed administrative waiver request; the lot, parcel, properties or area that are affected by the administrative waiver; the Zoning Administrator's decision and, if the administrative waiver has been approved, the conditions made part of the administrative waiver; and the appellate procedures that can be taken regarding the Zoning Administrator's decision.
 - (e) Compliance with Noticing Requirements. Owners of all real property to be noticed pursuant to this section shall be those owners identified on the latest County Assessor's ownership maps and records. Such notice is complied with when notice is mailed to the last known addresses of such real property owners as identified in the latest County Assessor's records. Any person who attends the public hearing shall be considered to be legally noticed unless those persons can provide evidence that they were not notified according to the provisions of this section.

Section 110.802.45 Appeals. An action of the Zoning Administrator made pursuant to this article may be appealed in accordance with the provisions of this section.

- (a) Appeal Period. An appeal of the Zoning Administrator's final decision may be made to the Board of Adjustment within fifteen (15) days after the date of the final decision. If filed, an appeal stays any further action on the permit until final resolution of the appeal. If the end of the appeal period falls on a non-business day, the appeal period shall be extended to include the next business day.
- (b) Who Can Appeal. Appeals can be filed only by the following:

- (1) The applicant or the applicant's authorized agent; and
 - (2) A person who may be adversely affected by the decision.
- (c) Contents of Appeal. An appeal shall be filed with the Director of Development Review, accompanied by a filing fee. The appeal shall be in writing and state the basis of the appeal by citing the inadequacy of the findings made by the Zoning Administrator. Failure of the appellant to present such reasons shall be deemed cause for denial of the appeal.
- (d) Time Period for Hearing. The Director of Development Review shall schedule a public hearing on the appeal of the Zoning Administrator's final decision before the Board of Adjustment within thirty (30) days of the date of the filing of the appeal.
- (e) Notice of Hearing. A notice setting forth the time, place, purpose of hearing and map or physical description of the land involved shall be provided as set forth in Section 110.802.40.
- (f) Action of Board of Adjustment. The Board of Adjustment shall consider only those items cited in the appeal. In its deliberation, it may use additional evidence relative to the application and may confirm, reverse or modify the appealed action based upon its interpretation of the findings required and the evidence submitted.
- (g) Effective Date. The decision of the Board of Adjustment on an appeal from the Zoning Administrator shall be effective immediately.
- (h) Administrative Waivers Issued Prior to May 26, 1993. No administrative waiver issued prior to May 26, 1993 may be appealed after June 30, 1993.

Section 110.802.50 One Year Wait on Denials. After the denial of an administrative waiver, no application for an administrative waiver for the same or similar modification may be accepted for one (1) year immediately following the denial. This section shall not apply to applications denied without prejudice, which may be refiled within one (1) year.

Section 110.802.55 Revocation. Revocation of an administrative waiver shall be subject to the requirements of this section.

- (a) Initiation of Action. The Zoning Administrator, Board of Adjustment, Planning Commission, or Board of County Commissioners may initiate an action to revoke an administrative waiver.
- (b) Grounds for Revocation. An administrative waiver may be revoked pursuant to the provisions of this section upon a finding of any one (1) or more of the following grounds:
 - (1) That the administrative waiver approval was obtained or extended by fraud;
 - (2) That one (1) or more of the conditions upon which such development approval was granted have been violated; or

- (3) That the use or facility for which the development approval was granted is so conducted or maintained as to be detrimental to the public health or safety, or as to be a public nuisance.
- (c) Board of County Commissioners' Action. The Board of County Commissioners shall hold a public hearing upon the revocation of the administrative waiver. The hearing shall be noticed in accordance with Section 110.802.40. After the public hearing and consideration of the recommendation of the Zoning Administrator, the Board of County Commissioners may take action to revoke the administrative waiver.

ARTICLE 902

DEFINITIONS

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 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.

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.

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.

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.

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 an average slope equal to or greater than ten (10) percent or slopes that exceed fifteen (15) percent on twenty-five (25) 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. Junkyard shall be synonymous with "Salvage Yard".

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.

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 Antenna. "Private antenna" means any system of wires or poles or similar devices, excluding satellite dish antennas, used for the transmission or reception of electromagnetic waves, 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.

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.

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.

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.

Slaughter House, agricultural. "Slaughter house, agricultural" means a building used as an ancillary structure on a farm or ranch for the non-profit slaughtering of animals raised on-site and the processing and storage of animal products and waste that results from a slaughtering process.

Slaughter House, commercial. "Slaughter house, commercial" means a building used for the for-profit slaughtering of animals that are either raised on-site or transported to the building and the processing and storage of animal products and waste that results from a slaughtering process.

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.

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".

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.

Article 904

NONCONFORMANCE

Sections:

110.904.00	Purpose
110.904.05	Finding of Incompatibility
110.904.10	Types of Non-Conformance
110.904.15	Non-Conforming Lot
110.904.20	Non-Conforming Use of Land
110.904.25	Non-Conforming Use of a Structure
110.904.30	Non-Conforming Structure
110.904.35	Non-Conforming Development
110.904.40	Replacement Cost
110.904.45	Non-Conforming Public Use
110.904.50	Historic Building, Structures or Sites
110.904.55	Illegal Uses, Lots and Use of Structures and Land Within a Sphere of Influence
110.904.60	<u>Requirement for Bringing a Nonconforming Use of Land or Nonconforming Use of a Structure into Compliance with the Provisions of this Chapter.</u>

Section 110.904.00 Purpose. The intent of this article, Article 904, Nonconformance, is to regulate lots, structures and uses of land and structures which were lawful before the adoption or amendment of this Development Code, but which no longer comply. The additional intent of this Article is to permit those non-conformities to continue until they are removed or required to be terminated, but not to encourage their continuance.

Section 110.904.05 Finding of Incompatibility. Non-conforming uses and structures are declared to be incompatible with permitted uses, structure and standards in the regulatory zones involved. They shall not be enlarged upon, expanded, extended or replaced, not be used as ground for adding other structures or uses prohibited elsewhere in the same regulatory zone, except as may be expressly permitted in this article.

Section 110.904.10 Types of Non-Conformance. This article regulates the categories of non-conformance listed below in this section. If a non-conforming use falls into two (2) or more categories, it shall be subject to the regulations of each category.

- (a) **Non-Conforming Lot.** A lot which was legal when brought into existence but does not conform to the current lot size or shape requirements of the regulatory zone where it is located. A non-conforming lot is subject to the provisions of Section 110.904.15.
- (b) **Non-Conforming Use of Land.** A use which does not involve a structure and which was legal when brought into existence but does not conform to the current uses allowed in the regulatory zone where it is located. A non-conforming use of land is subject to the provisions of Section 110.904.20.
- (c) **Non-Conforming Use of a Structure.** A use which is conducted at least partially within a structure and which was legal when brought into existence but does not

conform to the current uses allowed in the regulatory zone where it is located. A non-conforming use of structure is subject to the provisions of Section 110.904.25.

- (d) **Non-Conforming Structure.** A building or structure which was legal when brought into existence but does not conform to the current height, setback or coverage requirements of the regulatory zone where it is located. A non-conforming structure is subject to the provisions of Section 110.904.30.
- (e) **Non-Conforming Development.** A development which was legal when brought into existence but does not conform to the current parking, loading or landscaping requirements of the regulatory zone where it is located. A non-conforming development is subject to the provisions of Section 110.904.35.

Section 110.904.15 Non-Conforming Lot. A non-conforming lot containing a building or structure may continue to be used as a building site as long as other provisions of this article, including yard, coverage, sewer, water and drainage requirements, are met. A non-conforming lot may be used as a building site, provided the access requirements, building setback requirements, and infrastructure requirements of this Development Code are met.

Section 110.904.20 Non-Conforming Use of Land. The non-conforming use of land shall be subject to the provisions of this section.

- (a) **Continuation.** A non-conforming use of land may be continued as long as it remains otherwise lawful, subject to the following provisions:
 - (1) Any structure associated with such use shall not be enlarged or increased more than ten (10) percent, nor the use extended to occupy an area of land greater than ten (10) percent than was occupied on the effective date of this article; and
 - (2) If such a use ceases for any reason for a period of more than twelve (12) consecutive months, any subsequent use of such land shall conform to the requirements of this Development Code for the regulatory zone in which it is located.
 - (3) The storage of inoperable vehicles in contravention to the provisions of this chapter shall not be considered a non-conforming use and shall be required to conform to the provisions of this chapter.
- (b) **Adding New Uses or Structures.** When a non-conforming use exists on any lot, no new use or structure shall be established or built on such lot unless the lot area, dimensions and yards provided for each existing and proposed use or structure conform to the requirements of this Development Code for the regulatory zone in which the lot is located.
- (c) **Change to Another Non-Conforming Use.** A non-conforming use of land shall not be changed to another non-conforming use of land.

Section 110.904.25 Non-Conforming Use of a Structure. The non-conforming use of a structure shall be subject to the provisions of the section.

- (a) **Continuation.** A non-conforming use of a structure may be continued as long as it remains otherwise lawful, subject to the following provisions:

- (1) A structure devoted to a non-conforming use shall not be enlarged more than ten (10) percent, extended, constructed, reconstructed, moved or structurally altered;
 - (2) Any structure in which a non-conforming use is superseded by an allowed use shall thereafter conform to the regulations for the regulatory zone in which such structure is located, and the non-conforming use may not thereafter be resumed;
 - (3) Any non-conforming use may be extended throughout such parts of a structure as were manifestly arranged or designed for such use at the time of adoption of this article, but no such use shall be extended to occupy any land outside such structure;
 - (4) When a non-conforming use of a structure is discontinued or abandoned for twelve (12) consecutive months, the structure shall not thereafter be used except in conformance with the regulations of the regulatory zone in which it is located; and
 - (5) When a non-conforming structure has been partially or totally destroyed, the non-conforming use of the structure may be rebuilt provided a building permit is acquired within six (6) months of the damaging event.
- (b) Adding New Structures. When a non-conforming use exists in any structure, no new use or structure shall be established or built on the lot where the structure is located unless the lot area, dimensions and yards provided for each existing and proposed use or structure conform to the requirements of this Development Code for the regulatory zone in which the lot is located.

Section 110.904.30 Non-Conforming Structure. A non-conforming structure shall be subject to the provisions of this section.

- (a) Continuation. Any non-conforming structure may be continued as long as it remains otherwise lawful, subject to the following provisions:
- (1) Such structure may not be enlarged more than ten (10) percent or altered except as specifically provided for by this section;
 - (2) If the use ceases for any reason for more than twelve (12) consecutive months, any subsequent use of the structure shall conform to the requirements of the Development Code for the regulatory zone in which it is located;
 - (3) If a structure is partially or totally destroyed, the non-conforming use of the structure may be rebuilt, provided a building permit is acquired within six (6) months of the damaging event;
 - (4) Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the regulatory zone in which it is located;
 - (5) Such structure may be remodeled or repaired provided that the cost of such remodeling or repair is not more than fifty (50) percent of its replacement cost and that the structure is not enlarged more than ten

(10) percent, as it existed at the time of adoption or amendment of this Development Code;

- (6) Nothing in this article shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any County or state official charged with protecting the public health or safety, upon order of such official; and
- (7) On any property whose boundary was adjusted on or before June 13, 1981, a non-conforming structure which exists and is in nonconformance when this ordinance is adopted, and which is subsequently destroyed or removed from the property may be replaced by a structure appropriate to the same use within six (6) months.

- (b) Adding New Uses or Structures. When a non-conforming structure exists on any lot, no new use or structure shall be established or built on such land unless the lot area, dimensions and yards provided for each existing and proposed use or structure conform to the requirements of this Development Code for the regulatory zone in which the lot is located.

Section 110.904.35 Non-Conforming Development. A non-conforming development shall be subject to the provisions of this section. Existing conforming buildings or uses whose off-street parking and loading do not conform to the provisions of this Development Code may be expanded or have facilities added, and one conforming use may be changed to another, provided that the requirements for off-street parking and loading spaces are complied with in accordance with Article 410.

Section 110.904.40 Replacement Cost. In the absence of proof to the contrary, replacement cost as used in this article shall mean the assessed value of the building or structure at the time of the destruction.

Section 110.904.45 Non-Conforming Public Use. Additions, extensions or alterations may be made to any non-conforming public use including, but not limited to, schools, parks, libraries and fire stations, if the addition, extension or alteration meets the provisions of this section.

- (a) Expansion. The addition, extension or alteration shall not extend beyond the boundaries of the site in existence when the use became non-conforming.
- (b) Parking. The addition, extension or alteration shall not infringe upon any off-street parking required by this Development Code.

Section 110.904.50 Historic Building, Structures or Sites. Notwithstanding any other provisions of this article, a building, structure or site which is listed on the National Register of Historic Places or the State Register of Historic Places shall be allowed to continue to exist and be repaired, restored or reconstructed as long as it complies with federal and state regulations and statutes regarding historic buildings, structures and sites. The building, structure or site may be expanded upon approval of a special use permit.

Section 110.904.55 Illegal Lots and Uses of Structures and Land within a Sphere of Influence. The creation of a lot, or the use of a structure or land that occurred in contravention to the provisions of Section 110.106.130 and which was created prior to the effective date of this section shall be considered an illegal use and not subject to the provisions of this article.

Section 110.904.60 Requirement for Bringing a Nonconforming Use of Land or Nonconforming Use of a Structure into Compliance with the Provisions of this Chapter.
Except as provided for in this article, a nonconforming use of land or a nonconforming use of a structure shall be brought into conformance with the provisions of this chapter at the time that a ministerial permit (e.g. building permit) is issued, or at the time that an approved discretionary permit (e.g. special use permit) becomes effective.