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STATE OF NEVADA
COUNTY OF WASHOE

ss: Julia Ketcham

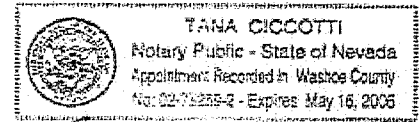
Being first duly sworn, deposes and says: That as the legal clerk of the Reno Gazette-Journal, a daily newspaper published in Reno, Washoe County, State of Nevada, that the notice referenced below has published in each regular and entire issue of said newspaper between the dates: **05/14/04 - 05/21/04**, for exact publication dates please see last line of Proof of Publication below.

Subscribed and sworn to before me

Signed:

Julia Ketcham

MAY 21 2004



Tana Cicotti

Proof of Publication

NOTICE OF ADOPTION WASHOE COUNTY ORDINANCE NO. 1236 NOTICE IS
HEREBY GIVEN THAT: Bill No. 1416, Ordinance No. 1236 entitled An Ordinance
amending provisions relating to Washoe County Code, Chapter 110, by creating Article 438,
Grading Standards, for the purpose of combining into one article those grading standards and
requirements currently located in the Department of Building and Safety, the Department of
Public Works, and the Department of Community Development; Article 302, Allowed Uses, by
deleting Section 110.302.45, Excavation and Grading; Article 434, Regional Development
Standards Within Cooperative Planning Areas and All of Washoe County, by deleting Section
110.434.30, Grading; and other matters relating thereto. was adopted on May 11, 2004 by
Commissioners Galloway, Humke, Sferrazza, Shaw and Weber. This ordinance shall be in full
force and effect from and after May 21, 2004. Typewritten copies of the ordinance are
available for inspection by all interested persons at the office of the County Clerk, 350 South
Center Street, Suite 100, Reno, Nevada. AMY HARVEY, Washoe County Clerk and Clerk of
the Board of County Commissioners No.278993 May 14, 21, 2004

SUMMARY: Amends Washoe County Code by creating Article 438, Grading Standards, for the purpose of combining into one article the grading standards and requirements of Washoe County.

BILL NO. 1416

ORDINANCE NO. 1236

AN ORDINANCE AMENDING PROVISIONS RELATING TO WASHOE COUNTY CODE CHAPTER 110, BY CREATING ARTICLE 438, GRADING STANDARDS, FOR THE PURPOSE OF COMBINING INTO ONE ARTICLE THOSE GRADING STANDARDS AND REQUIREMENTS CURRENTLY LOCATED IN THE DEPARTMENT OF BUILDING AND SAFETY, THE DEPARTMENT OF PUBLIC WORKS, AND THE DEPARTMENT OF COMMUNITY DEVELOPMENT; ARTICLE 302, ALLOWED USES, BY DELETING SECTION 110.302.45, EXCAVATION AND GRADING; ARTICLE 434, REGIONAL DEVELOPMENT STANDARDS WITHIN COOPERATIVE PLANNING AREAS AND ALL OF WASHOE COUNTY, BY DELETING SECTION 110.434.30, GRADING; AND OTHER MATTERS RELATING THERETO.

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

SECTION 1.

Article 302, "Allowed Uses" of Chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit A, which is attached and incorporated by reference.

SECTION 2.

Article 434, "Regional Development Standards Within Cooperative Planning Areas and All of Washoe County" of Chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit B, which is attached and incorporated by reference.

SECTION 3.

Article 438, "Grading Standards" of Chapter 110 of the Washoe County Code is hereby adopted as set forth in Exhibit C, which is attached and incorporated by reference.

Proposed on the 27th day of APRIL, 2004.

Proposed by Commissioner HUMKE.

Passed on the 11th day of MAY, 2004.

Vote:

Ayes: SHAW, WEBER, HUMKE, GALLOWAY & SFERRAZZA

Nays: (NONE)

Absent: (NONE)

James M. Shaw
James M. Shaw, Chairman
Washoe County Commission

ATTEST: Amy Harvey
County Clerk

This ordinance shall be in force and effect from and after the 27th day of MAY, 2004

Article 302

ALLOWED USES

Sections:

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

Section 110.302.00 Purpose. The purpose of this article, Article 302, Allowed Uses, is to prescribe the uses that are allowed in each regulatory zone. Any variance to the Table of Uses (Table 110.302.05.1 through Table 110.302.05.5) would constitute an action that would allow a land use in contravention to the applicable regulatory zone. Such actions are prohibited by Article 804, Variances, and a variance application cannot be accepted.

[Amended by Ord. 1040, provisions eff. 11/1/98.]

Section 110.302.05 Table of Uses. The uses that are allowed in each regulatory zone are set forth in Table 110.302.05.1 through Table 110.302.05.5. The regulatory zones are indicated in Table 110.302.05.1 through Table 110.302.05.5 as follows:

- (a) Low Density Rural is indicated as "LDR";
- (b) Medium Density Rural is indicated as "MDR";
- (c) High Density Rural is indicated as "HDR";
- (d) Low Density Suburban is indicated as "LDS";
- (e) Medium Density Suburban is indicated as "MDS";
- (f) High Density Suburban is indicated as "HDS";
- (g) Low Density Urban is indicated as "LDU";
- (h) Medium Density Urban is indicated as "MDU";
- (i) High Density Urban is indicated as "HDU";
- (j) General Commercial is indicated as "GC";
- (k) Neighborhood Commercial/Office is indicated as "NC";

- (l) Tourist Commercial is indicated as "TC";
- (m) Industrial is indicated as "I";
- (n) Public/Semi-Public Facilities is indicated as "PSP";
- (o) Parks and Recreation is indicated as "PR";
- (p) Open Space is indicated as "OS";
- (q) General Rural is indicated as "GR"; and
- (r) General Rural Residential is indicated as "GRR".

Table 110.302.05.1

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

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

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

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

Table 110.302.05.2

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

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

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

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

Table 110.302.05.3

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

Commercial Use Types (Section 110.304.25)	LDR	MDR	HDR	LDS	MDS	HDS	LDU	MDU	HDU	GC	NC	TC	I	PSP	PR	OS	GR	GRR*
Administrative Offices	-	-	-	-	-	-	P	P	P	A	A	A	A	A	P	-	-	-
Adult Characterized Business (see Chapter 25, Washoe County Code)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Animal Sales and Services																		
Commercial Kennels	S ₂	S ₂	S ₂	S ₂	-	-	-	-	-	S ₂	-	-	S ₂	-	-	-	S ₂	S ₂
Commercial Stables	P	P	P	P	-	-	-	-	-	-	-	S ₂	-	-	P	-	P	S ₂
Grooming and Pet Stores	-	-	-	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	A	A	-	-	-	-	-	-	-
Pet Cemeteries	P	P	P	-	-	-	-	-	-	S ₁	-	-	-	A	-	-	P	-
Veterinary Services, Agricultural	P	P	P	P	-	-	-	-	-	S ₂	-	-	-	-	-	-	S ₂	S ₂
Veterinary Services, Pets	-	-	-	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	A	A	-	P	-	-	-	-	-
Automotive and Equipment																		
Automotive Repair	-	-	-	-	-	-	-	-	-	P	-	-	A	-	-	-	-	-
Automotive Sales and Rentals	-	-	-	-	-	-	-	-	S ₂	A	A	A	A	-	-	-	-	-
Cleaning	-	-	-	-	-	-	S ₂	S ₂	S ₂	A	A	A	A	-	-	-	-	-
Commercial Parking	-	-	-	-	-	-	P	P	P	A	A	A	A	P	-	-	-	-
Equipment Repair and Sales	-	-	-	-	-	-	-	-	-	S ₁	-	-	A	-	-	-	-	-
Fabricated Housing Sales	-	-	-	-	-	-	-	-	-	A	-	-	A	-	-	-	-	-
Storage of Operable Vehicles	-	-	-	-	-	-	-	-	-	S ₂	-	-	A	-	-	-	-	-
Truck Stops	-	-	-	-	-	-	-	-	-	S ₁	-	S ₁	S ₁	-	-	-	-	-
Building Maintenance Services	-	-	-	-	-	-	-	-	-	A	A	-	A	-	-	-	-	-
Commercial Centers																		
Neighborhood Centers	-	-	-	S ₁	S ₁	S ₁	P	P	P	A	A	A	A	-	-	-	-	-
Community Centers	-	-	-	-	-	-	-	-	-	S ₁	S ₁	S ₁	-	-	-	-	-	-
Regional Centers	-	-	-	-	-	-	-	-	-	S ₁	-	S ₁	-	-	-	-	-	-
Commercial Educational Services	-	-	-	-	-	-	P	P	P	A	A	-	A	A	-	-	-	-
Commercial Recreation																		
Commercial Campground Facilities/RV Park	-	-	-	-	-	-	-	-	-	-	-	S ₂	-	-	S ₂	-	S ₂	-
Destination Resorts	-	-	-	-	-	-	-	-	-	-	-	S ₁	-	-	S ₁	-	S ₁	-
Indoor Entertainment	-	-	-	-	-	-	-	-	-	A	P	A	-	P	-	-	-	-
Indoor Sports and Recreation	-	-	-	-	-	-	-	-	-	S ₂	S ₂	P	S ₂	P	P	-	-	-
Limited Gaming Facilities	-	-	-	-	-	-	-	-	-	P	P	P	S ₂	-	-	-	-	-
Marinas	-	-	-	-	-	-	-	-	-	P	-	P	-	P	P	-	P	-
Outdoor Entertainment	-	-	-	-	-	-	-	-	-	-	-	S ₁	S ₁	-	S ₁	-	-	-
Outdoor Sports and Recreation	S ₁	S ₁	S ₁	S ₁	S ₁	S ₁	S ₁	S ₁	S ₁	P	P	P	P	S ₁	P	-	P	-
Outdoor Sports Club	S ₂	-	-	-	-	-	-	-	-	-	-	S ₁	-	S ₂	P	-	S ₂	S ₂
Unlimited Gaming Facilities	-	-	-	-	-	-	-	-	-	-	-	S ₁	-	-	-	-	-	-

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

EXHIBIT A

Table 110.302.05.3 (continued)

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

Commercial Use Types (Section 110.304.25)	LDR	MDR	HDR	LDS	MDS	HDS	LDU	MDU	HDU	GC	NC	TC	I	PSP	PR	OS	GR	GRR*	
Communication Facilities																			
Commercial Antennas	S ₁	S ₁	S ₁	--	--	--	--	--	--	S ₁	S ₁	--	S ₁	S ₁	--	--	S ₁	--	
Satellite Dish Antennas	See Article 324																		
Wireless Communication Facilities	See Article 324																		
Construction Sales and Services	--	--	--	--	--	--	--	--	--	S ₂	--	--	A	--	--	--	--	--	
Convention and Meeting Facilities	--	--	--	--	--	--	--	--	--	P	P	P	--	P	S ₂	--	--	--	
Eating and Drinking Establishments																			
Convenience	--	--	--	--	--	--	S ₁	S ₁	S ₁	A	A	A	P	--	--	--	--	--	
Full Service	--	--	--	--	--	--	S ₁	S ₁	S ₁	A	A	A	P	--	--	--	--	--	
Financial Services	--	--	--	--	--	--	S ₁	S ₁	S ₁	A	A	A	P	--	--	--	--	--	
Funeral and Internment Services																			
Cemeteries	P	P	P	--	--	--	--	--	--	S ₁	--	--	--	A	--	--	P	--	
Undertaking	--	--	--	--	--	--	--	--	--	A	A	--	--	--	--	--	--	--	
Gasoline Sales and Service Stations	--	--	--	--	--	--	S ₁	S ₁	S ₁	A	A	A	A	--	--	--	S ₁	--	
Helicopter Services																			
Heliport	--	--	--	--	--	--	--	--	--	S ₂	--	--	S ₂	S ₂	--	--	S ₂	--	
Helistop	S ₂	--	--	--	--	--	--	--	--	S ₂	S ₂	S ₂	S ₂	S ₂	--	--	S ₂	--	
Liquor Sales																			
Off-Premises	--	--	--	--	--	--	P	P	P	A	A	A	P	--	--	--	--	--	
On-Premises	--	--	--	--	--	--	P	P	P	A	P	A	P	--	--	--	--	--	
Lodging Services																			
Bed and Breakfast Inns	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	--	P	--	--	--	--	S ₂	S ₂	
Hostels	--	--	--	--	--	--	--	--	--	--	--	P	--	--	P	--	--	--	
Hotels and Motels	--	--	--	--	--	--	--	--	--	A	S ₁	A	--	--	--	--	--	--	
Vacation Time Shares	--	--	--	--	--	--	--	--	--	--	--	P	--	--	--	--	--	--	
Medical Services	--	--	--	--	--	--	S ₂	S ₂	S ₂	A	A	--	--	A	--	--	--	--	
Nursery Sales																			
Retail	--	--	--	--	--	--	--	--	--	A	A	--	A	--	--	--	--	--	
Wholesale	S ₂	S ₂	S ₂	--	--	--	--	--	--	A	--	--	A	--	--	--	S ₂	S ₂	
Personal Services	--	--	--	--	--	--	P	P	P	A	A	A	--	--	--	--	--	--	
Personal Storage	--	--	--	--	--	--	S ₂	S ₂	S ₂	A	S ₂	--	A	--	--	--	--	--	
Professional Services	--	--	--	--	--	--	P	P	P	A	A	--	P	--	--	--	--	--	
Recycle Center																			
Full Service Recycle Center	--	--	--	--	--	--	--	--	--	S ₂	--	--	A	--	--	--	--	--	
Remote Collection Facility	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	P	P	P	P	P	P	A	P	P	--	--	--	
Residential Hazardous Substance Recycle Center	--	--	--	--	--	--	--	--	--	S ₂	--	--	S ₂	--	--	--	--	--	

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

EXHIBIT A

Table 110.302.05.3 (continued)

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

Commercial Use Types (Section 110.304.25)	LDR	MDR	HDR	LDS	MDS	HDS	LDU	MDU	HDU	GC	NC	TC	I	PSP	PR	OS	GR	GRR*
Repair Services, Consumer	-	-	-	-	-	-	-	-	-	A	A	-	A	-	-	-	-	-
Retail Sales																		
Convenience	-	-	-	S ₁	S ₁	S ₁	S ₁	S ₁	S ₁	A	A	A	A	-	-	-	-	-
Specialty Stores	-	-	-	-	-	-	-	-	-	A	P	A	-	-	-	-	-	-
Comparison Shopping Centers	-	-	-	-	-	-	-	-	-	A	-	A	-	-	-	-	-	-
Secondhand Sales	-	-	-	-	-	-	-	-	-	A	-	-	-	-	-	-	-	-
Transportation Services	-	-	-	-	-	-	-	-	-	A	A	A	A	-	-	-	-	-

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

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

Table 110.302.05.4

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

Industrial Use Types (Section 110.304.30)	LDR	MDR	HDR	LDS	MDS	HDS	LDU	MDU	HDU	GC	NC	TC	I	PSP	PR	OS	GR	GRR*	
Aggregate Facilities																			
Permanent	S ₁	-	-	-	-	-	-	-	-	-	-	-	S ₁	-	-	-	S ₁	-	
Temporary	See Article 332																		
Custom Manufacturing	S ₂	S ₂	S ₂	-	-	-	-	-	-	S ₂	-	S ₂	A	-	-	-	S ₂	-	
Energy Production	S ₁	S ₁	-	-	-	-	-	-	-	-	-	-	S ₁	S ₁	-	S ₁	S ₁	-	
General Industrial																			
Limited	-	-	-	-	-	-	-	-	-	-	-	-	A	-	-	-	-	-	
Intermediate	-	-	-	-	-	-	-	-	-	-	-	-	A	-	-	-	-	-	
Heavy	-	-	-	-	-	-	-	-	-	-	-	-	S ₁	-	-	-	-	-	
High Technology Industry	-	-	-	-	-	-	-	-	-	S ₁	S ₁	-	A	-	-	-	S ₁	-	
Inoperable Vehicle Storage	-	-	-	-	-	-	-	-	-	-	-	-	S ₂	-	-	-	-	-	
Laundry Services	-	-	-	-	-	-	-	-	-	P	-	-	A	-	-	-	-	-	
Mining Operations	S ₁	-	-	-	-	-	-	-	-	-	-	-	S ₁	-	-	-	S ₁	-	
Petroleum Gas Extraction	-	-	-	-	-	-	-	-	-	-	-	-	S ₁	-	-	S ₁	S ₁	-	
Salvage Yards	-	-	-	-	-	-	-	-	-	-	-	-	S ₂	-	-	-	-	-	
Wholesaling, Storage and Distribution																			
Light	-	-	-	-	-	-	-	-	-	-	-	-	A	-	-	-	-	-	
Heavy	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	

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

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

Table 110.302.05.5

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

Agricultural Use Types (Section 110.304.15)	LDR	MDR	HDR	LDS	MDS	HDS	LDU	MDU	HDU	GC	NC	TC	I	PSP	PR	OS	GR	GRR*
Agricultural Processing	-	-	-	-	-	-	-	-	-	-	-	-	A	-	-	-	S ₂	A
Agricultural Sales	S ₂	-	-	-	-	-	-	-	-	A	-	-	A	-	-	-	S ₂	A
Animal Production	A	A	A	A	-	-	-	-	-	-	-	-	-	-	S ₂	S ₂	A	A
Animal Slaughtering, Agricultural	A	A	A	A	-	-	-	-	-	-	-	-	-	-	A	A	A	A
Animal Slaughtering, Commercial	-	-	-	-	-	-	-	-	-	-	-	-	S ₁	-	-	-	-	-
Crop Production	A	A	A	A	-	-	-	-	-	-	-	-	-	-	S ₂	S ₂	A	A
Forest Products	S ₂	S ₂	S ₂	-	-	-	-	-	-	-	-	-	-	-	-	S ₂	P	-
Game Farms	S ₂	S ₂	S ₂	-	-	-	-	-	-	-	-	-	-	-	-	S ₂	S ₂	S ₂
Produce Sales	S ₂	S ₂	S ₂	S ₂	-	-	-	-	-	-	-	-	-	-	-	-	S ₂	A

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

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

[Amended by Ord. 875, provisions eff. 8/3/93; Ord. 890, provisions eff. 11/29/93; Ord. 895, provisions eff. 1/24/94; Ord. 899, provisions eff. 5/31/94; Ord. 906, provisions eff. 7/27/94; Ord. 959, provisions eff. 7/26/96; Ord. 1004, provisions eff. 1/30/98; Ord. 1023, provisions eff. 7/1/98; Ord. 1039, provisions eff. 11/1/98; Ord. 1097, provisions eff. 7/28/00; Ord. 1179, provisions eff. 12/6/02.]

Section 110.302.10 Use Classification System. The land use categories that are listed in Table 110.302.05.1 through Table 110.302.05.5 are described in Article 304, Use Classification System.

[Amended by Ord. 875, provisions eff. 8/3/93.]

Section 110.302.15 Types of Review. Table 110.302.05.1 through Table 110.302.05.5 indicate the types of review required as follows:

- (a) **Allowed Use.** A letter "A" indicates that a use is allowed but the use shall comply with the provisions of the Development Code.
- (b) **Administrative Permit.** A letter "P" indicates that a use is allowed only upon approval of an administrative permit pursuant to Article 808, Administrative Permits.
- (c) **Planning Commission Special Use Permit.** A letter "S₁" indicates that a use is allowed only upon approval of a special use permit approved by the Planning Commission pursuant to Article 810, Special Use Permits.
- (d) **Board of Adjustment Special Use Permit.** A letter "S₂" indicates that a use is allowed only upon approval of a special use permit approved by the Board of Adjustment pursuant to Article 810, Special Use Permits.

- (e) Uses Not Allowed. A designation "--" indicates that a use is not allowed within the regulatory zone.

[Amended by Ord. 875, provisions eff. 8/3/93.]

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

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

[Section 110.302.25 renamed from "Accessory Uses" and amended by Ord. 875, provisions eff. 8/3/93.]

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

[Section 110.302.30 renamed from "Temporary Uses" and amended by Ord. 875, provisions eff. 8/3/93.]

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

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

[Amended by Ord. 875, provisions eff. 8/3/93.]

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

[Amended by Ord. 875, provisions eff. 8/3/93.]

Article 434

REGIONAL DEVELOPMENT STANDARDS WITHIN COOPERATIVE PLANNING AREAS AND ALL OF WASHOE COUNTY

Sections:

110.434.00	Introduction
110.434.05	Purpose
110.434.10	Applicability
110.434.15	Definitions
110.434.20	Density
110.434.25	Lot Adjacency Standards
110.434.30	Ridgelines
110.434.35	Earthquake Fault Areas

Section 110.434.00 Introduction. Subsequent to adoption of the updated 2002 Truckee Meadows Regional Plan, the Regional Plan Settlement Agreement Case No. CV02-03469 (hereinafter referred to as “settlement agreement”) was reached that disposed of certain litigation over the Regional Plan and related matters. Among subsequent actions required by the settlement agreement was development of certain specific objective criteria that would establish findings necessary for zone changes within areas defined as “cooperative planning areas” in the Truckee Meadows. This is addressed in Article 822, Provisions for Amendments to Local Master Plans and Zone Changes in Areas Subject to Cooperative Planning Under the Regional Plan Settlement Agreement. The settlement agreement also required development of certain minimum development standards common throughout the entire cooperative planning area to minimize potential negative impacts of new development on existing development within the incorporated and unincorporated areas. These common minimum standards are addressed in this article. Together, Articles 434 and 822 are intended to promote effective implementation of the Truckee Meadows Regional Plan of 2002 by applying specific standards and criteria, and requiring findings during the local zoning and master plan amendment process. Principle #1 of the Regional Plan, adopted May 9, 2002, states that the plan:

“...aims to limit the spread of the urban footprint and direct more development of homes and jobs toward the traditional core of the region—its downtowns, its designated Regional Centers, and its traditional transportation corridors. This strategy will redirect growth that might otherwise occur at the urban fringe; make more efficient use of land, natural resources and community services; save money on infrastructure; reduce dependence on the private automobile; promote multi-modal transportation choices; protect air quality; conserve energy; preserve designated open space; and create more affordable communities. This strategy, which will result in a more compact form of future development, as well as a more diverse mix of uses, will provide a variety of living and working situations, and will promote human, natural and economic capital, strengthen our communities and ensure that the region’s assets are accessible to all.”

[This Section added by Ord. 1191, provisions eff. 3/21/03].

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Section 110.434.05 Purpose.

- (a) Articles 434 and 822 are intended to implement certain portions of the October 17, 2002 Regional Plan Settlement Agreement and to function as the master documents for the settlement agreement. These standards will be on file with all settlement signatories and the Court.
- (b) The cooperative planning criteria and development standards have been developed and implemented to provide better assurance to the communities and citizens as to what, where, when and how development will occur within their neighborhoods and to what standards or criteria these areas will be developed.
- (c) For the full term of the 2002 Regional Plan, the codes of Reno, Sparks and Washoe County must contain all the provisions specified in Articles 434 and 822. Codes for any of these jurisdictions may exceed these requirements, but they shall contain no provisions that contradict or weaken the effect of these provisions. Any variance to the provisions contained within this article, including any proposed modifications pursuant to special use permit or other special exception, shall be processed only as specified in NRS 278.300 (1)(c) as that statutory provision is implemented in Article 110.804 of the Washoe County Development Code and [the] corresponding provisions of the City of Sparks and City of Reno codes. Specific Plans, Transit Oriented Development, Emerging Employment Centers, Planned Unit Development or any other area within the cooperative planning areas may not be exempted from these provisions. Neither the Regional Plan, nor any of the codes of the three jurisdictions, shall be amended in any way so as to negate the provisions of these articles during the term of the 2002 Regional Plan. Notwithstanding the above, any or all of these provisions may be amended through majority vote of each of the three local governing bodies.

[This Section added by Ord. 1191, provisions eff. 3/21/03].

Section 110.434.10 Applicability. These standards apply for the entire term of the 2002 Regional Plan, are part of the settlement of litigation related to that plan, and may be amended only by agreement of all parties to that settlement.

- (a) The standards established in Section 110.434.25 of this article relate to potential negative impacts that may occur at or near the interface between incorporated or extra territorial jurisdiction areas and unincorporated areas outside the spheres of influence. Accordingly, these standards apply only to:
 - (1) New development proposed in cooperative planning areas after October 17, 2002 within five hundred (500) feet of the existing built environment, or within five hundred (500) feet of platted lots.
 - (2) New development within unincorporated Washoe County within five hundred (500) feet of the existing built environment, or within five hundred (500) feet of platted lots.
- (b) The standards established in Sections 110.434.20 and 110.434.35 of this article relate to impacts that can have a more wide-ranging impact on the entire existing developed community. These standards apply to all cooperative planning areas.

[This Section added by Ord. 1191, provisions eff. 3/21/03].

Section 110.434.15 Definitions. The definitions in Article 822 shall apply.

[This Section added by Ord. 1191, provisions eff. 3/21/03].

EXHIBIT B

Section 110.434.20 Density. To the extent that land in such areas affected by this standard would be buildable under federal, state or local regulations, the full eligible density may be utilized on other locations on the site. However, the codes of all entities must provide that:

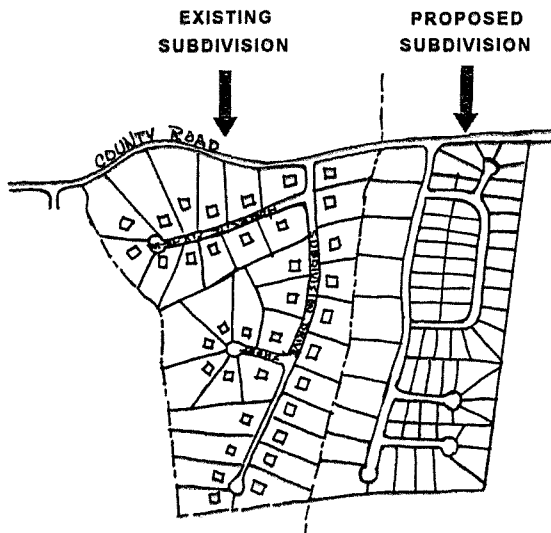
- (a) No density transfers may be allowed from lands that are otherwise undevelopable.
- (b) Any land from which density is transferred in a subdivision map must be deed-restricted for open space, parks or recreational use with Washoe County and the applicable City as parties to the recorded restriction.

[This Section added by Ord. 1191, provisions eff. 3/21/03].

Section 110.434.25 Lot Adjacency Standards. Lots proposed within a new subdivision that share a common property line with an established subdivision shall not contain structures that exceed the maximum height of the adjacent equivalent zoning district or land use district.

- (a) Large Lot Single Family Residential to Large Lot Single Family Residential. To provide adequate transition between varying sizes of single-family residential parcels designated one (1) dwelling unit per five (5) acres to one (1) dwelling unit per acre, the minimum adjacent lot size shall be one (1) acre. In no instance will the depth of any proposed lot (the extent of that lot perpendicular to the boundary line) be less than two hundred (200) feet.
- (b) Single Family Residential to Single Family Residential. To provide adequate transition between varying sizes of single-family residential parcels designated as one (1) unit per acre or greater density, one of the following methods shall be utilized:
 - (1) Parcel Size Matching. The minimum lot sizes identified in the land use designation of the immediately adjacent developed subdivision shall be maintained at the edge of the proposed subdivision as depicted in Figure 110.434.25.1. In no instance will the depth of any proposed lot (the extent of that lot perpendicular to the boundary line) be less than that of any existing lot to which it is adjacent.

Figure 110.434.25.1
PARCEL SIZE MATCHING



Source: Washoe County Department of Community Development.

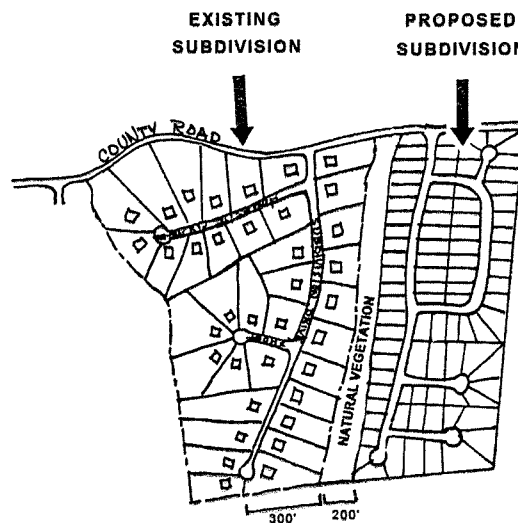
EXHIBIT B

Or

- (2) **Buffering.** A "buffer zone" shall be established. When the buffer remains natural vegetation, the buffer zone shall be equivalent to two hundred (200) feet or the average minimum lot depth of the adjoining developed property, whichever is greater (see Figure 110.434.25.2). The buffer zone may be common open space for the proposed subdivision. This common open space may not contain above ground utility lines but may include paths, equestrian trails, trees or benches. The buffer area and amenities must be maintained by the homeowners association or a lighting and landscaping district established pursuant to NRS 278.478.

Figure 110.434.25.2

BUFFERING



Source: Washoe County Department of Community Development.

- (c) **Multi-Family Residential to Single Family Residential.** To provide adequate transition between multi-family and single-family residential parcels, the development code standards of the closest cooperative planning agency (City of Reno or City of Sparks) shall apply in those respective jurisdictions as those development code standards existed on October 17, 2002, except where a common code applies to all cooperative planning areas in accordance with standards provided for in the settlement agreement and in Exhibit 3, Initial Criteria for Areas within Extended SOIs of the Regional Plan Settlement Agreement Case No. CV02-03469.
- (d) **Single Family Residential and Multi-Family Residential to Non-Residential.** To provide adequate transition between non-residential parcels and multi-family residential parcels, and between non-residential parcels and single family residential parcels, the development code standards of the closest cooperative planning agency (City of Reno or City of Sparks) shall apply in those respective jurisdictions as those development code standards existed on October 17, 2002, except where a common code applies to all cooperative planning areas in accordance with Exhibit 3, Initial Criteria for Areas within Extended SOIs of the Regional Plan Settlement Agreement Case No. CV02-03469.

EXHIBIT B

- (e) Non-Residential to Non-Residential. To provide adequate transition between varying uses on parcels designated non-residential, the side and rear setbacks shall be as required by the Washoe County Development Code on October 17, 2002, except where a common code applies to all cooperative planning areas in accordance with Exhibit 3, Initial Criteria for Areas within Extended SOIs of the Regional Plan Settlement Agreement Case No. CV02-03469.

[This Section added by Ord. 1191, provisions eff. 3/21/03].

Section 110.434.30 Ridgelines.

- (a) For visually important ridgeline (VIR) areas, the development standards of the applicable VIR area will apply, as developed in accordance with Article 822, Section 110.822.25(j).
- (b) Where at buildout there will be a row of structures along a ridgeline, the setbacks must be staggered with a variation of at least twenty (20) feet in an irregular pattern to avoid creating a visual "wall". Uniformity in structures arrayed along ridgelines is to be discouraged and variation is to be encouraged.
- (c) All other ridgeline design and development standards shall apply for Sparks, Reno and Washoe County as they were respectively in effect on October 17, 2002, except where a common code applies to all cooperative planning areas in accordance with Exhibit 3, Initial Criteria for Areas within Extended SOIs of the Regional Plan Settlement Agreement Case No. CV02-03469.

[This Section added by Ord. 1191, provisions eff. 3/21/03].

Section 110.434.35 Earthquake Fault Areas. Development in earthquake fault areas is to be discouraged. No habitable structure, or a structure whose integrity is critical to maintaining the public health and safety, shall be located on a fault that has been active during the Holocene Epoch of geologic time or as determined by a site specific geotechnical study.

[This Section added by Ord. 1191, provisions eff. 3/21/03].

EXHIBIT B

Attachment 1
**MULTI-FAMILY RESIDENTIAL TO SINGLE FAMILY RESIDENTIAL
 ADJACENCY STANDARDS**

	COUNTY	RENO	SPARKS
STRUCTURE HEIGHT	10du/ac = 40 ft. 21du/ac = 70 ft. 42du/ac = 70 ft. 110.406.05.1	14du/ac = 35 ft 21du/ac = 45 ft 30 du/ac = 45 ft. 18.06.503 Table 2	Duplex = 30 ft. 20du/ac = 30 ft. 29du/ac = 35 ft. 20.76.030, 20.74 and 20.76
SETBACKS	F/ S/ R 10du/ac = 15/5/10 21du/ac = 15/5/20 42du/ac = 20/5/20 110.406.05.1 None None	15ft/30 if street 10 ft. side 20 rear 18.06.503 table two 10 foot side & rear setback then add 1:1 height/setback ratio over 15' Building height for 2 acre site or less and 1:3 height/setback ratio over 15 feet for over 2 acres 18.06.506D	1ft height/ setback ratio 20.76.030, 20.74 and 20.76
LANDSCAPING	20% of site 1 tree/per 50 ft. frontage Living ground cover = 50% in 1 year Trees = mix conifers ½ 7 ft. & ½ 5 ft. tall Deciduous 50% 2" 50% 1" Preservation of Significant Trees Entire abutting setback area 110.412	20% of site 1 tree/per 300 sq.ft. of landscaping Living ground cover = 75% in 3 years Tree = mix 60% large = 10' 60% 2 ½ caliper Existing Tree Preservation Entire abutting setback landscaped 18.06.700	20% 1 tree/per 300 sq.ft. of landscaping 80% max turf Tree mix Conifer = 6 ft. Deciduous = 2" See Design Standards Guidelines 3-.9
SCREENING	6-7 ft. fence Trash Enclosure screened	6 ft solid 5 feet of landscaping adjacent 1 tree/30 ft. Same	Over 6 units SUP, address screening in review 15' periphery landscaping 4 trees, 24 shrubs per 100 lineal feet Same See Design Standards Guidelines 5-8
SIGNAGE	Not addressed	No signage in rear adjacent to single family	Not addressed
DESIGN STANDARDS	None None	Building Façade fenestration Vertical to horizontal articulation	Horizontal/vertical articulation over 50' Roof variation Over 6 Units requires Special Use Permit, see Design Standards 5-4

EXHIBIT B

Attachment 2
**NON-RESIDENTIAL TO SINGLE FAMILY RESIDENTIAL
 ADJACENCY STANDARDS**

	COUNTY	RENO	SPARKS
STRUCTURE HEIGHT	NC/O = 60 ft. GC = 80 ft. TC = 45 ft. I = 65 ft. 110.406.05.1	OP & NC = 35 ft. GC = 65 ft. HC 65 ft. I = 55 ft. max. 18.06.503 Table 2	OP & NC = 30 ft. C1 = 30 ft. C2 = 60' TC = No Max I = 55 ft. max. 20.80.030
SETBACKS	F/ S/ R NC/O = 15/15/20 GC = 10/10/10 I = 15/10/15 110.406.05.1 None None	Adjoining Single Family Setback and add: 1:1 height/setback ratio over 15' Building height for 2 acre site or less add 1:3 height/ setback ratio over 15 feet for over 2 acres 18.06.506D	1:1 ratio of height/setback 20.83, .85 and .86
LANDSCAPING	20% of site for commercial, 10% industrial 1 tree/per 50 ft. frontage Living ground cover = 50% in 1 year Trees = mix conifers ½ 7 ft. & ½ 5 ft. tall Deciduous 50% 2" 50% 1" Preservation of Significant Trees	20% of site for OC/GO, NC, 15% for GC and I front yard with add on 18.06.702.1 1 tree/per 300 sq.ft. of landscaping Living ground cover = 75% in 3 years Tree = mix 60% large = 10' 60% 2 ½ caliper Existing Tree Preservation Entire abutting setback landscaped 18.06.700	25% of site for PO, 20% for C1, 15% for C2, 10% for TC 4 trees per 100 lineal feet Minimum 30' on center near residential Minimum planter 10' wide, 1 tree/5 shrubs ea. 25' Tree mix 50% = 6' 50% = 8 ft See Design Standards Guidelines 3.9 Perimeter Landscaping to residential
SCREENING	6-7 ft. fence Trash Enclosure screened	6 ft solid 5 feet of landscaping adjacent 1 tree/30 ft. Same	Solid and architecturally compatible, chain link with slats not allowed Same, metal doors Design Guidelines 3.9 Perimeter landscaping/screening to residential
SIGNAGE	Per sign ordinance	No signage in rear adjacent to single family	Per sign ordinance

EXHIBIT B

Attachment 2 (continued)
**NON-RESIDENTIAL TO SINGLE FAMILY RESIDENTIAL
 ADJACENCY STANDARDS**

	COUNTY	RENO	SPARKS
DESIGN STANDARDS	None	Building Façade fenestration	Land Use buffering to residential, segregate to maintain livable residential environment
	None	Vertical to horizontal articulation	No direct line of sight window orientation
	None	Consistent architecture on all sides of structure	Design Guidelines 3-2 through 3-4
LOCATION	Per zoning	Per zoning	Noise, traffic or odor generating activities cannot be near residential uses

EXHIBIT B

Draft Article 438

GRADING STANDARDS

Sections:

110.438.00	Purpose
110.438.05	Scope
110.438.10	Permits Required
110.438.15	Grading Fees
110.438.20	Exempted Work
110.438.25	Definitions
110.438.30	Hazards
110.438.35	Grading Permit Requirements
110.438.40	Bonds
110.438.45	Slopes on Parcels within Cooperative Planning Areas
110.438.50	Cuts
110.438.55	Fills
110.438.60	Setbacks
110.438.65	Drainage and Terracing
110.438.70	Erosion Control
110.438.75	Grading Inspection
110.438.80	Notification of Completion of Work
110.438.85	Grading within Floodplains and Drainage Ways
110.438.90	Buffer Areas and Setbacks from Perennial Streams and Drainage Channels
110.438.95	Grading Plan for Tentative Maps
110.438.100	NDEP Permits

Section 110.438.00 Purpose. The purpose of this article is to safeguard life, limb, property and the public welfare by regulating grading on private and public property.

[Added by Ord. _____, provisions eff. ___/___/04.]

Section 110.438.05 Scope. This article sets forth rules and regulations to control grading which includes clearing and grubbing, excavation, grading and earthwork construction, including fills and embankments; establishes the administrative procedure for issuance of permits; and provides for approval of plans and inspection of grading construction. The appropriate ASTM materials testing standards or equivalent as approved by the County Engineer will be used as required to verify grading and earthwork construction.

[Added by Ord. _____, provisions eff. ___/___/04.]

Section 110.438.10 Permits Required. Except as specified in Section 110.438.20, no person shall do any grading without first having obtained a grading permit from the Building Official as enforceable under the powers of Chapter 100. A separate permit shall be obtained for each site, and may cover both excavations and fills.

[Added by Ord. _____, provisions eff. ___/___/04.]

Section 110.438.15 Grading Fees. Grading fees shall be in accordance with Section 100.____.____.

[Added by Ord. _____, provisions eff. ___/___/04.]

Section 110.438.20 Exempted Work. Exemption from the permit requirements of this article shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this article or any other laws or ordinances of this jurisdiction. A grading permit is not required for the following:

- (a) An excavation below finished grade for basements and footings of a building, retaining wall or other structure authorized by a valid building permit. This shall not exempt any fill made with the material from such excavation or exempt any excavation having an unsupported height greater than five (5) feet after the completion of such structure.
- (b) Cemetery graves.
- (c) Refuse disposal sites controlled by other regulations.
- (d) Excavations for wells.
- (e) Excavating for utilities.
- (f) Mining, quarrying, excavating, processing or stockpiling of rock, sand, gravel, aggregate or clay where established and provided for by law, provided such operations do not affect the lateral support or increase the stresses in or pressure upon any adjacent or contiguous property.
- (g) Exploratory excavations under the direction of soil engineers or engineering geologists.
- (h) An excavation that is less than two (2) feet in depth and that does not exceed the thresholds for a special use permit as stated in Section 110.438.35.
- (i) A fill less than one (1) foot in height and placed on natural terrain with a slope flatter than five units horizontal to one unit vertical (5:1) that does not exceed the thresholds for a special use permit as stated in Section 110.438.35.
- (j) Maintenance of roadways, access easements or driveways.

[Added by Ord. _____, provisions eff. ___/___/04.]

Section 110.438.25 Definitions. For the purposes of this article, the definitions listed hereunder shall be construed as specified in this section.

Approval. "Approval" shall mean that the proposed work or completed work conforms to this article in the opinion of the Building Official or County Engineer.

As-Graded. "As-graded" is the extent of surface conditions on completion of grading.

Bedrock. "Bedrock" is in-place solid rock.

Bench. "Bench" is a relatively level step excavated into earth material.

Borrow. "Borrow" is earth material acquired from an off-site location for use in grading on a site.

Civil Engineer. "Civil Engineer" is a professional engineer registered in Nevada to practice in the field of civil works.

Civil Engineering. "Civil Engineering" is the application of the knowledge of the forces of nature, principles of mechanics and the properties of materials to the evaluation, design and construction of civil works.

Compaction. "Compaction" is the densification of a fill or subgrade by mechanical means.

Earth Material. "Earth material" is any rock, natural soil or fill or any combination thereof.

Engineering Geologist. "Engineering geologist" is a geologist experienced and knowledgeable in engineering geology.

Engineering Geology. "Engineering geology" is the application of geologic knowledge and principles in the investigation and evaluation of naturally occurring rock and soil for use in the design of civil works.

Erosion. "Erosion" is the wearing away of the ground surface as a result of the movement of wind, water or ice.

Excavation. "Excavation" is the mechanical removal of earth material.

Existing Grade. "Existing grade" is the grade prior to grading.

Fill. "Fill" is a deposit of earth material placed by artificial means.

Finish Grade. "Finish grade" is the final grade of the site that conforms to the approved plan.

Geotechnical Engineer. See "soils engineer".

Grade. "Grade" is the vertical location of the ground surface.

Grading. "Grading" is any clearing, excavation, filling or combination thereof.

Key. "Key" is a designed compacted fill placed in a trench excavated in earth material beneath the toe of a proposed fill slope.

Professional Inspection. "Professional inspection" is the inspection required by this code to be performed by a civil engineer, soils engineer or engineering geologist licensed in Nevada. Such inspections include that performed by persons supervised by such engineers or geologists and shall be sufficient to form an opinion relating to the conduct of the work.

Rough Grade. "Rough grade" is the stage at which the grade approximately conforms to the approved plan.

Site. "Site" is any lot or parcel of land or contiguous combination thereof, under the same ownership, where grading is performed or permitted.

Slope. "Slope" is an inclined ground surface, the inclination of which is expressed as a ratio of horizontal distance to vertical distance.

Soil. "Soil" is naturally occurring superficial deposits overlying bedrock.

Soils Engineer (or Geotechnical Engineer). "Soils engineer" or "geotechnical engineer" is an engineer experienced and knowledgeable in the practice of soils engineering (geotechnical engineering).

Soils Engineering (Geotechnical Engineering). "Soils engineering" or "geotechnical engineering" is the application of the principles of soils mechanics in the investigation, evaluation and design of civil works involving the use of earth materials and the inspection or testing of the construction thereof.

Terrace. "Terrace" is a relatively level step constructed in the face of a graded slope surface for drainage and maintenance purposes.

[Added by Ord. _____, provisions eff. ___/___/04.]

Section 110.438.30 Hazards. Whenever the Building Official or County Engineer determines that any existing excavation or embankment or fill on private property has become a hazard to life and limb, or endangers property, or adversely affects the safety, use or stability of a public way or drainage channel, the owner of the property upon which the excavation or fill is located, or other person or agent in control of said property, upon receipt of notice in writing from the Building Official, shall within the period specified therein repair or eliminate such excavation or embankment to eliminate the hazard and to be in conformance with the requirements of this code.

[Added by Ord. _____, provisions eff. ___/___/04.]

Section 110.438.35 Grading Permit Requirements.

- (a) Grading Requiring a Special Use Permit. A special use permit is required for any clearing, excavating, filling, grading, earthwork construction, earthen structures and storage of earth, including fills and embankments if:
- (1) The disturbed area exceeds twenty-five thousand (25,000) square feet per parcel.
 - (2) More than one thousand (1,000) cubic yards of earth will be imported and placed as fill in a special flood hazard area.
 - (3) More than five thousand (5,000) cubic yards of earth will be imported and placed as fill.
 - (4) More than one thousand (1,000) cubic yards will be excavated, whether or not the earth will be exported from the property.
 - (5) A permanent earthen structure will be established over four and one-half (4.5) feet high.
 - (i) "Permanent", as it applied to earthen structures, means earthen structures: (1) which the plans show will remain at the completion of the work; or (2) which will remain indefinitely under separate permit and approvals for purposes of storage until a use is found elsewhere.

- (ii) "Temporary", as applied to earthen structures, means earthen structures that the plans show will not remain at the completion of the work.
 - (iii) Height of earthen structures is measured from the land surface, as it existed prior to applying for the permit or from grade shown on plans, whichever is lower.
- (6) The provisions of (2) and (3) of this subsection are applicable whether the material is intended to be permanently located on a site or temporarily stored on a site for relocation to another, final site.
- (7) A special use permit is exempted for:
- (i) Earth excavated from a slope greater than seven (7) percent and retained on the slope immediately adjacent to the excavation, where such excavation is for the foundation of a building.
 - (ii) Earthwork performed by the subdivider or developer of an approved subdivision, major project or other projects that have completed a hearing process and review pursuant to which mitigation conditions could have been attached in the same manner as in the special use permit process.
 - (iii) Public utilities within the public right-of-way or a public utility easement.
 - (iv) The area under a building footprint or pavement.
 - (v) Areas that will be landscaped within ninety (90) days following completion of construction.
 - (vi) Areas disturbed by agricultural use, animal production, crop production, and forest products.
- (b) Grading Permit Application Requirements.
- (1) Application for a grading permit shall be accompanied by plans and specifications, and supporting data consisting of a soils engineering report and engineering geology report. The plans and specifications shall be prepared and signed by an individual licensed by the State of Nevada to prepare such plans or specifications when required by the Building Official. This individual shall be considered as the engineer or architect of record unless otherwise approved by the Building Official.
 - (2) Specifications shall contain information covering construction and material requirements.
 - (3) Plans shall be drawn to scale and shall be of sufficient clarity to indicate the nature and extent of the work proposed and show in detail that the work will conform to the provisions of this code and all relevant laws, ordinances, rules and regulations. The first sheet of each set of plans shall give the location of the work, the name and address of the owner, and the person by whom they were prepared.

- (4) The plans shall include the following information:
- (i) General vicinity of the proposed site.
 - (ii) Property limits and accurate contours of existing ground and details of terrain and area drainage.
 - (iii) All finish grade elevations, high point locations, limiting dimensions, and finished contours to be achieved by grading, and all drainage swale, natural drainage ways, and drainage easement locations both on-site and immediately off-site as needed to verify the proposed drainage system.
 - (iv) Detailed plans of all surface and subsurface drainage devices, walls, cribbing, dams and other protective devices to be constructed with, or as a part of, the proposed work, together with a map showing the drainage area and the estimated runoff of the area served by any drains. All disturbed areas and cut and fill volumes shall be quantified and shown on the plans.
 - (v) Location of any buildings or structures on the property where work is to be performed and the location of any buildings or structures on land of adjacent owners that are within fifteen (15) feet of the property line or that may be affected by the proposed grading operations.
 - (vi) Recommendations included in the soils engineering report and the engineering geology report shall be incorporated in the grading plans or specifications. When approved by the Building Official, specific recommendations contained in the soils engineering report and the engineering geology report, which are applicable to grading, may be included by reference.
 - (vii) The dates of the soils engineering and engineering geology reports together with the names, addresses and phone numbers of the firms or individuals who prepared the reports.
 - (viii) The destination of excavated material not used on site and how it will be used at its end destination, and the location of temporary material storage site(s).
- (c) Soils Engineering Report. The soils engineering report required by Section 110.438.35(b) shall include data regarding the nature, distribution and strength of existing soils, conclusions and recommendations for grading procedures and design criteria for corrective measures, including buttress fills, when necessary, and opinion on adequacy for the intended use of site to be developed by the proposed grading as affected by soils engineering factors, including the stability of slopes.
- (d) Engineering Geology Report. The engineering geology report required by Section 110.438.35(b) shall include an adequate description of the geology of the site, conclusions and recommendations regarding the effect of geologic conditions on the proposed development, and opinion on the adequacy for the

intended use of sites to be developed by the proposed grading, as affected by geologic factors.

- (e) Liquefaction Study. The Building Official or County Engineer may require a geotechnical investigation and report addressing the potential for liquefaction when, during the course of an investigation, all of the following conditions are discovered:
- (1) Shallow groundwater, fifty (50) feet or less.
 - (2) Unconsolidated sandy alluvium.
 - (3) Seismic Zones 3 or 4.
- (f) Minor Grading Requirements. Minor grading is less than the limiting quantities for a special use permit as in Section 110.438.35(a). Minor grading may not require engineering grading plans as in Section 110.438.35(b). Each application for a minor grading permit shall be accompanied by a plan in sufficient clarity to indicate the nature and extent of the work. The plans shall give the location of the work, the name of the owner, and the name of the person who prepared the plan. The plan shall include, as a minimum, the following information:
- (1) General vicinity of the proposed site.
 - (2) Limiting dimensions and depth of cut and fill, including the quantities of all disturbed areas and volumes of cut and fill.
 - (3) Location of any buildings or structures where work is to be performed, and the location of any buildings or structures within fifteen (15) feet of the proposed grading.
 - (4) Location of all drainage swales, natural drainage ways, and drainage easements both on-site and immediately off-site as needed to verify the proposed drainage system.

[Added by Ord. _____, provisions eff. ___/___/04.]

Section 110.438.40 Bonds. The Building Official or County Engineer shall require a bond or other security in the amount required by this section to assure that the work, if not completed in accordance with the approved plans and specifications, will be corrected to eliminate hazardous conditions, to assure completion of the work, to assure reclamation for uncompleted or completed work and to assure correction of illegal or nonconforming work.

- (a) The amount of the bond shall be the lower of:
- (1) Fifteen hundred dollars (\$1,500.00) per acre of disturbed area; or
 - (2) A reclamation cost estimate approved by the County Engineer.
- (b) The County Engineer may use the bond or other security six (6) months after cessation of work. The County Engineer may grant extensions beyond six (6) months if:
- (1) Due diligence is shown to the County Engineer;

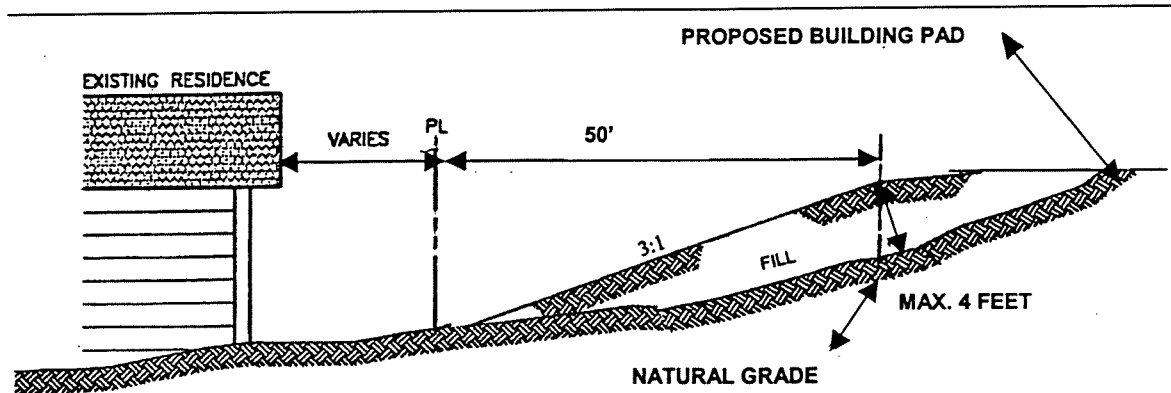
- (2) The County Engineer accepts a revised schedule for completion; or
- (3) Events beyond control of the permittee occur.
- (c) The bond shall be released upon determination by the County Engineer of:
 - (1) Completion of work;
 - (2) Completion of reclamation; or
 - (3) Correction of illegal or nonconforming work.
- (d) After the bond is spent in whole or in part on reclamation of uncompleted work, a new bond will be required prior to resumption of work.

[Added by Ord. ____, provisions eff. __/__/04.]

Section 110.438.45 Slopes on Parcels within Cooperative Planning Areas.

- (a) The standards of this section apply for the entire term of the 2002 Regional Plan, are part of the settlement of litigation related to that plan, and may be amended only by agreement of all parties to that settlement. These standards apply to all cooperative planning areas.
- (b) Grading for subdivision improvements, minor or major special use permits, or other discretionary or building permits adjacent to lots less than or equal to five (5) acres in size shall:
 - (1) Not result in slopes in excess of, or steeper than, three horizontal to one vertical (3:1).
 - (2) For a distance of fifty (50) feet from the shared common property line with an existing residence (see Figure 110.438.45.1), fills shall not differ from the natural grade by more than forty-eight (48) inches and may not exceed a slope of three horizontal to one vertical (3:1).

Figure 110.438.45.1
GRADING



Source: Washoe County Department of Community Development.

- (3) Not result in slopes that differ from the natural grade by more than twenty (20) feet within five hundred (500) feet of a shared common property line with existing development.
- (4) Be limited on cut slopes to equal to, or less than, a slope of three horizontal to one vertical (3:1). However, major cut slopes, in excess of one hundred (100) lineal feet, shall be permitted when the cut slopes include stepped-back structural containment in the form of benches and terraces that include landscaping on the terraces. Rockery walls used to create benches are limited to a maximum vertical height of six (6) feet. The resulting terraces shall include a minimum horizontal width of six (6) feet to provide for the landscaped bench. An exception may be allowed for cuts into stable rock, supported by a geotechnical report.
- (5) Utilize a gradual transition or "rounding or contouring" of the manufactured slope at the intersection of a manufactured cut or fill slope and a natural slope.
- (6) Visually integrate all slope faces (cut or fill) into the natural terrain by a gradual transition or "contouring/rounding" of the manmade landforms into the natural terrain to add sinuosity to the grading of the site.
- (7) Prohibit the use of riprap and gabions as a mechanical stabilization for cut slopes, except where essential for safe access, for passage within the rights-of-way of public roads, and for storm drainage control device(s).
- (8) Require compatibility with adjacent lots, demonstrate visual impacts to the community, and propose design criteria, landscaping and buffering to mitigate impacts on adjacent owners and the community's scenic character, if the applicant proposes cut, fills or slopes in excess of the requirements. Alternative materials and procedures supported by adequate engineering documentation may be approved, provided that they meet the aesthetic intent of these requirements and incorporate mitigation.

- (9) Prohibit road cuts or road retaining walls in excess of six (6) feet in height, except where greater cuts are necessary to maintain American Associates of State Highway Transportation Officials (AASHTO) or local road standards. Grades above retaining walls or cuts shall not exceed three horizontal to one vertical (3:1). This exception shall not be granted when it is feasible to limit the wall height to six (6) feet by means of a slope layback above the wall, in which case the finished slope above the wall shall not exceed three horizontal to one vertical (3:1) and must be revegetated with sustainable growth.
- (10) Ensure that when viewed from the horizontal opposite any cut made for a structure pad, the cut shall not exceed the height of the structure. The area of the cut that will be screened at buildout (by natural landscape, required landscaping and the structure) shall not be less than ninety (90) percent of the total area of the cut when viewed from the horizontal.
- (c) All other grading standards shall apply for Sparks, Reno and Washoe County as they were respectively in effect on October 17, 2002, except where a common code applies to all cooperative planning areas in accordance with Exhibit 3, Initial Criteria for Areas within Extended SOIs of the Regional Plan Settlement Agreement Case No. CV02-03469.
- (d) Proposed storm drainage improvements may include riprap and may include slopes steeper than three horizontal to one vertical (3:1) as approved by the County Engineer.

[Added by Ord. ____, provisions eff. __/__/04.]

Section 110.438.50 Cuts. Cuts on parcels within Cooperative Planning Areas shall be constructed in accordance with Section 110.438.45. Cut slope design and construction will also be based on a soils and geology report as in Section 110.438.35(c) and (d) unless determined not required by the Building Official or the County Engineer.

[Added by Ord. ____, provisions eff. __/__/04.]

Section 110.438.55 Fills. Fills on parcels within Cooperative Planning Areas shall be constructed in accordance with Section 110.438.45. Fill slope design and construction will also be based on a soils and geology report as in Section 110.438.35(c) and (d) unless determined not required by the Building Official or the County Engineer and, as applicable, the following general specifications:

- (a) **Preparation of Ground.** Fill slopes shall not be constructed on natural slopes steeper than two units horizontal to one unit vertical (50% slope). The ground surface shall be prepared to receive fill by removing vegetation, noncomplying fill, topsoil and other unsuitable materials and by scarifying to provide bond with the new fill and, where slopes are steeper than five units horizontal to one unit vertical (20% slope) and the height is greater than five (5) feet, by benching into sound bedrock or other competent material as determined by the soils engineer. Drainage facilities shall be provided at the toe of fills in accordance with Section 110.438.65. When fill is to be placed over a cut or bench, the cut or bench shall be accepted by the soils engineer or engineering geologist as a suitable foundation for fill prior to fill placement.

- (b) **Fill Material.** Detrimental amounts of organic material shall not be permitted in fills. Except as permitted by the Building Official, no rock or similar irreducible material with a maximum dimension greater than twelve (12) inches shall be buried or placed in fills. *Exception: The Building Official may permit placement of larger rock when the soils engineer properly devises a method of placement, and continuously inspects its placement and approves the fill stability. The following conditions shall also apply:*
- (1) *Prior to issuance of the grading permit, potential rock disposal areas shall be delineated on the grading plan.*
 - (2) *Rock sizes greater than twelve (12) inches in maximum dimension shall be ten (10) feet or more below grade, measured vertically.*
 - (3) *Rocks shall be placed so as to assure filling of all voids with well-graded soil.*
- (c) **Compaction.** All fills shall be compacted to a minimum of ninety (90) percent of maximum density and in accordance with the project soils report.

[Added by Ord. _____, provisions eff. ___/___/04.]

Section 110.438.60 Setbacks. Cut and fill slopes shall be set back from site boundaries in accordance with this section. Setback dimensions shall be horizontal distances measured perpendicular to the site boundary.

- (a) **Top of Cut Slope.** The top of cut slopes shall not be made nearer to a site boundary line than one-fifth (1/5) of the vertical height of cut with a minimum of two (2) feet and a maximum of ten (10) feet. The setback may need to be increased for any required interceptor drains.
- (b) **Toe of Fill Slope.** The toe of fill slope shall be made not nearer to the site boundary line than one-half (1/2) the height of the slope with a minimum of two (2) feet and a maximum of twenty (20) feet. Where a fill slope is to be located near the site boundary and the adjacent off-site property is developed, special precautions shall be incorporated in the work as the Building Official deems necessary to protect the adjoining property from damage as a result of such grading. These precautions may include but are not limited to:
 - (1) Additional setbacks.
 - (2) Provisions for retaining walls or slough walls.
 - (3) Mechanical or chemical treatment of the fill slope surface to minimize erosion.
 - (4) Provisions for the control of surface waters.
- (c) **Modification of Slope Location.** The Building Official or County Engineer may approve alternate setbacks. The Building Official or County Engineer may require an investigation and recommendation by a qualified engineer or engineering geologist to demonstrate that the intent of this section has been satisfied.

[Added by Ord. ____, provisions eff. __/__/04.]

Section 110.438.65 Drainage and Terracing. Drainage facilities and terracing shall be shown on the approved grading plan.

- (a) **Subsurface Drainage.** Cut and fill slopes shall be provided with subsurface and surface drainage as necessary for stability.
- (b) **Drainage Disposal.** All drainage facilities shall be designed to carry waters to the nearest acceptable drainage way approved by the Building Official or County Engineer. Erosion of ground in the area of discharge shall be prevented by installation of erosion control facilities. Building pads shall have a drainage gradient of two (2) percent toward approved drainage facilities, unless waived by the Building Official.
- (c) **Interceptor Drains.** Paved interceptor drains shall be installed along the top of cut slopes and/or within terraces as recommended in the approved soils report.

[Added by Ord. ____, provisions eff. __/__/04.]

Section 110.438.70 Erosion Control. The faces of cut and fill slopes shall be prepared and maintained to control against erosion. This control may consist of effective planting. The protection for the slopes shall be installed as soon as practicable but shall be treated with a dust palliative if left undeveloped for more than thirty (30) days and shall be revegetated if left undeveloped for more than forty-five (45) days. Where necessary, check dams, cribbing, riprap or other devices or methods shall be employed to control erosion and provide safety. Any grading operation which will disturb an area of one (1) acre or more also requires a Nevada Department of Environmental Protection (NDEP) permit as per Section 110.438.100.

[Added by Ord. ____, provisions eff. __/__/04.]

Section 110.438.75 Grading Inspection. Grading operations for which a permit is required shall be subject to inspection by the Building Official or County Engineer. Professional inspection of grading operations shall be provided by the civil engineer, soils engineer and the engineering geologist retained to provide such services in accordance with Section 110.438.75(d), and as required by the Building Official for minor grading [Section 110.438.35(f)].

- (a) **Civil Engineer.** The civil engineer shall provide professional inspection within such engineer's area of technical specialty, which shall consist of observation and review as to the establishment of line, grade and surface drainage of the development area. If revised plans are required during the course of the work, they shall be prepared by the engineer of record.
- (b) **Soils Engineer.** The soils engineer shall provide professional inspection within such engineer's area of technical specialty, which shall consist of observation during grading and testing for required compaction. The soils engineer shall provide sufficient observation during the preparation of the natural ground and placement and compaction of the fill to verify that such work is being performed in accordance with the conditions of the approved plan and the appropriate requirements of this section. Revised recommendations relating to conditions differing from the approved soils engineering and engineering geology reports shall be submitted to the permittee, the Building Official and the engineer of record.

- (c) Engineering Geologist. The engineering geologist shall provide professional inspection within such engineer's area of technical specialty, which shall include professional inspection of the bedrock excavation to determine if conditions encountered are in conformance with the approved report. Revised recommendations relating to conditions differing from the approved engineering geology report shall be submitted to the soils engineer.
- (d) Permittee. The permittee shall be responsible for the work to be performed in accordance with the approved plans and specifications and in conformance with the provisions of this code, and the permittee shall engage consultants to provide professional inspections on a timely basis. The permittee shall act as a coordinator between the consultants, the contractor and the Building Official. In the event of changed conditions, the permittee shall be responsible for informing the Building Official of such change and shall provide revised plans for approval.
- (e) Building Official. The Building Official shall inspect the project at the various stages of work requiring approval to determine that adequate control is being exercised by the professional consultants.
- (f) Notification of Noncompliance. If, in the course of fulfilling their respective duties under this article, the civil engineer, the soils engineer or the engineering geologist find that the work is not being done in conformance with this article or the approved grading plans, the discrepancies shall be reported immediately in writing to the permittee and to the Building Official.
- (g) Transfer of Responsibility. If the civil engineer, the soils engineer or the engineering geologist of record is changed during grading, the work shall be stopped until the replacement has agreed in writing to accept their responsibility within the area of technical competence for approval upon completion of the work. It shall be the duty of the permittee to notify the Building Official in writing of such change prior to the commencement of such grading.

[Added by Ord. _____, provisions eff. ___/___/04.]

Section 110.438.80 Notification of Completion of Work.

- (a) Restrictions Pending Completion. Notification and inspection is required before the expiration of the permit to determine whether work is completed in accordance with the final approved grading plan. No final permit, final inspection or certificate of occupancy may be issued for other structures on the property until the grading permit has received a final inspection to determine that the grading work is complete or, if uncompleted, that reclamation work has been completed.
- (b) Engineering Certification. Prior to the scheduling of certain inspections, the Building Official shall require that a Nevada registered civil engineer or a Nevada registered land surveyor submit a certification letter on all parcels for the following:
- (1) Nevada registered civil engineer to certify:
 - (i) Soils investigation report indicating soils classification and design prior to the foundation inspection.

- (ii) Elevation, grading and drainage certification per the approved construction plans prior to the issuance of a certificate of occupancy. *Exception: On parcels two (2) acres or more which do not affect the drainage on other properties, the Building Official may waive this certification requirement.*
- (2) Nevada registered civil engineer or a Nevada registered land surveyor to certify foundation elevation and building setback certification as per the approved plot plan prior to the foundation inspection.
- (c) Permittee Notification to Building Official. The permittee or his agent shall provide written verification to the Building Official that the grading work has been completed in accordance with approved plans and specifications. Final approval shall not be given until all work, including installation of all drainage facilities and their protective devices, and all erosion control measures have been completed in accordance with the final approved grading plan and the required reports have been submitted.

[Added by Ord. ____, provisions eff. __/__/04.]

Section 110.438.85 Grading within Floodplains and Drainage Ways.

- (a) Grading for development within Federal Emergency Management Agency (FEMA) designated floodplains shall comply with Article 416, Flood Hazards.
- (b) Grading for development within floodplains other than those designated by FEMA and within natural drainage ways shall comply with Article 420, Storm Drainage Standards.

[Added by Ord. ____, provisions eff. __/__/04.]

Section 110.438.90 Buffer Areas and Setbacks from Perennial Streams and Drainage Channels.

- (a) Buffer Areas. Buffer area requirements for grading activities in the vicinity of streams classified as perennial are included in Article 418, Significant Hydrologic Resources. Streams classified as perennial are shown on Map 110.418.05.1.
- (b) Setbacks from Drainage Ways.
 - (1) The following minimum setbacks for structures shall be maintained from the centerline of drainage ways which are not classified as perennial streams:
 - (a) Fifteen (15) feet from the centerline of incidental drainage ways [drainage area less than one thousand (1,000) acres].
 - (b) Twenty-five (25) feet from the centerline of secondary drainage ways [drainage area one thousand (1,000) to five thousand (5,000) acres].
 - (c) Fifty (50) feet from the centerline of major drainage ways [drainage area greater than five thousand (5,000) acres].

- (2) The setbacks may be modified upon submission and approval of plans for construction of improvements to drainage ways in question. Improvements shall provide capacity within drainage ways for the free unobstructed passage of the required flood flow quantity as determined by an approved hydrologic/hydraulic analysis.
- (3) The County Engineer may require that any such improvement conform to any master plan of drainage as may be presently or hereafter adopted by Washoe County.

[Added by Ord. ____, provisions eff. __/__/04.]

Section 110.438.95 Grading Plan for Tentative Maps. Grading plan submittals for tentative maps shall be in accordance with Section 110.608.10(x) and (y).

[Added by Ord. ____, provisions eff. __/__/04.]

Section 110.438.100 NDEP Permits. A permit from the Nevada Department of Environmental Protection (NDEP) is required when grading operations will disturb an area of one (1) acre or more. As a minimum, it is required that the receipt showing the NDEP permit fee has been paid shall be submitted to the County Engineer prior to beginning any grading operations.

[Added by Ord. ____, provisions eff. __/__/04.]