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PROOF OF PUBLICATION

STATE OF NEVADA  
COUNTY OF WASHOE

ss. Tana Ciccotti

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

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:

Aug. 3, 10, 2000

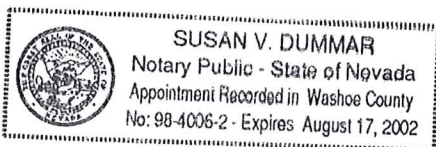
Signed *[Signature]*

Subscribed and sworn to before me this

AUG 10 2000

*[Signature]*

Notary Public



**NOTICE OF ADOPTION  
WASHOE COUNTY ORDINANCE  
NO. 1102**

NOTICE IS HEREBY GIVEN THAT:  
Bill No. 1278, Ordinance No. 1102  
entitled:  
AN ORDINANCE AMENDING CHAP-  
TER 110 OF THE WASHOE COUNTY  
CODE (WASHOE COUNTY DEVELOP-  
MENT CODE) ARTICLE 306, ACCESS-  
ORY USES AND STRUCTURES,  
AND ARTICLE 902, DEFINITIONS,  
BY ADOPTING STANDARDS FOR  
"NON-MUNICIPAL AIRSTRIPS AND  
GLIDER PORTS" AND "PERSONAL  
LANDING FIELDS," AND OTHER  
MATTERS PERTAINING THERETO  
was adopted on July 25, 2000, by  
Commissioners Joanne Bond, Jim  
Galloway, Jim Shaw, and Ted Short  
and will become effective on Friday,  
August 11, 2000. Commissioner Pete  
Sferazza voted no.

Typewritten copies of the ordinance  
are available for inspection by all  
interested persons at the office of  
the County Clerk, 75 Court Street,  
Reno, Nevada.

AMY HARVEY, Washoe County Clerk  
No.2941 Aug.3,10, 2000

PLEASE STAMP & SIGN FOR PAYMENT

AUG 14 2000

SUMMARY: An ordinance amending Chapter 110 of the Washoe County Code (Development Code) by amending Article 306 "Accessory Uses and Structures" and Article 902 "Definitions".

BILL NO. 1278

ORDINANCE NO. 1102

AN ORDINANCE AMENDING CHAPTER 110 OF THE WASHOE COUNTY CODE (WASHOE COUNTY DEVELOPMENT CODE) ARTICLE 306, ACCESSORY USES AND STRUCTURES, AND ARTICLE 902, DEFINITIONS, BY ADOPTING STANDARDS FOR "NON-MUNICIPAL AIRSTRIPS AND GLIDER PORTS" AND "PERSONAL LANDING FIELDS" AND OTHER MATTERS PERTAINING THERETO.

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

Section 1. Article 306 "Accessory Uses and Structures" of the Washoe County Code is hereby amended as set forth in Exhibit "A" which is attached hereto and made a part hereof.

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


Proposed on the 11th day of July 2000.  
Proposed by Commissioner Joanne Bond.  
Passed on the 25th day of July 2000.

Vote:

Ayes: **Joanne Bond, Jim Galloway, Pete Sferrazza, Jim Shaw, and Ted Short**

Nays: **None.**

Absent: **None.**



Chairman  
Washoe County Commission

ATTEST  
  
County Clerk

This ordinance shall be in force and effect from and after the 11th day of August, 2000.

## Article 306

# ACCESSORY USES AND STRUCTURES

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[This Article amended in its entirety by Ord. 875, provisions eff. 8/3/93; Ord. 889, provisions eff. 11/29/93; Ord. 899, provisions eff. 5/31/94; Ord. 926, provisions eff. retro. to 5/31/94.]

### Sections:

110.306.00	Purpose
110.306.05	Applicability
110.306.10	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	Personal Landing Fields
110.306.50	Non-municipal Air Strips and Glider Ports
110.306.55	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 Detached Accessory Structures.** The following development requirements shall apply to 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 less than twelve (12) feet in height shall maintain a five (5) foot minimum setback from the rear and side property line. Accessory structures more than twelve (12) feet in height shall maintain the yard setbacks for the main dwelling units stipulated in Article 406, Building Placement Standards.
- (c) **Height Limits.** Accessory structures shall not contain more than one (1) story. The height of an accessory structure shall not exceed twelve (12) feet when the structure is erected within the required yard setbacks. The height of an accessory structure shall not exceed thirty-five (35) feet when the structure is erected outside the required yard setbacks.

- (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.

*[This Section amended by Ord. 939, provisions eff. 11/1/95.]*

**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 and height standards of the regulatory zone shall be maintained.

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.

Electronic Notice. "Electronic notice" means any notice required by law that is transmitted via electronic means and which provides a method of verifying receipt to the sender that the receiver has received the notice. Electronic includes, but is not limited to, e-mail, facsimile transmission that identify the receiver and have a time and date stamp.

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

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

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

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

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

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

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

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

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

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

Flood, One Hundred (100) Year. "One hundred (100) year flood" also called the "base flood" means a flood having a one (1) percent chance of being equaled or exceeded in any given year. The boundaries of the one hundred (100) year flood include both the floodway and the flood fringe areas as shown on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps.

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, AE and A99" on the Flood Insurance Rate Maps.

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

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

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

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

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

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

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

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

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

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

Front Yards. See "Yard, Front".

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Interior Lot. See "Lot, Interior".

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

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

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

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

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

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

Non-municipal Air Strips and Glider Ports. "Non-municipal air strips and glider ports" means any Federal Aviation Administration (FAA) recognized public use landing area, privately owned and operated for scheduled or non-scheduled air transportation activities, where commercial uses and aviation related commerce can occur. Such use may include provision of landing privileges, hanger and tie-down lease/rental spaces, fuel and lubrication service, flight instruction, plane rental, mechanical repairs, or any other form of aviation commerce. Uses can also include scenic and sightseeing transportation service including helicopter rides, glider plane rides, air balloon rides, ultra-light and experimental aircraft activities and aircraft charters. The term "non-municipal air strips and glider ports" does not apply to public airports operated by any federal, state or local government agencies. The term also does not apply to a personal landing field that is used for fixed-wing aircraft or helicopter landing operations that are incidental and ancillary to established allowable uses including, but not limited to, agricultural, ranching or mining activities, as long as no aviation related commerce is conducted at the personal landing fields.

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.

Permanent Employee Housing. "Permanent employee housing" means housing for employees of an isolated industrial, mining, railroad, highway, utilities or agricultural based use where those employees occupy the housing on a permanent basis year round. This development may occur on a single parcel or multiple parcels.

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.

Personal Landing Field. "Personal landing field" means a private use aviation landing area that is used for fixed-wing aircraft or helicopter landing operations that are incidental and ancillary to established allowable land uses including, but not limited to, agricultural, ranching or mining activities, as long as no aviation related commerce is conducted at the personal landing fields. Personal landing fields do not engage in scheduled or non-scheduled air transportation activities, or in any scenic and sightseeing transportation service, or any other form of aviation commerce. The term "personal landing field" does not apply to "non-municipal air strips and glider ports," or to public airports operated by any federal, state or local government agencies.

Placement. "Placement" means the issuance of a set-up permit by the Building and Safety Department for a manufactured home or mobile home.

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

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

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

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

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

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

Rear Line. "Rear line" means the lot line most directly opposite the front line. A parcel of land may have only one (1) rear line.

Rear Yard. See "Yard, Rear".

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

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

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

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

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

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

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

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

Right-of-Way. "Right-of-way" is a strip of land occupied or intended to be occupied by a publicly dedicated street, including the pavement, sidewalks and parkways, crosswalk, railroad, electric

transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, shade streets or other special use.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Side Yard. See "Yard, Side".

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

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

Slaughter House, Agricultural. "Agricultural slaughter house" 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. "Commercial slaughter house" 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.

Temporary Employee Housing. "Temporary employee housing" means housing for employees of an isolated industrial, mining, railroad, highway, utilities or agricultural based use where those employees occupy the housing on a seasonal basis not more than six (6) months per year. This development may occur on a single parcel or multiple parcels.

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

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

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

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

Through Lot. See "Lot, Through".

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

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

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

Trailer Coach. See "Mobile Home".

Travel Trailer. See "Recreational Vehicle".

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

Unladen Weight. "Unladen weight" means the weight of any vehicle without load, but fully equipped with accessories and appliances belonging to and used by such vehicle in the transportation of persons or property.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

*[This Section amended by Ord. 1076, provisions eff. 10/1/99.]*



- (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 or detached accessory dwelling unit per parcel.

*[This Section amended by Ord. 939, provisions eff. 11/1/95.]*

**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 and height 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. The maximum permitted floor area of a detached accessory unit shall not be increased by use of the variance process contained in Article 804, Variances, except for conversion of a guest house, that was legally constructed prior to May 26, 1993, to a detached accessory unit.
- (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) attached or 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.

*[This Section amended by Ord. 939, provisions eff. 11/1/95.]*

**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 Community Development 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 110.306.55 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.

*[This Section amended by Ord. 939, provisions eff. 11/1/95.]*

Section 110.306.45 Personal Landing Fields. Personal landing fields are permitted as an accessory use in the General Rural, Low Density Rural, Tourist Commercial, Industrial, and the Public/Semi-Public Facilities Regulatory Zones, subject to a special use permit reviewed by the Washoe County Planning Commission. Personal Landing Fields established prior to July 1, 2000 as documented with either the Federal Aviation Administration and/or the Nevada Department of Transportation are exempt from the special use permit and minimum development standard requirements. Aircraft hired on a temporary basis for agricultural spraying operations, and not owned by or based on the property owner's parcel, are exempt from the special use permit and minimum development standard requirements. The following minimum development standards are necessary to establish a new personal landing field:

- (a) The edge of the runway / helicopter pad landing surface shall be located to maintain a minimum separation of 300 feet from any exterior property line to maintain a noise standard of sixty-five (65) decibels Ldn as measured at the property line. Additional landing surface / property line separation may be required as a special use permit condition of approval based on the operational and noise characteristics of the aircraft utilizing the facility.
- (b) The property owner shall submit a report by a Nevada registered engineer or erosion control specialist documenting the type of landing surface treatment and maintenance necessary for dust control and erosion control purposes for the weight of aircraft and frequency of landings, and shall provide for adequate drainage consistent with Article 420, Storm Drainage Standards.
- (c) A maximum of two aircraft may be stored at a personal landing field.
- (d) The personal landing field shall operate as a private facility, for the exclusive use of the landowner, and shall not be operated for commercial purposes. Leasing or rental of airplane hangers or tie-down spaces to any third-party user will not be allowed.
- (e) The owner of the personal landing field shall submit documentation to the Federal Aviation Administration so the location of the facility can be published on the FAA Sectional Aeronautical Chart.
- (f) The owner of the personal landing field shall maintain a commercially issued general liability insurance policy with a minimum coverage of \$1,000,000

combined single limit. The owner shall maintain on file with Washoe County a certificate of insurance and an original endorsement adding Washoe County as an additional insured. Increased amounts of coverage may be based upon usage and level of activity. Washoe County shall determine when increased amounts of liability insurance coverage are required.

**Section 110.306.50 Non-municipal Air Strips and Glider Ports.** Non-municipal air strips and glider ports are permitted as an accessory use in the General Rural, Low Density Rural, Tourist Commercial, Industrial, and the Public/Semi-Public Facilities Regulatory Zones, subject to a special use permit reviewed by the Washoe County Planning Commission. Non-municipal air strips and glider ports established prior to July 1, 2000 as documented with either the Federal Aviation Administration and/or the Nevada Department of Transportation are exempt from the special use permit and minimum development standard requirements. The following minimum development standards are necessary to establish a new non-municipal air strips or glider port.

- (a) The edge of the runway / helicopter pad landing surface shall be located to maintain a minimum separation of 300 feet from any exterior property line to maintain a noise standard of sixty-five (65) decibels Ldn as measured at the property line. Additional landing surface / property line separation may be required as a special use permit condition of approval based on the operational and noise characteristics of the aircraft utilizing the facility.
- (b) The property owner shall submit a report by a Nevada registered engineer or erosion control specialist documenting the type of landing surface treatment and maintenance necessary for dust control and erosion control purposes for the weight of aircraft and frequency of landings, and shall provide for adequate drainage consistent with Article 420, Storm Drainage Standards.
- (c) In addition to the vehicle parking requirements for any other uses on the property, one vehicle parking space will be provided for every aircraft which is stored, or for which tie-down space is provided, at the non-municipal air strip and/or glider port.
- (d) The owner of the non-municipal air strip and/or glider port shall submit documentation to the Federal Aviation Administration so the location of the facility can be published on the FAA Sectional Aeronautical Chart.
- (e) The owner of the non-municipal air strip and/or glider port shall maintain a commercially issued general liability insurance policy with a minimum coverage of \$1,000,000 combined single limit. The owner shall maintain on file with Washoe County a certificate of insurance and an original endorsement adding Washoe County as an additional insured. Increased amounts of coverage may be based upon usage and level of activity. Washoe County shall determine when increased amounts of liability insurance coverage are required.

**Section 110.306.55 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 nonconforming 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 902

# DEFINITIONS

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*[This Article amended in its entirety by Ord. 867, provisions eff. 5/27/93; Ord. 873, provisions eff. 6/7/93; Ord. 890, provisions eff. 11/29/93; Ord. 893, provisions eff. 3/4/94; Ord. 899, provisions eff. 5/31/94; Ord. 916, provisions eff. retro. to 5/26/93; Ord. 942, provisions eff. 4-1-96; Ord. 965, provisions eff. 10-1-96; Ord. 1088, provisions eff. 1/28/00; Ord. 1089, provisions eff. retro to 1/1/00; Ord. 1091, provisions eff. 4/28/00.]*

### 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 Community Development shall have the authority to determine the applicable definition source (e.g. Webster's Collegiate Dictionary, Uniform Building Code, Uniform Fire Code, etc.) in the event of a conflict.
- (c) **Headings.** Section and subsection headings contained herein shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or intent of any provision of this Development Code.
- (d) **Illustrations.** In case of any differences of meaning or implication between the text of any section or article and any illustration, the text shall control.
- (e) **Gender.** The masculine gender includes the feminine and neuter.

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

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

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

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

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

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

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

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

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

Area Plan. "Area plan" means plans adopted by Washoe County which cover specific subareas of the unincorporated County. These plans provide basic information on the natural features, resources and physical constraints that affect the development of the planning area. They also

specify detailed land use designations which are then used to review specific development proposals and to plan services and facilities.

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

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

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

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

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

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

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

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

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

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

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

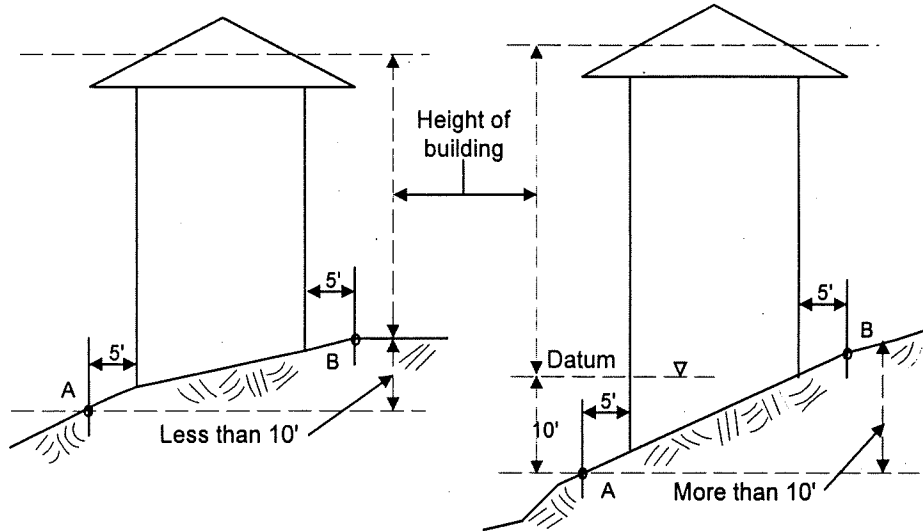
Building Height. "Building height" is the vertical distance above a reference datum measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped roof. As illustrated in Figure 110.902.15.BH1, the 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.

Figure 110.902.15.BH1

**DETERMINATION OF BUILDING HEIGHT IN FEET**



Source: Uniform Building Code Interpretation Manual.

**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.

Company Town. "Company town" means employee housing and supporting commercial, office, recreational, professional, administrative and other ancillary uses associated with the functioning of an isolated industrial, mining, energy production, utilities, resorts or agricultural based use. This development may occur on a single parcel or multiple parcels.

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".

Contiguous Parcel of Land. "Contiguous parcel of land" means a parcel of land either abutting directly on the boundary or separated by a street, alley, public right-of-way, creek, river or the right-of-way of a railroad or other public service corporation of another parcel of land.

Corner Lot. See "Lot, Corner".

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Dormitory/Bunkhouse. "Dormitory/bunkhouse" means a building or a portion of a building where, for compensation or a benefit of employment, meals and lodging are provided.

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

Driveway, Residential. "Residential driveway" means a private paved or unpaved area used for ingress or egress of vehicles, and allowing access extending from a property line to a building or other structure or facility on the subject parcel.