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PROOF OF PUBLICATION

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

NOTICE OF COUNTY ORDINANCE
NO. 926
NOTICE IS HEREBY GIVEN that Ordinance No. 926, Bill No. 1101, entitled,
AN ORDINANCE AMENDING CHAPTER 110 OF THE WASHOE COUNTY CODE (DEVELOPMENT CODE) TO READOPT ARTICLE 306, ACCESSORY USES AND STRUCTURES, THEREOF TO INCORPORATE PREVIOUS AMENDMENTS TO SAID ARTICLE WHICH WERE INADVERTENTLY OMITTED WITH THE ADOPTION OF ORDINANCE NO. 899.
was adopted on JANUARY 24, 1995, by Commissioners Joanne Bond, Steve Bradhurst, Mike Mouliot, Grant Sims, and Jim Shaw and will become effective on FEBRUARY 7, 1995.
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. 423 Jan 31; Feb 7, 1995

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:

Jan. 31, Feb. 7, 1995

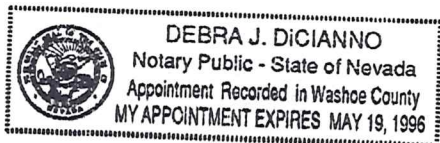
Signed

Tana Ciccotti

Subscribed and sworn to before me on 02/07/95

Notary Public

Debra J. DiCianno



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



926 ✓

SUMMARY: Amends chapter 110 of the Washoe County Code (Development Code) by readopting Article 306 "Accessory Uses and Structures" thereof to incorporate previous amendments thereto which were inadvertently omitted in a recent amendment.

BILL NO. 1101

ORDINANCE NO. 926

AN ORDINANCE AMENDING CHAPTER 110 OF THE WASHOE COUNTY CODE (DEVELOPMENT CODE) TO READOPT ARTICLE 306, ACCESSORY USES AND STRUCTURES, THEREOF TO INCORPORATE PREVIOUS AMENDMENTS TO SAID ARTICLE WHICH WERE INADVERTENTLY OMITTED WITH THE ADOPTION OF ORDINANCE NO. 899.

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

SECTION 1. Article 306 "Accessory Uses and Structures" 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. The provisions of this ordinance shall be in force and effect retroactively from and after the 31st day of May, 1994.

Proposed on the 10th day of January, 1995.
Proposed by Commissioner Bradhurst.
Passed on the 24th day of January, 1995.

Vote:

Ayes: Commissioners: Joanne Bond, Steve Bradhurst, Mike
Mouliot, Jim Shaw, Grant Sims
Nays: Commissioners:
Absent: Commissioners:

James M. Haw
Chairman of the Board

ATTEST:
JUDI BAILEY, CLERK

By [Signature] Chief Deputy
County Clerk

This ordinance shall be in force and effect from and after the 7th day of February, 1995.

Article 306

ACCESSORY USES AND STRUCTURES

Sections:

110.306.00	Purpose
110.306.05	Applicability
110.306.10	Attached and Detached 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/Outdoor Display
110.306.40	Animals
110.306.45	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 Attached and Detached Accessory Structures. The following development requirements shall apply to attached and detached 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 line.
- (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, GR and GRR) and when the detached accessory structure complies with the yard requirements for the preliminary 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 halves of such lot; and
- (3) A detached accessory structure, used as a private garage, may be built to the property 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 structure 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, Rural, Suburban, and Urban 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; and
- (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 in the Low Density and Medium Density Urban Regulatory Zones, subject to an administrative permit, 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 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; and
- (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. 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:

- (1) The accessory structures do not involve on-site sale of agricultural products;
 - (2) The accessory structures do not involve the commercial use of horses;
 - (3) The accessory structures are used for the storage of agricultural equipment and products related to the on-site agricultural use; and
 - (4) The accessory structures are located not closer than one hundred (100) feet to any street or 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, Storage. 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 purpose 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-collecting 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 fifteen (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 lines and the front and side faces of the main building shall not cover more than fifty (50) percent of this area.
- (g) 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 (85) percent 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 Article 304, Use Classification System. Animals kept for private, non-commercial use in development existing on or before August 3, 1993, but not kept in compliance with this section, including all provisions of Washoe County Code Chapter 55, all Washoe County District Health Department regulations, and NRS 574, shall be allowed as a nonconforming use subject to the provisions of Section 110.306.45 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 (.5) acre;
 - (2) On any parcel of one-half (.5) 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, Chapter 55; Washoe County District Health Department regulations; and NRS 574.
- (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 Department 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 nonconforming 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.

45-01

